

DISTRIBUTION FACILITY
(TITLE 30)

OQUENDO RD/TOPAZ ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-21-0442-ISC SPE, LLC:

ZONE CHANGE to reclassify 3.3 acres from an R-E (Rural Estates Residential) (AE-65) Zone to an M-D (Designed Manufacturing) (AE-65) Zone.

USE PERMITS for the following: **1)** recreational facility (indoor sports facility); **2)** restaurant; **3)** on-premises consumption of alcohol (a lounge); and **4)** allow alternative landscaping where landscaping per Figure 30.64-12 is required.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** departure distance; **2)** reduce bicycle parking; **3)** reduce setbacks; **4)** reduce loading spaces; and **5)** reduce height/setback ratio.

DESIGN REVIEW for a distribution center.

Generally located on the south side of Oquendo Road and the west side of Topaz Street within Paradise (description on file). JG/jvm/jd (For possible action)

RELATED INFORMATION:

APN:

162-36-202-004; 162-36-202-028

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the departure distance for a driveway on Topaz Street to 79 feet, 6 inches where 190 feet is required per Uniform Standard Drawing 222.1 (a 58% reduction).
2. Reduce the required bicycle spaces for a recreational facility to 4 spaces where 40 spaces are required per Table 30.60-2 (a 90% reduction).
3. Reduce the corner side yard setback to 10 feet where 20 feet is the minimum required per Table 30.40-4 (a 50% reduction).
4. Reduce loading spaces to 2 spaces where 3 spaces are required per Table 30.60-6 (a 33% reduction).
5. Reduce the height/setback ratio to a residential use to 22 feet where 72 feet is required per Section 30.56-10 (a 69.4% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: 5975 Topaz Street
- Site Acreage: 3.3
- Project Type: Recreational facility/distribution center
- Number of Stories: 1
- Building Height (feet): 40
- Square Feet: 79,254
- Parking Required/Provided: 80/88

Request

This request is to allow an existing recreational facility (indoor sports facility) with an ancillary restaurant and lounge to operate on a temporary basis while a distribution facility prepares to take over operation of the site. No changes are proposed to the exterior of the building in relation to the conversion to a distribution center; however, a new parking area is being added in the northeast corner of the site.

Site Plan

The existing building is located on the southern portion of the project with parking located to the north of the building. There are 88 parking spaces being provided where 80 parking spaces are required. Access to the site is provided by an existing driveway from Oquendo Road and a proposed driveway from Topaz Street. The existing trash enclosure is to be removed and a new trash enclosure will be provided in front of the building.

Landscaping

The plan depicts 10 foot wide landscape planters around the perimeter of the site with the exception of the south perimeter, which is up to 31 feet in width with attached sidewalks on both Oquendo Road and Topaz Street. Additional landscaping is shown within the parking area and adjacent to the building. The landscaping along the street frontages is composed of 24 inch box Arizona Ash and California Fan Palm trees with 5 gallon shrubs and groundcover. Along the southern property line are 24 inch box Japanese Blueberry trees with 5 gallon shrubs, and groundcover. The parking areas display 24 inch box California Fan Palm trees with shrubs and groundcover.

Elevations

The existing building is 1 story and 40 feet in height. The building is constructed of metal and painted in earth tone colors.

Floor Plans

The existing building has an area of approximately 80,000 square feet and consists of 10 indoor tennis courts, with 5 courts each within the northern and southern portions of the building. The center of the building, in an atrium area is where the accessory commercial uses are located. Locker rooms, offices, and storage areas are located in the western portion of the building. The

plan indicates the restaurant and lounge area occupy approximately 4,000 square feet of the atrium area.

When converted to the distribution facility the floor plan will become open with offices and restrooms along the western edge.

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant states that the zone change request is in conformance with the current land use designation of Business and Design/Research Park and the new proposed use is compatible with existing development in the area.

Prior Land Use Requests

Application Number	Request	Action	Date
AR-20-400108 (UC-19-0582)	Review of a restaurant and on-premises consumption of alcohol in conjunction with a recreational facility (indoor sports facility)	Approved by PC	November 2020
UC-19-0582	Restaurant and on-premises consumption of alcohol in conjunction with a recreational facility (indoor sports facility)	Approved by PC	September 2019
WS-0729-13	Reduced setbacks for an awning attached to the front of the building	Approved by PC	December 2013
WS-0986-05	Reduced the front setback for a previously approved tennis court facility building	Approved by PC	August 2005
UC-1544-04	Decorative metal recreational facility consisting of 10 indoor tennis courts and reduced the front setback to 18 feet along Topaz Street	Approved by PC	November 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities	P-F	Cannon middle school
South	Business and Design/Research Park	R-E & M-D	Vacant
East	Business and Design/Research Park	R-E & M-D	Undeveloped, single family residential, & office/warehouse
West	Business and Design/Research Park	R-E & M-D	Undeveloped, single family residential, & financial service

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 request to M-D zoning conforms to the Paradise Land Use Plan which designates the subject parcel as Business and Design/Research Park (BDRP). The subject parcels are with the exception of the parcel directly to the north completely surrounded by the BDRP land use designation. The parcel to the north is developed with a public middle school. The proposed zoning classification is consistent and compatible with the existing and approved land uses in the surrounding area; therefore, staff recommends approval.

Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Staff finds that the requested use permits are primarily for an existing recreational facility that will only be operated on a temporary basis, while the distribution center transitions to the use of the site. Staff has no objection for this continued use; however, staff recommends a review in 1 year to evaluate the progress of the transition of uses. The request for alternative landscaping is appropriate at this location as the applicant is providing 24 inch box Japanese Blueberry trees 20 feet on center in the landscape planter adjacent to the residential property to the west and is providing 24 inch box Arizona Ash trees 20 feet on center along Topaz Street.

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.

Waivers of Development Standards #2 through #5

Staff finds that the request to reduce the number of bicycle spaces is a temporary reduction which will be rectified when the transition to distribution center is completed. A distribution center only requires 4 bicycle spaces which are being provided. The reduced setback request is for a building that was developed in 2007 and there is no practical way for this project to meet that setback. The reduction in loading spaces the applicant indicates that the only trucks using the loading zones are owned by the occupant and the timing of the trucks is regulated by the occupant. Therefore, staff can support these requests. The request for a reduction in the height/setback ratio is for an existing condition that has been in place for approximately 15 years, in addition, no changes are proposed to the existing conditions of the non-residential building.

Design Review

The distribution center complex complies with policies in the Comprehensive Master Plan. The complex includes street landscaping, parking areas, and the loading areas face internal to the site

and will be screened from view from the public rights-of-way which complies with Urban Specific Policy 97 that encourages developments to orient less intensive uses and landscaping around the perimeter of the development. The setbacks are appropriate, and the landscaping, building height, and materials are all aesthetically pleasing and complementary with the surrounding uses which complies with Policy 99 that encourages appropriate setbacks, landscaping, building height, and materials. As a result, staff can support the design review.

Public Works - Development Review

Waiver of Development Standards #1

Staff has no objection to the reduction in the departure distance for the Topaz Street commercial driveway. With the addition to the parking lot the applicant placed the driveway as far south as the site will allow.

Department of Aviation

The property lies within the AE-65 (65-70 DNL) noise contour for McCarran 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 McCarran 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- 1 year to review the transition process;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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 application for review; 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 use permits, waivers of development standards, and design review must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Full off-site improvements.

Department of Aviation

- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised 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 the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: CARBON BLOCK TECHNOLOGY

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