

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0751-SUN LINMEI & TAO TONY:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate a portion of street landscaping; **2)** reduce setback; **3)** eliminate a portion of a detached sidewalk; **4)** waive full off-site improvements along Windmill Lane; **5)** allow modified street standards; and **6)** allow modified driveway design standards.

DESIGN REVIEW for a warehouse with accessory outdoor storage on 2.49 acres in an IP (Industrial Park) Zone and an IL (Industrial Light) Zone.

Generally located on the southwest side of Windmill Lane and Lindell Road within Enterprise.
JJ/bb/kh (For possible action)

RELATED INFORMATION:

APN:

176-13-101-007

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate street landscaping along a portion of Windmill Lane where two, 5 foot wide landscaping strips are required on both sides of a detached sidewalk per Section 30.04.01D.
2. Reduce the front setback to 11 feet where 20 feet is required per Section 30.02.19 (a 45% reduction).
3. Eliminate a portion of the detached sidewalk along Windmill Lane where a detached sidewalk is required per Section 30.04.08C.
4. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Windmill Lane where off-site improvements are required per Section 30.04.08C.
5. Reduce the departure distance from the intersection of Windmill Lane and Lindell Road to 46 feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08 (a 76% reduction).
6. Reduce throat depth for a driveway along Lindell Road to 14 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08 (a 44% reduction).

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A

- Site Acreage: 2.49
- Project Type: Warehouse
- Number of Stories: 1
- Building Height (feet): 38
- Square Feet: 18,649
- Parking Required/Provided: 19/20
- Sustainability Required/Provided: 7/7.5

Site Plan

The plan depicts a 2.49 acre parcel of land with a large railroad easement on the western half of the property. The proposed warehouse is shown on the southeast corner of the property, set back 11 feet to the east property line which is the subject of the waiver request. The access driveway is located along Lindell Road in the middle of the property and is the subject of two waiver requests. A detached sidewalk is shown along Lindell Road. No sidewalk is proposed along the western three-quarters of Windmill Lane alignment and is the subject of a waiver request. The parking lot is located on the north side of the warehouse with a trash enclosure 79 feet south of the Windmill Lane alignment. Bicycle racks and pedestrian access is provided between the street and the building. There is 1,827 square feet of outside storage space shown immediately adjacent to the southwest corner of the building in a triangle shaped area surrounded by an 8 foot high wall between the building and railroad easement. The proposed development requires 19 parking spaces where 20 parking spaces are provided.

Landscaping

Street landscaping is shown adjacent to the detached sidewalk along Lindell Road and the eastern 60 feet of Windmill Lane at the northeast corner of the property. Parking lot landscaping is shown in a large interior landscape island with the other spaces sharing adjacent street landscaping. Three trees are required for the parking area and 7 trees are provided on the plans. All street trees outside the waiver request along Windmill Lane are provided and shown on the plan. Sixteen trees are required along Windmill Lane with 6 trees provided at the northeast corner of the property. The remaining 10 trees that will not be planted will be subject to the tree fee-in-lieu at the time of development.

Elevations

The elevations depict a 37 foot high warehouse building with tilt up concrete walls with a variety of paint colors, textures and roof elevations that deviate vertically by at least 2 feet every 23 to 38 feet along the horizontal plane. Three foot projecting awnings extend from the building above roll up doors and the main entrance. Wall mounted shielded light fixtures are located approximately 11 feet to 13 feet above grade on all 4 sides of the building. Mechanical equipment is roof mounted and shielded by parapet walls on all 4 sides of the building.

Floor Plans

The plans depicts 18,112 square feet of warehouse space and 537 square feet of office space, conference room, and restrooms. Loading docks are in a recessed area on the north side of the building.

Applicant's Justification

The applicant states the proposed 18,649 square foot warehouse is located on existing industrial property with only that area outside the railroad easement proposed for construction on the east side of the property. Approximately half of the property is part of the railroad right-of-way/easement area and not useable for industrial uses. As a result, the proposed warehouse is designed to fit the remaining land apart from a setback waiver being requested with this application. The proposed development is less than half the size and scope of a similar size property could develop. The roll-up doors and loading docks face north and are screened from the residential property on the east side of Lindell Road.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0273-06	Vacated patent easements - expired	Approved by PC	June 2006
ZC-0271-06	Reclassified from R-E to M-D zoning	Approved by BCC	April 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Open Lands	IL & RS20	Undeveloped
South	Business Employment	RS20	Undeveloped
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Single-family residential
West	Business Employment	IL	Construction yard

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
VS-24-0752	A vacation and abandonment of easements 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

The elimination of street landscaping within the railroad easement areas along Windmill Lane starting approximately 60 feet west of the intersection with Lindell Road is consistent with limitations placed on infrastructure improvements in railroad corridors. No street is currently designed or planned in the Windmill Lane corridor at this time. Staff can support the request.

Waiver of Development Standards #2

Staff typically does not support waiver requests to significantly reduce setbacks, however the reduction of the front setback to 11 feet should not create a hazardous condition or limit the required landscaping and detached sidewalk along Lindell Road. The setback is measured to a point 5 feet west of the Lindell Road curb. Approximately less than half of the 2.49 acre property can be used for industrial purposes, including construction of warehouse buildings due to the existing railroad easement on the west side of the property. Staff can support the 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.

Staff finds the design of the site, building, and street landscaping, in conjunction with the sustainability standards, are all supporting factors for this design review request.

Public Works - Development Review

Waivers of Development Standards #3 & #4

Staff has no objection to not install detached sidewalk and off-site improvements along Windmill Lane within the railroad easement. The applicant is providing off-site improvements including detached sidewalk on Windmill Lane up to the railroad easement.

Waivers of Development Standards #5 & #6

Staff has no objection to the reduction in the departure distance and throat depth for the Lindell Road commercial driveway. The site layout is the best use of space with the constriction of the railroad easement.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

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

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- 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 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;
- Full off-site improvements on Lindell Road and a portion of Windmill Lane;
- Right-of-way dedication to include 25 feet to the back of curb for Lindell Road, 45 feet to the back of curb for Windmill Lane with easements, and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- Execute a Restrictive Covenant Agreement (deed restrictions) for a portion of Windmill Lane;
- The installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;

- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- 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 #0039-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTESTS:

APPLICANT: LIN MEI SUN

CONTACT: SUZANA RUTAR ARCHITECT LTD., 1950 E. WARM SPRINGS ROAD, LAS VEGAS, NV 89119