

10/01/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-24-400092 (UC-22-0356)-BERMUDA ROAD PROPERTIES, LLC:

USE PERMIT FIRST EXTENSION OF TIME to allow a daycare facility.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce parking; and **2)** eliminate parking lot landscaping.

DESIGN REVIEW for a daycare facility and restriped parking spaces within an existing office/warehouse facility on a portion of 6.0 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65) Overlay.

Generally located on the east side of Bermuda Road, 365 feet south of Sunset Road within Paradise. MN/my/syp (For possible action)

RELATED INFORMATION:

APN:

177-03-114-005 ptn

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce parking spaces to 316 parking spaces where 349 parking spaces are required per Table 30.60-1 (a 10% decrease).
2. Eliminate the landscape finger islands within the 76 restriped parking spaces where landscape finger islands are required per Figure 30.64-14.

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 6590 Bermuda Road
- Project Type: Proposed daycare facility
- Number of Stories: 3
- Square Feet: 172,926 (existing office/warehouse building with previously approved place of worship, café area, and office areas)/9,976 (proposed daycare facility with ancillary areas)
- Parking Required/Provided: 349/316

History & Site Plan

The approved site plan depicts an existing office/warehouse complex located east of Bermuda Road, 365 feet south of Sunset Road. The applicant proposed a new daycare facility within the northernmost office warehouse building only. Access to the site is via commercial driveways

along Bermuda Road and Pilot Road. Cross-access is provided throughout the site and parking is also shared throughout the complex. Aside from the existing office/warehouse use on the eastern portion of the building, the current uses within the western portion of the building also include a convention and training facility with lodging approved via UC-0523-11, and a place of worship approved via UC-0613-17.

The applicant requested to convert a portion of the internal parking garage (centrally located in the building on the ground level) into a daycare facility with ancillary areas such as new employee offices, new play yard, new kitchen area, and an employee breakroom for the daycare. In addition, the applicant has restriped to add 76 parking spaces on the southeast corner of the parcel adjacent to existing parking spaces in the complex.

The application included a waiver to reduce parking to 316 parking spaces where 349 parking spaces are required per Title 30 for all existing and proposed uses within the building. A waiver for reduced parking was previously approved via UC-0613-17 to permit 273 parking spaces where 311 parking spaces are required when the place of worship and convention and training facility with lodging was proposed.

The second waiver was required to eliminate parking lot landscaping within the restriped 76 parking spaces. Lastly, a design review was included for the entire proposed project.

Landscaping

The approved landscape plan shows landscaping around the perimeter of the site, adjacent to the existing office/warehouse buildings, adjacent to the existing Union Pacific Railroad (UPRR) to the north, and there are some landscape finger islands within some of the parking areas. The applicant proposed to restripe to add 76 parking spaces within the subject parcel, on the southeast corner of the office/warehouse building. The applicant requested to restripe the parking spaces only and not include the required landscape finger islands spaced every 6 parking spaces as required per Figure 30.64-14.

Elevations

There were no exterior changes proposed to the south, west, and east facing elevations of the existing building. The proposed daycare facility will include an outdoor play yard on the north facing elevation of the building. The applicant intends to install a 6 foot high CMU block wall to enclose the 3,000 square foot outdoor play yard. No additional exterior changes were proposed with the original application.

Floor Plans

The approved floor plans show that there is an existing indoor garage on the ground level and centrally located within the building. The applicant proposed to convert the northern portion of the indoor garage to accommodate the daycare. Patrons have the option of entering the centrally located parking garage and park inside the garage and utilize the designated walkway which leads to the entrance of the daycare, or parents can park outside and walk through the parking garage to reach the entrance of the daycare. The plans show that the daycare is located on the first floor only, and consists of 5 classrooms with restrooms, breakroom, kitchen area, staff restrooms, storage areas, offices, open clerical area, and a reception area. The play yard has an

overall area of 3,000 square feet, the daycare area is 4,810 square feet, and the office area for the daycare is 2,166 square feet.

Signage

Signage was not a part of the previous request.

Previous Conditions of Approval

Listed below are the approved conditions for UC-22-0356:

Current Planning

- 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 this application must commence within 2 years of approval date or it will expire.

Department of Aviation

- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- 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 owners wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

Applicant's Justification

The applicant states that they need more time due to a backlog on ordering new construction materials.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0356	First application for adult daycare center in an existing office/warehouse facility	Approved by PC	August 2022
AR-19-400120 (UC-0613-17)	First application for review for a place of worship in conjunction with a major training facility	Approved by BCC	November 2019

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0613-17	Place of worship in conjunction with a major training and convention facility and dormitory with a waiver to reduce parking, and waived conditions of a use permit (UC-0523-11) requiring the property not be used as a place of worship	Approved by BCC	September 2017
UC-0625-15	On-premises consumption of alcohol in conjunction with an existing major training facility, convention facility, and dormitory	Approved by BCC	November 2015
UC-0523-11 (ET-0003-15)	Second extension of time to complete a major training facility, convention facility, and dormitory with a design review	Approved by BCC	March 2015
UC-0523-11 (ET-0001-14)	First extension of time to complete a major training facility, convention facility, and dormitory with a design review	Approved by BCC	February 2014
UC-0523-11	Major training facility, convention facility, and dormitory with a design review	Approved by BCC	March 2012

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	IL & IP (AE-65)	UPRR & Konami Gaming Center
South & West	Business Employment	IL & IP (AE-65)	Office/warehouse complex
East	Business Employment	IL (AE-65)	Office/warehouse complex

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.

Staff finds that the applicant has submitted for and received a Building Permit (BD24-400092). Since this is the first request for an extension of time, staff can support the request.

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 August 2, 2026 to commence or the application will expire unless extended with approval of an extension of time.
- 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; 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; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTEST:

APPLICANT: BERMUDA ROAD PROPERTIES, LLC

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