

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0928-BISMI SERIES HOLDINGS, LLC:

HOLDOVER ZONE CHANGE to reclassify 2.0 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.

USE PERMIT to allow a mini-warehouse.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase retaining wall height; and **2)** reduce throat depth.

DESIGN REVIEWS for the following: **1)** a proposed mini-warehouse establishment; and **2)** finished grade.

Generally located on the southeast corner of Windmill Lane and Rancho Destino Road within Enterprise (description on file). MN/jor/syp (For possible action)

RELATED INFORMATION:

APN:

177-16-102-004; 177-16-102-005

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase the combined retaining wall height and screen wall to 11 feet 6 inches (5 foot 6 inch retaining wall and 6 foot screen wall) where a maximum of 9 feet (3 foot retaining wall and 6 foot screen wall) is permitted per Section 30.64.050.
2. Reduce the proposed driveway throat depth to 5 feet where 25 feet is the standard per Uniform Standard Drawing 222.1 (an 80% reduction).

DESIGN REVIEWS:

1. Mini-warehouse establishment.
2. Increase finished grade to 66 inches where a maximum of 36 inches is the standard per Section 30.32.040 (an 83% increase).

BACKGROUND:

Project Description

General Summary

- Site Address: None
- Site Acreage: 2
- Project Type: Proposed mini-warehouse
- Number of Stories: 3 above grade and 1 basement
- Building Height (feet): 35 (maximum)

- Square Feet: 134,800
- Parking (Required/Provided):5/5

Site Plan

The plan depicts a proposed mini-warehouse building centrally located in the middle of subject parcels. Access to the site is via 1 driveway from Windmill Lane on the northeast corner. 5 parking spaces are located on the northeast corner of the building, adjacent to a drive aisle which circulates around the perimeter of the building. The site plan also shows an internal access gate on the east side of the building, and an internal egress gate northeast of the building. The mini-warehouse building is set back 52 feet, 10 inches from the north property line, 51 feet, 8 inches from the south property line, 43 feet, 8 inches from the east property line, and 47 feet, 8 inches from the west property line. Any existing screen walls will be demolished and replaced with a new 6 foot high perimeter CMU block wall. The provided cross-sections show retaining walls will be constructed beneath the screen walls. The maximum proposed height for a retaining wall for this project is 5 feet, 6 inches where 3 feet is the maximum allowed per code.

The applicant is requesting the following entitlements: a conforming zone change from R-E zoning to C-1 zoning, a use permit to allow a mini-warehouse, waivers of development standards for increase retaining wall height, and reduce driveway throat depth, and a design review for the proposed developed and for increase finished grade to 66 inches on the southeast corner of the site.

Landscaping

An attached sidewalk along the north property line (adjacent to Windmill Lane) will remain, and the applicant is installing a 15 foot wide landscape strip with trees spaced every 20 feet. The landscape plan also shows a detached sidewalk along Rancho Destino Road with landscaping. The south and east property line includes a 10 foot wide intense landscape buffer with a double row of 24 inch box Mulga Acacia trees comply with Figure 30.64-12. Landscape finger islands are on each side of the 5 parking spaces on the northeast corner of the building.

Elevation

The proposed building has an overall height of 35 feet. The north, east, and west facing elevations depicts decorative spandrel glazing on small portion of the exterior walls for all 3 stories, roll-up doors screened by a block wall and landscaping, stucco walls with yellow, white, grey, and blue paint colors, and decorative metal paneling. The south facing elevation does not include any decorative spandrel glazing. Roll-up doors are located on the first floor of the south facing elevation.

Floor Plans

Building Level	Square Feet	Features
Basement	24,650	Elevator areas and storage units
First Floor	26,300	Office, electrical room, fire riser room, elevator area, storage units, areas adjacent to roll-up doors
Second Floor	24,175	Elevator areas and storage units
Third Floor	24,175	Elevator areas and storage units
	99,300 (net lease area) 134,800 (gross building area)	

Signage

Signage is not a part of this request.

Applicant's Justification

Per the applicant, the proposed project consists of 2 parcels that are approximately 2.0 (gross) acres, currently zoned R-E with a current land use plan of Neighborhood Commercial. The zone change request to C-1 zoning is conforming to the land use plan. The proposed project is a 3 story above grade and 1 story below grade mini-warehouse establishment that has an overall area of 134,800 square feet. There is an 800 square foot leasing office along with units ranging from 25 square feet to 300 square feet. Exterior finishes include stucco with paint colors composed with several different shades of grey with accents of blue and yellow. There are windows in the corner feature elements that face north, east, and west and will be designed to have spandrel glass so that the glazing will not reflect light into the residence to the east. The hours of operation for the facility are 6:00 a.m. to 10:00 p.m. which would allow for quiet hours during the day. Lastly, mini-warehouse uses in general, are good neighbors to residential neighborhoods.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Neighborhood Commercial	CRT & R-E	Vacant parcels
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
East & West	Neighborhood Commercial	R-E	Single family residential

Related Applications

Application Number	Request
VS-23-0929	A vacation and abandonment for a patent easement and a portion of right-of-way is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Zone Change

In addition to the standards for approval, the applicant must demonstrate the zoning district is compatible with the surrounding area. Records show that parcels north and northwest from the applicant's site are CRT zoned parcels and as you continue west towards Las Vegas Boulevard South, the parcels transition to H-1, C-P, C-1, and C-2 zoning. In addition, 151 feet east of the subject parcels is a C-1 zoned parcel recently approved via ZC-23-0625. Heading east, the zoning districts vary from C-P, R-E, and C-2. Staff finds that although there are existing residences along Windmill Lane, there are vacant and developed parcels that are zoned for residential and commercial uses. Therefore, staff can support this request.

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.

Staff finds that the existing commercial uses along Windmill Lane to the east of the project site include office complexes, a 2 story place of worship with an off-site place of worship parking lot. To the west of the subject site are C-P zone lots that lead to shopping centers, multiple family development and an existing mini-warehouse establishment 1,500 feet northwest of the applicant's site. Although there are similar commercial uses within the vicinity of the subject property, and the proposed mini-warehouse development may be less intense in terms of hours of operation and customer and vehicular traffic; staff cannot support this request since staff does not support waiver of development standards #1 and design review #1.

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 uses 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 increase the retaining wall height to a maximum of 5 feet, 6 inches along the southern portion of the subject parcels. The submitted cross sections show that the existing grade slopes to a lower point along the south property line of the site. The cross sections also show that the increasing the retaining wall height is due to the increase in finished grade and the basement floor design of the building. In addition, the east to west cross section shows that the eastern portion of the site requires 5 feet of fill due to the descending slope from west to east. However, staff finds that the request to increase the retaining wall height is excessive and the site

can be redesigned without a basement level. Since staff does not support the use permit and design review #1, staff cannot support this waiver.

Design Reviews

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.

Design Review #1

The site design shows adequate landscaping and screening and is architecturally harmonious to neighboring commercial uses along Windmill Lane. However, since staff does not support the use permit, and waiver of development standards #1, staff cannot support this request.

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to the reduction throat depth for the commercial driveway. The site should see a low volume of traffic, staff finds the reduced throat depth should have no negative impacts.

Design Review #2

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.

Staff Recommendation

Approval of the zone change, waiver of development standards #2, and design review #2; denial of the use permit, waiver of development standards #1, and design review #1.

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:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Certificate of occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised within 2 years from the approval date the use permit, waivers of development standards, and design reviews must commence or the application will expire unless extended with approval of an extension of time; that approval of this application does not constitute or imply approval of any other County issued permit, license or

approval; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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; 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;
- 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;
- 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; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised that there is an active septic permit on APN 177-16-102-004; to connect to municipal sewer and remove the septic system in accordance with Section 17 of the SNHD *Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management*; and to submit documentation to SNHD showing that the system has been properly removed.

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 #0032-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval of the zone change, waiver of development standards #2; denial of the use permit, waiver of development standards #1, and the design reviews (design review as a public hearing for lighting and signage; provide similar architectural features on all building facades; and provide detached sidewalk along Windmill Lane).

APPROVALS: 2 cards

PROTESTS: 3 cards, 2 letters

COUNTY COMMISSION ACTION: February 21, 2024 – HELD – To 03/06/24 – per the applicant.

COUNTY COMMISSION ACTION: March 6, 2024 – HELD – To 03/20/24 – per the applicant.

APPLICANT: Bismi Series Holdings, LLC

CONTACT: Carroll Design Collaborative, 1980 Festival Plaza Drive,
Las Vegas, NV 89135