

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-24-0212-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO V LLC  
LEASE:**

**AMENDED WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase retaining wall height; and **2)** alternative driveway geometrics.

**DESIGN REVIEWS** for the following: **1)** alternative landscaping (no longer needed); and **2)** an office/warehouse distribution facility on 4.06 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay.

Generally located on the south side of Badura Avenue and the east side of Pioneer Way within Spring Valley. MN/hw/syp (For possible action)

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RELATED INFORMATION:

**APN:**

176-03-302-009

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase the height of a retaining wall to 6 feet where 3 feet is the maximum permitted by Section 30.04.03C (a 100% increase).
2.
  - a. Reduce throat depth for a driveway servicing a parking lot with less than 50 spaces to 4 feet where 25 feet is the standard per Uniform Standard Drawing 222.1 (an 84% reduction).
  - b. Reduce throat depth for a driveway servicing a parking lot with 51 to 100 spaces to 17 feet where 75 feet is the standard per Uniform Standard Drawing 222.1 (a 77% reduction).
  - c. Increase the width of a driveway to 53 feet where 40 feet is the maximum permitted per Uniform Standard Drawing 222.1 (a 32% increase).
  - d. Reduce the minimum departure distance of a driveway from the intersection of Pioneer Way and Badura Avenue to 184 feet where 190 feet is the standard per Uniform Standard Drawing 222.1 (a 3% reduction).
  - e. Reduce the minimum approach distance of a driveway from the intersection of Pioneer Way and Arby Avenue to 111 feet where 150 feet is the standard per Uniform Standard Drawing 222.1 (a 26% reduction).
  - f. Reduce the length of a driveway island to 18.5 feet where 20 feet is the standard per Uniform Standard Drawing 222.1 (a 7% reduction).

**DESIGN REVIEWS:**

1. Allow alternative street landscaping along Badura Avenue, Pioneer Way, and Arby Avenue where street landscaping is required per Section 30.04.01D (no longer needed).
2. Office/warehouse and distribution facility.

**LAND USE PLAN:**  
**SPRING VALLEY - BUSINESS EMPLOYMENT**

**BACKGROUND:**  
**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 4.06
- Project Type: Office/warehouse complex
- Number of Stories: 1
- Building Height (feet): 42
- Square Feet: 74,530
- Parking Required/Provided: 75/79
- Sustainability Required/Provided: 7/5.5

Site Plans

The plans depict a proposed office/warehouse and distribution facility located at the south side of Badura Avenue, the east side of Pioneer Way, and the north side of Arby Avenue. The plans show that the proposed distribution facility will consist of a single, 74,530 square foot, square shaped industrial building located in the central portion of the site. The plans indicate that the building will be setback 148 feet from Badura Avenue to the north, 27.5 feet from Pioneer Way to the west, 155.5 feet from Arby Avenue to the south, and 16 feet from the eastern property line. The plans show that a parking lot is provided to the north of the building and a loading and service area is provided to the south of the building. A total of 79 parking spaces are being provided with 71 spaces being provided within the large parking area on the north side of the building and 8 spaces being provided in a row along the west side of the rear service and loading area. There are a total of 11 loading bays located on the south side of the building within the rear service yard. The plans show that a 6 foot retaining wall will be placed along the eastern side of the entire building and setback 5 feet from the building and 12 feet from the eastern property line. Access to the site will be provided by 2 driveways with one 37 foot wide driveway along Badura Avenue in the northeast corner of the site, and a second 53 foot wide driveway located along Arby Avenue.

Landscaping

The landscape plan shows that both street and parking lot landscaping is being provided. In terms of the street landscaping, along Arby Avenue, a 20 foot wide landscaping strip has been provided. This landscaping strip consists of a 5 foot landscaping area along Arby Avenue, then a 5 foot wide sidewalk, and then an 10 foot wide landscaping area. Along Pioneer Way, a 28 foot to 55.5 foot wide landscape buffer is proposed with a 5 foot landscaping area, then a 5 foot wide sidewalk, and then an 18 to 45.5 foot wide landscaping area. Along Badura Avenue, a varying 18.5 foot and 33.8 foot wide landscape areas is proposed with a 5 foot landscaping area, then a 5 foot wide sidewalk, and then a varying 8.5 foot to 23.8 foot wide landscaping area. All trees and spacing meet Title 30 requirements.

The parking lot landscaping within the northern parking area consists of Holly Oak, Velvet Mesquite, Desert Museum Palo Verde (*Parkinsonia x 'Desert Museum'*), and Mastic (*Pistacia*

lentiscus) trees. These trees are placed every 6 spaces within 8 foot wide terminal landscape finger islands. When these trees are placed more than every 6 spaces, additional trees are placed within an adjacent landscape stip. In the southern parking area, 3 trees, comprised of Desert Museum Palo Verde and Velvet Mesquite trees, are provided at the ends of the provided parking row and with a tree placed centrally along the parking row.

Elevations

The elevations depict a typical concrete tilt-up shell industrial building. The building exterior consists primarily of painted concrete tilt-up panels. These panels vary in color across each façade switching between a beige, grey-beige, and off-white color. The recessed, navy blue medallion panels act as accents within the panels on each façade. Each façade also contains parapets that vary in height with the parapets changing 2 feet in height. In addition, the walls of the building also recess and pop-out to create a varying appearance to the building. Access to the building is provided primarily through the office entrance at the northwest corner of the building. This entrance contains a double door commercial window and door system and is recessed into the building to shade the entrance. Windows provided on the north façade surrounding the office entrance door and on the western façade as well. Additional access to the building is provided by hollow metal doors that are painted to match the corresponding façade and white metal roll-up overhead doors on the southern façade of the building.

Floor Plans

The floor plans show that the building is a one story shell building that will be modified for future tenants. The plans show that the overall interior space consists of 74,530 square feet with a 3,420 square foot office space in the northwest corner of the building, 333 square foot electrical room, 386 square foot pump room, and 120 square foot roof access space with a 70,271 square foot open warehouse space.

Applicant’s Justification

The applicant states that the proposed project is a 74,530 square foot distribution center that will improve the existing site through development and off-site with their proposed street and associated improvements. The applicant states that there are similar industrial, and office/warehouse uses nearby and adjacent to the site. The applicant further states that the site will have sufficient parking and loading facilities for any uses that are eventually conducted on site. The applicant indicates that the site has multiple points of access and that the design of the building is similar to other distribution facilities and complies with Code. The applicant also states that the need for several of the waivers for driveway geometrics are justified due to the low traffic generation of the site, site limitations, and the truck only nature of the southern driveway. Finally, the applicant states that modifications to the landscaping are needed due to the site limitations of a multiple frontage lot and the possibility of overhead power utility lines.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
VS-0266-07	Vacated and abandoned patent easements & rights-of-way – expired	Approved by PC	April 2007

### Prior Land Use Requests

Application Number	Request	Action	Date
DR-1629-06	Office complex and sign package – expired	Approved by BCC	January 2007
ZC-1852-04	Reclassified 210 acres from R-E and M-D to C-2 for a future commercial development	Approved by BCC	November 2004

### Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	CG (AE-60)	Undeveloped
South	Business Employment	CG & CG (AE-60)	Undeveloped
East	Business Employment	IP & IP (AE-60)	Office/warehouse complex
West	Business Employment	IP (AE-60)	Office/warehouse complex

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

### Related Applications

Application Number	Request
VS-24-0210	Vacation and abandonment of patent easements and rights-of-way for detached sidewalks is a companion item on this agenda.
ZC-24-0211	A zone change to reclassify the site from CG to IP is a companion item on this agenda.

### 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

##### Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

##### Waiver of Development Standards #1

In general, the purpose of reviewing retaining walls over 3 feet is to assure that the wall will not pose a safety hazard to the site and adjacent properties and will not pose a visual nuisance to the area. Staff finds that the proposed retaining wall is located on the east side of the proposed building where it will be difficult to see from any right-of-way due to its position along the proposed building and the position of other buildings nearby. In addition, staff finds that the wall

is setback 5 feet from the proposed building and nearly 70 feet from the nearest building on the site to the east. Finally, the applicant shows that landscaping of medium trees will be placed between the wall and the adjacent property. Overall, staff finds that the wall is screened appropriately from view, is necessary for the draining of the site, and is separated sufficiently from neighboring structures. For these reasons, while staff does not normally support waivers for retaining walls, staff finds that sufficient mitigation has been provided and thus can support this waiver of development standards provided the retaining wall is constructed with decorative materials.

### Design Reviews

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

#### Design Review #1

No longer needed.

#### Design Review #2

Overall, staff finds that the proposed design of the proposed distribution facility is similar in nature to other distribution facilities in the Las Vegas Valley, but also in the immediate area. The building is attractive with enough architectural articulations on all four sides to prevent blank walls. The color scheme is neutral, and accents help make the building attractive to the eye. The entrances are clearly indicated. The building has been provided with enough parking to address the needs of the site, while also not being overparked. The landscaping provided on site helps to buffer the site from the surrounding streets, while considering potential conflicts from proposed utility lines. In addition, the landscaping within the parking areas help to reduce issues related to the urban heat island effect. Finally, staff finds that the proposed design is responsive to the site by placing the building in the central portion of the site to assure that sufficient room is provided to address parking and loading needs. The site has been provided with additional landscaping along the southern portion of the site to screen the overhead doors from the street and trees have been provided along the eastern portion of the site to screen the proposed 6 foot retaining wall. The site also has sufficient access for both cars and trucks with cross access not necessarily needed with the site to the east due to the difference in intensity of the two sites, as well as site constraints. Overall, staff finds that the proposed distribution facility will comply with Policies 5.1.3 and 5.5.1 which encourage the development of new industries in the Las Vegas Valley and the placement of such industries within designated employment areas. For these reasons, staff can support this design review.

### **Public Works - Development Review**

#### Waiver of Development Standards #2a

Although the throat depth for the commercial driveway on Badura Avenue does not comply with the minimum standard, the applicant worked with staff to remove parking spaces, which provides more room for vehicles to safely exit the right-of-way to gain access to the site.

#### Waiver of Development Standards #2b, #2c, #2e and #2f

Although the throat depth, driveway width, approach distance, and driveway median length for the Arby Avenue commercial driveway do not comply with the minimum standard, staff can support these requests. The reduced throat depth, increased driveway width, reduced approach distance, and increased driveway width will allow for safer truck movements on and off-site. Additionally, Arby Avenue sees low volumes of traffic as it ends to the west, further reducing the impact normally caused by the reductions.

#### Waiver of Development Standards #2d

Staff has no objection to the reduction in the departure distance for the Badura Avenue commercial driveway. The applicant placed the driveway as far east as the site will allow.

#### **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**

- Retaining wall shall be constructed of decorative materials;
- 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 approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

##### **Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements or coordinate with Public Works - Development Review Division for a cost contribution for the Badura improvement project;
- 30 days to coordinate with Public Works - Construction Division and to dedicate any necessary right-of-way and easements for the Maule Avenue and Badura Avenue Connection improvement project;

- If required by Public Works - Development Review, construct a median island in Badura Avenue from Tenaya Way to Buffalo Drive;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.

**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 #0232-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MAJESTIC EJM ARROYO V, LLC

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