

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-24-400059 (UC-21-0655)-HARSCH INVESTMENT PROPERTIES, LLC:

USE PERMIT FIRST EXTENSION OF TIME to allow unscreened loading spaces.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow unscreened loading and service areas with roll-up, overhead doors; **2)** allow less than 10% of the building to be located within 100 feet of the front property line; **3)** alternative driveway geometrics; and **4)** allow a pan driveway.

DESIGN REVIEWS for the following: **1)** distribution center and office/warehouse buildings; and **2)** finished grade on 19.40 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay.

Generally located on the east and west sides of Westwind Road and the south side of Sunset Road within Enterprise. MN/rp/ng (For possible action)

RELATED INFORMATION:

APN:

176-01-102-018; 176-01-102-020; 176-01-110-005; 176-01-110-006

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Allow loading and service areas with roll-up, overhead doors with only landscape screening where a 6 foot high masonry wall and landscape combination is required per Section 30.48.660.
- b. Allow unscreened loading areas with roll-up, overhead doors and areas intended for large semi-truck parking where screening is required per Section 30.60.070.
2. Allow 8% of Building B to be located within 100 feet of the front property line where a minimum of 10% of the building is required to be located within 100 feet of the front property line per Section 30.48.640 (a 20% reduction).
3. a. Reduce the northern Lindell Road driveway departure distance to 137 feet where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 28% reduction).
- b. Reduce driveway throat depths for Building A to 13 feet where 75 feet is the minimum per Uniform Standard Drawing 222.1 (an 83% reduction).
- c. Reduce driveway throat depths for Building B to 9 feet where 75 feet is the minimum per Uniform Standard Drawing 222.1 (an 88% reduction).
4. Allow pan driveways where commercial curb returns are required per Chapter 30.52.

DESIGN REVIEWS:

1. Distribution center and office/warehouse buildings.
2. Increase finished grade to 58 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 61% increase).

LAND USE PLAN:
ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:
Project Description

General Summary

- Site Address: N/A
- Site Acreage: 19.40
- Project Type: Distribution center and office/warehouse buildings
- Number of Stories: 1
- Building Height (feet): 45
- Square Feet: 261,970
- Parking Required/Provided: 168/317

Site Plan

The approved site plan depicts a distribution center (Building A) on the east side of Westwind Road and an office/warehouse building (Building B) on the west side of Westwind Road. The setback for Building A from the north property line along Sunset Road ranges between 90 feet and 120 feet. Building A is also set back approximately 100 feet from the east property line along Lindell Road, the west property line along Westwind Road, and the south property line. Access to Building A is provided by 2 driveways from Lindell Road and 2 driveways from Westwind Road. Parking spaces are located on the north and south sides of the building, and loading spaces with overhead, roll-up doors are located on the east and west sides of the building. Trash enclosures are located on the 4 corners of the site.

Access to Building B is provided by 3 driveways from Westwind Road, and the southernmost driveway that accesses the cul-de-sac bulb is a pan style driveway. The pan style driveway requires a waiver of development standards. A separate 35 foot wide drive aisle (also with a pan style driveway) within a 40 foot wide access easement will be provided from the southern part of the Westwind Road cul-de-sac to the existing office/warehouse development to the south and west. This drive aisle provides cross access to the adjacent office/warehouse buildings.

A use permit and a waiver of development standards is necessary to allow the loading spaces for both buildings with overhead, roll-up doors to be visible from the adjacent rights-of-way. Waivers of development standards are also necessary to reduce the throat depth for all the driveways, and to reduce the departure distance for the northern Lindell Road driveway.

Landscaping

Building A

The approved plans depict a detached sidewalk along Sunset Road, which consists of a 5 foot wide landscape strip, a 5 foot wide sidewalk, and a 15 foot wide landscape strip. A detached sidewalk is also provided along Lindell Road, which includes a 5 foot wide landscape strip, a 5 foot wide sidewalk, and a 10 foot wide landscape strip. The south property line includes a 15 foot wide landscape strip, and the west property line along Westwind Road includes an attached 5 foot wide sidewalk with a 15 foot wide landscape strip. Landscaping is also provided in

parking lot landscape fingers and around the base of the building, excluding the areas with overhead, roll-up doors.

Building B

A 10 foot wide landscape strip is shown along the north property line, a 6 foot wide landscape strip is shown along the west property line, and a landscape strip along the southern property line that ranges in width from 5 feet to 23 feet is shown. Adjacent to the east property line along Westwind Road, landscaping includes an attached 5 foot wide sidewalk and a 15 foot wide landscape strip. A 7 foot wide landscape strip is provided adjacent to the 35 foot wide access drive aisle, which extends south of the Westwind Road cul-de-sac.

Tree types include a variety of trees, shrubs, and groundcover. However, the approved plans include Mondell Pine trees, which are no longer recommended by the recently updated Southern Nevada Regional Planning Coalition (SNRPC) Regional Plant List.

Elevations

The approved plans depict Building A includes concrete tilt-up panels with cornice treatment along the top of the parapet walls. Most of the building is 42 feet tall; however, the areas over the office entryways extend up to 44 feet to help break-up the linear roofline. Other exterior materials include aluminum storefront window systems, overhead roll-up doors, horizontal steel accent beams, and steel canopies over entries.

Building B includes the same materials and design as Building A, except at a lower height. Most of Building B is 35 feet tall; however, parapet walls along the roofline alternate up to 37 feet high.

Floor Plan

The approved plan depicts Building A is 188,960 square feet and Building B is 72,690 square feet. Both buildings include open warehouse space with areas designated for future accessory office uses.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for UC-21-0655:

Current Planning

- Per revised plans on file;
- 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 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.

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;
- Right-of-way dedication to include 55 feet to back of curb Sunset Road, 30 feet for Westwind Road, 35 feet to back of curb Lindell Road, and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way, or the dedication of right-of-way to the back of curb, 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 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;
- 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.

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 #0468-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant’s Justification

The applicant states that the developer is currently in the process of securing the necessary permits and approvals to developed in 2 phases. Phase 1 was issued (PM-129-83) and (PW-21-18859) and Phase 2 is currently in the review process and will not be approved prior to the expiration date of the original application. The applicant is requesting a 1 year extension of time for the application.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-21-0655	Distribution center and an office/warehouse	Approved by BCC	May 2022
WC-21-400180 (WS-0674-14)	Waived conditions of a waiver of development standards requiring per revised plans dated 9/17/14	Approved by BCC	May 2022
WS-0594-16	Increased the area of directional signs and a comprehensive sign package	Approved by BCC	October 2016
WS-0674-14	Office/warehouse building	Approved by BCC	September 2014
ZC-0150-08	Reclassified a 2.5 acre portion from C-1 to M-D zoning with a design review for an industrial park	Approved by BCC	March 2008
ZC-1165-07	Reclassified a portion of the site and parcels to the west from R-E to C-2 and M-D zoning for a future development	Approved by BCC	November 2007
ZC-1191-02	Reclassified a 1.8 acre portion from R-E to M-D zoning for an off-premises sign	Denied by BCC	February 2003

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

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Neighborhood Commercial	RS20 (AE-60)	Single-family residential
South	Business Employment	RS20 (AE-60)	CC 215 & data centers
East	Business Employment	IP (AE-60)	Undeveloped & office/warehouse building
West	Business Employment	CG (AE-60)	Undeveloped

Related Applications

Application Number	Request
ET-24-400058 (DR-21-0708)	First extension of time of a design review for parking lot modifications and alternative parking lot landscaping is a related 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

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.

The applicant is currently working with Public Works. An off-site permit (PW-21-18859) was issued in August 2023 for Phase 1 and plans for Phase 2 (PW-22-22096) were accepted in December 2022 and are currently in the review process. Since the applicant has made progress and has a current application with Public Works, staff can support the applicant's request for a 1 year extension.

Public Works - Development Review

There have been no significant changes in this area. 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 May 18, 2025 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; 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

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTEST:

APPLICANT: SCHNITZER PROPERTIES

CONTACT: SCHNITZER PROPERTIES, 1121, SW. SALMON STREET, SUITE 500,
PORTLAND, OR 97205