

OFFICE/WAREHOUSE  
(TITLE 30)

SUNSET RD/WARBONNET WY

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**NZC-22-0392-SOUTHWEST CORPORATE CAMPUS LLC:**

**ZONE CHANGE** to reclassify 3.7 acres from a C-2 (General Commercial) Zone to an M-D (Designed Manufacturing) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** cross access; and **2)** modified driveway design standards.

**DESIGN REVIEWS** for the following: **1)** distribution warehouse complex; and **2)** finished grade in the CMA Design Overlay District.

Generally located on the east side of Warbonnet Way and the north side of Sunset Road within Spring Valley (description on file). MN/rk/jo (For possible action)

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**RELATED INFORMATION:**

**APN:**

163-33-813-003

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Waive cross access where required per Table 30.56-2.
2. a. Reduce throat depth for the driveways along Warbonnet Way to a minimum of 19 feet, 5 inches where 25 feet is the standard per Uniform Standard Drawing 222.1 (an 22% reduction).
- b. Reduce the departure distance from an intersection to a driveway along Warbonnet Way to 183 feet where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 3% reduction).

**DESIGN REVIEWS:**

1. Distribution warehouse complex.
2. Increase finished grade to 10 feet, 7 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 253% increase).

**LAND USE PLAN:**

SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A

- Site Acreage: 3.7
- Project Type: Distribution warehouse complex
- Number of Stories: 1 (with potential mezzanine)
- Building Height (feet): Up to 35
- Square Feet: 79,735
- Parking Required/Provided: 80/84

### **Neighborhood Meeting Summary**

The applicant conducted a virtual neighborhood meeting on October 7, 2021, as required by the nonconforming amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. There was 1 attendee present at the open house meeting for this item. The attendee had general questions about traffic, type of potential tenants, and security of the site.

### Site Plans

This application is for a nonconforming zone change to M-D zoning with waivers and a design review for a distribution warehouse complex. The plans depict a 39,895 square foot warehouse building and a 39,840 square foot warehouse building located in the central portion of the site with parking shown on the west side of the site and between the 2 buildings. This site is adjacent to existing industrial uses. The loading docks are screened from public view by the building itself. The remaining front portion of the site is designated for parking areas, drive aisles, and landscaping. No cross access is proposed with the adjacent development to the east since they are built out with existing curb, landscaping, and no future cross-access points. There are 2 driveways shown along Warbonnet Way to the west. A total of 84 parking spaces are provided where 80 spaces are required.

### Landscaping

Street landscaping consists of a 15 foot wide landscape area with a detached sidewalk along Sunset Road and a 20 foot wide landscape area behind an attached 5 foot wide sidewalk along Warbonnet Way. Interior to the site, landscaping is distributed throughout the parking lot and around the front portions of the building footprint.

### Elevations

The 35 foot high building has a contemporary architectural design consisting of painted concrete tilt-up panels with glass store fronts and vertical and horizontal reveal lines. There are surface plane and color variations consisting of walls that are off-set with contrasting design schemes. The height of the building varies slightly and has been designed to break-up the roofline and enhance the overall look of the building. The overhead doors will be located on the north and south sides of the buildings that are internal to the site.

### Floor Plans

The warehouse buildings will be 39,895 square feet and 39,840 square feet, respectively. Both lease spaces show as an open warehouse area with incidental office that will potentially be on a second floor mezzanine.

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant indicates that the property is immediately south and west of the existing IGT facility that is zoned M-D, and that numerous parcels along Sunset Road have been rezoned to M-D. Therefore, according to the applicant this site is a prime location for a distribution warehouse use and is compatible with adjacent uses in terms of scale and site design. Furthermore, this project meets the required parking for this use and meets the design criteria of the CMA Design Overlay District.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
VS-0725-16	Vacated and abandoned a portion of right-of-way being Sunset Road - expired	Approved by BCC	December 2016
DR-0704-16	Proposed parking lot and lighting plan in conjunction with an adjacent M-D development - expired	Approved by BCC	December 2016
TM-0148-16	1 lot commercial subdivision - expired	Approved by BCC	December 2016
ZC-0172-01	Reclassified this site to C-2 zoning for a 1 story shopping center with 1 pad site	Approved by BCC	March 2001

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Corridor Mixed-Use & Business Employment	C-2 & M-D	Undeveloped & office/warehouse
South	Multi-Family Residential – High Density (up to 25 du/ac)	R-4	Apartment complex
East	Corridor Mixed-Use	M-D	Office/warehouse
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential

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

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Zone Change

The applicant shall provide Compelling Justification that approval of the nonconforming zoning boundary amendment is appropriate. A Compelling Justification means the satisfaction of the following criteria as listed below:

1. *A change in law, policies, trends, or facts after the adoption, readoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate.*

This development is located adjacent to an existing large scale distribution center (IGT campus) and over the past 15 years, several parcels located north of the CC 215 along Sunset Road that were designated for commercial development in the Land Use Plan have been reclassified to business design manufacturing land uses. In addition, M-D zoning can be found along Sunset Road heading east and west of the subject site. The proposed project is appropriate for this location and the development will be a half mile north of the CC 215.

2. *The density and intensity of the uses allowed by the nonconforming zoning is compatible with the existing and planned land uses in the surrounding area.*

The density and intensity of the use being proposed by this amendment is compatible with the existing and planned land uses along the CC 215. The project in terms of scale, intensity, and density are compatible with the adjacent developments to the north and east of this site. Furthermore, the overall site has been designed to minimize impacts on the surrounding area and the requested use will create less traffic for the area than a C-2 zoned use.

3. *There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed by the nonconforming zoning.*

The proposed zone change will not result in any additional impacts on surrounding infrastructure not already contemplated in the area. The facility will take advantage of the nearby CC 215 for any traffic and will utilize existing infrastructure. There has been no indication from service providers that this request will have a substantial adverse effect on public facilities and services. Various Clark County service departments have reviewed the development proposal and based on the comments received from those service providers, the project is not anticipated to have additional impacts on the surrounding infrastructure beyond what would have been anticipated for a commercial development.

4. *The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies.*

Growth Management Policy 1 encourages the development of undeveloped parcels within serviced areas and the vacant parcel is within an area serviced by public utilities. This proposal also meets the goals and policies of the Master Plan which encourage in-fill development with proper transitioning between uses. According to the applicant, thoughtful transition has been proposed with ample street landscaping and overhead doors located internally away from the right-of-way and out of the line of sight from the street or the adjacent residential to the west. Staff finds the proposed nonconforming zone change to M-D, with the proposed layout and design, consistent with the County's goals and policies.

## **Summary**

### Zone Change

The proposed nonconforming zone boundary amendment is appropriate since a changing economy necessitates more M-D zoning to accommodate logistics, warehousing, and distribution. Also, the intensity of uses allowed in an M-D zone is compatible with the existing surrounding development. Lastly, the proposed nonconforming zone boundary amendment will not adversely impact public utilities and services, and it conforms to applicable adopted plans, goals, and policies. Therefore, staff finds the applicant has provided justification to warrant approval of the nonconforming zone boundary request.

### 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

Staff can support the applicant's request to not be required to provide cross-access to adjacent the property. Even though these are complementary uses, the adjacent property is developed and has curb and landscape areas along its perimeter; therefore, staff can support this waiver request.

#### Design Review #1

The design of the proposed warehouse buildings is consistent in design to other industrial and manufacturing facilities in the area. The intent of the CMA Design Overlay District is to encourage and promote a high-quality level of development that produces a stable environment in harmony with existing and future developments, and the design of this project complies with the intent and requirements of the CMA Design Overlay District. Furthermore, the varying heights of the parapet walls break-up the roofline of the building and the use of different colors and textures on the exterior walls minimize the visual impact of the buildings; therefore, staff can support this request.

## **Public Works - Development Review**

### Waiver of Development Standards #2

Staff worked with the applicant on the location and throat depth of the driveways to provide an increased distance between the driveways and on-site parking spaces to reduce conflicts in the right-of-way. Additionally, the proposed driveway locations provide a safe separation between the proposed driveways and Encanterra Road on the west side of Warbonnet Way.

#### 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. This item has been forwarded to the Board of County Commissioners' meeting for final action.

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.

**PLANNING COMMISSION ACTION:** September 6, 2022 – APPROVED – Vote: Unanimous

### **Current Planning**

- Resolution of Intent to complete in 3 years;
- 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.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; 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; and that 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.

### **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;
- 30 days to coordinate with Public Works - Kaizad Yazdani and to dedicate any necessary right-of-way and easements for the Sunset Road improvement project.
- 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 off-site improvement permits may be required.

### **Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

### **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 #0351-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Spring Valley - approval (addition of security cameras).

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** EBS REALTY PARTNERS

**CONTACT:** LINDSAY KAEMPFER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA  
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