

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0895-REINECK PHILLIP JOSEPH & JUDY:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce parking lot landscaping; **2)** modify buffering and screening; **3)** modify residential adjacency standards; and **4)** reduce driveway throat depth.

**DESIGN REVIEW** for a proposed light manufacturing facility on 0.53 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay.

Generally located south of Patrick Lane and east of Annie Oakley Drive within Paradise. JG/rg/cv (For possible action)

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RELATED INFORMATION:

**APN:**

161-31-701-002

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the number of required landscape islands where landscape islands shall be provided every 6 parking spaces and at the end of each row of parking per Section 30.04.01D.
2. Modify the buffering to allow an 8 foot decorative wall without landscaping along the west property line where buffering and screening shall consist of a 15 foot landscape buffer with an 8 foot decorative screen wall is required per Section 30.04.01D.
3.
  - a. Allow higher-activity areas of development, such as parking, circulation, loading and delivery areas adjacent to areas subject to Residential Adjacency Standards per Section 30.04.06G.
  - b. Allow a parking lot along lot lines adjacent to a residential use (west property line) per Section 30.04.06L.
  - c. Allow parking areas for nonresidential development within 30 feet of a residential district, and not separated by a primary building, or otherwise buffered per Section 30.04.06L.
  - d. Allow roll-up overhead doors to face a residential district per Section 30.04.06N.
  - e. Allow the service/loading area to be set back 42 feet where 50 feet is required per Section 30.04.06N.
  - f. Allow a service/loading areas not screened from adjacent residential properties per Section 30.04.06N.
4. Reduce the driveway throat depth along Patrick Lane to 12 feet where 25 feet is required per Uniform Standard Drawing 222.1 (a 52% reduction).

**LAND USE PLAN:**  
WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

**BACKGROUND:**  
**Project Description**

General Summary

- Site Address: 4021 E. Patrick Lane
- Site Acreage: 0.53
- Project Type: Light manufacturing facility
- Number of Stories: 1
- Building Height (feet): Up to 26
- Square Feet: 2,812 (proposed Building 1)/3,588 (proposed Building 2)/4,290 (proposed Building 3)
- Parking Required/Provided: 10/12
- Sustainability Required/Provided: 7/7

Site Plan

The proposed site plan depicts 3 attached buildings with setbacks of 76 feet from the front property line along Patrick Lane and 2 feet from both the interior side and rear property lines. Access is provided through a single commercial driveway from Patrick Lane. Twelve parking spaces, including 1 accessible space, are located along the northwest property line near the building entrances. The plan shows a painted pedestrian walkway connecting the parking area to the building entrances. A trash enclosure is located north of Building 1 and is set back 52 feet from the west property line (adjacent to an existing residential use) where 50 feet is required per code. A bicycle parking area with charging capability is located on the north side of Building 1, adjacent to the trash enclosure.

The site plan also reflects waivers of development standards related to Residential Adjacency Standards per Section 30.04.06. The applicant is requesting to allow higher-activity areas of development along the west property line; to allow an unbuffered parking area adjacent to residential use along the west property line; and allow an unscreened service/loading area setback at 42 feet where 50 feet is required. In addition, a single roll-up overhead door is located on the north facing elevation of Building 1 which faces the residence to the northwest. Additionally, a waiver is requested to reduce the driveway throat depth along Patrick Lane from 25 feet to 12 feet per Uniform Standard Drawing 222.1.

Landscaping

The plan depicts a landscape strip along Patrick Lane, located behind the existing sidewalk, and exceeding 10 feet in width, which features large trees on both sides of the driveway.

The waivers of development standards requested include a reduction in the number of required landscape islands at the end of parking rows per Section 30.01.01D, and a modification to buffering and screening standards to eliminate the required 15 foot landscape buffer. An existing 8 foot high decorative wall is provided along the west property line and functions as the primary screening element, forming the basis for the requested modification. Based on the number of

parking islands, 3 trees are required; however, only 2 islands are provided and therefore only 2 trees are provided, with the remaining deficiency addressed through the tree fee-in-lieu.

Elevations

The plans depict single story buildings with a maximum height of approximately 26 feet. Exterior elevations feature beige metal siding, metal roofing, and boxed overhangs. Door openings are provided on 3 sides of the building, including a roll-up door on the north elevation facing the public right-of-way, 2 standard doors on the south elevation, and double doors with an overhang on the west elevation. The east elevation contains no openings and is finished with the same metal siding.

Floor Plans

The plans depict 3 single story attached industrial buildings with floor areas of 2,812 square feet for Building 1; 3,588 square feet for Building 2; and 4,290 square feet for Building 3, for a total of 10,690 square feet. The buildings are proposed as shell structures and will be completed through future tenant improvements based on the needs of individual occupants.

Applicant’s Justification

The applicant proposes 3 metal shell buildings for light manufacturing of signs and lighting on an Industrial Park (IP) zoned parcel, with all operations indoors per Title 30 standards. Due to site constraints, the applicant requests waivers to eliminate the 15 foot landscape buffer and tree plantings along the west property line, reduce residential adjacency requirements for setbacks and activity areas, allow fewer parking lot landscape islands, and modify driveway throat depth standards. These waivers are necessary to maintain functional site design, truck circulation, and adequate building footprint. Landscaping, screening, and parking are provided where feasible, and the adjacent property owner has submitted a letter of support for the project.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-0686-07	Waivers of development standards and design review for an RV sales and rental facility - expired	Approved by BCC	August 2007
ZC-0010-04 (ET-0038-05)	An extension of time to review an office building as principal use - expired	Approved by BCC	July 2005
ZC-0010-04	A zone change from R-E to M-D, a use permit and design review for an office building as a principal use – use permit and design review expired	Approved by BCC	February 2004

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Neighborhood Commercial	CP (AE-60)	Undeveloped
South & East	Business Employment	IP (AE-60)	Office/warehouse
West	Business Employment	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

Staff finds approval of this request would reduce the number of landscape islands required at the end of proposed parking rows. These landscape islands serve an important functional and aesthetic purpose; they break up long expanses of pavement, provide shade, support heat-island reduction, and contribute to a more finished and comfortable parking environment. The current site layout can accommodate the required islands without affecting circulation or building placement, and there is no site-specific constraint that would make compliance impractical. For these reasons, staff does not support this request.

##### Waiver of Development Standards #2

Approval of this waiver would allow the applicant to not install the required 15 foot wide landscape buffer with evergreen trees along the west property line. Even though the adjacent parcel is zoned residential, the Business Employment land use designation signals that this area is expected to transition away from residential use over time. The existing 8 foot high decorative wall already provides meaningful screening and covers much of what the buffer is intended to accomplish. Because of that, staff finds that eliminating the buffer will not create compatibility issues. Although staff does not support waiver of development standards #1, this request can be supported on its own because it meets the intent of the buffering standards and is justified based on the site's conditions.

##### Waiver of Development Standards #3

These waivers relate to residential adjacency standards, which are meant to ensure a smooth transition between more intense development and nearby residences. Staff finds that the lot is narrow from east to west, which limits how the applicant can lay out the building, parking, and loading areas while still meeting all standard setbacks. Even with that constraint, the more active parts of the site are pulled toward the interior which may reduce potential impacts on the adjacent residence, and the existing 8 foot high wall provides solid visual separation. The parking adjacency, and the slightly reduced loading setback all function within this context and do not create circulation or compatibility concerns. Although staff does not support waiver of development standards #1, this request can be supported because it meets the intent of the residential adjacency standards section of Title 30.

### 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 other 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.

Staff finds that the overall layout and building scale are generally compatible with the surrounding industrial and employment uses, and the project fits the development pattern along Patrick Lane. The building elevations are simple but appropriate for a manufacturing light facility, and the visible sides include enough variation to avoid a flat appearance. The east elevation does not include many architectural features and contains no openings, but it faces the interior of the site and is not visible from public streets, so it does not create an aesthetic concern. Access and circulation function adequately for the site. A single driveway on Patrick Lane serves the site, and the parking area is located near the building entrances. A painted pedestrian path provides a clear route from parking to the doors, even though it is not differentiated by paving material. Vehicle movements on the site are straightforward and do not create conflicts with adjacent roadways or nearby residential traffic. Staff supports the design review request.

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

#### Waiver of Development Standards #4

Staff has no objection to the reduced throat depth for the driveway on Patrick Lane. The applicant has reduced the potential conflicts by providing extra landscaping on the ingress side to provide drivers additional distance before they encounter any conflicting parking spaces and loading zones.

### **Staff Recommendation**

Approval for waivers of development standards #2, #3, #4 and the design review; denial of waiver of development standards #1.

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, and payment of the tree fee-in-lieu is required for any required trees waived.
- Applicant is advised that certain uses are not permitted in the airport environs and certain other uses will require a special use permit; and 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.
- Applicant is advised that off-site improvement permits may be required.

**Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features;
- Provide access to all buildings on all sides within code required distance.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

**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 and reference POC Tracking #0395-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** PHILLIP REINECK

**CONTACT:** SSA ARCHITECTURE, 7040 LAREDO STREET, SUITE C, LAS VEGAS, NV 89117