

07/17/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-24-400064 (ZC-20-0091)-YORK RANCH LLC:

USE PERMITS FIRST EXTENSION OF TIME for the following: **1)** office as a principal use; and **2)** retail as a principal use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate freeway buffer wall; and **2)** allow modified driveway design standards.

DESIGN REVIEWS for the following: **1)** office/retail/warehouse complex; **2)** alternative parking lot landscaping; and **3)** increased finished grade on 13.5 acres in an IP (Industrial Park) Zone.

Generally located on the south side of Wigwam Avenue and the east side of Dean Martin Drive within Enterprise. JJ/bb/ng (For possible action)

RELATED INFORMATION:

APN:

177-17-304-003

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate freeway buffer wall where a wall is required per Figure 30.64-4.
2.
 - a. Reduce the throat depth for a proposed driveway along Ford Avenue to 14 feet where a minimum of 100 feet is the standard per Uniform Standard Drawing 222.1 (an 86% reduction).
 - b. Reduce the throat depth for proposed driveways along Dean Martin Drive to 8 feet where a minimum of 100 feet is the standard per Uniform Standard Drawing 222.1 (a 92% reduction).
 - c. Reduce the throat depth for a proposed driveway along Wigwam Avenue to 9 feet where a minimum of 100 feet is the standard per Uniform Standard Drawing 222.1 (a 91% reduction).

DESIGN REVIEWS:

1. Office, retail, and warehouse complex.
2. Permit alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.
3. Increase finished grade to 36 inches where 18 inches is the standard per Section 30.32.040 (a 100% increase).

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 13.5
- Project Type: Office/retail/warehouse development
- Number of Stories: 1
- Building Height (feet): 29 (Building 1)/39 (Buildings 2 & 3)/41 (Building 4)
- Square Feet: 70,694 (Building 1)/38,100 (Building 2)/51,691 (Building 3)/34,378 (Building 4)
- Parking Required/Provided: 654/656

Site Plans

The approved plans depict a proposed office, retail, and warehouse development consisting of 4 buildings on a 13.5 acre site. This project was approved in conjunction with a zone change to MD. The zoning was made permanent. A 100 foot wide Nevada Energy easement diagonally bisects the property, with Buildings 1 and 2 located to the northwest and Buildings 3 and 4 located to the southeast. Parking spaces, drive aisles, and landscaping are the only improvements located within this easement. Building 1 is located at the northwest corner of the site. Building 2 is centrally located within the site and positioned behind Building 1. Building 2 is also located 123 feet to the northwest of Building 3 within the boundaries of the project. Building 4 is located within the rear of the site and is set back 72.5 feet from I-15. Additionally, Building 4 is set back 335.5 feet from Ford Avenue. Buildings 1 through 4 are interconnected through a series of 5 foot wide pedestrian connections internal to the project site. A total of 8 trash enclosures are located throughout the interior of the site. Access to the site is granted by 2 commercial driveways proposed along Dean Martin Drive and 1 driveway along Ford Avenue. Bicycle spaces are equitably distributed throughout the site. The proposed development requires 654 parking spaces where 656 parking spaces are provided.

Landscaping

The approved plans depict a proposed 15 foot wide landscape area, including a 5 foot wide detached sidewalk, is located adjacent to Dean Martin Drive and Wigwam Avenue. A 6 foot wide landscape area is located behind a proposed 5 foot wide attached sidewalk along Ford Avenue. The street landscape area features a combination of 24 inch box medium and large trees planted 20 feet on center, in addition to shrubs and groundcover. Parking lot landscaping is equitably distributed throughout the interior of the site consisting of medium and large trees. The applicant requested a design review for alternative parking lot landscaping as landscaping is not provided for 15 parking spaces located adjacent to the southeast portion of Building 3.

Elevations

The approved plans depict a maximum height ranging between 26 feet to 29 feet for Building 1 to the top of the parapet wall. Building 2 has a maximum height of 39 feet to the top of the parapet wall. Building 3 has a varying roofline with the height of the building ranging between 26 feet to 41 feet. Building 4 has a maximum height of 41 feet to the top of the parapet wall. The overhead roll-up doors for Building 1 through Building 4 are oriented towards the interior of the site and are screened from public view and the right-of-way. The exterior of the buildings

will consist of concrete tilt-up panels, aluminum storefront window systems, and decorative metal canopies located above the entrances to the buildings. All buildings will be painted with neutral and subdued colors.

Floor Plans

The approved plans depict a proposed office, retail, and warehouse development consisting of 4 buildings. Building 1 includes an open floor plan measuring 70,694 square feet in area. Building 2 and Building 3 measure 38,100 square feet and 51,691 square feet in area, respectively. Building 4 consists of 34,378 square feet. Approximately 136,404 square feet of the cumulative building area will be allocated towards office space, while the remaining area consisting of 50,664 square feet and 7,795 square feet will be designated for warehouse and retail uses, respectively.

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-20-0091:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- No permits shall be issued until the deed conveying ownership of the parcels to the applicant, York Consolidated Investments, LLC or its successors or assigns, is recorded.
- 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 the use permits, waivers of development standards, and design reviews must commence within 4 years of the approval date or they will expire.

Public Works - Development Review

- Applicant to work with Public Works-Development Review to prohibit southbound traffic onto Dean Martin Drive from Wigwam Avenue and Ford Avenue.
- 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 a 40 foot property line radius at the northwest corner of the site and a 20 foot property line radius at the southwest corner of the site.
- Applicant is advised that 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 or execute a License and Maintenance Agreement for non-

standard improvements in the right-of-way; and that this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA); 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.

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 #0704-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant’s Justification

The applicant is requesting an extension of time for the use permit, waivers, and design review associated with ZC-20-0091. Recent ownership changes and market changes have delayed development. Hydrologic discrepancies on surrounding properties need to be resolved prior to moving forward with development. A lengthy review by FEMA of the conditional letter of map revision added a delay. The project has building permits and is moving forward. This request is being proposed out of an abundance of caution to maintain entitlements.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-22-400088 (VS-20-0090)	First extension of time to vacate and abandon easements and right-of-way	Approved by BCC	August 2022
ZC-20-0091	Reclassified 14.5 acres from R-E and H-2 to M-D zoning	Approved by BCC	June 2020
TM-20-500026	1 lot commercial subdivision	Approved by BCC	June 2020
VS-20-0090	Vacated and abandoned easements and right-of-way - recorded	Approved by BCC	June 2020

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use & Business Employment	RS20, H-2, CG, & IP	Undeveloped, office trailers with outside storage, office building, & outside storage
South	Business Employment	RS20, CG, & H-2	Landscape contractor yard, undeveloped, office trailer & outside storage, & undeveloped
East	Entertainment Mixed-Use & Business Employment	CG & CR	I-15 & undeveloped
West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Undeveloped & single family residential

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

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

Title 30 standards of approval for an extension of time state an application may be denied 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, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Building permits have been issued for construction of some of the buildings, grading, and some utilities on this property. Since this is the first extension of time and there is progress towards construction, staff supports the extension of time.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

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

- Construction must be diligently carried on until completion of the project unless extended with approval of an extension of time;
- 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 a lack of necessary public services in the area.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTEST:

APPLICANT: JAY HELLER

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