

COMMERCIAL BUILDING
(TITLE 30)

LINDELL RD/FLAMINGO RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0635-5590 FLAMINGO, LLC:

ZONE CHANGE to reclassify 1.0 acre from a C-P (Office and Professional) Zone to a C-1 (Local Business) Zone.

WAIVER OF DEVELOPMENT STANDARDS for reduced street landscaping.

DESIGN REVIEWS for the following: **1)** alternative parking lot landscaping; **2)** lighting; and **3)** a commercial (retail/office) building in conjunction with an existing commercial complex on 4.0 acres in a C-P (Office and Professional) Zone, a C-1 (Local Business) Zone, and a C-2 (General Commercial) Zone.

Generally located on the north side of Flaming Road, 430 feet west of Lindell Road within Spring Valley (description on file). JJ/md/syp (For possible action)

RELATED INFORMATION:

APN:

163-13-403-009 through 163-13-403-011

WAIVER OF DEVELOPMENT STANDARDS:

Reduce a portion of the street landscaping to 9 feet where 15 feet of landscaping is required behind an existing attached sidewalk per Section 30.64.030 (a 40% reduction).

DESIGN REVIEWS:

1. Allow alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.
2. Lighting.
3. Commercial (retail/office) building.

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1 (project site)/4.0 (overall commercial complex)
- Project Type: Commercial (retail/office) building
- Number of Stories: 1

- Building Height (feet): 27
- Square Feet: 12,000
- Parking Required/Provided: 209/289*

*Parking for the commercial complex, including the proposed commercial building, was calculated utilizing the Shared Parking Schedule (Table 30.60-3).

History & Request

The subject property, consisting of 1 acre, was reclassified to a C-P zoning district via ZC-0305-02 by the Board in March 2002. A 2 story office building was previously approved with the zone change, in addition to a request to increase building height. The applicant is now requesting a conforming zone boundary amendment to a C-1 zoning district, with a waiver of development standards for reduced street landscaping and design reviews for alternative parking lot landscaping and a 1 story office building.

Site Plans

The plans depict a single story commercial building located on a 1 acre parcel, at the southwest corner of an existing commercial complex consisting of existing office and office/restaurant buildings on a 4 acre site. The office building has been designed with the following setbacks: 1) 67 feet from the north property line; 2) 10 feet from the west property line adjacent to the existing single family residential development and office complex; 3) 61 feet from the east property line adjacent to the existing office/restaurant building; and 4) 63 feet from the south property line along Flamingo Road. Access to the site is granted via an existing commercial driveway along Flamingo Road that connects to a 24 foot wide vehicle drive aisle located along the southeast property line of the project site. An additional 24 foot wide vehicle drive aisle for cross access is located at the northeast corner of the site, connecting to the parking lot primarily serving the existing office building. A total of 209 parking spaces are required for the existing commercial complex, including the proposed office building, where 289 parking spaces are provided.

Landscaping

The plans depict a landscape area measuring 15 feet in width located behind an existing 5 foot wide attached sidewalk adjacent to Flamingo Road. The street landscape area consists of trees, shrubs, and groundcover. A waiver of development standards is required to reduce a portion of the street landscape area, located at the southwest corner of the site, as a portion of the Code required loading space encroaches 6 feet into the landscaping. A 10 foot wide landscape area, including an intense landscape buffer per Figure 30.64-12, is provided along the northwest corner of the site adjacent to the existing single family residential development. The 10 foot wide landscape area, consisting of a single row of Evergreen trees, continues along the west property line terminating at the southwest corner of the site. In lieu of providing the required amount of landscape finger islands within the interior of the parking lot, the required trees have been distributed throughout the interior of the site. The development requires 21 trees within the interior of the parking lot where 24 trees have been equitably distributed throughout the site.

Elevations

The plans depict a single story commercial building measuring up to 27 feet in height to the top of the parapet roof. The building is designed with varying rooflines consisting of a stucco

exterior with wood/decorative metal strips and stone coping for accent features. An aluminum storefront window system, with decorative metal canopies, are depicted on the north, south, and east elevations. All rooftop mounted equipment will be screened from public view and the right-of-way by parapet walls.

Floor Plans

The plans depict an open floor plan measuring 12,000 square feet in area for office and retail uses. Interior improvements will be dictated by the future tenants.

Lighting

The plans depict a photometric plan for the commercial development with corresponding details on light fixtures. The lighting plan has the following elements: 1) wall pack LED fixtures at 8 feet from grade on the office building; and 2) 20 foot high parking lot light poles along the north, south, and east property lines of the site. All light fixtures comply with Code requirements and are downcast to minimize or eliminate any light pollution. The photometric plan depicts values of near zero throughout along the northwest property line adjacent to the single family residential development. The lighting values do not take into account the screening and buffering that will be provided by the landscape buffer, which includes the existing 6 foot high wall. Therefore, there will not be any light intrusion to the adjacent residential development.

Signage

Signage is not a part of this request. An existing monument sign is located at the southeast corner of the project site and will remain on the property.

Applicant's Justification

The applicant intends to construct the shell building for office/retail space lease the applicant states the proposed building has been designed as a single story structure where there are no windows facing the existing residential development. Therefore, the privacy and security of the adjacent single family residences is not compromised. The previous application by others was a 2 story building with several windows facing the residential development at the northwest corner.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0305-02	Reclassified the project site from C-P and C-2 zoning to C-P zoning for a 2 story office building	Approved by BCC	March 2002
DR-0063-02	2 story office building - expired	Approved by PC	February 2002
ZC-1461-97 (WC-0041-02)	Waiver of conditions permitting monument signage only in conjunction with the office building and restaurant on APN 163-13-403-010	Approved by BCC	February 2002
ZC-1641-97	Reclassified the overall site to C-P and C-2 zoning for an office building and restaurant	Approved by BCC	October 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential
South	Compact Neighborhood (up to 18 du/ac)	R-3	Multiple family residential
East	Neighborhood Commercial	C-P	Office complex
West	Neighborhood Commercial & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	C-P & R-1	Office complex & single family residential

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 intent of the C-1 zoning district is to provide for the development of retail business uses or personal services and to serve as a convenience to neighborhoods and limited local markets. The intent of the district is for sites which are typically on a site less than 10 acres except for mixed-use development which shall require a site of 10 acres or more. Furthermore, the Neighborhood Commercial land use designation encourages a mix of retail, restaurants, offices, service commercial, and other professional services. There are developed parcels immediately to the east and west of the project site also planned for Neighborhood Commercial. The proposed zoning is consistent and compatible with the existing and approved land uses in the area; therefore, staff recommends approval.

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 typically does not support requests to reduce street landscaping along arterial and collector streets. However, staff does not object to this request for the following reasons: 1) the loading zone encroaches 6 feet into the street landscaping occupying an area measuring 60 square feet; 2) the loading zone will be screened by trees and shrubs; and 3) the location of the loading zone should not conflict or interfere with vehicular movement within the site. Therefore, staff recommends approval.

Design Review #1

Staff finds the proposed alternative parking lot landscaping, including the distribution of the trees and landscape finger islands, is appropriate for the commercial development. The site requires 21 trees within the interior of the parking lot and along the northwest property line where an additional 4 trees (24 trees overall) will be distributed throughout the interior of the development and along the west property line (not including street landscaping). Staff finds the proposed landscaping will reduce the “heat island” effect and improve the aesthetics of the project site and the surrounding area. Therefore, staff recommends approval of this request.

Design Review #2

The plans indicate that all of the lighting fixtures will be shielded and/or directed away from the adjacent single family residential development to the northwest. The photometric calculations submitted for the lighting indicate the on-site lighting should not have a negative impact on the surrounding development. Therefore, staff recommends approval.

Design Review #3

The design of the proposed office building features variations in building height contributing to breaking-up the mass of the structure. Staff finds the office building complies with the Master Plan, which encourages varying building heights and breaking-up the mass of the buildings. The proposed landscaping also complies with the Master Plan, which encourages perimeter and interior parking lot trees for shade and visual relief. Height, color, and material variations have been incorporated into the design of the building, and the proposed development is compatible with the surrounding land uses and office complexes within the immediate area. The layout of the parking lot is functional and provides immediate cross access between the commercial uses. Furthermore, an intense landscape buffer per Figure 30.64-12 is provided along the northwest property line, adjacent to the existing single family residences, to provide additional screening and mitigation. Therefore, staff recommends approval.

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.

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 installation and use of cooling systems that consumptively use water will be prohibited; 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 reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.

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; 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 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.

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 #0333-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTESTS:

APPLICANT: FIRM CONSTRUCTION, INC.

CONTACT: FIRM CONSTRUCTION INC, 3824 S. JONES BOULEVARD, UNIT H, LAS VEGAS, NV 89103