

05/03/23 BCC AGENDA SHEET

OFFICE/WAREHOUSE DEVELOPMENT  
(TITLE 30)

HELM DR/SPENCER ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WC-23-400021 (ZC-2144-04)-FUSION GROUP NEVADA, LLC:**

**WAIVER OF CONDITIONS** of a zone change requiring landscape plans on file on 0.9 acres in an M-D (Designed Manufacturing) (AE-60) Zone.

Generally located on the south side of Helm Drive, 530 feet east of Spencer Street within Paradise. JG/rk/syp (For possible action)

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RELATED INFORMATION:

**APN:**

177-02-601-004

**LAND USE PLAN:**

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 0.9
- Project Type: Office/warehouse development
- Number of Stories: 1
- Building Height (feet): 28
- Square Feet: 13,464
- Parking Required/Provided: 22/25

Site Plans

The originally approved plans showed a 12,072 square foot office/warehouse, centrally located on the site with access to Helm Drive, but was never constructed. The new plans depict a 1 story, 13,464 square foot office/warehouse building located near the center of the site. This property is surrounded by existing or planned industrial uses. The proposed building is oriented in a north/south direction, with 2 future tenant spaces shown on the plans. Each tenant will have a storefront entrance and grade level overhead roll-up doors. The overhead roll-up doors are on the south, east, and west sides of the building. Parking for the facility is located on the north and south sides of the property. The building is set back 86 feet from Helm Drive to the north, 25.5 feet from the east and west property lines, and 47 feet from the south property line. Access to

the project site will be provided by 1 commercial driveway proposed along Helm Drive. The office/warehouse building requires 22 parking spaces where 25 parking spaces are provided.

Landscaping

The originally approved plans depicted large evergreen and oak trees around the perimeter of the project and other large trees along the front (east) side of the building. The current proposal depicts street landscaping approximately 18.5 feet in width with a detached sidewalk. Along a portion of the south property line, the project will provide a 6.5 foot wide landscape buffer with trees spaced 20 feet apart. Interior to the site, an ample amount of landscaping is distributed throughout the parking lot and around portions of the building footprint.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-2144-04:

- Subject to no resolution of intent and staff preparing an ordinance to adopt the zoning;
- Landscape plans on file;
- Full off-sites;
- Drainage study and compliance;
- Vacate any unnecessary rights-of-way and/or easements;
- Any applicable vacations to be recordable prior to building permit issuance or applicable map submittal;
- As required by Section 30.48.120 of the Clark County Unified Development Code, receive either a permit from the Director of Aviation or a variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction; no building permits will be released for the project prior to the Department of Aviation notifying Zoning Plan Check that the applicant has received all necessary airspace approvals;
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee the Director's permit or an AHABA variance will be approved;
- A standard condition of approval for a Director's permit or an AHABA variance is the granting of an aviation easement.

Applicant's Justification

The applicant indicates that the request to waive conditions of approval is due to the change in design of the site which was approved 19 years ago. Furthermore, the applicant contends that the proposed landscaping associated with the new project meets or exceeds Code requirements for landscaping.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-0433-14	Medical cannabis (dispensary)	Denied by BCC	December 2014
UC-0436-14	Medical cannabis establishment (cultivation) - expired	Approved by BCC	June 2014
UC-0438-14	Medical cannabis establishment (production) - expired	Approved by BCC	June 2014

### Prior Land Use Requests

Application Number	Request	Action	Date
ZC-2144-04	Reclassified the subject site to M-D zoning for an office/warehouse development	Approved by BCC	January 2005

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	R-E & M-D	Undeveloped & distribution building
South, East, & West	Business Employment	M-D	Office/warehouse developments

### Related Applications

Application Number	Request
DR-23-0095	A design review for a proposed office/warehouse building is a companion item on this agenda.
VS-23-0096	A request to vacate a right-of-way is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

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

### Analysis

#### Comprehensive Planning

The waivers of conditions are conditions that were placed on a specific design almost 19 years ago. Since that time both zoning and land use along this segment of Helm Drive have changed. Staff finds the landscaping provided throughout the site meets the intent of the original conditions and complies with the current regulations contained within Title 30; therefore, staff can support this request.

#### Staff Recommendation

Approval.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the condition will no longer fulfill its intended purpose.

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:**

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- No comment.

**Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:** Paradise - approval.

**APPROVALS:**

**PROTEST:**

**APPLICANT:** FUSION GROUP NEVADA, LLC

**CONTACT:** SCA DESIGN, 2525 W. HORIZON RIDGE PKWY., STE 230, HENDERSON,  
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