

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0263-MADISON MOHAWK, LLC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate buffering and screening; **2)** modify residential adjacency standards; and **3)** waive street dedication requirements.

DESIGN REVIEW for a proposed office/warehouse facility on 2.28 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-65) Overlay.

Generally located on the southwest corner of Post Road and Mohawk Street (alignment) within Spring Valley. MN/hw/cv (For possible action)

RELATED INFORMATION:

APN:

163-36-801-002

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate landscape buffers along the north and east property lines where buffering and screening is required by Section 30.04.02B.
2.
 - a. Allow high activity areas (parking and drive aisles) adjacent to a residential use without buffering and screening where not permitted by Section 30.04.06G.
 - b. Increase the height of a structure adjacent to an NPO-RNP property to 37 feet where 35 feet is the maximum height permitted by Section 30.04.06G (a 6% increase).
 - c. Reduce the rear setback adjacent to an NPO-RNP property to 21 feet where 30 feet is required per Section 30.04.06G (a 30% reduction).
 - d. Allow a parking area to not be screened when within 30 feet of an adjacent property within a residential district as required by Section 30.04.06L (a 20% reduction).
 - e. Reduce the separation between a loading area and an adjacent residential use to the south to 17 feet where 50 feet is required by Section 30.04.06N (a 66% reduction).
 - f. Reduce the setback between a loading dock and the residential uses to the north to 136 feet where 150 feet is required per Section 30.04.06N (an 8% reduction).
 - g. Reduce the separation between a loading dock and the residential use to the south to 116 feet where 150 feet is required per Section 30.04.06N (an 8% reduction).
 - h. Allow loading areas not to be screened from the residential uses to the north where required by Section 30.04.06N.
3. Eliminate the requirement to dedicate the southern portion of Post Road where required by Section 30.04.08D.

LAND USE PLAN:
SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:
Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.28
- Project Type: Office/warehouse facility
- Number of Stories: 1
- Building Height (feet): 37
- Square Feet: 37,000
- Parking Required/Provided: 37/45
- Sustainability Required/Provided: 7/7.5

Site Plans

The plans depict a proposed office/warehouse facility located at the southwest corner of Mohawk Street and Post Road. The proposed office/warehouse building will be 37,000 square feet and square shaped and will be placed in the southwest corner of the site. The building will be set back 112 feet from the north property line, 123 feet from the east property line, 46 feet from the flood channel, 17 feet from the south property line, and 15 feet from the west property line. Additionally, the warehouse building will be set back 21 feet from the southwest corner of the site. The proposed office/warehouse is also proposing a 6 door loading dock area that will be placed on the eastern side of the building with a 2 door grade level loading area directly to the south of the loading dock. The proposed loading dock will be separated from the residential uses to the north by 136 feet and 116 feet from the residential property to the south. In terms of the at-grade loading area, it will be separated from the residential property to the south by 17 feet. Access to the loading dock and area will be restricted by an 8 foot tilt up wall that will extend from the northeast corner of the building to the east property and an 8 foot tall CMU screening block wall will encircle the loading area/dock along the east property line and just south of the at-grade loading area. Fifteen foot wide gates will access the loading area/dock, approximately 35 feet south of the main driveway to the site. Another 8 foot wall will enclose the site along the south and west property lines and up to the main driveway along the north property line. Access to the site will be provided by a 35 foot wide commercial driveway along the terminating cul-de-sac of Mohawk Street. This terminating cul-de-sac is being proposed as the Post Road right-of-way is proposed to be vacated between Mohawk Street and Lindell Road to force industrial traffic north to Patrick Lane. The existing right-of-way of Post Road that is proposed to be vacated will become part of the existing residential properties to the north with this area remaining a utility easement and will be gated off for security. These gates are not part of this request. This driveway will provide access to a parking lot located north of the office/warehouse building. The parking lot will consist of a central double row of parking stalls surrounded by 24 foot wide drive aisles with additional rows provided just north of the building and along the west property line. The location of the drive aisle and parking lot along the northern property line requires a residential adjacency waiver of development standards. An additional 4 spaces are also provided in a row just north of the loading dock inside the secure loading yard. A total of 37

spaces are required with 45 spaces provided, but the site is not overparked due to their provision of 2 ADA spaces.

Landscaping

Landscaping will be provided along the cul-de-sac of Mohawk Street and within the parking lot. The street landscaping consists of two 35 to 50 foot wide landscaping areas located on each side of the entry driveway. These landscaping areas will each contain 1 Indian Rosewood (*Dalbergia Sissoo*) and 1 Willow Acacia (*Acacia Salicina*) trees with several shrubs. Overall, a total of 4 street trees are provided where 2 large trees are required.

In terms of parking lot landscaping, landscape finger islands are provided every 6 spaces with 1 Willow Acacia within these finger islands for each row of parking. The additional row within the loading yard has no finger islands but 1 Willow Acacia is placed centrally in front of the spaces. A total of 16 parking lot trees are provided where 13 trees are required.

Finally, the landscape buffers are provided only along the south and west property lines. These buffers consist of 15 to 17 foot wide landscape strips in front of an 8 foot tall CMU block wall. The strips contain 2 staggered rows of Indian Rosewood trees generally spaced every 10 feet on center. Waivers of development standards are required for landscape buffer along the north and east property line, as the vacation of Post Road will result in the residential properties to the north being adjacent to the subject site. Additionally, the property to the east, while vacant, is planned for commercial uses and would require a landscape buffer adjacent to an industrial use.

Elevations

The proposed building will be 37 feet tall to the highest parapet. The exterior will mostly be composed of painted concrete tilt-up panels on all 4 facades. The panels will be painted varying shades of white and grey with the colors varying between panel levels and roof articulations to break up the facades. The roof is generally flat with tilt-up panels used to create articulations. Additionally, textured metal panels are provided at regular intervals on all 4 facades to facilitate architectural enhancements. Access to the building is provided by an aluminum commercial window door system located on the western portion of the northern façade. Additional access is provided by hollow metal doors on the ends of the remaining facades. Lastly, 8 metal roll-up doors are provided on the eastern façade with 6 bay doors provided within a sloping loading dock area.

Floor Plans

The proposed building will be a 37,000 square foot office/warehouse with a shell layout. The building will contain a 3,000 square foot general office space located within the northwest portion of the building with the remainder of the building consisting of warehouse space. An electrical equipment area is provided in the central portion of the northern portion of the building. The building is provided with 8 loading bays with 6 dock bays and 2 at grade doors. A possible demising wall will be used to separate the building into suites.

Applicant's Justification

The proposed site will be used as an office/warehouse with possible suite construction. The waivers for screening and buffering and residential adjacency are justified as the existing

residential homes to the north are master planned Business Employment (BE). Therefore, the anticipated use is not residential but rather light industrial. Additionally, the residential homes on the property to the south are within the AE-65 overlay reinforcing the fact a future nonresidential use is more likely than a residential use. The property to the west is Department of Aviation (DOA) property. The DOA property is likely deed restricted from residential development since it is located within the AE-65 overlay.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1111-08	Reclassified the site from R-E (AE-65) to R-E (AE-65) (RNP-I)	Approved by BCC	February 2009

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	RS20 (AE-65 & NPO-RNP)	Single-family residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (AE-65 & NPO-RNP)	Undeveloped
East	Neighborhood Commercial & Business Employment	RS20 & IP (AE-65)	Undeveloped & office/warehouse w/ outside storage
West	Public Use	RS20 (AE-65 & NPO-RNP)	Undeveloped

**The Tropicana Wash flood control channel is directly to the southeast of the site.

Related Applications

Application Number	Request
PA-25-700021	A plan amendment to redesignate the site from Ranch Estate Neighborhood (RN) to Business Employment (BE) is a companion item on this agenda.
ZC-25-0262	A zone change to reclassify the site from RS20 to IP and to remove the NPO-RNP is a companion item on this agenda.
VS-25-0261	A vacation and abandonment for government patent easements and a portion of right-of-way being Post Road 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 reviewing waivers for screening and buffering and residential adjacency is to assure the reduction, or the elimination of these standards, are properly mitigated and will not negatively impact the surrounding area, particularly those residential uses. In this case, the area surrounding the subject site is either planned for industrial uses (Business Employment) or it is land owned by the Department of Aviation and is unlikely to be developed as a residential use due to deed restrictions. Additionally, the general area between the Tropicana Wash and Lindell Road has already seen several new industrial projects and the area east of Lindell Road is in transition away from residential use to lower intensity industrial uses, like office/warehouses. As a result, the use of screening buffers for the adjacent properties to the north and east may not be needed as the properties appear to be headed towards being developed as similar office/warehouse facilities given the trend of the area. The trend of immediate area to industrial uses would also make the strict application of residential adjacency standards not the most practical use of the standards. For these reasons, staff can support these requests.

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.

Overall, the development as proposed provides for an office/warehouse facility that is compatible with the surrounding development and contributes to an area that is in relative transition towards more industrial uses. In addition, the exterior of the building is attractive and would be an enhancement to the neighborhood. Furthermore, landscaping provided within the interior of the site should help to provide the necessary shading and reduce the heat caused by large swaths of pavement, while considering the constraints of such a use. The site landscaping has also been designed to screen the more unsightly portions of the use from both the residential areas to the west. The building is sited appropriately, and the scale of the building is like other industrial buildings in the area. Additionally, staff finds that the channeling of traffic north along Mohawk Street to Patrick Lane will help reduce the impacts to the residential areas west of Lindell Road and will be a benefit to both the existing and future industrial developments in the area by limiting traffic impacts. Overall, staff finds that both the use and design of the site should be an enhancement to the area, and accounts, as much as possible, for any negative impacts to

the surrounding area. Finally, staff finds the proposed development will support Clark County Master Plan Policy 5.5.3 and Spring Valley Specific Policy SV-1.1, which encourage the development of compatible industrial development in designated areas and areas that limit impact on less intense uses. For these reasons, staff can support these requests.

Public Works - Development Review

Waiver of Development Standards #3

Staff has no objection to the non-dedication of the Post Road alignment as it not necessary for access through this development. Additionally, there will be no further developments to the east due to the drainage channel.

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.

The property lies within the AE- 65 (65 - 70 DNL) noise contour 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

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on **July 16, 2025** 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:

Comprehensive Planning

- 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;

- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include a cul-de-sac for Mohawk Street;
- Coordinate with Public Works - Development Review for cul-de-sac configuration;
- Execute a private access and maintenance agreement for property owners adjacent to Post Road;
- Coordinate with Traffic Management to return any County assets to Public Works.

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.
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- 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; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; 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.

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

#0360-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - denial.

APPROVALS:

PROTESTS: 5 cards

PLANNING COMMISSION ACTION: May 20, 2025 – HELD – To 06/17/25 – per the applicant.

APPLICANT: PETERSEN MANAGEMENT, LLC

CONTACT: DC PETERSEN PROFESSIONAL CONSULTANTS, LLC, 5052 S. JONES BOULEVARD, SUITE 165, LAS VEGAS, NV 89118