

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0235-KEN'S FOODS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase building height; **2)** reduce street landscaping; **3)** increase retaining wall height; and **4)** allow modified driveway geometrics.

DESIGN REVIEW for the expansion of a food processing, warehouse, and distribution center on 42.33 acres in an IP (Industrial Park) Zone.

Generally located north of Blue Diamond Road and east of Jones Boulevard within Enterprise.
JJ/rr/kh (For possible action)

RELATED INFORMATION:

APN:

176-13-411-045; 176-24-101-005; 176-24-101-036; 176-24-110-008

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 83 feet where 50 feet is the maximum height allowed per Section 30.02.18B (a 66% increase).
2. Reduce street landscaping along Blue Diamond Road to 6 feet where 10 feet is required per Section 30.04.01D (a 40% reduction).
3.
 - a. Increase retaining wall height up to 12 feet along La Costa Canyon Court where 3 feet is the maximum height allowed per Section 30.04.03C (a 300% increase).
 - b. Increase retaining wall height up to 12 feet along a shared property line along east side of the property where 3 feet is the maximum height allowed per Section 30.04.03C (a 300% increase).
4. Reduce the driveway throat depth along La Costa Canyon Court to 30 feet where 150 feet is required per Uniform Standard Drawing 222.1 (an 80% decrease).

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 8925 and 8951 Kens Court
- Site Acreage: 42.33
- Project Type: Food processing and warehouse and distribution center
- Number of Stories: 1
- Building Height (feet): Up to 83

- Square Feet: 323,240 (existing food processing building)/421,281 (3 warehouse additions)/744,251 (total)
- Parking Required/Provided: 300/337
- Sustainability Required/Provided: 7/7

Site Plan

The plan depicts an existing 323,240 square foot food processing building located on the western half of the site. Three warehouse additions are proposed to the food processing building. Addition 1 is 27,000 square feet and is located on the west side of the building, Addition 2 is 6,100 square feet and located at the southwest corner of the building, and Addition 3 is 388,181 square feet and is located on the east side of the building. The existing warehouse and adjacent parking areas located in the northeast corner of the site are proposed to be demolished. The food processing building with the warehouse additions will have a minimum front setback of 135 feet from Blue Diamond Road to the south, a minimum side setback of 78 feet from the west property line, a minimum side setback of 44 feet from the east property line, and a minimum rear setback of 155 feet from the north property line. An existing water treatment building with tanks is located to the southwest of the building and will remain.

The site is accessed from Blue Diamond Road via Kens Court. There is a companion vacation for Kens Court to become a 48 foot wide private driveway. Three existing driveways provide access from La Costa Canyon Court, however, only the driveway at the east end of the cul-de-sac bulb will remain. The remaining driveways along the south side of La Costa Canyon Court will be closed with the demolition of the existing warehouse. An existing parking area with 86 spaces and a truck parking area are located south of the existing food processing building. A new parking area with 235 spaces, including 15 EV capable and 9 EV installed spaces, is proposed between the existing parking area and Blue Diamond Road. Another 16 new parking spaces are proposed near the existing main entrance on the south side of the building for a total of 251 new parking spaces. Pedestrian walkways and enhanced crosswalks are provided between the new parking area and the building entrance. Truck access is provided around the south and east sides of Addition 3 which accesses loading docks on the north side of Addition A. A new truck parking area is provided north of the existing portion of the building. A fire truck lane continues around the west and south sides of the building and connects back to Kens Court. A trash room with 3 dumpsters is in the northwest corner of the existing portion of the building. An 8 foot tall decorative CMU screen wall is proposed on top of a retaining wall ranging from 4 feet to 12 feet in height along the south side of La Costa Canyon Court and is up to 12 feet in height along the east property line. The retaining wall is the subject of a waiver request. The proposed 8 foot decorative wall continues along the length of the east property line. An existing 4 foot to 8 foot decorative wall is located along the north property line.

Landscaping

The plan depicts street landscaping along La Costa Canyon Court consisting of medium trees planted 20 feet on center in two, 5 foot wide landscape strips on each side of a new detached sidewalk. The plan also depicts large trees planted 30 feet on center in a 6 foot wide landscape strip adjacent to an existing sidewalk along Blue Diamond Road west of Kens Court. A minimum of three, 5 gallon shrubs per tree are also provided in all street landscape areas. There are existing trees and shrubs east of Kens Court along Blue Diamond Road. Within the new

parking areas, medium trees are provided within the landscape islands provided for every 6 parking spaces and at the end of all parking rows.

Elevations

The plans depict the existing food processing building with the proposed warehouse additions. The existing portion of the building and warehouse additions 1 and 2 are up to 50 feet in height, while the portion of the building that includes warehouse addition 3 is up to 83 feet in height. This is the subject of a waiver request. The plans show that the building exterior is concrete tilt-up construction with 2 different colors, 2-foot variations in roof parapet heights, a panel wall system, and metal flashing. The existing entrance area includes a storefront window system with a series of arches on the building facade. A depressed loading dock area is located on the north side of the building and will be covered with an awning.

Floor Plans

Plans depict the existing food processing building which includes a main entrance on the south side with offices and employee areas. The building also includes a label room, product storage areas, warehouse areas, a refrigerated warehouse, packaging room, production area, mixing area, bulk unloading at the rail lines, and a trash area. The warehouse additions show shell-only floor plans. Addition 1 encloses a portion of an existing rail line. Addition 2 will have 4 truck loading docks along the south side of the building. Addition 3 will have 30 truck loading docks on the north side of the building.

Applicant’s Justification

The applicant is proposing the expansion of the operations of an existing food processor/manufacturer and distribution center with 3 interconnected warehouse additions. The building height up to 83 feet is proposed to allow the installation of an automatic storage/retrieval system for the stored finished goods. This waiver is appropriate because of the surrounding industrial area, large portions of the building will be 48 feet, and the staggered height of the building allows for a varying roof line and avoids a monolithic appearance. The increase height for the retaining wall is needed to maintain the existing grade. The reduced throat depth for the driveway on La Costa Canyon Court is appropriate because the main entrance to the site is on Blue Diamond Road and the driveway location is at the end of the cul-de-sac.

Prior Land Use Requests (176-13-411-045 & 176-24-110-008)

Application Number	Request	Action	Date
VS-1047-17*	Vacation and abandonment of a drainage easement	Approved by BCC	January 2018
DR-1046-17*	Design review for an office/warehouse	Approved by BCC	January 2018
DR-0554-17*	Design review for expansion of a distribution center and lighting plan	Approved by BCC	August 2017
ADR-0261-16*	Administrative design review for canopies, storage tanks, and exterior modifications of an existing food processing facility	Approved by ZA	April 2016

Prior Land Use Requests (176-13-411-045 & 176-24-110-008)

Application Number	Request	Action	Date
UC-0441-14**	Use permit for medical marijuana, waivers, and design review for a warehouse building	Denied by BCC	June 2014
WS-0575-10*	Waiver and design review for an expansion to an existing food processing building	Approved by PC	January 2011
VS-0800-07*	Vacation and abandonment of easements of interest	Approved by PC	August 2007

Prior Land Use Requests (176-13-411-045 & 176-24-110-008)

Application Number	Request	Action	Date
DR-0355-07**	Design review for lighting and signage in conjunction with an approved office/warehouse	Approved by BCC	June 2007
WS-1268-06**	Waivers of development standards, design review, and waivers of conditions of ZC-1584-98 for an office/warehouse and auto sales	Approved by BCC	November 2006
ZC-1420-03	Zone Change to reclassify a portion of an overall site from R-E to M-D zoning for a proposed office/warehouse complex	Approved by BCC	October 2003
SC-0375-03	Street name change for La Costa Canyon Court and Kens Court	Approved by PC	April 2003
ZC-1584-98 (WC-0029-03)	Waiver of conditions to waive landscaping and waiver of development standards to reduce parking.	Approved by BCC	April 2003
WS-0165-03	Waiver of development standards for metal exteriors, landscaping, and setbacks.	Approved by BCC	March 2003
TM-0518-02	Tentative map for 1-industrial/commercial lot	Approved by PC	January 2003
VS-1788-02	Vacation and abandonment of easements of interest	Approved by PC	January 2003
ZC-1240-02*	Zone change to reclassify a portion of the site from H-2 to M-D for a commercial subdivision and parking lot.	Approved by BCC	November 2002
ZC-0518-02*	Zone change to reclassify a portion of the site from R-E to M-D for an existing office/warehouse complex.	Approved by BCC	May 2002
ZC-1584-98	Zone change to reclassify a portion of the site and adjacent parcels from R-E, H-2, & M-1 to M-D for an office/warehouse complex	Approved by BCC	November 1998

*APN 176-13-411-045 only

**APN 176-24-110-008 only

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	IL & IP	Office/warehouse development
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3 & H-2	Residential single-family development & undeveloped
East	Business Employment	IP	Warehouse & distribution
West	Business Employment	IP, IL, & RS20	Mini-warehouse, Union Pacific Railroad & undeveloped

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
ZC-26-0233	A zone change from H-2 to IP on a portion of the subject site is a companion item on this agenda.
VS-26-0234	A vacation and abandonment of easements and rights-of-way is a companion item on this agenda.

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

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

The proposed building height of 83 feet is requested to accommodate the installation of an automatic storage/retrieval system for stored finished goods within a portion of warehouse Addition 3, while the remainder of the building will be up to 50 feet in height. The proposed warehouse addition is adjacent to existing distribution and warehouse buildings and the Union Pacific Railroad. However, there are no other buildings over 50 feet in the immediate area. Also, the existing building is currently visible from the Jones Boulevard overpass to the west, Blue Diamond Road, and from an existing single family residential area south of Blue Diamond Road. The proposed height of the warehouse addition in combination with the overall increase in the mass of the building would appear to be out of scale for the area. As a result, staff cannot support this request.

Waiver of Development Standards #2

The proposed landscaping along Blue Diamond Road is generally in conformance with Code requirements, as enough trees are being provided and at the correct spacing. However, the width of the provided landscaping strip is not wide enough to meet Code. Given the landscape strip is being constructed on a portion of the site that is undeveloped land and there is sufficient space to meet the required 10 feet, staff is unable to support this request.

Waiver of Development Standards #3

An 8 foot decorative screen wall is proposed on top of the 4 foot to 12 foot retaining wall effectively creating a 12 foot to 20 foot wall along the south side of La Costa Canyon Court. The retaining wall along the east side of the property will also be a maximum of 12 feet in height at the northeast corner of the property and will gradually decrease in height from north to south. The purpose of the screen wall is to screen the rollup overhead doors from the street along the north side of the building which are a minimum of 159 feet from the street. The increased wall height may help to further screen this area. However, alternatives to over-height retaining walls, such as a 3 foot high tiered retaining wall with landscaped horizontal offsets could be provided without diminishing the effectiveness of the screening. Therefore, staff cannot support this request.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and other architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The proposed plans depict building materials that include the use of storefront windows, painted tilt-up concrete, changes in surface colors and materials, and 2-foot roofline variations. Roll-up overhead doors for the loading areas are located to the rear of the building and are screened from La Costa Canyon Court by an 8 foot decorative wall. Internal sidewalks connect the building entrances to the parking areas including ADA spaces. Site access and circulation will not impact other properties in the surrounding area. The design of the parking areas and loading dock areas are generally in accordance with Code requirements. The building design and architectural features are not unsightly or undesirable except for the proposed height for the warehouse as Addition 3 appears out of scale for the area. Since waivers of development standards #1 and #2 are not being supported, staff cannot support the design review.

Public Works - Development Review

Waiver of Development Standards #4

Staff has no objection to the reduction in throat depth for the commercial driveway along La Costa Canyon Court. Although the driveway does not meet current standards, La Costa Canyon Court ends in a cul-de-sac at this site, minimizing potential conflicts caused by the reduced throat depth. However, since Planning is recommending denial of the application, staff cannot support this waiver.

Staff Recommendation

Denial.

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

If approved:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Enter into a standard development agreement prior to any permits in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Reconstruct any unused driveways with full off-site improvements;
- 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 devices;
- Coordinate with Traffic Management to return any County assets to Public Works.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

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 #0541-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTESTS:

APPLICANT: KEN'S FOOD

CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE #650, LAS VEGAS, NV 89135