

INCREASE MANAGER'S UNIT AREA
(TITLE 30)

TENAYA WY/SUNSET RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-23-400157 (UC-0787-17)-LAUB, JOEL A. AND LAUB, KIMBERLY L. FAMILY TRUST:

USE PERMITS THIRD EXTENSION OF TIME for the following: **1)** increase manager's unit area; and **2)** waive mixed-use development design standards.

DESIGN REVIEWS for the following: **1)** modify an approved office/warehouse complex with manager's units; and **2)** modify a parking lot on 5.6 acres in conjunction with an existing office/warehouse complex with manager's units in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the west side of Tenaya Way, 660 feet north of Sunset Road within Spring Valley. MN/tpd/syp (For possible action)

RELATED INFORMATION:

APN:

163-34-411-011; 163-34-411-012

USE PERMITS:

1. Increase manager's units up to 1,442 square feet where 800 square feet is permitted per Table 30.44-1 (an 80.3% increase).
2. Waive the required mixed-use development design standards per Table 30.44-1.

LAND USE PLAN:

SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5.6
- Number of Units: 10
- Project Type: Office/warehouse with increased manager's unit areas
- Number of Stories: 3
- Building Height (feet): Up to 50
- Square Feet: 32,096 (Building D1)/29,906 (Building - JLA Corporate)
- Parking Required/Provided: 413/448

Site Plans

The approved plans depict an office/warehouse complex with 10 manager's units. The plans show 2 office/warehouse buildings, set back approximately 10 feet from the north property line, approved by WS-0502-17, and 32 feet from the east property line. This application was approved to add manager's units to the previously approved office/warehouse complex. Access to the site is from a shared driveway on Tenaya Way. Parking is located along the south side of the buildings and between the proposed buildings with a parking lot located southwest of the proposed buildings. A total of 448 parking spaces are provided for the entire complex.

Lighting

The approved plans depict parking lot lighting with 20 foot high antique light poles, which match the existing light poles that are in the existing parking areas. Wall mounted shielded lighting fixtures and ground mounted shielded landscape lighting fixtures are located throughout the site.

Landscaping

The approved plans show a previously approved 20 foot wide landscape area along Tenaya Way with an existing attached sidewalk. A gated 10 foot wide landscape area consisting of an intense landscape buffer per Figure 30.64-12 is located along the north property line, with a 6-foot-high decorative block wall. Landscaping is provided throughout the parking areas and in pockets along the southern face of the buildings and connected by colored and textured sidewalks with pedestrian amenities such as seating areas, and decorative trash receptacles. The landscape palette consists of Wilson Olive, Purple Leaf Plum, Japanese Blueberry, Fan-Tex Ash, Oriental Pear, Southern Live Oak, Raywood Ash, and Arizona Cypress trees, various shrubs, and groundcover.

Elevations

The approved plans depict a 3 story, 45 foot high office/warehouse with manager's units (Building D1) and a 2 story, 50 foot high office/warehouse (JLA Corporate Building). Building materials consist of concrete tilt-up panels, stucco finished foam pop-outs, acrylic canvas awnings, sectional roll-up doors, mixed exterior cladding of stone and brick materials, wood shutters, and wrought iron railings. Decorative windows and chamfered concrete reveals are shown on all elevations.

The majority of Building D1 is 41 feet high with a flat corniced parapet roofline; however, on a portion of the south and north elevations, a pitched roof with concrete roof tiles at an overall height of 45 feet is incorporated into the roofline design. The lowest parapet line on the north elevation is 29 feet high at the second floor, and then steps 8 feet to the south before increasing to 41 feet for the roofline for the third floor, and stair steps south for an overall height increase of 45 feet. The southern elevation includes varying rooflines, diverse building facade details, and varying window fenestrations. The approved changes to the north elevation of the building includes a 6-foot-high parapet surrounding the northern deck to screen the view of the northerly facing windows from the adjacent single family subdivision to the north.

Most of the north elevation of the JLA Corporate Building is 46 feet 10 inches high with flat parapet rooflines and a central roofline extending to an overall height of 50 feet. The lowest roofline on the north elevation is 34 feet 6 inches at the second floor, and then steps to the south.

Floor Plans

The approved plans show a 32,096 square foot (Building D1) office/warehouse building with 13,256 square feet of office, and 18,840 square feet of warehouse. The first floor consists of a warehouse, storage and garage space, and a lobby area. The second and third floors consist of office and storage areas. The second floor of the building includes a deck that faces south into the interior of the office warehouse complex. The third floor includes a deck that faces north. There are 3 options for the office warehouse manager's units layout: Unit A includes 648 square feet of office area, 1,112 square feet of warehouse area, and 1,213 square feet of unit living area; Unit B includes 714 square feet of office area, 1,226 square feet of warehouse area, and 1,380 square feet of living unit area; Unit C includes 840 square feet of office area, 1,180 square feet of warehouse area, and 1,442 square feet of living unit area. The living area of the manager's unit is located on the second and third floors.

The approved JLA Corporate Building consists of 29,906 square feet for office/warehouse with 11,463 square feet of office and 18,443 square feet of warehouse. The first floor consists of a warehouse, offices, storage areas, and restrooms. Internal to the building is an open-air courtyard. The second floor consists of offices, storage, restrooms, and a breakroom.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for ET-22-400014 (UC-0787-17):

Current Planning

- Until November 8, 2023 to commence;
- 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.
- Applicant is advised that cooling systems that consumptively use water will be prohibited; planting palette to consist only of recommended plants from the Regional Plant List; 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; 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

- Compliance with previous conditions.

Listed below are the approved conditions for ET-20-400018 (UC-0787-17):

Current Planning

- Until November 8, 2021 to commence.

- Applicant is advised that 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.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for UC-0787-17:

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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;
- Traffic study and compliance;
- Vacate existing access easement at driveway and re-dedicate a pedestrian access easement per new driveway requirements.

Department of Aviation

- Compliance with airport-related deed restrictions for APN 163-34-411-010, which will not be removed since the parcel is located within the AE-60;
- After removing manager's units from the deed restriction portion of the parcel, applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Clark County Department of Aviation;
- After removing manager's units from the deed restriction portion of the parcel, applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Clark County Department of Aviation;
- After removing manager's units from the deed restriction portion of the parcel, applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;
- After removing manager's units from the deed restriction portion of the parcel, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that 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 residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; and to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0348-2017 to obtain your POC exhibit.

Applicant’s Justification

The applicant is requesting more time to work towards commencing the project. Currently, there are civil plans, a drainage study, and a traffic study that have been approved for this site. The applicant expects the issuance of a grading permit in November of 2023. This extension of time would allow for the permit to be received and commencement of the project to begin.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-22-400014 (UC-0787-17)	Second extension of time for increased manager’s unit area for an approved office/warehouse complex and modified parking lot	Approved by PC	April 2022
ET-20-400018 (UC-0787-17)	First extension of time for increased manager's unit area for an approved office/warehouse complex and modified parking lot	Approved by ZA	March 2020
UC-0787-17	Increased manager's unit area for an approved office/warehouse complex and modified parking lot	Approved by BCC	November 2017
WS-0502-17	Reduced side setback and height/setback ratio for an office/warehouse building (Phase 2)	Approved by BCC	August 2017
WS-0232-07	Reduced parking and a design review for an office/warehouse complex with manager's units - expired	Approved by BCC	April 2007
ZC-1698-06	Reclassified the west half of the site from R-E to M-D zoning for a future development	Approved by BCC	January 2007
ZC-2154-04 (WC-0377-06)	Waived conditions of a zone change requiring dedication of 30 feet for Monte Cristo Way	Approved by BCC	January 2007
ZC-2154-04	Reclassified the east half of the site and parcels to the east from R-E to M-D zoning for a warehouse complex with accessory residential quarters	Approved by BCC	April 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	R-1 & M-D	Single family residential & undeveloped
South	Business Employment	M-D & R-E	Office/warehouse & undeveloped
East	Business Employment	M-D & C-2	Place of worship, undeveloped, & office/warehouse

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Business Employment	M-D & R-E	Undeveloped

This parcel is in the Public Facilities Needs Assessment (PFNA) area.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

Staff believes that the applicant has taken steps towards commencing the approved project (UC-0787-17). There are several building permits (BD23-30413, BD23-30414, and BD23-30415) in the process for this project. It is for this fact that staff can support the request but recommends that it be the last extension of time since it will have been 8 years from the original approval date.

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

- Until November 8, 2025 to commence.
- 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 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

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTEST:

APPLICANT: TENAYA LOFTS, LLC

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