

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-24-0094-AVILA, JOSE:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** buffering and screening standards; and **2)** driveway geometrics.

**DESIGN REVIEW** for an office building on 0.4 acres in a CP (Commercial Professional) Zone within the Airport Environs (AE-60) Overlay.

Generally located on the north side of Russell Road, 360 feet west of Mcleod Drive within Paradise. JG/jud/ng (For possible action)

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RELATED INFORMATION:

**APN:**

162-25-411-035

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce the width of a landscape buffer to 11 feet where 15 feet is required per Section 30.04.02C (a 27% reduction).
- b. Allow a 6 foot high non-decorative screen wall where an 8 foot high decorative screen wall is required per Section 30.04.02.C (a 25% reduction).
2. Allow a commercial pan driveway where a commercial curb return driveway is required per Uniform Standard Drawing 222.1.

**LAND USE PLAN:**

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 2860 E. Russell Road
- Site Acreage: 0.4
- Project Type: Office building
- Number of Stories: 2
- Building Height (feet): 35
- Square Feet: 6,186
- Parking Required/Provided: 15/18
- Sustainability Points Required/Provided: 7/7

Site Plans

The plans depict a new 2 story, 6,186 square foot office building located on the southwest corner of the site. The site was previously approved to reclassify 0.4 acres from R-E to C-P zoning and

convert the then existing residence into an office building. The original layout of the site had the building parallel to Russell Road. There were several conditions of approval relating to the original site layout; however, the building was demolished and the current layout shows the new building perpendicular to Russell Road. Setbacks include 56 feet to the north (rear) property line, 67 feet to the east (side) property line, 20 feet to the south (front) property line along Russell Road, and 15 feet to the west (side) property line. The main building entrance faces east, and is identified by the portico located on the street side of the building. On the west side of the building is the employee only entrance, which is accessed via a 4 foot wide sidewalk on the south and portions of the west side of the building. The sidewalk around the east and north side of the building is 5 feet in width.

Access to the site is provided from 1 driveway located on the southeast corner of the site. Eighteen parking spaces are located on the east side of the building, including one ADA space, which are visible from the street. Two motorcycle spaces and 2 bicycle racks for 4 bicycles are shown.

The plans also depict an existing attached sidewalk, which will remain. A 3 foot high, 51 foot long decorative CMU wall will be installed along the west property line and will connect with the existing 6 foot high non-decorative CMU wall along the same boundary line. On the north property line, the applicant is proposing to keep the existing 6 foot high non-decorative CMU wall. Hence this application includes a waiver of development standards to allow a non-decorative, 6 foot high wall instead of the 8 foot high decorative screen wall as required. On the east side of the site is a commercial development. The existing wall/fence in the front of the site will be removed.

#### Landscaping

The plans depict a minimum 15 foot wide landscape strip with large trees 30 feet on center along Russell Road. A 15 foot wide landscape buffer, with staggered large trees 20 feet on center, is provided along the north property line adjacent to the existing residential use. On the west side of the site the landscape buffer ranges from 16 feet in width to 11 feet in width. A waiver of development standards is included to reduce a portion of the landscape buffer along the west side of the site. The east boundary line shows a 2.5 foot wide landscape strip with shrubs. Parking lot landscape finger islands are provided according to Code requirements.

#### Elevations

The plans show a 35 foot high, 2 story farmhouse design office building. The building has pitched roof with solar panels. Each window presents opaque low-e glass with waterproof fabric canopies. The exterior materials include sustainable shiplap siding, cultured stone veneer, and roof tile. The entry doors have exterior wall sconce lighting. Lights will be shielded and on motion sensors.

#### Floor Plans

The proposed building has an overall square footage of 6,186 square feet. The first floor consists of a lobby, conference room, offices, kitchen, and restrooms. The second floor consists of a small lobby, an IT room, multiple offices, and restrooms.

### Applicant's Justification

The applicant states the project is compatible with the residential character of the neighborhood. The project will not have direct access to existing residential properties, the only vehicular access is from Russell Road. The proposed office building will enhance the overall architectural character of the neighborhood with its modern farmhouse design. Also, the applicant states that due to width of the site and the location of an existing light pole and fire hydrant a commercial curb return driveway is not possible; therefore, the applicant is requesting to keep the pan driveway as existing on the site.

Furthermore, the applicant states that the boundary walls on the west and north are on the property line. As such, the applicant cannot increase the existing wall height without the neighbors' consent. The applicant stated they have tried (unsuccessfully), in multiple occasions, to contact the adjacent property owner.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-1577-99	Reclassify 0.4 acres from R-E to C-P zoning for an office development	Approved by BCC	November 1999

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single family residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	CP (AE-60) & RS20 (AE-60)	Single family residential
East	Neighborhood Commercial	CP	Commercial development
West	Neighborhood Commercial	RS20 (AE-60)	Single family residential

### **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.

#### Waiver of Development Standards #1

Policy 3.6.1 encourages site features that provide shade, reduce the footprint of hardscaped areas, and otherwise help to reduce heat absorption by exterior surfaces. Furthermore, Policy 1.4.4 encourages flexible standards to promote in-fill redevelopment that is compatible with the scale and intensity of the surrounding area. Although the landscaping buffer does not meet Title 30 standards, allowing flexibility will encourage adaptive use of the existing property. Staff finds that the reduction on a portion of the western landscape strip will not negatively impact the existing residential development. Furthermore, staff finds that the request to allow an existing 6 foot high CMU wall to remain is adequate since the proposed landscape will serve a buffer in addition to the existing CMU wall. The only people accessing the west entryway are employees and staff finds that the proposed landscape will enhance the visual appearance of the development and it should not impact the uses and activities on neighboring properties. As a result, staff can support this request.

#### 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 proposed building and site design make the site appropriate to be used as an office. The proposed site layout meets Title 30 standards for an office use while maintaining the character of a single-family residence, which increases the compatibility with other existing single family residences. Also, the applicant is providing multiple sustainability points making this project consistent with Policy 6.2.2 which promotes sustainable site design and development practices. As a result, the project is compatible with the surrounding properties, and staff can support the design review.

#### **Public Works - Development Review**

##### Waiver of Development Standards #2

Staff has no objection to the request not install a commercial curb return driveway on Russell Road. The applicant has provided additional throat depth helping to reduce the potential for collisions and stacking in the right-of-way.

#### **Staff Recommendation**

Approval.

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**

- 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;
- Reconstruct driveways as commercial pan driveways per Uniform Standard Drawing 224.

### **Fire Prevention Bureau**

- No comment.

### **Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0160-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Paradise - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** JAVIER AVILA

**CONTACT:** JAVIER AVILA, 175 E. WARM SPRINGS RD, STE A, LAS VEGAS, NV 89119