

10/03/23 PC AGENDA SHEET

ACCESSORY STRUCTURES
(TITLE 30)

JONES BLVD/MAULE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0547-NV LAS DEC, LLC:

USE PERMIT to allow an accessory structure (walls) prior to a principal use on 30.0 acres in an M-D (Designed Manufacturing) Zone.

Generally located on the north side of Maule Avenue and the west side of Jones Boulevard within Enterprise. MN/tpd/syp (For possible action)

RELATED INFORMATION:

APN:

176-02-601-004 through 176-02-601-007; 176-02-601-010; 176-02-601-011; 176-02-601-014 through 176-02-601-016

USE PERMIT:

Allow an accessory structure (walls) prior to a principal use (data center).

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 6322 Maule Avenue
- Site Acreage: 30 (entire site)
- Number of Lots: 9
- Project Type: Accessory use/structures
- Number of Stories: 1
- Building Height (feet): 28

History and Request

The Board of County Commissioners approved ZC-19-0877 in January 2020 reclassifying a 27.4 acre portion of the project site for a data center with an 80 foot high communications tower. The applicant amended the previously approved application with ZC-23-0151 to include the addition of 2 parcels, APNs 176-02-601-006 and 176-02-601-007, that were reclassified to an M-D zoning district for an electric substation. A use permit was approved for an electric substation and a waiver was approved for the required trash enclosure. The remaining portion of that

request modified the previously approved site design which included reorientating the location of the 2 data center warehouses (Buildings 17 and 18) and communications tower.

ZC-23-0151 previously approved the wall height and design of the subject walls of this request. The current use permit request is to allow the applicant to construct a perimeter wall around the proposed site before constructing the data center.

Site Plan

The plans depict 2 proposed data center warehouse buildings, Building 17 located on the west portion of the site, and Building 18 located on the southeast portion of the site. Building 17 is oriented in a north/south direction where Building 18 is configured in an east/west direction. Building 17 features the following setbacks: 1) 77 feet from the north property line adjacent to Roy Horn Way; 2) 150 feet from the west property line; 3) 65 feet from the south property line; and 4) 1,490 feet from the east property line adjacent to Jones Boulevard. Building 18 features the following setbacks: 1) 150 feet from the north property line adjacent to Roy Horn Way; 2) 99.5 feet from the east property line along Jones Boulevard; 3) 179 feet from the south property line; and 4) 628 feet from the west property line. Equipment yards are located on the east/west and north/south sides of Buildings 17 and 18, respectively. The required parking spaces and drive aisles are located along the west, east, and south perimeters of the site. The approved 80 foot high communications tower will be located northwest of Building 18. An electric substation is proposed with this application and will be located north of Building 18. The electric substation is enclosed within an interior equipment yard which includes a shade structure to cover equipment and an unmanned control enclosure. The shade structure and the unmanned control enclosure are set back 25 feet and 43 feet from Roy Horn Way, respectively. A pump house is located at the northwest corner of the site with a setback of 20 feet. Access to the site is granted via a driveway located adjacent to Roy Horn Way and a driveway located along Maule Avenue.

Landscaping

The plans for the data center depict a 15 foot wide landscape area with a 5 foot wide detached sidewalk along Roy Horn Way and Maule Avenue. A 15 foot wide landscape area is adjacent to an existing, attached 5 foot wide sidewalk located along Jones Boulevard. The street landscape areas consist of shrubs and groundcover. A waiver was previously approved to permit only shrubs and groundcover along CC 215, Roy Horn Way, Jones Boulevard, and Maule Avenue. The current request is to include additional portions of CC 215 and Jones Boulevard within the request for alternative street landscaping. A request to allow ground mounted up-lighting was previously approved along the north and east portions of the site where this request also includes lighting along the west portion of the site. A waiver was previously approved to increase the perimeter wall height up to a maximum of 28 feet, with a wrought iron picket on top of the wall. A waiver of development standards to allow a block wall was also previously approved around the perimeter of the site. A waiver of development standards to eliminate parking lot landscaping was previously approved with ZC-19-0877.

Elevations

The perimeter walls surrounding the entire property consist of both gray and split-face CMU walls and cast concrete walls. Perimeter walls were previously approved for a height up to 28

feet. Both walls will have pilasters evenly spaced and include a 2 foot high metal security picket structure on top. The pilasters will be painted bright red that is typical of the color scheme for this development.

Signage

A project identification sign was approved (ZC-23-0151) on the wall at the northwest corner of the site, oriented towards CC 215. A waiver of development standards was approved to increase the area of the sign up to 162 square feet. A second project identification was approved (ZC-23-0151) to be located on the wall at the southeast corner of the site, adjacent to the Jones Boulevard and Maule Avenue intersection. The signs will be up to 208 square feet with a maximum height of 16 feet. The project identification signs consist of black lettering with a red accent arrow. However, new signage is not a part of this request.

Applicant's Justification

The applicant is seeking approval to build a perimeter wall that was previously approved (ZC-23-0151), before the construction of the principal building. This is a way to progress with the development of this project while waiting on final approval from Public Works for off-site improvements.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-23-0151	Reclassified 1.3 acres from R-E and R-E (AE-60) to M-D and M-D (AE-60) zoning, with use permits, waivers of development standards, and design reviews for a data center with electric substation	Approved by BCC	May 2023
VS-23-0152	Vacated and abandoned easements of interest to Clark County located between Jones Boulevard and Torrey Pines, and between Maule Avenue and Roy Horn Way	Approved by BCC	May 2023
UC-22-0459	Electric substation, transmission lines, increase the height of utility structures, and eliminate trash enclosure; waivers of off-site improvements, modified driveway design standards; and a design review to increase finish grade	Approved by BCC	January 2023
ZC-19-0877	Reclassified 27.4 acres from C-2 and C-2 (AE-60) to M-D and M-D (AE-60) zoning, with a use permit, waivers of development standards, and design reviews for a data center	Approved by BCC	January 2020
VS-19-0878	Vacated and abandoned easements and rights-of-way - expired	Approved by BCC	January 2020
TM-19-500232	1 lot commercial subdivision	Approved by BCC	January 2020
TM-0069-08	Commercial subdivision - expired	Approved by PC	May 2008

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0239-08	Vacated and abandoned portions of Pama Lane, Bronco Steet, Maule Avenue, and patent easements throughout the subject site - expired	Approved by PC	April 2008
TM-0266-05	Commercial subdivision - expired	Approved by PC	June 2005
DR-0488-04	Vehicles sales facility - expired	Approved by PC	May 2004
ZC-1730-02	Reclassified the site from C-2 to M-D zoning -expired	Approved by BCC	January 2003
ZC-0475-99	Reclassified the site from R-E to C-2 zoning	Approved by BCC	May 1999

This site is located within the Public Facilities Needs Assessment (PFNA) area.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	C-2 & M-D	CC 215, parking lot, shopping center, & undeveloped
South	Business Employment	M-D, M-1, & R-E	Warehouse, vehicle repair, & undeveloped
East	Business Employment	M-D	Warehouse & commercial complex
West	Business Employment	C-2 & M-D	Shopping center

STANDARDS FOR APPROVAL:

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

Analysis**Comprehensive Planning**

A use permit is a discretionary land use application that is considered on a case-by-case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Staff finds that the applicant has taken steps to progress with the development of this project. The applicant has been approved for a traffic study (PW23-14558) and a drainage study (PW21-16085) with Public Works, as well as a commercial grading permit (BD22-59911) with the Building Department. Staff is concerned of the possibility that landscaping is not installed if the project is not completed, leaving an unsightly structure that is not aesthetically pleasing to the public. However, staff encourages the progressive efforts of a previously approved project (ZC-23-0151) and can support this request to continue that progress.

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**

- 3 years to review if street landscaping has not been installed.
- Applicant is advised that 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 and application for review; and that 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.

Public Works - Development Review

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTESTS:

APPLICANT: STEVEN ROBERTS

CONTACT: MICHAEL S. ANDERSEN AIA ARCHITECT LLC, 2714 TIMBER CROSSING CT, HENDERSON, NV 89074