

01/17/23 PC AGENDA SHEET

OFFICE BUILDINGS
(TITLE 30)

RUSSELL RD/MCLEOD DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-22-0642-JAMIESON, JARRETT & TARA:

ZONE CHANGE to reclassify 1.1 acres from an R-E (Rural Estates Residential) Zone and an R-E (Rural Estates Residential) (AE-60) Zone to a C-P (Office and Professional) Zone and a C-P (Office and Professional) (AE-60) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** alternative landscaping adjacent to a less intensive use; **2)** allow non-gated parking; and **3)** reduced driveway approach distance.

DESIGN REVIEWS for the following: **1)** office buildings; and **2)** alternative parking lot landscaping located partially in the Russell Road Transition Corridor Overlay District.

Generally located on the south side of Russell Road, 130 feet west of McLeod Drive within Paradise (description on file). JG/gc/syp (For possible action)

RELATED INFORMATION:

APN:

162-36-103-010

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow alternative landscaping adjacent to a less intensive use (east property line) where landscaping per Figure 30.64-11 is required.
2. Allow non-gated parking where parking shall be gated and secured after non-business hours per Section 30.48.470.
3. Reduce the approach distance between a driveway along Russell Road and an intersection to 120 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 20% reduction).

DESIGN REVIEWS:

1. Office buildings.
2. Allow alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.

LAND USE PLAN:

WINCHESTER/PARADISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.1
- Project Type: Office buildings
- Number of Stories: 1
- Building Height: 19 feet, 3 inches
- Square Feet: 8,950
- Parking Required/Provided: 36/37

Neighborhood Meeting Summary

This request is for a nonconforming zone change to reclassify 1.1 acres from an R-E (Rural Estates Residential) Zone and an R-E (Rural Estates Residential) (AE-60) Zone to a C-P (Office and Professional) Zone and a C-P (Office and Professional) (AE-60) Zone. Although the site is partially located in the Russell Road Transition Corridor Overlay District, the southern third of the site is located outside of the overlay which necessitates the nonconforming zone change request. The applicant conducted a neighborhood meeting virtually over Zoom on March 22, 2022, as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to neighboring property owners within 1,500 feet of the project site and 1 neighbor attended the meeting. No objections or concerns were raised during the meeting.

Site Plans

The plans show 2 office buildings on the site. One office building is located 20 feet from the north (front) property line, 10 feet from the west property line, and 178 feet from the south (rear) property line. The other office building is located 21 feet from the north (front) property line, 5 feet from the east property line, and 108 feet from the south (rear) property line. Access to the site is from a single driveway off of Russell Road. A total of 37 parking spaces are provided where a minimum of 36 parking spaces are required. Only the rear portion of the parking area is gated where Title 30 requires the entire parking area to be gated when located within the Russell Road Transition Corridor Overlay District. A total of 4 bicycle spaces are provided on the site.

Landscaping

Street landscaping along Russell Road consists of a 20 foot wide landscape area with an existing attached sidewalk. An intense landscape buffer per Figure 30.64-12 is located along the south property line. A 7 foot to 10 foot wide landscape area exists along the west property line with trees spaced out every 20 feet. A landscape buffer per Figure 30.64-11 is provided along the east property line since the adjacent place of worship is considered as a less intensive use. However, the landscape buffer immediately adjacent to the eastern building is only 5 feet where 5.5 feet is required, which necessitates the waiver of development standards request. The width of the landscape area along the east property line not adjacent to the building is at the required 5.5 feet. Alternative parking lot landscaping is requested, since a landscape island is not provided at the northerly terminus of the north/south parking rows and the landscape island at the easterly terminus of the east/west parking row is not 6 feet wide. Existing 6 foot high CMU block walls are located along the east, west, and south property lines.

Elevations

The west office building is 1 story and 18 foot 3 inches high, and the east office building is 1 story, 19 foot 3 inches high. Both buildings are constructed with vertical board and batten siding painted white with a pitched composite shingle roof. A portion of the front elevation will also consist of horizontal lap siding painted white. Wood trim is provided along the perimeter of each window and door. An awning is provided over the main entrances to both buildings.

Floor Plans

The plans show the west office building is 2,850 square feet and consists of office area and showroom space. The east office building consists of 6,100 square feet of office shell space.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the proposed zoning matches the zoning of other properties in the vicinity. The driveway is located at its proposed location in order to fit in between 2 existing streetlights. The waiver to allow for a 5 foot wide landscape area along the east property line is necessary to accommodate the 24 foot wide drive aisle and to meet grade requirements for ADA parking and access. Furthermore, landscape islands cannot be provided at the northerly terminus of the parking rows in order to maintain access and to meet ADA requirements. Gates cannot be provided to the entire parking area since there is not adequate driveway depth and width to accommodate a gate at the entrance to the site.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-22-0422	Vacated and abandoned government patent easements	Approved by PC	September 2022

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	C-P	Office conversions of single family residences
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
East	Ranch Estate Neighborhood (up to 2 du/ac)	C-P	Place of worship
West	Ranch Estate Neighborhood (up to 2 du/ac)	CRT	Approved office conversion per NZC-22-0054

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

The applicant shall provide Compelling Justification that approval of the nonconforming zoning boundary amendment is appropriate. A Compelling Justification means the satisfaction of the following criteria as listed below:

1. *A change in law, policies, trends, or facts after the adoption, readoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate.*

Changing market conditions have resulted in a trend since the most recent adoption of the Land Use Plan. A number of properties along this corridor have been converted to office uses and this large lot residentially zoned property will be more viable as an office use and compatible with other office uses in the area. Also, with the increased traffic along Russell Road, an office use will be more appropriate.

2. *The density and intensity of the uses allowed by the nonconforming zoning is compatible with the existing and planned land uses in the surrounding area.*

Several single family residential properties have been converted to office uses in this area along Russell Road. In addition, new offices have been constructed in the CRT and C-P zones in the area, and the Russell Road Transition Corridor Overlay District allows conforming zone changes to CRT and C-P. Lastly, a C-P zoning designation can be compatible with adjacent single family residences when designed properly. The intensity of uses allowed in the C-P zoning district is compatible with the existing and planned land uses in the area.

3. *There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed by the nonconforming zoning.*

There has been no indication from the public utility purveyors that the nonconforming zone change will have any negative impacts on public facilities and services.

4. *The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies.*

Policy 6.1.2 of the Master Plan encourages a mix of residential and non-residential uses to support a balance of housing and jobs. Here, the C-P zoning will allow for an office use that is compatible with the surrounding office and residential uses. The request also complies with Policy 6.1.6 which encourages in-fill development.

Summary

Zone Change

A changing trend in the area indicates that an office use will be the most viable use of the property. In addition, the C-P zoning will be compatible with the surrounding development and planned uses, and it will not create any negative impacts on public facilities and services. Lastly, the nonconforming zone change conforms to applicable policies in the Master Plan; therefore, staff can support the request.

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

The landscaping along the east property line complies with Figure 30.64-11 as required, with the exception that the landscape width is 5 feet instead of 5.5 feet immediately adjacent to the building. Staff finds that the reduction of 6 inches in width will not adversely impact the adjacent property as the required trees are still visible. Furthermore, the adjacent property to the east has mature landscaping located along their west property line.

Waiver of Development Standards #2

Staff can support the request to allow a portion of the parking area to be non-gated. The south portion of the parking lot will be gated; and therefore, the area immediately adjacent to the existing single family residential development to the south will be secured during non-business hours. Thus, the gated area will provide a buffer for the residential properties to the south from the non-gated portion of the parking lot.

Design Reviews

Staff finds the proposed site and building design compatible with the surrounding properties in the area. The buildings are designed with a residential appearance to be compatible with the surrounding properties. The intense landscape buffer provided along the south property line and the siting of the buildings on the northern portion of the site will help reduce any potential impacts to the existing residential to the south. The request complies with Policy 1.4.4 of the Master Plan which encourages in-fill developments in established neighborhoods while promoting compatibility with the scale and intensity of the surrounding area.

Staff can also support the alternative parking lot landscaping request. Only the mobility impaired accessible parking spaces are located north of the landscape island terminus. Providing a landscape island on the north side of these spaces would impact the mobility impaired accessible ramps leading from the parking spaces to the main entrances of the buildings. Additionally, staff finds having a 5.5 foot wide landscape area instead of a 6 foot wide landscape area at the eastern terminus of the east/west parking row will not adversely impact the area. The

applicant has also provided 7 foot wide landscape islands elsewhere to mitigate the reduced width.

Public Works - Development Review

Waiver of Development Standards #3

Staff has no objection for the reduction of the driveway approach distance to McLeod Drive. The location of the driveway provides adequate spacing from the driveway to the west, resulting in fewer conflicts.

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on February 22, 2023 at 9:00 a.m., unless otherwise announced.

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

- Resolution of Intent to complete in 3 years;
- 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 new application for a Master Plan amendment and a zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that 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.

Public Works - Development Review

- Drainage study and compliance.

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.

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

#0070-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: JARRETT JAMIESON

CONTACT: DWYER ENGINEERING, 7310 SMOKE RANCH ROAD, SUITE E, LAS VEGAS, NV 89128