

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-24-0498-ALL AMERICAN CAPITAL CORPORATION:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce buffering and screening; **2)** increase retaining wall height; **3)** modify residential adjacency standards; and **4)** alternative driveway geometrics.

**DESIGN REVIEW** for an office/warehouse on 2.5 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay.

Generally located on the northeast corner of Santa Margarita Street and Post Road within Spring Valley. MN/rr/kh (For possible action)

RELATED INFORMATION:

**APN:**

163-35-301-026

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the width of a landscape buffer to 13 feet where 15 feet is required per Section 30.04.02C (a 13.3% reduction).
2.
  - a. Increase retaining wall height located along the north property line to 5 feet where 3 feet is the maximum height allowed per Section 30.04.03C (a 66.7% increase).
  - b. Increase retaining wall height located along the east property line to 4 feet where 3 feet is the maximum height allowed per Section 30.04.03C (a 33.3% increase).
3.
  - a. Increase fill height along the north property line to 5 feet where a maximum of 3 feet is allowed to be placed within 5 feet of a shared residential property line per Section 30.04.06F (a 66.7% increase).
  - b. Increase fill height along the east property line to 4 feet where a maximum of 3 feet is allowed to be placed within 5 feet of a shared residential property line per Section 30.04.06F (a 33.3% increase).
  - c. Eliminate height step back for a building above 35 feet in height where required per Section 30.04.06H.
  - d. Allow roll-up overhead doors to face a residential district without screening by another building where required per Section 30.04.06N.
  - e. Reduce the loading dock setback to 80 feet 9 inches where 150 feet is required per Section 30.04.06N (a 46.2% reduction).
  - f. Allow loading docks not to comply with design standards per Section 30.04.06N.
4. Reduce the throat depth to 18 feet 6 inches where 25 feet is required per Uniform Standard Drawing 222.1 (a 26% reduction).

**LAND USE PLAN:**

SPRING VALLEY - BUSINESS EMPLOYMENT

## **BACKGROUND:**

### **Project Description**

#### General Summary

- Site Address: N/A
- Site Acreage: 2.5
- Project Type: Office/warehouse
- Number of Stories: 2
- Building Height (feet): 41
- Square Feet: 49,963
- Parking Required/Provided: 47/47
- Sustainability Required/Provided: 7/7

#### Site Plan

The plan depicts a proposed 46,963 square foot office/warehouse building on 2.5 acres at the northeast corner of Post Road and Santa Margarita Street. The building is proposed to be setback 20 feet from Post Road, 20 feet from Santa Margarita Street, 80 feet 9.5 inches from the rear (north) property line, and 63 feet from the side interior (east) property line. The site will be accessed by driveways from Post Road and from Santa Margarita Street. A reduced throat depth is proposed for the driveway on Santa Margarita Street. A drive aisle/fire lane provides a connection between the parking areas located on the north and east sides of the building and the driveways. Accessible parking spaces are accessed by pedestrian pathways improved with concrete pavers. A van-accessible space will need to be added. The north side of the building also provides access to 2 loading docks with 4 roll-up overhead doors. An additional 4 roll-up overhead doors are also indicated along the north side of the building. Two trash enclosures are also indicated adjacent to the loading docks along the north side of the building. The north, south, and east sides of the building are proposed to be surrounded by a concrete walkway with connections to the public sidewalks along the streets. A bicycle rack is located near the northwest corner of the building. An 8 foot high decorative screen wall is proposed on top of a 5 foot high retaining wall along the length of the north property line. Another 8 foot high decorative screen wall is proposed on top of a 4 foot high retaining wall along the length of the east property line.

#### Landscaping

The plan indicates that street landscaping, parking area landscaping, and a landscape buffer along the north and east sides of the property is being provided. Along Post Road and Santa Margarita Street the landscaping consists of a detached 5 foot wide sidewalk with two, 5 foot wide landscape strips on each side. The street landscaping consists of 18 large Indian Rosewood trees set apart approximately 30 feet on center with 3 shrubs per tree which meets the minimum requirements. Within the parking lot there are 5 large Indian Rosewood trees provided in the landscape islands and at the ends of the parking rows per the minimum requirements. A landscape buffer is provided along the north and east sides of the property where it abuts vacant land zoned RS20. The buffer includes 2 alternating rows of medium Mulga Acacia trees planted 20 feet apart on center. The landscape buffer is 15 feet wide except where it is adjacent to 2 accessible parking spaces where it is 13 feet in width.

### Elevations

The plans indicate the proposed building will be concrete tilt-up construction with variations in the roof parapet heights. The building height is 41 feet to the highest roof parapet, 38 feet to the lower roof parapet, and 33 feet to the roof level as measured from the finished grade. The building features painted concrete panels with 6 different colors. The building will feature a storefront window system with building entrances along the south side of the building facing Post Road as well as along the north side of the building. Each building entrance is covered by a shade canopy. The north side of the building also features clerestory windows above the shade canopies.

### Floor Plans

The plan indicates a warehouse building with 4 suites to be divided in the future. The plans indicate a first floor level with a total square footage of 41,067 square feet and a mezzanine level with a total square footage of 5,896 square feet. The first floor level of each suite ranges from 10,034 square feet to 10,228 square feet. The mezzanine levels, which range from 1,459 square feet to 1,489 square feet, are accessed by way of internal staircases in each suite. The mezzanine levels for 3 of the suites is located on the north side of the building, while 1 suite has its mezzanine on the south side of the building. Customer and pedestrian access are available to all suites from both the north and south sides of the building. Access to each warehouse suite is also provided by 1 roll-up overhead door accessible from the loading docks and 1 ground-level roll-up door adjacent to the north building entrances.

### Applicant's Justification

The applicant states the project site was the subject of a non-conforming zone change NZC-22-0496 which was approved to change the zoning from Rural Estates Residential (R-E) to Designed Manufacturing (M-D). The same application approved a similar industrial warehouse project on the site. The applicant states the main difference between the current proposal and the previous approved design is that the overall building has increased from 37,000 square feet to 46,963 square feet. The applicant states the request for increase fill is due to the site conditions. A taller retaining wall will help further buffer the loading dock area from the parcel to the north. The applicant states that the building height impact is minimal as the height and flat roof line is similar to other industrial warehouses in the area. The applicant states that the width of the landscape buffer is increased to 15 feet from 10 feet under the previous approval which along with an 8 foot screen wall which will help to screen the loading dock areas. The applicant states that the landscape buffer is reduced to 13 feet only where necessary to accommodate 2 accessible parking spaces. Finally, the applicant states that the throat depth reduction is less than the approved reduction under the previous land use application.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
NZC-22-0496	A nonconforming zone change to change from R-E to M-D zoning for an office/warehouse building	Approved by BCC	November 2022
VS-22-0497	Vacation and abandonment of patent easements	Approved by BCC	November 2022

### Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Open Lands	RS20 (AE-60)	Undeveloped
South	Corridor Mixed-Use	IP (AE-60)	Office/warehouse building
West	Neighborhood Commercial	CP (AE-60)	Office complex

### Related Applications

Application Number	Request
PA-24-700021	A plan amendment to redesignate the existing land use category from Neighborhood Commercial (NC) to Business Employment (BE) is a companion item on this agenda.
ZC-24-0497	A zone change to reclassify the site from RS20 to IP zoning 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.

##### Waiver of Development Standards #1

The applicant is requesting to allow 2 accessible parking spaces to extend into the required 15 foot landscape buffer located along the north and east side of the subject property. The proposal would reduce the width of the buffer to 13 feet where the accessible spaces are located. The Code requires accessible spaces to be 20 feet in length instead of 18 feet for standard parking spaces. This would reduce the landscaping by 52 square feet or 0.6% of the approximately 8,775 square foot buffer area. The width of the proposed landscape buffer is increased from 10 feet wide under the previous approved plan. Given the minor reduction in area from the current code requirements and increase in buffer width from the previously approved plan, staff does not object to this request.

##### Waivers of Development Standards #2a, #2b, #3a, & #3b

The applicant is requesting a 5 foot high retaining wall along the northern property line and a 4 foot high retaining wall along the eastern property line to retain 4 feet to 5 feet of fill which

exceeds the maximum allowable height of 3 feet. The fill, in each case, is within 5 feet of a shared property line of a residentially zoned property subject to the residential adjacency requirements. Additionally, tiered retaining walls are required in all areas, even if they are not subject to residential adjacency. It appears there are opportunities to provide tiered retaining walls in both locations. Therefore, staff cannot support these waivers.

#### Waiver of Development Standards #3c

The applicant is requesting to eliminate the 1:1 height step back for buildings over 35 feet in height where residential adjacency standards apply. The warehouse building is 41 feet in height as measured from the ground level (40 feet above finished floor) to the highest roof parapet. The previously approved warehouse building was the same height. Other industrial buildings in the area are also similar in height. The adjacent RS20 parcels to the north and east are owned by the Department of Aviation and are deed restricted to not allow residential uses if auctioned for private ownership. Thus, it is unlikely there will be any future residential uses impacted by the development of the subject property. Based on these factors, staff does not object to this waiver.

#### Waivers of Development Standards #3d, #3e, & #3f

The applicant is requesting a waiver to allow 8 overhead roll-up doors on the north side of the building to face the RS20 district to the north where there is no intervening building to provide screening. This area of the building also has 2 loading docks, which are just over 80 feet from the northern property line where 150 feet is required. The previously approved plans indicated 6 overhead roll up doors and 4 loading docks located 57 feet from the northern property line. The design of the loading docks also does not include screening with wing walls and depressed loading docks. Screening in the form of 15 foot wide landscape buffer with a double row of medium trees and an 8 foot tall decorative screen wall is provided. The screening, however, is not increased beyond the required standards. As previously mentioned, the deed restrictions on the properties to the north and east will preclude future residential uses. As a result, there should be little to no impact on any future residential uses in the area. Therefore, staff does not object to this waiver.

#### 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 other 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.

Pedestrian connectivity is provided between the public sidewalks, building entrances, internal walkways, parking areas, and adjacent land uses and development. Stamped concrete paver crosswalks are provided which connect the public sidewalk and accessible parking areas to the walkways along the building. Three of four rear building entrances do not have a direct pedestrian walkway to the parking areas which is requested for an alternative design review. However, the main customer entrances face Post Road which are accessible by pedestrian walkways from the parking areas. All building entrances feature 3 foot wide canopies above the doors and windows. Two trash enclosures are located at the rear of the building. Building materials include the use of glass and painted concrete. The building facades which are visible

from the streets feature wall reveals, changes in surface colors and materials with 2 foot to 3 foot high roof line variations. Roll-up doors are located at the rear of the building and are directed away from the public rights-of-way. While staff does not object to most of the design of the site, since staff is recommending denial of the waivers for fill, retaining wall height, and throat depth, staff cannot support this request.

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

#### Waiver of Development Standards #4

Staff cannot support the request to reduce the throat depth for the commercial driveway on Santa Margarita Street. Staff finds that the reduction will result in vehicles staking in the right-of-way as vehicles entering the site will come into conflict with trucks entering and exiting the loading area and the parking stalls adjacent to the driveway.

### **Staff Recommendation**

Approval of waivers of development standards #1, #3c, #3d, #3e, and #3f; denial of waivers of development standards #2a, #2b, #3a, #3b, #4, and design review. This item will be forwarded to the Board of County Commissioners' meeting for final action on December 4, 2024 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**

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;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back-of-curb for Post Road, 25 feet to the back-of-curb for Santa Margarita Street, and associated spandrels;
- The installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

**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 #0084-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Spring Valley - denial.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** LEI SU

**CONTACT:** LEI SU, 3651 LINDELL ROAD, SUITE D1078, LAS VEGAS, NV 89103