

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0532-MCNAMARA, ROBERT THOMAS & DELIA JO:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow a non-decorative fence along a street; **2)** increase fence height; **3)** eliminate and reduce buffering and screening; **4)** modify residential adjacency standards; **5)** reduce drive aisle width; **6)** reduce throat depth; and **7)** waive full off-site improvements.

DESIGN REVIEW for a proposed office development on 1.03 acres in a CP (Commercial Professional) Zone.

Generally located east of Giles Street and north of Ford Avenue within Enterprise. MN/md/kh
(For possible action)

RELATED INFORMATION:

APN:

177-16-301-020; 177-16-301-022

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow an existing non-decorative fence (chain-link) along Giles Street where fences and walls along a street shall be decorative per Section 30.04.03B.
2.
 - a. Allow an existing 6 foot high chain-link fence along Giles Street where a maximum fence or wall height of 3 feet is permitted per Section 30.04.03B (a 100% increase).
 - b. Allow a proposed 3 foot high CMU wall with an attached 5 foot high iron fence (8 feet in total height) along Giles Street where a maximum fence or wall height of 3 feet is permitted within the front setback per Section 30.04.03B (a 166.67% increase).
 - c. Allow a proposed 3 foot high CMU wall with an attached 5 foot high iron fence (8 feet in total height) along Ford Avenue where a maximum fence or wall height of 3 feet is permitted within the front setback per Section 30.04.03B (a 166.67% increase).
3.
 - a. Eliminate the required buffering and screening along the southwest boundary of the north parcel of the development (APN 177-16-301-020) where buffering and screening shall consist of a 15 foot landscape buffer with an 8 foot high decorative screen wall per Section 30.04.02C.
 - b. Reduce the required buffering and screening along the east and southeast boundaries of the north parcel of the development to 10 feet where buffering and screening shall consist of a 15 foot landscape buffer with an 8 foot decorative screen wall per Section 30.04.02C (a 33.4% reduction).
 - c. Eliminate the required buffering and screening along the west boundary of the south parcel of the development (APN 177-16-301-022) where buffering and

screening shall consist of a 15 foot landscape buffer with an 8 foot high decorative screen wall per Section 30.04.02C.

- d. Reduce the required buffering and screening along the east boundary of the south parcel of the development to 10 feet where buffering and screening shall consist of a 15 foot wide landscape buffer with an 8 foot high decorative screen wall per Section 30.04.02C (a 33.4% reduction).
 - e. Allow an 8 foot high wall/fence where an 8 foot high decorative screen wall is required per Section 30.04.02C.
 - f. Allow a single row of large evergreen trees for the north parcel of the development where buffers require a double row of evergreen trees each row planted off-set from one another per Section 30.04.02C.
 - g. Allow a single row of large evergreen trees for the south parcel of the development where a double row of off-set evergreen trees is required per Section 30.04.02C.
- 4.
- a. Allow the largest structure (detached garage) in a multi-building development not within the core of the development where required per Section 30.04.06G.
 - b. Allow parking areas for nonresidential development within 30 feet of a residential district where not permitted per Section 30.04.06L.
 - c. Allow parking areas for non-residential development within 30 feet of a residential district to have a 10 foot wide landscape buffer and non-decorative block wall heights up to 7 feet where buffering and screening shall consist of a 15 foot wide landscape buffer with an 8 foot high decorative screen wall per Section 30.04.06L and Section 30.04.02C.
 - d. Allow areas containing outdoor garbage or recycling containers within 50 feet of an adjacent residential district where not permitted per Section 30.04.06K.
 - e. Reduce the rear setback for an accessory structure (detached garage) on the north parcel to 10 feet where a minimum of 30 feet is required per Section 30.04.06G (a 66.7% reduction).
- 5.
- a. Reduce drive aisle width to 12 feet for the north portion of the development where a minimum width of 24 feet is required per Section 30.04.04H and Table 30.04-3 (a 50% reduction).
 - b. Reduce drive aisle width to 15 feet for the south portion of the development where a minimum width of 24 feet is required per Section 30.04.04H and Table 30.04-3 (a 37.5% reduction).
- 6.
- a. Reduce throat depth for a driveway along Giles Street to 20 feet where a minimum of 25 feet is required per Section 30.04.08 and Uniform Standard Drawing 222.1 (a 20% reduction).
 - b. Reduce throat depth for a driveway along Ford Avenue to 20 feet where a minimum of 25 feet is required per Section 30.04.08 and Uniform Standard Drawing 222.1 (a 20% reduction).
- 7.
- a. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Giles Street where required per Section 30.04.08C.
 - b. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Ford Avenue where required per Section 30.04.08C.

LAND USE PLAN:
ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 8660 Giles Street & 62 E. Ford Avenue
- Site Acreage: 1.03
- Project Type: Office development
- Number of Stories: 1 (office buildings)/2 (detached garage)
- Building Height (feet): 19.5 (office building/north portion - APN 177-16-301-020)/26.5 (detached garage/north portion)/19.5 (office building/south portion - APN 177-16-301-022)
- Square Feet: 4,574 (office building/north portion)/1,209 (detached garage/north portion)/3,943 (office building/south portion)
- Parking Required/Provided: 27/24
- Sustainability Required/Provided: 7/1

Site Plans

The plans depict 2 existing single-story single-family residences located on APNs 177-16-301-020 (north parcel) and 177-16-301-022 (south parcel) that will be converted into office buildings for property management companies. An addition is proposed to the building located on the north parcel. A proposed 2 story detached garage for vehicle parking and equipment and material storage (for landscaping of the property) is located on the east portion of the north parcel. The parcels will be separated by a proposed access gate that is centrally located between the sites; however, there will not be a cross-access agreement between the sites.

APN 177-16-301-020 (north parcel)

The existing 1 story single-family residence was constructed with the following setbacks: 1) 39 feet from the west (front) property line along Giles Street; 2) 5 feet from the south (side interior) property line; 3) 19 feet from the north (side interior) property line; and 4) 161 feet from the east (rear property line). The existing patio cover, located on the south side of the building, will be demolished during the construction of the office addition and new patio cover. The proposed detached garage features the following setbacks: 1) 269 feet from the west property line; and 2) 10 feet from the north, south, and east property lines. Fifteen parking spaces are located to the rear of the site while the 1 accessible space is located on the west side of the building. Access to the site is granted via an existing driveway adjacent to Giles Street. A waiver of development standards is requested to reduce the width of the vehicle drive aisle located north of the building to 12 feet, although it eventually transitions into a width of 24 feet. An existing 6 foot high non-decorative chain-link fence with mesh screening is located along the west property line adjacent to Giles Street, requiring a waiver of development standards. A 3 foot high CMU block wall with a 5 foot high iron fence will be constructed with the proposed development and set back 19 feet from Giles Street. A waiver of development standards is required as the largest building, the proposed detached garage, is not centrally located within the site. An additional waiver is required to allow a row of parking spaces within 30 feet of an RS20 zoned property developed with a single-family residence located south of the project site. A concrete pad enclosed by a 3

foot high CMU block wall with an attached 5 foot high iron fence will enclose the trash and recyclable containers, in lieu of the standard trash enclosure. The trash enclosure is set back 11 feet from the west property line, and zero feet from the south property line, adjacent to an existing single-family residence, requiring a waiver of development standards. A waiver is also requested to allow the portion of the proposed wall/fence within the front yard setback along Giles Street. A request to waive full off-site improvements along Giles Street is also part of this application.

APN 177-16-301-022 (south parcel)

The existing 1 story single-family residence was constructed with the following setbacks: 1) 49 feet from the south (front) property line adjacent to Ford Avenue; 2) 15 feet from the east and west (side interior) property lines); and 3) 92 feet from the north (rear) property line. Nine parking spaces are located at the rear of the site while 2 parking spaces are located at the south portion (front) of the building. Access to the site is granted via an existing driveway adjacent to Ford Avenue. A waiver of development standards is requested to reduce the width of the vehicle drive aisle, located west of the building, to 15 feet, although it eventually transitions into a width of 36 feet. An additional waiver is required to allow a row of parking spaces within 30 feet of an RS20 zoned property developed with a single-family residence located east of the project site. A concrete pad enclosed by a 3 foot high CMU block wall with an attached 5 foot high iron fence will enclose the trash and recyclable containers, in lieu of the standard trash enclosure. The trash enclosure is set back 10 feet from the south property line, and zero feet from the east property line, adjacent to an existing single-family residence, requiring a waiver of development standards. A 3 foot high CMU wall with an attached 5 foot high iron fence will be constructed along the south portion of the site, maintaining a setback of 10 feet from Ford Avenue. A waiver is requested to allow the wall/fence combination within the front yard setback. Access to the existing driveway, located immediately south of the building, will be blocked by the proposed wall/fence and will not be utilized for on-site parking. A request to waive full off-site improvements along Ford Avenue is also part of this application.

Landscaping

The plans depict street landscape areas, measuring between 11 feet to 19 feet in width along Giles Street and 10 feet in width along Ford Avenue, which consist of large trees, shrubs, and groundcover. A waiver of development standards is requested for the north parcel, APN 177-16-301-020, to eliminate the required buffering and screening along the southwest boundary and to reduce the required buffering and screening along the east and southeast boundaries to 10 feet, in addition to allowing a single row of evergreen trees. A waiver of development standards is also requested for south parcel, APN 177-16-301-022, to eliminate the required buffering and screening along the west boundary, to reduce the required buffering and screening along the east boundary, and to allow a single row of evergreen trees. Lastly, a waiver of development standards is requested to allow a combination of existing non-decorative block walls measuring between 5 feet to 7 feet in height with a proposed decorative fence measuring between 1 feet to 3 feet in height added to the walls (8 feet total) around the perimeter of both parcels. An alternative landscape plan is also requested as terminating landscaping finger islands are not provided on the west side of the building, located on the north parcel, and the south side of the building, located on the south parcel. Eleven trees are provided within the interior of the parking lot where 11 trees are required.

Elevations

The plans depict existing 1 story single-family residences that will be converted to office buildings, measuring up to 19.5 feet in height with pitched concrete tile roofs. The buildings consist of a stucco exterior and will continue to maintain a residential appearance. The plans also depict a proposed 2 story detached garage, located on the north parcel, measuring up to 26.5 feet in height with a pitched concrete tile roof and a stucco exterior.

Floor Plans

APN 177-16-301-020 (north parcel)

The plans depict an existing 3,022 square foot single-family residence that will be converted into an office building. An addition is proposed to the building measuring 1,552 square feet (enclosed space) for a total of 4,574 square feet. A 330 square foot patio is also being added. The interior of the building consists of multiple offices, conference room, storage, restroom facilities, and a breakroom.

APN 177-16-301-022 (south parcel)

The plans depict an existing 3,943 square foot single-family residence that will be converted into an office building. The interior design will be determined at a future date based on the needs of the tenant.

Applicant's Justification

The proposed development will convert 2 existing single-family residences into offices for property management companies. An alternative landscape plan is proposed with the design review as the geometry and operational needs of converting the property to an office use makes it impractical to incorporate finger islands while maintaining functional circulation and parking efficiency on this site. Several trees are strategically placed so that they serve dual purposes: some trees are located where they contribute both to the parking lot canopy requirements and to the landscape buffering along property boundaries. The intent is to maintain the existing 6 foot high chain-link fence along Giles Street on a temporary basis until construction of the site commences. At that time, a permanent decorative wall, positioned behind the existing landscape buffer, will be constructed in compliance with design requirements. The fence will be removed and replaced with proposed 3 foot CMU wall with decorative wrought iron fence on top, located behind the landscaping. The existing fence is screened with neutral mesh material, which helps to minimize visual impact from the public right-of-way and adjacent properties. The required landscape buffer is not being provided along the southwest property line of APN 177-16-301-020 or the west property line of 177-16-301-022 as the adjacent property owner operates a daycare facility. The applicant is proposing to utilize the existing non-decorative CMU block wall around the perimeter of both APNs associated with the development. The existing CMU block wall ranges in height from 4 feet 11 inches to 6 feet 9 inches. To meet the required wall height for buffering and screening, the existing walls will be topped with a 2 foot to 4 foot iron fence to meet the 8 foot requirement. The areas where the required landscape buffering will be reduced or not provided are limited to locations where physical constraints exist, including the necessary drive aisle and the existing backyard patio area, which will remain in place. Stepping down the detached garage in size as it approaches the residential adjacency is not recommended in this case because maintaining a consistent roofline and wall height is critical for the structural integrity, usability, and aesthetic cohesion of the garage. A step down would reduce the

functional storage and clearance needed for vehicles and equipment, limiting the garage's intended use and creating awkward interior transitions that complicate construction and maintenance. The proposed parking lot adjacent to residential use is essential to support the office needs and the employees that will be working there. This is to ensure adequate and accessible parking for employees and visitors. This design reduces parking overflow on nearby streets, thereby minimizing potential disruptions to the surrounding residential area. The reduction to the drive aisle widths are necessary because the existing homes are already in place and will not be reconstructed. The reduced throat depth for Giles Street and Ford Avenue are requested due to the anticipated low traffic volume on-site, no conflicts are expected. There will be no queueing due to the gates being open during business hours. Full off-site improvements will not be provided along Giles Street or Ford Avenue as the adjacent residential communities similarly lack off-site improvements, which establishes a precedent for the current development.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Neighborhood Commercial	CR	Undeveloped
South	Neighborhood Commercial	RS20 & CR	Single-family residential
East	Neighborhood Commercial & Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Single-family residential
West	Neighborhood Commercial & Entertainment Mixed-Use	RS20 & CG	Single-family residential & mini-warehouse - currently under construction

Related Applications

Application Number	Request
ZC-25-0531	A zone change from RS20 to CP is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waivers of Development Standards #1 & #2a

Staff typically does not support requests to allow non-decorative fences (chain-link) and increased fence height within the urban area. However, this is an existing chain-link fence that is temporary in nature and will remain in place until the redevelopment of the site is completed. Furthermore, Title 30 allows temporary fences such as chain-link which are intended to be removed upon final development and use of the site. The waivers are necessary to allow the existing chain-link fence to remain until building permits are issued for the development of the site. Staff has no objection to this request. However, since staff is not supporting other portions of this application, staff recommends denial.

Waiver of Development Standards #2b & #2c

Staff finds the proposed 3 foot high CMU wall with an attached 5 foot high iron fence within the front setback along Ford Avenue and Giles Street is a self-imposed hardship. Therefore, staff recommends denial.

Waiver of Development Standards #3

The intent of buffering and screening is to reduce the impacts of uses and activities on neighboring properties, reduce the heat island effect, and mitigate stormwater run-off. Staff recognizes there are some existing site constraints that present challenges to redeveloping the project site as a commercial (office) development. The intent of an 8 foot high screen wall and the double row of evergreen trees is to provide an appropriate level of screening adjacent to less intensive zoning districts. Staff finds that eliminating or reducing the required buffers along the property lines adjacent to the RS20 zoning districts, in addition to not providing the required screen walls, may have a potential negative impact on the existing single-family residences and the residential care facility for the elderly on APN 177-16-301-021. Therefore, staff recommends denial.

Waiver of Development Standards #4a

The intent of residential adjacency standards is to promote compatible transitions between land use areas of differing intensities and to reduce potential negative impacts that may occur when higher-intensity development is located adjacent to residential zoning districts or within 200 feet of the Rural Neighborhood Preservation NPO.

The purpose of requiring the location of the largest structure within core of a multi-building development is to lessen the impact the structure may potentially have on adjacent residential uses. In this particular case, the largest structure being the proposed 2 story detached garage is set back 10 feet from the adjacent RS20 zoned lots to the east and south, which are developed with existing single-family residences. The proposed garage could be reduced to 1 story in height and/or centrally located within the site to have less of an impact on the adjacent residences. Staff is concerned the location of the 2 story structure in its current location may have a negative impact on the adjacent residences; therefore, staff recommends denial.

Waiver of Development Standards #4b & #4c

The intent of limiting parking spaces within 30 feet of residential zoning districts, when not separated by a building or otherwise appropriately buffered with the required buffering and screening requirements, is to limit the impact vehicles from a more intense use may have on

surrounding single-family residences. For example, the glare of headlights from parking lots during the evening hours that shine into residential yards may create a potential nuisance for residents. Furthermore, the sounds of vehicle engines and people entering and exiting their vehicles also create a potential nuisance. For these reasons, staff cannot support the requests to allow parking spaces within 30 feet of a residential district and to reduce the required landscape buffer to 10 feet.

Waiver of Development Standards #4d

Staff finds eliminating the required setback of 50 feet for the alternative trash enclosures adjacent to the RS20 zoning districts is a self-imposed hardship. However, the proposed enclosure is to house trash and recycle totes which are the same type of receptacles as used for residential trash/recycling which require one to pull out the totes to the street on trash day. Therefore, staff could support this request, however since staff is not supporting a majority of this application, staff cannot support this request.

Waiver of Development Standards #4e

The intent of maintaining consistent side and rear zoning district setbacks along shared lot lines when adjacent to an NPO-RNP is to ensure a uniform pattern of development and mitigate any potential impact proposed structures may have on adjacent residential development. Staff finds the rear setback of 10 feet for the proposed 2 story 26 foot high detached garage is inconsistent with the minimum rear setback of 30 feet for RS20 zoned properties. Therefore, staff recommends denial.

Waiver of Development Standards #5

The intent of requiring a 24 foot wide vehicle drive aisle for parking spaces angled at 90 degrees is to ensure there is adequate width within the aisle for vehicles to pass that are traveling in opposite directions. Staff recognizes there are design constraints associated with the conversion of the residences into office buildings; however, staff is concerned the reduced drive aisle widths may create potential vehicular conflicts and safety hazards. Therefore, staff recommends denial.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The interior conversion of the single-family residences to office buildings will allow the structures to remain residential in appearance. Staff does not object to the alternative landscape plan as 11 trees are provided for the site where 11 trees are required. However, due to the totality of the waivers of development standards requested for the proposed development, staff recommends denial of the design review.

Public Works - Development Review

Waiver of Development Standards #6

Staff cannot support the reduction in throat depth for Giles Street and Ford Avenue, since this is a self-imposed hardship. The site has no existing off-site improvements and is being converted to a commercial use. Therefore, there is no reason the site cannot meet minimum standards.

Waiver of Development Standards #7

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. With the redevelopment, the site needs to meet commercial construction standards. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

Staff Recommendation

Denial.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Fire Prevention Bureau

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and that fire protection may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316; and to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Enterprise - denial.

APPROVALS:

PROTESTS:

APPLICANT: JO MCNAMARA

CONTACT: TANEY ENGINEERING INC., 6030 S. JONES BOULEVARD, LAS VEGAS,
NV 89147