

08/07/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0259-WESTERN IRA FUNDING LTD RTMT PL:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase building height; **2)** modify electric vehicle charging requirements; **3)** reduce parking lot landscape finger islands; and **4)** reduce throat depth.

DESIGN REVIEWS for the following: **1)** alternative landscape plan; and **2)** office building on 2.41 acres in a CG (Commercial General) Zone.

Generally located on the south side of Roy Horn Way and the east side of Gagnier Boulevard within Spring Valley. MN/sd/syp (For possible action)

RELATED INFORMATION:

APN:

176-04-201-006

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 67 feet where 50 feet is the maximum height allowed per Table 30.02.14 (a 34% increase).
2.
 - a. Reduce EV capable parking spaces to 6 where 15 spaces are required per Section 30.04.04H (a 60% reduction).
 - b. Eliminate EV installed parking spaces where 5 spaces are required per Section 30.04.04H (a 100% reduction).
3. Reduce the number of parking lot landscape finger islands where a landscape finger island shall be provided every 6 parking spaces and at the end of each row of parking per Section 30.04.01D.
4. Reduce the throat depth to 57 feet where a minimum of 75 feet is required per Uniform Standard Drawing 222.1 (a 24% reduction).

DESIGN REVIEWS:

1. Allow an alternative landscape plan consisting of medium trees provided for every 20 linear feet of street frontage (Gagnier Boulevard) where 1 large tree shall be provided every 30 linear feet of street frontage per Section 30.04.01D.
2. Office building.

LAND USE PLAN:

SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.41
- Project Type: Office building
- Number of Stories: 3 to 4
- Building Height (feet): 67
- Square Feet: 90,913
- Parking Required/Provided: 149/155
- Sustainability Required/Provided: 7/7

Site Plans

The plans depict a proposed office building located along Roy Horn Way centrally located on the site consisting of 2 office towers, outdoor plaza, and parking garage. The project is situated at the southeast corner of Roy Horn Way and Gagnier Boulevard, with frontage adjacent to CC 215. The development will consist of 10 luxury private office condominium units. Access is from Gagnier Boulevard with on-site parking located along the north, west and south perimeter and within a parking garage underneath the office building. Cross access is provided to the adjacent parcel to the east and the plans show 2 separate access points. Six EV capable spaces have been designated on site, but no EV installed spaces are provided.

Landscaping

The plans depict landscaping along the north and west perimeters of the property with medium trees spaced at 20 feet on center with some trees spaced at 18 feet. The southern perimeter includes trees planted within landscape islands with shrubs and groundcover. The parcel to the south has a planned land use of Business Employment, thus is not subject to buffering to a less intense use. Within the parking lot, landscape islands are provided every 6 spaces that are located adjacent to the exterior of the building while the parking spaces located along the perimeter have provided for landscape islands spaced every 7 to 12 spaces with landscape area width of 8 feet.

Elevations

The plans depict an office building at a proposed height of 67 feet (top of mechanical screening) for the south tower only. The north tower will be 46 feet in height. The exterior materials include aluminum composite metal panels, travertine tile, metal canopy, corrugated mechanical screen, wire mesh wall, porcelain pavers, and glazed windows. The color scheme depicts a neutral desert hue.

Floor Plans

The plans depict a new office building with 4 levels with individual suites ranging in varying sizes, utility rooms, restrooms, elevator shaft, and stairwells. An office plaza is shown on the plans and will be used by the tenants for passive recreational uses.

Applicant's Justification

The applicant states the requested waivers for increased building height are justifiable as the adjacent office building to the east is approximately 75 feet in height and same number of stories

as proposed for the subject parcel. The office developments in the Uncommons development immediately to the west also match or exceed the proposed height of the subject parcel. In addition the height increase only applies to the south office tower, while the north tower remains at 3 stories and within the allowable height. The resulting massing improves the design quality and density of the site, while “stepping” down in height toward the freeway to the north and the mixed-use development to the east.

The reduction in throat depth is justifiable as the larger office development directly to the east of this project was afforded similar relief with a provided throat depth of 20 feet and the reduction is not expected to negatively impact site circulation and is expected to be consistent with driver expectations in the area.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-19-0253	Vacated and abandoned easements and right-of-way	Approved by BCC	May 2019
ADR-0048-15	Converted the east face of an existing off-premises advertising sign to a digital sign on APN 176-04-201-015	Approved by ZA	February 2015
ADR-0772-13	Converted the east face of an existing off-premises advertising sign to a digital sign	Approved by ZA	October 2013
ADR-0359-13	Converted the west face of an existing off-premises advertising sign to a digital sign on APN 176-04-201-006	Approved by ZA	June 2013
UC-1200-02	Off-premises advertising sign on APN 176-04-201-006	Denied by BCC	February 2003
UC-1202-02	Off-premises advertising sign on APN 176-04-201-004	Denied by BCC	February 2003
ZC-1083-02	Reclassified APN 176-04-201-015 to C-2 zoning with a use permit for an off-premises advertising sign	Approved by BCC	September 2002
ZC-1108-02	Reclassified APN 176-04-201-006 to C-2 zoning	Approved by BCC	September 2002
ZC-1065-02	Reclassified APN 176-04-201-004 to C-2 zoning	Approved by BCC	September 2002

Surrounding Land Use*

	Planned Land Use Category	Zoning District	Existing Land Use
North**	Corridor Mixed-Use	CG	Office/retail complex & undeveloped
South	Business Employment	RS20	Undeveloped
East	Business Employment	IP	Office complex
West	Business Employment	CG	Undeveloped

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

**CC 215 is adjacent to the north side of the site.

Related Applications

Application Number	Request
SC-24-0261	Street name change for Gagnier Boulevard is a companion item on this agenda.
VS-24-0260	Vacation and abandonment of easements and right-of-way is a companion item on this agenda.
TM-24-500057	Commercial tentative map 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

Staff does not have an objection to the increased building height as it should have minimal to no impact on the surrounding land uses. In addition, the proposed building heights and building design are consistent and compatible with the approved building heights on the adjacent development. Therefore, staff does not anticipate any adverse impacts from the increased height and can support this waiver.

Waiver of Development Standards #2

The purpose of providing requisite EV capable and installed charging spaces is to adapt to changing trends in car ownership and the increase in the availability of charging stations for the growing trend of electric vehicles. Staff finds that given the trend of electrical vehicles becoming more affordable and the overall growth of ownership of such vehicles, that the need for EV capable and installed spaces should be a common element of new developments. As a result, staff finds that new office development should be providing these facilities and there is ample spaces on site to do so. Staff cannot support this waiver of development standards, as at least some EV installed spaces should be provided.

Waiver of Development Standards #3

The applicant has provided for parking lot and interior landscaping except for a small portion along the south exterior front entrance to the building where 7 parking spaces are provided in lieu of 6 spaces. The intent of parking lot landscaping is to assist in reducing heat island effect and mitigate stormwater runoff. Other portions of the parking lot have landscape islands every 6

or 12 spaces in accordance with Code and provided the requisite trees required. The reduction of 1 landscape island at the project frontage should not create a negative impact; therefore, staff recommends approval of this request.

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

The applicant has submitted a landscape plan that shows medium trees spaced at between 18 feet to 20 feet on center where large trees are required with one large tree and 3 shrubs provided every 30 linear feet of street frontage. Code provides for the approval of an Alternative Landscape Plan, where medium and small trees shall be provided for every 20 and 10 linear feet of street frontage. Staff can support this alternative design review for street landscaping as the applicant has provided for requisite trees and other landscaping that meet the aspect of the Code.

Design Review #2

Staff finds the proposed architectural design of the office building and associated parking garage has incorporated creative contemporary design concepts and should add to the visual quality of adjoining office and commercial uses along the CC 215 and Roy Horn Way. Detached sidewalks will be incorporated into the development that will match the existing streetscape along Roy Horn Way. However, since staff is recommending denial of waiver of development standards #2, staff cannot support this design review.

Public Works - Development Review

Waiver of Development Standards #4

Staff has no objection to the request to reduce the throat depth for the driveway on Gagnier Boulevard as the applicant has reduced the potential conflicts by providing extra landscape planters on the drive aisles to provide drivers more distance before they encounter any conflicting vehicle movements and parking spaces.

Staff Recommendation

Approval of waivers of development standards #1, #3 and #4, and design review #1; denial of waivers of development standards #2 and design review #2.

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:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance;
- 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 within 4 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; 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;
- Right-of-way dedication to include 25 feet to the back of curb for Gagnier Boulevard and associated spandrel'
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Beltway Frontage Road improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to the back of curb, 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.

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 #0276-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - approval (waivers of development standards #2 and #3 withdrawn per the applicant).

APPROVALS:

PROTESTS:

APPLICANT: ED GARCIA

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