

08/18/21 BCC AGENDA SHEET

DISTRIBUTION CENTER
(TITLE 30)

TORREY PINES DR/MAULE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-21-0369-TIBERTI, JELINDO A. II 2015 IRREVOCABLE TRUST ETAL & FORGEY, COURTNEY TIBERTI TRS:

ZONE CHANGE to reclassify 10.0 acres from a C-2 (General Commercial) Zone to an M-D (Designed Manufacturing) Zone.

DESIGN REVIEWS for the following: 1) distribution center; and 2) finished grade in the CMA Design Overlay District.

Generally located between Maule Avenue and Badura Avenue, 650 feet east of Torrey Pines Drive within Enterprise (description on file). MN/al/jd (For possible action)

RELATED INFORMATION:

APN:

176-02-701-003; 176-02-701-004

DESIGN REVIEWS:

1. Distribution center.
2. Increase finished grade to 120 inches (10 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 567.7% increase).

LAND USE PLAN:

ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 10
- Project Type: Distribution center
- Number of Stories: 1
- Building Height (feet): 46
- Square Feet: 193,906
- Parking Required/Provided: 160/176

Site Plan

The plan depicts a distribution center consisting of 1 building located in the central portion of the site. The plans depict 4 proposed driveways to provide access to the site, with 1 driveway located on each corner of the property. The loading docks for the distribution center are located on the east and west sides of the building and are not facing the streets and are not visible from the residential development to the south. Parking for the facility is located to the north and south of the building and to the north and south of the loading docks on the east and west sides of the building.

Landscaping

The plans depict a minimum 15 foot wide landscape area with a detached sidewalk located along Badura Avenue. A minimum 10 foot wide landscape area with an attached sidewalk is located along Maule Avenue. Each of these landscape areas adjacent to the streets will consist of trees, shrubs, and groundcover. Additional landscaped areas consisting of trees, shrubs, and groundcover are located within the parking areas and adjacent to the north and south sides of the building.

Elevations

The building is 1 story with a maximum height of 46 feet. The building is constructed of concrete tilt-up panels painted in whites and grays. The building has a flat roof behind parapet walls that vary in height to break-up the roofline of the building. The exterior walls will consist of recesses and pop-outs to break-up the vertical surface of the building. The corners of the buildings where the office areas are located will consist of aluminum and glass store front systems.

Floor Plans

The plans depict a 193,906 square foot building. The plans indicate there will be 4 office areas of 2,500 square feet each, for a total of 10,000 square feet. These office areas will be located at each corner of the building. The remaining 183,906 square feet will be warehouse space.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed zone change is in conformance with the Enterprise Land Use Plan. The proposed use of the site as a distribution center is consistent and compatible with the existing and planned land uses in the area. Landscaping along Badura Avenue will be used to help mitigate the impact of this development on the existing single family residential development to the south. The increase in finished grade is needed to level the site and allow for proper drainage. The amount of fill required will vary on the site between the standard 18 inches to the requested maximum of 10 feet. The northeast corner of the building is where the most fill is required due to the existing topography of the site.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0349-16	Vacated and abandoned a portion of Mann Street between Maule Avenue and Badura Avenue - expired	Approved by PC	July 2016
ZC-1286-05	Reclassified the site to C-2 zoning for future commercial development	Approved by BCC	September 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	C-2 & M-D	Vehicle sales facility & undeveloped
South	Residential High (from 8 to 18 du/ac)	RUD	Single family residential
East	Business and Design/Research Park	M-1	Automobile paint/body shop & retail building
West	Business and Design/Research Park	C-2	Parking lot

This site and the surrounding area are located in the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
VS-21-0370	A vacation and abandonment of easements and right-of-way is a companion item on this agenda.

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 site is designated by the Enterprise Land Use Plan as Business and Design/Research Park (BDRP). The request to reclassify the site to an M-D zone is within the range of intensity allowed by the BDRP land use plan category; therefore, the zone change request conforms to the Enterprise Land Use Plan. The parcel to the west is zoned C-2 and the parcel to the east is zoned M-1. The M-D zoning district will provide a transition between the existing developments on the adjacent parcels to the east and west. The proposed use is of similar intensity as other uses in the area. There is an existing single family residential development to the south; however, the proposed development will be mitigated by the separation to the residential development, which includes a public street and the use of landscaping along the street. This request also complies in part with Goal 1 of the Comprehensive Master Plan to implement a comprehensive land use plan to promote economic viability and employment opportunities with developments that are compatible with adjacent land uses. Therefore, staff supports the zone change.

Design Review #1

The loading docks for the distribution center are located on the east and west sides of the building. The design of the building and the use of landscaping along the streets screen the loading docks from the residential development to the south and from the public streets that are located along the northern and southern boundaries of the site. This complies in part with Urban Specific Policy 102 of the Comprehensive Master Plan which encourages loading areas with overhead roll-up doors to be screened from streets and residential uses. The use of landscaping along the streets and on-site also complies in part with Urban Specific Policy 103 which encourages landscaping adjacent to public rights-of-way to improve visual quality. Staff finds the design of the building to be similar to other uses in the area and supports the design review.

Public Works - Development Review

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.

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;
- Enter into a standard development agreement prior to any permits or subdivision mapping 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;
- 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 the design reviews must commence within 2 years of approval date or they 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;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of curb for Badura Avenue and 30 feet for Maule Avenue;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and 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, 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.

Building Department - Fire Prevention

- 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.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CHARTWELL REAL ESTATE DEVELOPMENT

CONTACT: GCW, INC., 1555 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146