

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-25-400013 (ZC-22-0375)-ZOO LANDERS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: **1)** reduce setbacks; **2)** alternative landscaping; **3)** non-standard improvements (landscaping) within a right-of-way; and **4)** alternative driveway geometrics.

DESIGN REVIEWS for the following: **1)** an office complex; and **2)** alternative parking lot landscaping on 1.91 acres in a CP (Commercial Professional) Zone within the Airport Environs (AE-60) Overlay.

Generally located on the west side of Jones Boulevard and the north side of Ponderosa Way within Spring Valley. MN/jm/kh (For possible action)

RELATED INFORMATION:

APN:

163-35-602-005; 163-35-602-006

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the side street (corner) setback to 10 feet where a minimum of 15 feet is required per Table 30.40-4 (a 33.3% reduction).
2. Permit alternative landscaping along Jones Boulevard where landscaping is required per Figure 30.64-17.
3. Permit non-standard improvements (landscaping) within a right-of-way (Jones Boulevard) where not permitted per Section 30.52.050.
4.
 - a. Reduce driveway throat depth to a minimum of 22 feet where a minimum of 75 feet is required per Uniform Standard Drawing 222.1 (a 70.7% reduction).
 - b. Reduce intersection approach distance to 98 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 34.7% reduction).
 - c. Reduce intersection departure distance to 77 feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1 (a 59.5% reduction).

DESIGN REVIEWS:

1. An office complex.
2. Permit alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.91
- Project Type: Office complex
- Number of Stories: 1
- Building Height (feet): 21
- Square Feet: 24,280
- Parking Required/Provided: 98/100

Site Plan

The prior request was to reclassify the site to a CP zone and develop the site as an office complex consisting of 3 buildings. The previously approved plans show access to the site being provided by 2 driveways, 1 each on Ponderosa Way and Jones Boulevard. The driveways will be located in the center of each street frontage. The buildings will be located on the southwest, northeast, and southeast corners of the site. Parking was depicted on the northwest corner of the site and on each side of the driveways between the buildings. The building on the southwest corner of the site will be located a minimum of 10 feet from the west property line and 10 feet from the south boundary which is adjacent to Ponderosa Way and required a waiver of development standards for a reduced setback. The previously approved plans show the other buildings will be set back a minimum of 15 feet from the streets. The building on the northeast corner of the site will be set back a minimum of 10 feet from the northern property line.

Landscaping

The approved plans show minimum 10 foot wide landscape areas adjacent to the streets consisting of trees, shrubs, and groundcover. A minimum 10 foot wide landscape area consisting of trees, shrubs, and groundcover was depicted along the northern property line. A minimum 6 foot wide landscape area consisting of trees, shrubs, and groundcover was depicted along the western property line. The landscaping within the parking areas was not in compliance with the standards of Figure 30.64-14; however, the required number of trees for the parking areas is provided and distributed throughout the site. Additional landscape areas are depicted adjacent to the buildings.

Elevations

Each of the approved buildings was 1 story with a maximum height of 21 feet. The buildings have flat roofs behind parapet walls that vary in height to break-up the roofline. The exterior of the buildings are a combination of a stucco finish painted in earth tone colors, stone veneer, anodized aluminum storefront window systems with aluminum awnings over the windows and decorative metal panels.

Floor Plans

The approved plans show the 3 buildings in the complex will have a total building area of 24,280 square feet. The plans show 2 buildings will have an area of 8,100 square feet and the third

building will have an area of 8,080 square feet. The buildings will be constructed as shells with the interiors to be complete in the future to meet the needs of the future tenants.

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-22-0375:

Current 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 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; 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 waivers of development standards and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Detached sidewalks along Ponderosa Way to be added where practical;
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Vacate any unnecessary rights-of-way and/or easements;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Jones Boulevard improvement project.
- Applicant is advised 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 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, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then 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;

- 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 or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- 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.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there is an active septic permit on APN 163-35-602-006; 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 #0254-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant states that due to the coordination between the developer, the Clark County Public Works Department and Clark County Water Reclamation District for an existing capital improvement project (L-2246), the proposed office development will require an extension of time to proceed. They further state that other items associated with this project have continued to progress and include the following:

- Drainage study (PW22-17662) was approved in October 2022 with Clark County Regional Flood Control District concurring in March of 2023.
- Traffic study (PW22-17841) was approved in October 2022.
- Civil improvement plans (PW23-11306) were approved in May 2024 after coordinating with capital improvements along Jones Boulevard (L-2246).
- Obtained plan set signatures for dry utilities and fire department (FP23-07753).
- Parcel map MSM-24-600026 is under review and comments are being addressed.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-24-0339	Vacated and abandoned easements of interest	Approved by PC	September 2024
ZC-22-0375	Reclassified the project site from RS20 to CP zoning with waivers of development standards for setbacks, alternative landscaping, non-standard improvements, and alternative driveway geometrics and a design review for an office complex and alternative parking lot landscaping	Approved by BCC	August 2022

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, & West	Public Use	RS20 (AE-60)	Undeveloped
East	Neighborhood Commercial	CP (AE-60)	Office

STANDARDS FOR APPROVAL:

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

Analysis**Comprehensive Planning**

Title 30 standards of approval for an extension of time state an application may be denied if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

The applicant has demonstrated that they have continued to make progress while coordinating with the Clark County Public Works Department and the Clark County Water Reclamation District for an existing capital improvement project (L-2246). The applicant has an approved drainage study (PW22-17662), an approved traffic study (PW22-17841) and a minor subdivision (MSM-24-600026) map in process. Furthermore, a building permit (BD22-62716) has been submitted for the office complex and is currently under review. Therefore, staff can support the request for an extension of time, however, staff is not likely to support a second extension of time if substantial progress towards commencing the project is not made by the new commence date.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

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**

- Until August 17, 2026 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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; 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; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised that there is an active septic permit on APN 163-35-602-006; 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)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: WYN DAHLKE

CONTACT: WYN DAHLKE, ACG DESIGN, 4310 CAMERON STREET, SUITE 12-A, LAS VEGAS, NEVADA 89103