

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-25-400114 (WS-23-0470)-BELTWAY BUSINESS PARK WAREHOUSE NO 5, LLC:

WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: **1)** alternative driveway geometrics; and **2)** loading area with roll-up doors not adequately screened from view.

DESIGN REVIEWS for the following: **1)** warehouse; and **2)** finished grade in conjunction with a warehouse building on 2.4 acres in an IP (Industrial Park) Zone.

Generally located south of Badura Avenue and east of Jones Boulevard within Enterprise.
MN/bb/kh (For possible action)

RELATED INFORMATION:

APN:

176-01-301-047; 176-01-301-049

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce driveway throat depth to a minimum of 3 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (an 88% reduction).
- b. Reduce driveway throat depth to a minimum of 17 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 32% reduction).
- c. Reduce driveway width to a minimum of 24 feet where a minimum of 32 feet is required per Uniform Standard Drawing 222.1 (a 25% reduction).
2. Allow a loading area and roll-up doors not in the rear and not adequately screened from a public right-of-way where required per Sections 30.48.640 and 30.48.660.

DESIGN REVIEWS:

1. A proposed 37,200 square foot warehouse building.
2. Increase finished grade to 108 inches (9 feet) where a maximum of 36 inches is the standard per Section 30.32.040 (a 200% increase).

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.4
- Project Type: Warehouse

- Number of Stories: 1
- Building Height (feet): 34
- Square Feet: 37,200
- Parking Required/Provided: 56/57

Site Plan

The approved plan depicts a 37,200 square foot warehouse building on the east side of APN 176-01-301-049, a 2.4 acre lot south of Badura Avenue and 885 feet east of Jones Boulevard. The site plan shows 57 parking spaces located along the north and west property lines, and truck access to bay doors on the west side of the building. Access to the property is provided from a public right-of-way cul-de-sac connected to Badura Avenue between Jones Boulevard and Lindell Road. One of the access driveways is located on the south side of the cul-de-sac bulb and is 32 feet in width. The other access driveway located at the end of the cul-de-sac is only 24 feet wide and was the subject of a waiver with the original application. The 12 parking spaces located along the west property line encroach a minimal amount into APN 176-01-301-042.

Landscaping

The approved landscape plan depicts 13 trees and approximately 230 shrubs planted on the 2.4 acre site. Landscaping is provided in the parking lot areas and along the west, north, and east perimeter of the property. One additional tree is proposed to be located in the landscape area on the south side of the cul-de-sac to provide better screening, to satisfy the condition of approval under the original application.

Elevations

The approved elevations depict a tilt-up painted concrete warehouse structure with a primary office entrance with aluminum storefront windows located at the northwest corner of the building.

Floor Plans

The approved plans depict a 37,200 square foot warehouse building that includes approximately 2,500 square feet of office space, and a small electrical utility room. The remainder of the building has an open floor plan with access from 11 overhead roll-up doors on the west side of the building.

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for WS-23-0470:

Comprehensive Planning

- Add 1 large tree to the landscape area along the west property line, south of the cul-de-sac;

- 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 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; 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.

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.
- Applicant is advised that off-site improvement permits may be required; 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.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace

determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

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 #0253-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant is requesting a 2 year extension of time for WS-23-0470. The applicant states that the market conditions are significantly impacting this development with elevated construction costs, increased interest rates, and decreased leasing demand for standalone warehouse buildings. A 2 year extension is necessary to secure favorable financing and improved conditions.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-23-0470	Waivers of development standards and design reviews for a warehouse building	Approved by BCC	September 2023
VS-0920-06	Vacation and abandonment of easements - recorded	Approved by BCC	September 2006
ZC-0896-06	Reclassified from R-E to M-D zoning	Approved by BCC	September 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Business Employment	IP	Distribution center & warehouse

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 the applicant has not made significant progress toward commencing the project. There is an expired building permit (BD23-39846) for a warehouse building on the subject parcel. A grading plan was submitted in August 2023, which has not been approved as of today. However, since this is the first request for an extension of time, staff can support the request but will not be able to support future requests if significant progress is not made.

Public Works - Development Review

The applicant has complied with all of Public Works conditions. Therefore, 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

- Until September 20, 2027 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; 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 objection.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTEST:

APPLICANT: ZACKARY MACIOCE

CONTACT: ZACKARY MACIOCE, COMMERCE CONSTRUCTION, 6795 S. EDMOND STREET #110, LAS VEGAS, NV 89118