

08/18/21 BCC AGENDA SHEET

WAREHOUSE
(TITLE 30)

CAMERON ST/SUNSET RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0362-SUNSET PROPERTIES, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** setbacks; **2)** driveway geometrics; and **3)** encroachment into airspace.

DESIGN REVIEWS for the following: **1)** office/warehouse; and **2)** finished grade in conjunction with a proposed office/warehouse on 1.9 acres in an M-D (Designed Manufacturing) (AE-65) Zone.

Generally located on the north side of Sunset Road and the west side of Cameron Street within Paradise. MN/nr/jo (For possible action)

RELATED INFORMATION:

APN:

162-31-401-019

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the side setback to 15 feet where 20 feet is required per Table 30.40-5 (a 25% decrease).
2. Reduce throat depth to 26 feet where 75 feet is required per Uniform Standard Drawing 222.1 (a 65.3% decrease).
3. Permit encroachment into airspace for a warehouse per Section 30.48.160.

DESIGN REVIEWS:

1. An office/warehouse.
2. Increase finished grade up to 55 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 206% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.9
- Project Type: Office/warehouse
- Number of Stories: 1

- Building Height (feet): 35
- Square Feet: 37,290
- Parking Required/Provided: 57/62

Site Plans

The plans depict a 37,290 square foot office/warehouse building on 1.9 acres. The building is facing Sunset Road with parking located on the south, west, and north sides of the building. Loading spaces are located on the west and north sides of the building. Cross access is shown on the north and west sides of the property. The property is accessed from a driveway on Sunset Road.

Landscaping

The plans show parking lot landscaping per Code on the project site. A 15 foot wide landscape area with attached sidewalks is located along Cameron Street. Detached sidewalks with associated landscaping are located along Sunset Road.

Elevations

The proposed 35 foot high concrete tilt-up office/warehouse building will have varied elevations on the roofline. The building will be various shades of earth tone colors and varied textures.

Floor Plans

The plans depict the proposed 37,290 square foot building with 2 units for future tenants. Each unit is shown with office spaces in an open shell of a warehouse building with loading areas.

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant requests the approval of a warehouse building with a setback waiver, throat depth waiver, and increased finish grade.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-1831-05	Off-site phasing	Approved by PC	January 2006
TM-0673-05	Industrial subdivision	Approved by PC	January 2006
ZC-1552-05	Reclassified 8.4 acres from R-E to M-1 zoning and M-D zoning	Approved by BCC	November 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Business and Design/Research Park	M-D	Office/warehouse complex

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Business and Design/Research Park	P-F	State of Nevada office facility
East	Business and Design/Research Park	M-1	Office/warehouse complex

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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 & Design Review #1

Staff finds that the applicant's request to reduce the street side setback along Cameron Street to be acceptable since the required landscaping on the street side meets Code for the existing attached sidewalk. The applicant has worked with staff to reduce the amount of waivers requested as part of the application. The perimeter landscaping along with the interior landscaping meets Code requirements; therefore, staff can support these requests.

Public Works - Development Review

Waiver or Development Standards #2

Staff has no objection to the reduction in throat depth for the Sunset Road commercial driveway. Due to the number of parking spaces provided, 75 feet is required for the throat depth. However, the applicant has provided a second driveway via cross access on the northeast side of the site, reducing the number of vehicles using the commercial driveway on Sunset Road.

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.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for McCarran 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 2 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 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

- 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; 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 this application must commence within 2 years of approval date or it will expire.

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.
- 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.

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;
- 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; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; 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.

Building Department - Fire Prevention

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: BARRY GREENE

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