

DISTRIBUTION CENTER
(TITLE 30)

RAINBOW BLVD/RICHMAR AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0045-BLUE DIAMOND RESERVE HOLDINGS, LLC & DAMODICE HOLDINGS, LLC:

ZONE CHANGE to reclassify 19.9 acres from an R-E (Rural Estates Residential) Zone to an M-D (Designed Manufacturing) Zone.

USE PERMIT to allow loading spaces to not be screened from a public street.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase wall/fence height; **2)** permit alternative street landscaping; and **3)** reduced driveway throat depth.

DESIGN REVIEWS for the following: **1)** a distribution center; **2)** alternative parking lot landscaping; and **3)** finished grade.

Generally located on the northeast corner of Rainbow Boulevard and Richmar Avenue within Enterprise (description on file). JJ/al/syp (For possible action)

RELATED INFORMATION:

APN:

176-23-301-008; 176-23-301-023

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase wall/fence height to 16 feet (10 foot retaining wall with a 6 foot wrought iron fence) where a maximum of 13 feet (3 foot retaining wall with a 10 foot high fence) is permitted per Section 30.64.050 (a 23.1% increase).
2. Permit alternative street landscaping where landscaping per Figure 30.64-17 is required.
3. Reduce driveway throat depth to a minimum of 15 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 90% reduction).

DESIGN REVIEWS:

1. A distribution center.
2. Permit alternative parking lot landscaping where landscaping is required per Figure 30.64-14.
3. Increase finished grade to 144 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 300% increase).

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 19.9
- Project Type: Distribution center
- Number of Stories: 1
- Building Height (feet): 44
- Square Feet: 422,020
- Parking Required/Provided: 212/289

Site Plan

The plan depicts a distribution center consisting of 1 building located in the central portion of the site. Access to the site is provided by 3 driveways from Rainbow Boulevard and 2 driveways from Richmar Avenue. The driveways on Rainbow Boulevard will have a throat depth of 59 feet and the driveways on Richmar Avenue will have a throat depth of 15 feet where 150 feet is required. Parking for the development is located on all sides of the building. The loading spaces for the facility are located on the east and west sides of the building. There are loading spaces on the west side of the building that align with 2 of the driveways from Rainbow Boulevard making these loading spaces visible from the street which require a use permit. The maximum retaining wall heights are along the north and west portions of the site.

Landscaping

The plan shows 5 foot wide sidewalks on the property adjacent to the southern and western property lines adjacent to Richmar Avenue and Rainbow Boulevard. The applicant has submitted a companion application, VS-23-0046, to vacate 5 feet of right-of-way for both public streets adjacent to the site to allow for detached sidewalks. The plans are not depicting landscaping within the portions of the rights-of-way to be vacated. Portions of these vacated areas are within the sight zones for the proposed driveways which prohibits any plants that will be over 24 inches in height. The plan shows a minimum 23 foot wide landscape area along Rainbow Boulevard adjacent to the sidewalk and a minimum 10 foot wide landscape area along Richmar Avenue adjacent to the sidewalk. Landscaping in these areas will consist of trees, shrubs, and groundcover. Additional landscape areas are located in landscape fingers and islands within the parking areas and adjacent to the buildings. The request includes a design review to allow alternative parking lot landscaping. The spacing for landscape islands and fingers within portions of the parking areas does not comply with the requirements of Figure 30.64-14. The required trees for these parking areas have been distributed to other locations on the site, primarily in landscape areas along the north and east property lines, and along the north and south sides of the building.

Elevations

The building is 1 story with a height of 44 feet. The building will be constructed of concrete tilt-up panels that will be painted in earth tone colors and has a flat roof behind parapet walls. Office areas will be located at the corners of the building and will consist of aluminum storefront systems.

Floor Plans

The building is 1 story with an area of 422,020 square feet. The building will be constructed as a shell with large open areas to be completed with future interior remodels to meet the needs of the future tenants of the building.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the zone change request is in conformance with the Master Plan and is compatible with the existing and planned land uses in this area. There is a need for additional warehouse space in the County that this project will help to fulfill. The use permit to allow loading spaces to not be screened is for a few spaces that align with 2 driveways onto Rainbow Boulevard. The majority of the loading spaces will be screened from the public streets. The property to the west across Rainbow Boulevard is a commercial development which will not be impacted for the unscreened loading spaces. The topography of the site makes the increase in finish grade and increase in retaining wall height necessary to balance the site for development and provide proper drainage. The alternative parking lot landscaping is necessary due to large trucks circulation through the site to allow better site visibility and parking maneuvering. The waiver for throat depth reduction will not impact the on-site circulation as the site is designed with long drive aisles to allow for adequate movement to and from the loading spaces and onto the rights-of-way.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	R-E & C-2	Undeveloped
South	Business Employment	M-D & M-1	Undeveloped
East	Business Employment	R-E	Undeveloped
West	Neighborhood Commercial	C-1	Commercial Center & undeveloped

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

Related Applications

Application Number	Request
VS-23-0046	A request to vacate and abandon easements and rights-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

Comprehensive Planning

Zone Change

The proposed zone change is in conformance to the Master Plan. The proposed use of the property is consistent and compatible with existing and planned land uses in the area. The request conforms to Goal 5.1 of the Master Plan to encourage diversification of the economic base to enhance resilience. Therefore, staff can support the zone change request.

Use Permit

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.

The majority of the loading spaces are screened from the rights-of-way, its only at 2 locations that align with driveways that allow a few of the loading spaces to be visible from Rainbow Boulevard. The existing development across the street from this site is commercial, so the approval of this request would have little impact on the abutting properties. Similar requests have been approved for other distribution facilities in the County. However, Public Works is not supporting the waiver to reduce the driveway throat depths. The current design of the site will not allow for much of an increase in the length of the driveways, which would require a redesign of the site. Staff believes the site could be designed to provide the required screening for the loading spaces; therefore, staff does not support this request.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of development Standards #1

The existing topography of the site could be a unique or special circumstance with the property to justify an increase in retaining wall height. However, there are other parcels abutting this site that are undeveloped. Information in County records depicting contour lines in this area are not showing any sudden increase/decrease in the topography of the area. The applicant has stated that the topography of the site is the reason for the increase in retaining wall height, but no documentation/information has been submitted to provide justification for the increase in wall height. Therefore, staff finds that the applicant has not provided sufficient justification to warrant the approval of this request and recommends denial of this waiver.

Waiver of Development Standards #2

Staff believes that there are other design options for the site that would allow for street landscaping as required by Code. Staff finds that this waiver is a self-imposed hardship due to

the design of the project and the applicant has not provided a sufficient justification to warrant approval of this request and recommends denial of this waiver.

Design Reviews #1 and #2

The design of the building is consistent and compatible with other developments in this area. Similar design reviews to allow alternative parking lot landscaping have been approved for other distribution centers in the County. Staff could support these request; however; Public Works is not supporting the waiver to reduce the driveway throat depths. Increasing the length of the driveways would require modifications to the site which could change the parking layout, size of the building, and access. Since Public Works is not supporting the throat depth waiver which could require significant changes to the site, staff does not support these design reviews.

Public Works - Development Review

Waiver of Development Standards #3

Staff finds the request to reduce the throat depth for all 3 driveways on Rainbow Boulevard and both driveways on Richmar Avenue to be excessive. Cars and trucks will share all of the driveways, and with the loading docks and parking stalls directly opposite in 4 out of the 5 driveways, the likelihood is that vehicles will be stacking in the right-of-way, causing potential collisions. A site redesign would allow for the commercial driveways to meet the minimum throat depth standards, allowing for better circulation and separation between the trucks and cars. Therefore, staff cannot support this request.

Design Review #3

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. However since staff cannot support this application in its entirety, staff is cannot support this design review.

Staff Recommendation

Approval of the zone change; denial of the use permit, waivers of developments standards and design reviews.

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:

- 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 installation and use of cooling systems that consumptively use water will be prohibited; 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 use permit, waivers of development standards, and design reviews must commence within 2 years of approval date or it 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;
- 30 days to coordinate with Public Works - Construction Management Division and to dedicate any necessary right-of-way and easements for the Rainbow Boulevard improvement project.
- 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 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.

Fire Prevention Bureau

- No comment.

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 #0064-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval of the zone change, waivers of development standards, and design reviews; denial of the use permit.

APPROVALS:

PROTESTS:

APPLICANT: PDC RENO/LV/PHX LPIV, LLC

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