

OFFICE BUILDING  
(TITLE 30)

EASTERN AVE/HACIENDA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-22-0359-ANTHONY PAGLIA INJURY LAWYER LTD:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** alternative parking space dimensions; and **2)** eliminate the required sidewalk to separate buildings from pavement for parking aisles or spaces.

**DESIGN REVIEWS** for the following: **1)** office building; **2)** modifications to an existing parking lot; **3)** permit an existing freestanding sign; **4)** permit existing roof signs; **5)** increase the number of existing wall signs; **6)** permit an existing animated sign (video unit); and **7)** comprehensive sign plan in conjunction with an existing office building on 1.0 acre in a C-P (Office and Professional) Zone.

Generally located on the east side of Eastern Avenue, 200 feet south of Hacienda Avenue within Paradise. JG/md/tk (For possible action)

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RELATED INFORMATION:

**APN:**

162-25-310-018

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the length of automobile parking spaces to 16 feet where a minimum length of 18 feet is required per Section 30.60.050 (an 11.1% reduction).
2. Eliminate the required 5 foot wide sidewalk used to separate buildings from pavement for parking aisles or spaces where a sidewalk is required per Section 30.60.050.

**DESIGN REVIEWS:**

1. Office building.
2. Modifications to an existing parking lot.
3. Permit an existing freestanding sign where not permitted per Table 30.72-1.
4. Permit 2 existing roof signs where not permitted per Chapter 30.72.
5. Increase the number of existing wall signs per building elevation to 3 where 1 wall sign per building elevation is permitted per Table 30.72-1.
6. Permit an existing animated sign (video unit) where not permitted per Table 30.72-1.
7. Comprehensive sign plan for existing and proposed signs.

**LAND USE PLAN:**

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: 5358 S. Eastern Avenue
- Site Acreage: 1
- Project Type: Office building & parking lot modifications
- Number of Stories: 1 (existing)/2 (proposed)
- Building Height (feet): 33 (proposed office building)
- Sign Height (feet): 16 (existing freestanding sign)/3 (existing roof signs)
- Sign Area (square feet): 20 (animated)/64 (overall freestanding sign, including animated area)/45 (roof sign)/15 (wall)
- Square Feet: 2,800 (existing office building)/4,976 (proposed office building)
- Parking Required/Provided: 32/39

#### Site Plans

The plans depict an existing 1 story office building (converted single family residence) centrally located within the project site in addition to a proposed 2 story office building located along the south portion of the project site. The existing 1 story office building has the following setbacks: 1) 44 feet from the west property line, along Eastern Avenue; 2) 42 feet from the north property line adjacent to a retail building; 3) 70 feet from the south property line adjacent to an office building; and 4) 97 feet from the east property line adjacent to existing single family residential development. An attached patio cover extending the length of the existing office building is located on the east side of the structure. The proposed 2 story office building has the following setbacks: 1) 57 feet from the west property line; 2) 179 feet from the north property line; 3) 10 feet from the south property line; and 4) 21 feet (first floor) and 61.5 feet (second floor) from the east property line. The proposed office building is located 32 feet south of the existing office building. The modifications to the existing parking lot include the following: 1) the reconfiguration of 31 existing parking spaces with 8 additional parking spaces; 2) a designated area for the required trash enclosure; 3) a minimum driveway throat depth of 25 feet; and 4) the addition of a two-way circular vehicle drive aisle, measuring a minimum of 24 feet in width, servicing the office development. The proposed trash enclosure is located on the east side of the existing office building with a minimum setback of 58 feet from the residential development to the east. The modifications to the existing parking lot necessitate the following waivers of development standards: 1) eight parking spaces, located along the north property line, measuring 16 feet in length; and 2) eliminating the required 5 foot wide sidewalk between the north and south sides of the existing office building and the parking/vehicle drive aisle. Five foot wide pedestrian walkways connect the existing and proposed office building to the attached 5 foot wide sidewalk along Eastern Avenue. The project site requires 32 parking spaces where 39 parking spaces are provided. Access to the site is granted via an existing commercial driveway located at the northwest corner of the site and a proposed commercial driveway located at the southwest corner of the site, adjacent to Eastern Avenue.

#### Landscaping

The plans depict an existing landscape area measuring a minimum of 15 feet in width along Eastern Avenue. Five trees will be planted 30 feet on center within the street landscape area, in

addition to the shrubs and groundcover. Parking lot landscaping, consisting of large and medium trees, is equitably distributed throughout the interior of the site. A landscape area, measuring a minimum of 10 feet in width with an existing 6 foot high block wall is located along the east property line of the project site adjacent to the existing single family residential development. Twenty-four inch box large Evergreen trees are planted 18 feet on center within the landscape area. Furthermore, an intense landscape buffer per Figure 30.64-12 measuring 21 feet in width is located at the southeast corner of the site between the proposed office building and the single family residential development. A double row of large Evergreen trees are planted a minimum of 8 feet on center within this landscape area.

### Elevations

The plans depict a proposed office building measuring between 14 feet to 33 feet in height to the top of the pitched concrete tile roof. The overall appearance of the office building is residential in nature, consisting of a stucco exterior with decorative stone veneer elements appearing on the base portions of the building. The east elevation (front entrance) of the 2 story building, oriented towards Eastern Avenue, consists of a stucco exterior with windows on the first and second stories of the office. Two separate balcony areas located on the second floor are depicted on the east elevation. The north, south, and east elevations feature a stucco exterior with multiple windows. The second story portion of the office building, as depicted on the east and west elevations, is set back 66 feet from the east property line adjacent to the single family residential development. The proposed office building will consist of neutral colors matching the color palette of the existing office building.

### Floor Plans

The plans depict a proposed 2 story office building measuring 4,976 square feet in area. The first floor of the office building includes multiple offices, an administrative office, waiting and reception area, breakroom, conference room, restroom facilities, and a mock courtroom. The second floor of the office building features multiple offices, restroom facility, conference room, and production room. Separate balcony areas are located at the northwest and southwest corner on the second floor of the office building oriented towards Eastern Avenue. The first floor of the office building measures 106 feet in length (east/west) while the second floor measures approximately 66 feet in length (east/west).

### Signage

The existing signs that are included with the comprehensive sign plan were approved via permit BD21-05244. Per the Development Code, a comprehensive sign plan is required for development with the C-P zoning district. The existing freestanding sign measuring 16 feet in height is located at the northwest portion of the site with a setback of 10 feet from the west property line adjacent to Eastern Avenue. The freestanding sign measures 64 square feet in area that includes an animated (video unit) sign measuring 20 square feet. Two existing roof signs are affixed to the roof of the existing single story building. Each roof sign measures 3 feet in height with an area of 45 square feet. One roof sign is located on the northwest side of the existing office building while the second roof sign is located on the southwest side of the building. Both roof signs are oriented towards Eastern Avenue and are designed as LED illuminated black light boxes. The cumulative area of the 2 roofs signs is 90 square feet. Three wall signs each measuring 15 square feet with a cumulative area of 45 square feet are located on

the west side of the existing office building oriented towards Eastern Avenue. The wall signs are designed as wall mounted light boxes that are internally illuminated. A single wall sign, measuring 30 square feet in area is proposed on the second story west elevation of the proposed office building. This wall sign will also be oriented towards Eastern Avenue.

#### Applicant's Justification

The applicant is requesting to eliminate the sidewalk requirement at the south end of the existing building. Due to the location of the existing building and the required driveway and fire lane dimensions, there is not enough space to locate the sidewalk. In lieu of the sidewalk a landscape planter varying in width from 3 feet to 5.75 feet is proposed. Furthermore, the applicant requests to eliminate the sidewalk requirement on the north end of the existing building and reduce the depth of 8 parking spaces to 16 feet. Due to the location of the existing building and the required driveway and fire lane dimensions, there is not enough space to locate the sidewalk or provide 18 feet deep parking spaces. In lieu of the sidewalk a landscape planter varying in width from 1 foot to 3 feet has been proposed. The site has 7 parking spaces in excess of the Code required parking spaces. The 8 reduced depth parking spaces will not impact the overall parking arrangement. The applicant states proposed use is compatible with adjacent uses in terms of design and operating characteristics and will not adversely affect the value of other properties in the area. The proposed uses will not have a negative impact on public safety, transportation or utility services for any adjacent development. If approved, this project will be an asset to the neighborhood.

#### **Prior Land Use Requests**

| <b>Application Number</b>  | <b>Request</b>                                                                                                                                               | <b>Action</b>   | <b>Date</b>   |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|---------------|
| UC-0688-15<br>(WC-0111-16) | Waiver of conditions requiring a commercial driveway to be approved by staff and to replace an existing pan driveway with a commercial curb return - expired | Approved by PC  | October 2016  |
| UC-0688-15                 | Place of worship - expired                                                                                                                                   | Approved by PC  | December 2015 |
| ZC-046-80                  | Reclassified the project site to C-P zoning with a conversion of a single family residence to a dentist office                                               | Approved by BCC | May 1980      |

#### **Surrounding Land Use**

|       | <b>Planned Land Use Category</b>             | <b>Zoning District</b> | <b>Existing Land Use</b>                     |
|-------|----------------------------------------------|------------------------|----------------------------------------------|
| North | Neighborhood Commercial                      | C-1                    | Retail building                              |
| South | Neighborhood Commercial                      | C-P                    | Office building                              |
| East  | Ranch Estate Neighborhood<br>(up to 2 du/ac) | R-E                    | Single family residential                    |
| West  | Neighborhood Commercial                      | R-1 & CRT              | Single family residential & office buildings |

#### **STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

## **Analysis**

### **Current Planning**

#### Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

#### Waiver of Development Standards #1 & Design Review #2

Staff recognizes the reduced length to the 8 parking spaces is requested to accommodate the required two-way drive aisle width of 24 feet. However, staff is concerned oversized vehicles such as pick-up trucks, could extend into the drive aisle creating potential conflicts. Staff typically does not support requests for alternative parking space dimensions. Staff is also concerned with the location of the proposed accessible parking space located at the southwest corner of the existing office building. The office building creates a potential blind spot for vehicles reversing into the drive aisle from the accessible space. Therefore, staff cannot support these requests.

#### Waiver of Development Standards #2

The request to eliminate the required sidewalks along the north and south sides of the existing building is to maintain the minimum two-way vehicle drive aisle width of 24 feet. Furthermore, a proposed 5 foot wide internal sidewalk connects the existing and proposed office building to the attached sidewalk along Eastern Avenue. The safety of pedestrians should not be jeopardized with the elimination of the required sidewalks adjacent to the existing building. Staff does not anticipate any negative impacts with this request. However, since staff does not support waiver of development standards #1, staff does not support this request.

#### Design Review# 1

Staff finds the proposed office building complies with Goal WP.3 from the Master Plan which encourages the revitalization of established employment centers and commercial corridors in Winchester/Paradise. Eastern Avenue is an arterial street that serves as a major thoroughfare for a variety of commercial and light industrial uses. Staff finds appropriate design criteria has been incorporated into the proposed office building to mitigate any potential impact to the adjacent single family residences. The proposed office building consists of a pitched concrete tile roof, a stucco exterior, and a stone veneer base which is compatible with the existing office building and the adjacent residential development. Furthermore, the second story of the proposed office building is set back 61.5 feet from the east property line. An intense landscape buffer, per Figure 30.64-12 is also provided at the southeast corner of the project site for additional mitigation. Staff does not anticipate any potential impacts to the surrounding land uses and properties with the proposed development. However, since staff does not support other portions of this application, staff does not support this request.

### Design Reviews #3 through #7

Staff typically does not support excessive signage within the C-P zoning district, including freestanding signs with animation, multiple roof and wall signs. However, since the existing signs were properly permitted via permit BD21-05244, staff can support these requests.

### **Staff Recommendation**

Approval of design reviews #3 through #7; denial of waivers of development standards, and design reviews #1 and #2.

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:**

#### **Current Planning**

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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; and that this application must commence within 2 years of approval date or it will expire.

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

- Drainage study and compliance;
- Traffic study and compliance;
- Extend the median 50 feet south of the point of curve of the south side of the northern driveway;
- If required by Public Works - Development Review, remove the parking space to the southwest side of the existing building due to lack of visibility from drivers proceeding west towards the southern driveway.
- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones; and that off-site improvement permits may be required.

#### **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 and reference POC Tracking

#0086-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Paradise - approval of design reviews #3 through #7; denial of waivers of development standards, and design reviews #1 and #2.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ANTHONY PAGLIA

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