

06/21/23 BCC AGENDA SHEET

OFFICE BUILDING & PARKING GARAGE
RESTAURANTS
(TITLE 30)

RILEY ST/SUNSET RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0211-MCM TOWER, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase building height; **2)** increase the height of exterior fixtures (luminaries) mounted on buildings; and **3)** allow modified driveway design standards.

DESIGN REVIEWS for the following: **1)** office building; **2)** parking garage with restaurants; and **3)** finished grade on 4.2 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District.

Generally located on the north side of Sunset Road and the east side of Riley Street within Spring Valley. JJ/md/syp (For possible action)

RELATED INFORMATION:

APN:

163-32-801-011

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Increase building (office) height to 133 feet where a maximum building height of 50 feet is permitted per Table 30.40-4 (a 166% increase).
- b. Increase building (parking garage with restaurants) to 92 feet where a maximum building height of 50 feet is permitted per Table 30.40-4 (an 84% increase).
2. Increase the height of exterior fixtures (luminaries) mounted on buildings to 17 feet where a maximum height of 14 feet is permitted above finished grade per Section 30.48.670 (a 21.5% increase).
3. a. Reduce throat depth (Riley Street) to 19 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (an 87.3% reduction).
- b. Reduce throat depth (Sunset Road) to 18 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (an 88% reduction).

DESIGN REVIEWS:

1. Office building.
2. Parking garage with restaurants.
3. Increase finished grade to 96 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 166.7% increase).

LAND USE PLAN:
SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.2
- Project Type: Office building & parking garage with restaurants
- Number of Stories: 9 (office building)/6 (parking garage)
- Building Height (feet): 133 (office building)/92 (parking garage with restaurants)
- Square Feet: 209,577 (office building)/660,176 (parking garage)/19,547 (restaurants)
- Parking Required/Provided: 1,104/1,150

History & Request

The C-2 zoning for the subject property was approved via ZC-1333-02 by the Board of County Commissioners in November 2002 for a retail building, convenience store with gasoline station (fuel pumps), and 2 future restaurant pad sites. The commercial development that was approved with the zone change was never constructed. The applicant is now proposing an office building and a parking garage with restaurants at the top level. A condition of ZC-1333-02 prohibits required parking to be behind buildings. WC-23-400053(ZC-1333-02) is a companion to this development proposal with a request to waive the previously imposed parking condition.

Site Plans

The plans depict a 9 story office building located on the south portion of the project site with the following setbacks: 1) 78 feet from the south property line adjacent to Sunset Road; 2) 26 feet from the east property line; 3) 17 feet from the west property line along Riley Street; and 4) 389 feet from the north property line. A detached, 6 story parking garage, with restaurants on the top level, is located immediately to the rear (north) of the office building and features the following setbacks: 1) 12.5 feet from the north property line; 2) 21 feet from the west property line adjacent to Riley Street; 3) 1.5 feet from the east property line; and 4) 261 feet from the south property line along Sunset Road. Access to the site is granted via a commercial driveway along Sunset Road and a driveway along Riley Street. A waiver of development standards is required to reduce the throat depth for the driveways along Sunset Road and Riley Street. Surface level parking is located immediately to the south of the office building, consisting of a row of parking spaces adjacent to Sunset Road. A single row of surface level parking spaces are located between the north side of the office building and the south side of the parking garage. A total of 1,104 parking spaces are required where 1,150 parking spaces are provided. Cross-access is provided to the commercial development to the east of the project site. Five foot wide detached sidewalks are located along Riley Street and Sunset Road, with enhanced paving at the driveway entrances per a condition of ZC-1333-02. A design review to increase finished grade is also a part of this request. The increase in finished grade occurs on the site's topography from south to north.

Landscaping

The plans depict 15 foot wide landscape areas, with 5 foot wide detached sidewalks, located along Sunset Road and Riley Street. The street landscaping consists of trees, shrubs, and groundcover. A 3 foot high, decorative, split-face block wall is located within the street landscape areas for flood control/drainage purposes. Interior parking lot landscaping is located immediately to the south of the office building, along Sunset Road, and between the north side of the office building and the south side of the parking garage. Site amenities are provided throughout the site which include enhanced paving at pedestrian crossings, benches, ornamental trash receptacles, and light fixtures per a condition of ZC-1333-02.

Elevations

The plans depict a 9 story office building with varying rooflines measuring 133 feet in height. The exterior of the office building consists of decorative metal panel systems, stone tile exterior clad, and an aluminum storefront window system. The colors of the office building consist of varying shades of gray with white and orange accents. All rooftop mounted equipment will be screened from public view and the right-of-way by parapet walls.

The plans also depict a 6 story parking garage, measuring between 65.5 feet to 92 feet in height, with varying rooflines. The exterior of the parking garage will consist of stucco and stone tile exterior clad. The top level of the garage features the 3 restaurant tenant spaces, which consist of a stucco exterior and an aluminum storefront window system. Decorative metal clad canopies, painted with an orange accent, are located above the outside dining areas. The color of the garage features varying shades of gray. A waiver of development standards is required to increase the building height for both the office building and parking garage.

Floor Plans

The plans depict an office building consisting of 8 floors with open shell space measuring 209,577 square feet in area. Outdoor patios, measuring 8,404 square feet in area, are located around the first floor perimeter of the office building. The parking garage consists of 5 levels with a roof deck at the top level. Three restaurant spaces are located on the fifth level of the garage, with an area measuring 19,547 square feet. An outdoor dining area measuring 8,568 square feet is centrally located between the restaurant tenant spaces.

Signage

Signage is not a part of this request.

Applicant's Justification

Buildings over 50 feet in height are not unusual within the surrounding area. Across the I-215 to the west, less than a mile away, is the Southern Hills Hospital and Medical Center that is over 50 feet high. Additionally, across the I-215 to the southeast, less than a mile away, is the Durango Casino and Resort that is currently under development. The Durango Casino and Resort is also over 100 feet. Therefore, the increased height request will not negatively impact the area. As depicted on the site plans, the mounted wall sconces are proposed at a height of approximately 17 feet above the finished floor, approximately the height of the first level. Because the mounted wall sconces align with the height of the first level, a waiver is required for the height increase of the lights. The north side of the Riley Street driveway has a 111 foot throat depth, where 150

feet is required. Additionally, the Riley Street driveway is protected from on-site cross traffic. The east side of the Sunset Road driveway has a throat depth of 93 feet, where 150 feet is required. When entering from the Sunset Road driveway, the Site design allows cars to turn left, continue straight or veer right toward the adjacent commercial development to the east of the Site. This design allows adequate space for cars to avoid those making the immediate left hand turn. This will allow sufficient on-site circulation, and prevent cars from backing-up onto Sunset Road. A significant slope occurs on the Site's topography from south to north; therefore, requiring an increased fill to accommodate this existing topography and for drainage purposes.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-19-400139 (DR-0083-17)	First extension of time for the redesign of a previously approved commercial center with office uses - expired	Approved by BCC	December 2019
WS-19-0372	Increased the height of a freestanding sign - expired	Approved by PC	July 2019
ET-18-400140 (VS-0068-16)	First extension of time to vacate portions of right-of-way being Sunset Road - recorded	Approved by BCC	July 2018
ET-18-400141 (UC-0067-16)	First extension of time to increase building height for a commercial center with waivers for increased lot coverage and alternative landscaping in conjunction with a commercial center consisting of offices, restaurants, and retail uses - expired	Approved by BCC	July 2018
VS-0947-17	Vacated and abandoned easements - recorded	Approved by PC	December 2017
DR-0083-17	Redesign of a previously approved commercial center with office uses - expired	Approved by BCC	March 2017
VS-0068-16	Vacated portions of right-of-way being Sunset Road - recorded	Approved by BCC	March 2016
UC-0067-16	Commercial center with waivers for increased lot coverage and alternative landscaping in conjunction with a commercial center consisting of offices, restaurants, and retail uses - expired	Approved by BCC	March 2016
VS-0192-06	Vacated easements and portions of right-of-way being Riley Street, Post Road, and Tecu Avenue - recorded	Approved by PC	March 2006
ZC-1333-02	Reclassified the project site to C-2 zoning for a shopping center consisting of a retail building, convenience store, gasoline station, and 2 restaurant pad sites	Approved by BCC	November 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	U-V	Mixed-use development with multiple family

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Entertainment Mixed-Use	C-2	Commercial development (Ikea)
East	Corridor Mixed-Use	C-2	Recreational facility (pickle ball), restaurants, retail, offices, & a parking garage currently under construction
West	Corridor Mixed-Use	C-2	Office buildings & undeveloped

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
WC-23-400053 (ZC-1333-02)	A waiver of conditions of a zone change not allowing required parking to be behind buildings 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

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 & Design Reviews

Staff recognizes that Durango Station was approved for a height increase up to a maximum height of 216 feet. However, the previously approved resort hotel is located approximately 1,715 feet to the south of the project site, across both Sunset Road and the CC 215 Beltway. The proposed height of the office building and parking garage is not compatible with the height of the existing office buildings to the west (27 feet to 48 feet in height), the multiple family developments to the northwest, north and northeast (27 feet to 55 feet in height), and the commercial development to the east (up to 59 feet in height). Staff finds a variety of design elements, including articulating building facades, and varying rooflines are utilized on all sides of the office building and parking garage. Staff is not supporting waivers of development standards #2 and #3; therefore, staff cannot support waiver of development standards #1 and the design reviews and recommends denial.

Waiver of Development Standards #2

Staff finds the request to increase the height of the exterior fixtures (luminaries) mounted to the exterior of the office building and parking garage is minimal and should not have an impact on

the surrounding land uses and properties. However, since staff is not supporting waivers of development standards #1 and #3 and the associated design reviews, staff cannot support this request.

Public Works - Development Review

Waiver of Development Standards #3a

Staff cannot support the reduction in throat depth for the Riley Street driveway. Vehicles coming off of Riley Street will come to an immediate conflict with parking stalls just south of the driveway, causing stacking in the right-of-way.

Waiver of Development Standards #3b

Staff cannot support the reduction in throat depth for the Sunset Road driveway. With the volume of traffic on Sunset Road and the proximity to the 215 Beltway, the reduction in the throat depth may cause stacking in the right-of-way, increasing the potential for collisions.

Design Review #3

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval. However, since staff cannot support this application in its entirety, staff cannot support this design review.

Staff Recommendation

Denial.

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:

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- 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; approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; 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 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; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Fire Prevention Bureau

- 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 #0160-2023 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: MCM TOWER, LLC

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