

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0127-FINLEY, DAVIS W. & NANCY N.:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate and reduce buffering and screening; **2)** modify residential adjacency standards; **3)** reduce throat depth; and **4)** reduce departure distance.

DESIGN REVIEW for a proposed industrial development with outdoor storage yards on 2.91 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-65 & AE-70) Overlay.

Generally located north of Patrick Lane and west of Topaz Street within Paradise. JG/jam/cv
(For possible action)

RELATED INFORMATION:

APN:

162-36-202-025; 162-36-202-026

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Eliminate the landscape buffer along portions of the north property line where a 15 foot wide landscape buffer consisting of a double row of offset evergreen trees is required per Section 30.04.02C.
- b. Eliminate the landscape buffer along the west property line where a 15 foot wide landscape buffer consisting of a double row of offset evergreen trees is required per Section 30.04.02C.
- c. Allow a 6 foot high wall to remain along portions of the north property line where an 8 foot high decorative wall is required per Section 30.04.02C.
- d. Allow a 6 foot high wall to remain along the west property line where an 8 foot high decorative wall is required per Section 30.04.02C.
2. Allow outdoor storage adjacent to a residential zone where not permissible per Section 30.04.06E.
3. Reduce throat depth for a proposed driveway located along Patrick Lane to 13 feet where a minimum throat depth of 25 feet is required per Section 30.04.08 and Uniform Standard Drawing 222.1 (a 48% reduction).
4. Reduce the departure distance from the intersection of Patrick Lane and Topaz Street to the driveway along Patrick Lane to 145 feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1 (a 23.7% reduction).

PROPOSED LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.91
- Project Type: Industrial development
- Number of Stories: 1
- Building Height (feet): 33
- Square Feet: 10,450 (Buildings A/B & C/D each)/41,800 (total)
- Parking Required/Provided: 40/44

Site Plan

The applicant proposes to develop a 2.91-acre site with 2 primary rectangular industrial buildings centrally located within the site: Building A/B within the western portion of the site, and Building C/D within the eastern portion of the site. Each building is subdivided into 2 suites, for a total of 4 suites within the site. Each suite contains an 8,800 square foot footprint with a 1,650 square foot mezzanine, totaling 10,450 square feet per suite and a combined total building area of 41,800 square feet for both buildings. The lone access to the site is from Patrick Lane to the south. There are 44 parking spaces provided along the south side of the buildings. Trash enclosures are located on each side of both buildings. The development proposes enclosed paved yards on the sides and rear of each building that will be used for outdoor storage. Suites A, B, C, and D each will have perimeter walls creating rear yards for outdoor storage areas. Also, an 8 foot high wall is proposed along a portion of Topaz Street behind the landscaping.

Landscaping

The plan depicts proposed street landscaping comprised of 2 minimum 5 foot wide landscaping strips on either side of a detached sidewalk along Patrick Lane and Topaz Street. The landscaping material along the streets will consist of medium trees spaced 20 feet on center, shrubs, and groundcover. No landscape buffer is proposed along the north and west of the site, adjacent to the existing single-family residences and the existing place of worship, respectively. The applicant is proposing an 8 foot tall decorative wall along portions of the north property line, with the existing 6 foot tall walls to remain along some other portions. The applicant is also proposing to keep the existing 6 foot tall wall along the west property line.

Elevations

The buildings have a contemporary architectural design consisting of tilt up concrete panels with metal canopies, glass store fronts, and vertical and horizontal reveal lines. There are multiple surface planes and variations consisting of walls that are offset with contrasting design schemes. The height of the buildings are 33 feet from ground floor and have been designed to break up the roofline at the end caps of the building. Overhead doors are on the north, west, and east elevations of each building, with the east doors of Suite D facing Topaz Street.

Floor Plans

The plans depict two proposed identical industrial buildings with a wall equally splitting each building into two independent suites for a total of 4 suites. Each suite features 8,800 square feet of first floor area with a 1,650 square foot mezzanine level for a total area of 10,450 square feet

per each suite. The floor plan of each suite consists of an open shell space with an interior layout to be determined by a future tenant.

Applicant’s Justification

The applicant proposes 4 shell buildings for potential future light manufacturing on a proposed Industrial Park zoned parcel, with all operations indoors per Title 30 standards. Providing storage yards for each future tenant that limits the ability to provide landscaping; therefore, the applicant requests waivers to eliminate the 15 foot landscape buffer and tree plantings along the north and west property lines, modify driveway throat depth and departure distance standards. These waivers are necessary to maintain functional site design, vehicle circulation, and adequate building footprint. Landscaping, screening, and parking are provided where feasible, and the adjacent property owner to the north (APN 162-36-202-023) has submitted a letter of support for the project.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|---|-----------------|---------------|
| TM-0039-96 | Tentative map for a 1 lot industrial subdivision - expired | Approved by PC | March 1996 |
| ZC-1415-95 | Zone change from R-E and C-P zoning to M-D zoning - expired | Approved by BCC | November 1995 |
| ZC-342-93 | Zone change for the eastern parcel from R-E to C-P zoning | Approved by BCC | April 1993 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District (Overlay) | Existing Land Use |
|-------|----------------------------------|----------------------------------|---|
| North | Business Employment | RS20 (AE-65 & AE-70) | Single-family residential & undeveloped |
| South | Public Use | PF (AE-65, AE-70, & AE-RPZ) | Cemetery |
| East | Neighborhood Commercial | IP (AE-60 & AE-65) | Office/warehouse buildings |
| West | Public Use | RS20 (AE-70) | Place of worship |

Related Applications

| Application Number | Request |
|---------------------------|--|
| PA-26-700008 | A plan amendment from Neighborhood Commercial to Business Employment is a companion item on this agenda. |
| ZC-26-0126 | A zone change from RS20 & CP to IP zoning is a companion item on this agenda. |
| VS-26-0125 | A vacation and abandonment for portions of rights-of-way is a companion item on this agenda. |
| TM-26-500031 | A tentative map for a 1 lot industrial subdivision 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.

Waivers of Development Standards #1 & #2

The purpose of requiring landscape buffers along shared property lines with residential uses and enforcing certain residential adjacency standards when such buffers are not present is to assure that the potential negative effects from more intense uses will not greatly impact the residential uses. The 2 residentially zoned parcels to the north are vacant and designated for Business Employment, therefore screening and buffering or residential adjacency standards would not apply; however, there are currently two existing residences to the north that would require those standards. Eliminating or reducing the required buffering and screening will not adequately mitigate the potential negative effects from the proposed industrial site to the existing residences to the north. Therefore, staff cannot support waivers of development standards #1a and #1c.

Staff finds that the reduction or elimination of the required buffering and screening along the west property line will not create compatibility issues, as the site to the west, while zoned residential, is used as a place of worship. While these requests could be supported on their own, since staff does not support the other waiver requests, staff cannot support waivers #1b and #1d.

The outdoor storage yards are expected to not only meet the setback and screening requirements, but to provide additional landscaping or other mitigating measures to lessen any impact on surrounding residential uses. Staff is concerned with the proximity of the outdoor storage yards to existing residences to the north. For these reasons, staff does not support waiver #2.

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 that the overall layout and building arrangement are appropriate for the surrounding industrial context and are consistent with the development pattern along Patrick Lane. The 2 building configuration provides an efficient site design, and the building scale is compatible with

nearby employment and industrial uses. The elevations incorporate a contemporary tilt-up design with varied surface planes, reveal lines, and articulated entries that provide sufficient visual interest and avoid a monolithic appearance. While overhead doors are located on the north, west, and east elevations, these features are typical for light-industrial operations and do not create an aesthetic concern. Particularly, the overhead doors on the east elevation of Building C/D which are facing Topaz Street are mostly screened by an 8 foot tall wall and street landscaping. Access and circulation function adequately for the site, with a single driveway from Patrick Lane and straightforward internal vehicle movements that support both tenant operations and service access. Parking is located conveniently near building entrances. The applicant provides enhanced landscaping along Patrick Lane and Topaz Street. Overall, staff finds that the proposed development meets the intent of the design standards and supports the design review request; however, since staff is not supporting the waivers of development standards, staff does not support the design review.

Public Works - Development Review

Waiver of Development Standards #3

Staff finds that the reduced throat depth for the driveway on Patrick Lane will also result in on-street stacking of vehicles. Since Patrick Lane is a collector street, it is important that traffic can flow without the impediment of vehicles attempting to access the parking lot since there is only one driveway to access the site. Therefore, staff cannot support this request.

Waiver of Development Standards #4

Staff cannot support the reduction of the departure distance along Patrick Lane. This site is a raw parcel and there is no reason the minimum requirements cannot be met.

Department of Aviation

The property lies within the AE-70 (70 - 75 DNL) and the AE - 65 (65 - 70 DNL) noise contours for Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade Harry Reid International Airport facilities to meet future air traffic demand.

Staff Recommendation

Denial. This item has been forwarded to the Board of County Commissioners for final action.

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.

PLANNING COMMISSION ACTION: April 21, 2026 – APPROVED – Vote: Unanimous Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 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;
- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Department of Aviation

- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

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.
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

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 #0427-2026 to obtain your POC exhibit.; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Paradise - denial.

APPROVALS: 1 card

PROTESTS:

APPLICANT: RAY FREDERICKSEN

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