

12/17/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0590-DIAMOND CURVE, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; and **2)** reduce landscape buffer.

DESIGN REVIEW for a proposed office building on 0.99 acres in a CP (Commercial Professional) Zone in the Airport Environs (AE-60) Overlay.

Generally located on the north side Patrick Lane, approximately 462 feet west of Lamb Boulevard within Paradise. JG/sd/kh (For possible action)

RELATED INFORMATION:

APN:

161-31-603-030

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the front setback for a proposed office building to 13 feet where 15 feet is required per Section 30.02.04 (a 13% reduction).
2. Reduce the required landscape buffer width along the east property line to 10 feet where 15 feet is required per Chapter 30.04.03 (a 33% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 4110 E. Patrick Lane
- Site Acreage: 0.99
- Project Type: Proposed office building
- Number of Stories: 1
- Building Height (feet): 29
- Square Feet: 9,744 (Proposed office building)
- Parking Required/Provided: 24/26
- Sustainability Required/Provided: 7/8

History and Site Plan

The site was reclassified to CP zoning via ZC-1007-97. The applicant is proposing a new office building located north of Patrick Lane, and 462 feet east of Lamb Boulevard. Access to the proposed office building is along the west property line via a private access easement. No access is provided from Patrick Lane along the south property line. The proposed office building will be

located on the southern half of the parcel and will be set back 114 feet from the north property line, 13 feet from the south property line (Patrick Lane), 10 feet from the west property line adjacent to the private easement, and 10 feet from the east property line. Pedestrian pathways are provided from the right-of-way to the building and from the parking lot to the building. The trash enclosure is located on west portion of the parcel adjacent to the ingress/egress driveway. An 8 foot high CMU block wall is proposed along the east and north property lines. Short term bicycle rack is provided for along the north exterior of the building. The applicant is requesting a waiver of development standards to reduce the front setback of the proposed office building (along Patrick Lane) to 13 feet where 15 feet is required per Section 30.02.13.

Landscaping

The plan depicts an intense landscape buffer along the north and east property lines with trees spaced at 20 feet on center with 54 tree count. The applicant is requesting a second waiver of development standards to reduce a portion of the required landscape buffer to a less intensive use to 10 feet where 15 feet is required along the east property line. Other landscaping is shown within the parking lot. The applicant will install detached sidewalks with street landscaping along Patrick Lane. The proposed plants meet the Southern Nevada Regional Plant list requirements.

Elevations

The plans depict a new office building that is 29 feet in height with a flat roofline and parapet wall. The exterior materials include vertical composite siding, horizontal composite siding, 1 inch insulated glazing windows, aluminum frame, and tilt-up concrete panels. The exterior includes varying roofline and pop-outs to break-up the mass of the building.

Floor Plans

The plans depict various office suites, reception room, stock room, restrooms, coffee bar, and utility room.

Applicant's Justification

The applicant states that the proposed office building will be a benefit to those properties to the west currently zoned for office and professional use. The proposed waiver of development standards to reduce the required buffer to a less intensive use will not impact the neighborhood as there is an existing easements that runs along the east property line that separates the residential building back further. Likewise, the waiver to reduce the street setback is for a small portion of the building due to the setup and design of the right-of-way curvature.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0900-17	Assisted living facility; waiver of development standards for assisted living center not be adjacent to and accessed from a collector or arterial street or a commercial complex; access to a residential local street; waiver of conditions of zone change (ZC-1007-97) required rear parking areas to be gated and locked during non-office hours, driveway on Gateway Road to be removed and waiver of conditions for (ZC-1624-98) required rear parking areas to be gated and locked during non-office hours and waiver of conditions for (NZC-2181-04) required subject to revised plans, development being limited to single story for a maximum height as shown on revised plans, trash enclosure not being moved from the location shown on the revised plans, parking area subject to the current zone change for professional use will be limited to parking only for the adjacent office building, and no access to the private cul-de-sac on the east property line; design review for assisted living facility	Approved by BCC	July 2018
DR-0359-05	Waiver of development standards for street termination in conjunction with office building; design review for office building	Approved by BCC	June 2009

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Ranch Estates Neighborhood (2 du/ac)	RS20 (AE-60)	Single-family residential
South	Business Employment	IP (AE-60)	Undeveloped
West	Neighborhood Commercial	CP (AE-60)	Undeveloped

Related Applications

Application Number	Request
VS-24-0586	Vacation and abandonment for a portion of right-of-way being Patrick Lane 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.

Waiver of Development Standards #1

Staff cannot support the requested waiver of development standards as the proposed development is a new project. The applicant can re-design the building to allow for setbacks and a 15 foot wide landscape buffer where a portion of the building on the east exterior reduces the portion of the 15 foot landscape buffer to 10 feet. The proposed waiver of development standards is a result of a self-imposed hardship; therefore staff cannot support this request.

Waiver of Development Standards #2

Staff cannot support the requested waiver of development standards to reduce the required landscape buffer and screening to 10 feet. The applicant can re-design the building to allow for setbacks and a 15 foot wide landscape buffer where a portion of the building on the east exterior. The proposed waiver of development standards is a result of a self-imposed hardship; therefore, staff cannot 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.

While the overall design of the office building incorporates various sustainability measures and architectural enhancements to break-up any mass and placement on the parcel to reduce impact to adjacent residential uses. Pedestrian pathways are provided for and requisite landscaping has been proposed or on the landscape plan. However, since staff is recommending denial of the waiver of development standards, staff cannot support the design review.

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;
- Reconstruct any unused driveways with full off-site improvements;
- Applicant is advised that off-site improvement permits may be required.

Fire Prevention Bureau

- No comment.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

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 #0392-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: DIAMOND CURVE, LLC

CONTACT: KRISTIN ESPOSITO, 1555 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146