

11/21/23 BCC AGENDA SHEET

OFFICE/WAREHOUSE
(TITLE 30)

DECATUR BLVD/POST RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0665-WHTBX DECATUR, LLC:

ZONE CHANGE to reclassify 1.0 acre from a C-2 (General Commercial) (AE-65) Zone to an M-D (Designed Manufacturing) (AE-65) Zone.

WAIVER OF DEVELOPMENT STANDARDS to reduce parking.

DESIGN REVIEW for an office/warehouse facility on 4.4 acres in an M-D (Designed Manufacturing) (AE-65) Zone.

Generally located on the northeast corner of Decatur Boulevard and Post Road within Paradise (description on file). MN/sd/syp (For possible action)

RELATED INFORMATION:

APN:

162-31-301-023; 162-31-301-024; 162-31-310-002

WAIVER OF DEVELOPMENT STANDARDS:

Reduce on-site parking to 135 spaces where 141 spaces are required per Table 30.61-1 (a 4.3% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.4
- Project Type: Office/warehouse facility
- Building Height (feet): 50
- Square Feet: 93,353
- Parking Required/Provided: 141/135

Site Plans

The plans depict a proposed 50 foot tall warehouse and office building with a gross square footage of 93,353. Access is from Post Road, Sobb Avenue, and Decatur Boulevard. All throat depths meet the standards per the Code. The site will be divided from the adjacent property to the north with a proposed 6 foot tall CMU wall. An existing 6 foot high CMU wall will remain on

the east side of the site. A total of 141 parking spaces are required, with the applicant providing a total of 135 parking spaces and is requesting a waiver for parking reduction.

A zone change is being requested for the north parcel, APN 162-31-310-002, from the existing C-2 zone to an M-D zone to develop the parcel for an office/warehouse facility. The other 2 subject parcels, APNs 132-31-301-023 and 132-31-301-024, are currently zoned M-D. The plans depict cross access between all 3 subject parcels and with the developed C-2 zone property to the north.

Landscaping

The plans depict landscaping with detached sidewalks on both Decatur Boulevard and Post Road. The existing attached sidewalk can remain on Sobb Avenue, and the plans show an 18 foot wide landscape buffer behind the sidewalk. Internal parking lot landscaping is shown with landscape islands for every 6 parking spaces. Landscaping along the eastern property line includes medium size trees spaced every 20 feet on center for APN 162-31-310-002, which is adjacent to an undeveloped R-E zoned parcel that is owned by the Department of Aviation. A row of trees is shown along the northern property line that is shared with the existing retail building at the southeast corner of Decatur Boulevard and Sobb Avenue.

Elevations

The plans depict a warehouse/office facility that stands 50 feet tall. The design intent, color scheme, and finishes are unique and vibrant faced while still conforming to the design of the surrounding area. The exterior materials include concrete tilt-up panels with paint finish, flat roofline with parapet walls, metal framed pop-outs, tinted curtain wall glass windows, and canopies with roll-up doors.

Floor Plans

The plans depict offices, warehouse, and loading docks.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant has stated the need for a parking reduction is to increase the throat depth at Sobb Avenue due to the proximity of the adjacent driveway for APN 162-31-310-004. All parking can be easily accessed by customers and employees via walkways located at the building entrances. As shown on the site plan, all parking is to be illuminated by new 20 foot tall shielded down-light posts to comply with Clark County regulations. Adequate landscape is being provided in the form of buffers, terminal islands, and landscape fingers throughout the site. The minimum 15 feet of landscaping behind the sidewalk on Sobb Avenue will remain. All plants being used are low maintenance, low water, and native to Southern Nevada. The addition of these businesses will provide a much needed service and will be beneficial to other establishments within proximity to the proposed site.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-0254-07	Commercial center - expired	Approved by PC	October 2007
VS-1397-05	Vacated government patent easements - expired	Approved by PC	October 2005
UC-1371-05	Allowed an office and retail as primary use and design review for a shopping center - expired	Approved by PC	October 2005
ZC-2000-04	Reclassified to M-D zoning on APNs 162-31-301-023 and 162-31-301-024	Approved by BCC	January 2005
VS-0161-00	Vacated and abandoned patent easements on APN 162-31-310-002	Approved by BCC	March 2000
ZC-1958-99	Reclassified to C-2 zoning on APN 162-31-310-002	Approved by BCC	February 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Business Employment	C-2	Commercial retail
South	Business Employment	C-2 & R-E	Undeveloped
East	Business Employment	M-D, M-1, & R-E	Office/warehouse & undeveloped

Related Applications

Application Number	Request
VS-23-0666	A vacation and abandonment of patent easements and 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

Zone Change

The zoning reclassification requested by the applicant is consistent with past approvals in the area. The permitted uses allowed in M-D zoned districts would be compatible with the existing and planned uses in this area. The adjacent parcel to the east was reclassified to M-D zone for use as an office/warehouse development. Reclassifying 1 parcel from the existing C-2 zoning to M-D zoning for an office/warehouse facility would help create a large node for warehousing and light manufacturing uses and it is compatible with the area.

Waiver 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.

Staff does not feel that the 4.3 percent parking reduction will impose any significant impacts to the immediate area. The justification for this minor reduction is to allow for throat depths required by Code, which will reduce stacking and traffic hazards with traffic ingress/egress. Therefore, staff can support this request.

Design Review

The proposed building is oriented to limit the impact of the loading docks on the abutting properties and from the right-of-way. Additionally, landscape areas along the perimeter of the site will help to screen the facility from the right-of-way and improve the existing streetscape. The building is designed with architectural enhancements which will provide an appealing visual appearance. Therefore, staff can support this request.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

More importantly, the development will penetrate the Part 77 airspace surface (Airport Airspace Overlay District), as defined by Section 30.48.100 of the Clark County Unified Development Code. Therefore, as required by Section 30.16.210(12)(D) of the Clark County Unified Development Code, final action cannot occur until the FAA has issued an airspace Determination of No Hazard and the Department of Aviation has reviewed the determination. (Note that Section 30.16.210(12)(D) requires that the FAA Determination of No Hazard shall be submitted two weeks prior to final approval for any proposed structure that intrudes into Airport Airspace Overlay District [see Chapter 30.48 Part B].)

The property lies within the AE-65 (65-70 DNL) noise contour for Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade Harry Reid International Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval.

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

- 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 that 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; and that the waiver of development standards and design review must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Comply with approved drainage study PW23-15174;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Post Road;
- Applicant to construct a median on Post Road at signalized intersection.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way, dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77;
- Applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 PART B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after

October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

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 #0362-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: BRANDON STRONKS

CONTACT: BRANDON STRONKS, SCA DESIGN, 2525 W. HORIZON RIDGE PKWY,
HENDERSON, NV 89052