

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-24-0750-KALIFANO DEVELOPMENT, LLC:

AMENDED USE PERMIT for an office.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; **2)** eliminate parking lot landscaping; **3)** reduce street landscaping; **4)** eliminate buffering and screening (no longer needed); **5)** reduce throat depth; **6)** allow an attached sidewalk to remain; and **7)** allow a commercial pan driveway.

DESIGN REVIEW for an office/warehouse building on 3.08 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65 & AE-70) Overlay.

Generally located on the south side of Sunset Road and the east side of Grier Drive within Paradise. JG/sd/kh (For possible action)

RELATED INFORMATION:

APN:

177-03-110-006

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the front yard setback for carports to 11 feet where 20 feet is required per Section 30.02.19 (a 45% reduction).
2. Eliminate a portion of parking lot landscaping where required per Section 30.04.01D.
3. Reduce the width of the street landscaping strip along Grier Drive to 9 feet where a minimum of 10 feet is required per Section 30.04.01D (a 10% reduction).
4. Eliminate buffering and screening where a minimum 15 foot wide landscape strip is required adjacent to a freeway per Section 30.04.02 (no longer needed).
5. Reduce the throat depth for a driveway along Grier Drive to 14 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 44% reduction).
6. Allow an existing attached sidewalk to remain on Grier Drive where detached sidewalks are required per Section 30.04.08.
7. Allow a commercial pan driveway where a commercial curb return driveway is required per Uniform Standard Drawing 222.1.

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 700 Grier Drive
- Site Acreage: 3.08

- Project Type: Office/warehouse building
- Number of Stories: 3
- Building Height (feet): 47
- Square Feet: 62,819
- Parking Required/Provided: 127/91
- Sustainability Required/Provided: 7/3.5

Site Plans

The plans depict a new office/warehouse building located at the southeast corner of Sunset Road and Grier Drive. Access is from 2 driveways along Grier Drive. The building will consist of 10 office/warehouse units. The building is shown within the central portion of the site and complies with the required setbacks. Parking is shown along the east property line along the 215/Airport Connector (which is at a lower elevation than the site) and along Grier Drive, with additional spaces located on the north side of the building. A parking study was submitted by a traffic engineer confirming that the 91 parking spaces being provided are sufficient for the proposed development. Carports are located along the east property line and along the west property line, where they encroach into the required front yard setback at 11 feet, 3 inches from Grier Drive.

Landscaping

The plans depict existing landscaping along the perimeters of Sunset Road and Grier Drive with medium trees spaced at 20 feet on center. Within the parking lot, landscaping is shown in some locations, but not within the parking areas on the north side of the building. However, 58 trees are being provided where 58 trees are required.

Elevations

The building is articulated with different building finishes including concrete tilt walls, limestone, sandstone color cladding, brick, and spandrel glass in-fill panels. The plans note the maximum height of the facility is 47 feet. The exteriors incorporate articulation with varying rooflines, pop-outs, parapet walls, changes in color, materials, and texture, glazed storefront windows, and roll-up doors.

Floor Plans

The plans depict an office/warehouse building with individual tenant spaces. Some of the units will have a mezzanine level. The third level will contain additional private space, which may not include a warehouse and an outdoor balcony.

Applicant's Justification

The applicant states that the area is developed with industrial uses with the exception to the north that is Public Use. The office use with the warehouse use is compatible with the area. The requested waivers of development standards are being proposed due to the irregular shape of the parcel that restricts the ability to accommodate requisite conditions.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-21-400105 (UC-19-0241)	Extension of time for a proposed office building with a parking garage - expired	Approved by BCC	August 2021
UC-19-0241	Allowed an office as a principal use and restaurants (food court), waived encroachment into airspace, increased building height, reduced parking, and reduced throat depth for an office building with a parking garage	Approved by BCC	June 2019
UC-0055-08	Allowed a hotel, increased building height, waiver for alternative landscaping, and a design review for the hotel - expired	Approved by PC	February 2008
ADR-900204-04	Allowed off-premises advertising sign (billboard) - expired	Approved by ZA	September 2004
UC-0817-02	Allowed an off-premises advertising sign (billboard) and a waiver to reduce the separation requirements for billboards on the same side of the street - expired	Approved by BCC	October 2002
ZC-223-88	Reclassified portions of Hughes Airport Center from R-E to M-1 and M-D zoning	Approved by BCC	September 1988

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Public Use	PF (AE-70 & AE-75)	Harry Reid International Airport
South, East, & West	Business Employment	IP & IL (AE-65 & AE-70)	Office/warehouse complexes

Related Applications

Application Number	Request
ZC-24-0749	A zone change on a portion of the site from IP to IL 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**Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent

properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

The requested use permit to allow offices as part of the warehouse facility will not have any significant impact to the surrounding area. A previous application was approved for this property in 2019 to allow offices. Numerous parcels in the surrounding area have offices as a principal use. This request is not out of character for the area; therefore, staff can therefore support this request.

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

Staff cannot support the request to allow carports within the front setback along Grier Drive. The purpose of setbacks is to ensure a uniform streetscape. There are no developments in the area with similar encroachments into the setbacks along a street. For this reason, staff cannot support this request.

Waiver of Development Standards #2

Staff does not object to the request to reduce the parking lot landscaping since the required number of trees are being provided, which will assist in combating the urban heat island effect. For this reason, staff can support this request.

Waiver of Development Standards #3

Staff finds the request to reduce street landscaping along Grier Drive minimal as the reduced width is only for a small portion of the site where Grier Drive begins to curve to the southeast. Since the majority of the street landscaping complies with the minimum width, staff can support this waiver.

Waiver of Development Standards #4

No longer needed.

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 most of the design of the site is appropriate for the area. However, the requested overhead doors facing Sunset Road are out of character for the area. Since staff cannot support the

design coupled with some of the requested waivers, staff cannot support the overall design of the site.

Public Works - Development Review

Waiver of Development Standards #5

Staff can support the request to reduce the throat depth for the westernmost driveway along Grier Drive. The reduction will not impact vehicles in the right-of-way as it is along the egress side of the westernmost driveway. Furthermore, the throat depth on the ingress side of the westernmost driveway exceeds the minimum requirement mitigating any possibility of vehicles stacking in the right-of-way.

Waiver of Development Standards #6

Staff cannot support the request to not install detached sidewalks along Grier Drive. Detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic and with the redevelopment, staff finds that it is imperative to provide the detached sidewalks.

Waiver of Development Standards #7

Staff has no objection to installing a commercial pan driveway on the ingress side of the easternmost driveway on Grier Drive. The applicant has worked with staff on the driveway design to ensure that the Americans with Disabilities Act (ADA) can still be met, with the constraints caused by the utility boxes and guardrail for the airport connector on the site.

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-70 (70-75 DNL) and 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 of the use permit, waivers of development standards #2, #3, #5, and #7; denial of waivers of development standards #1 and #6 and the design review.

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

If approved:

- 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;
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required; and that off-site improvement permits may be required.

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; 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

- 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 #0041-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Paradise - approval (reduce landscape podium display to 4 items if possible).

APPROVALS:

PROTESTS:

APPLICANT: KALIFANO DEVELOPMENT, LLC

CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE #650, LAS VEGAS, NV 89135