

06/22/22 BCC AGENDA SHEET

DISTRIBUTION CENTER
(TITLE 30)

WARM SPRINGS RD/BUFFALO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-22-0294-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO, LLC
LEASE:**

ZONE CHANGE to reclassify 41.1 acres from a C-2 (General Commercial) Zone and a C-2 (General Commercial) (AE-60) Zone to an M-D (Designed Manufacturing) Zone and an M-D (Designed Manufacturing) (AE-60) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow an attached sidewalk; **2)** allow a modified driveway design; and **3)** waive street dedication.

DESIGN REVIEWS for the following: **1)** proposed distribution center; **2)** alternative parking lot landscaping; and **3)** finished grade in the CMA Design Overlay District.

Generally located on the north side of Warm Springs Road and the east side of Buffalo Drive within Spring Valley (description on file). MN/rk/jo (For possible action)

RELATED INFORMATION:

APN:

176-03-401-020

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow a proposed attached sidewalk along an arterial street (Buffalo Drive) where a detached sidewalk is required per Figure 30.64-17.
2.
 - a. Reduce throat depth for the driveways along Badura Avenue, Buffalo Drive, and Warm Springs Road to a minimum of 9.5 feet where 100 feet is the standard per Uniform Standard Drawing 222.1 (a 90.5% reduction).
 - b. Increase the maximum width of a driveway (lip to lip) along Badura Avenue, Buffalo Drive, and Warm Springs Road to 53 feet where 40 feet is the maximum per Uniform Standard Drawing 222.1 and Section 30.53.050 (a 32.5% reduction).
3. Waive dedication of Capovilla Avenue, Jerlyn Street, and Arby Avenue through the center portions of the site as required by Section 30.52.030.

DESIGN REVIEWS:

1. For a proposed distribution center.
2. Alternative parking lot landscaping.
3. Increase the finished grade to 216 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 500% increase).

LAND USE PLAN:
SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 41.1
- Project Type: Distribution center
- Number of Stories: 1
- Building Height (feet): Up to 40
- Square Feet: 763,911 (total of 4 buildings)
- Parking Required/Provided: 382/703

Site Plans

The plans depict a proposed 763,911 square foot distribution center consisting of 4 buildings. The site is bounded by public rights-of-way on the north, south, and west sides of the property. Access to the site is provided by 2 driveways on Badura Avenue, 3 driveways on Buffalo Drive, and 1 driveway on Warm Springs Road. Parking for the facility is located along the perimeters of the parcel. The building is set back 83 feet from Badura Avenue, 73 feet from Buffalo Drive, 93 feet from Warm Springs Road, and 135 feet from the east property line. The loading and service areas are located at the rear of the buildings facing internally to the center of the project. The service area that contains overhead doors and loading docks are screened from public view by 6 foot high masonry wing walls with ample street landscaping. A total of 703 parking spaces are provided where 382 parking spaces are required.

Landscaping

Street landscaping is shown from approximately 7 feet to 40 feet in width with a detached sidewalk located along most of the public street frontage (except for a small portion of Buffalo Drive necessitating the waiver). Interior to the site, an ample amount of landscaping is distributed throughout the parking lot and around portions of the building footprint. In lieu of landscape fingers in the parking lot adjacent to the north side of Building 3, the development will provide "half diamond shaped" landscape planters. All other areas as it pertains to landscaping meet or exceeds Code. Along the east property line, a new 6 foot high CMU wall will be provided. The landscape materials include large trees consisting of a variety of Acacia, Mesquite, Laurel, and Palm. Shrubs and groundcover consist of Bird of Paradise, Yucca, Lantana, Texas Ranger, and Rosemary.

Elevations

The building will be 40 feet high and constructed of concrete tilt-up panels with glass store fronts, and vertical/horizontal reveal lines with color changes. Other building materials will consist of decorative metal canopies over the doorways. The height of the building varies from 37 feet to 40 feet and has been designed to break-up the roofline and enhance the overall look of the building. The loading dock area will be located at the rear of the buildings and screened from public view by walls and landscaping.

Floor Plans

The plans depict a 763,911 square foot distribution center with shell buildings and incidental office areas shown at the corners of the buildings. Building 1 is shown at 170,924 square feet, Building 2 is shown at 226,324 square feet, Building 3 is shown at 121,019 square feet, and Building 4 is shown at 245,644 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

This is a request for a conforming zone change that is surrounded by planned light industrial uses. The applicant indicates this site been designed to be compatible with the surrounding area as well as most of the objectives of Title 30, the CMA Design Overlay, and the Master Plan. Ample street landscaping will be provided along the public street, and the loading areas will exceed the 150 foot minimum separation requirement from any residential use. The applicant has provided detailed information on each of the waivers and design reviews which are explained in the justification letter on file.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1852-04	Reclassified this site and the surrounding area to C-2 zoning for a future commercial development (Arroyo Commercial Center)	Approved by BCC	November 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	C-2	Undeveloped
South	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	C-2, R-2, & R-3	Commercial center, single family residential, & undeveloped
East	Business Employment	M-D, C-2, & R-E	Office/warehouse & undeveloped
West	Business Employment & Corridor Mixed-Use	R-4, M-D, & C-2	Multiple family residential, office/warehouse, & commercial building

The subject site and surrounding area are within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
VS-22-0295	A vacation and abandonment of a right-of-way and easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Zone Change

The conforming zone boundary amendment is within the range of intensity planned for this site in the Master Plan. Also, M-D zoning is consistent with the area. For example, most of the properties south of Badura Avenue, between Buffalo Drive and Rainbow Boulevard are either developments with M-D zoning or have recently been approved for M-D zoning. The remainder of the parcels in this area are zoned C-2 and mostly undeveloped since the Arroyo Commercial center is building out on the north side of Badura Avenue. This proposed zoning is compatible with the existing commercial and industrial development and planned land uses within the surrounding area; therefore, staff can support the zone change request.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of Development Standards #1

While staff does not typically support attached sidewalks where detached sidewalks are required, the proposed attached sidewalk along a portion of Buffalo Drive is due to a transition of a right turn lane farther north at the intersection of Buffalo Drive and Badura Avenue. The approximate 7 feet of landscape area behind the sidewalk will still provide landscaping along the street frontage of the site which will enhance the project; therefore, staff can support this waiver.

Design Reviews #1 & #2

The design of the distribution center is consistent with the standards of approval for a design review. The site layout and buildings create an orderly and aesthetically pleasing environment that is compatible with the area. The modified parking lot diamond planters are interior of the site and does not affect the overall project since the plant material is essentially distributed in other areas of the site. Therefore, staff can support this portion of the request with an added condition that palm trees be removed from the plant list and replaced with a more drought tolerant tree type.

Public Works - Development Review

Waiver of Development Standards #2a

Staff has no objection to the reduction in the throat depth for the commercial driveways on Badura Avenue, Buffalo Drive, and Warm Springs Road. The applicant worked with staff and provided landscape buffers adjacent to the driveways to prevent vehicles from stacking in the drive aisle reducing immediate conflicts with vehicles entering the site.

Waiver of Development Standards #2b

Staff has no objection to the increase in the maximum allowable width of a driveway. The applicant worked with staff and provided a median to help alleviate the confusion that may arise from the wider driveways thereby reducing the potential of vehicular collisions.

Waiver of Development Standards #3

Staff has no objection to the request to not dedicate Capovilla Avenue, Jerlyn Street, and Arby Avenue. The segments of the roads are not necessary for access and would not serve a public purpose.

Design Review #3

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

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:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Remove palm trees from the plant list and replace with a drought tolerant tree type on the Southern Nevada Regional Plant List;
- 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 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 the waivers of development standards and design reviews must commence within 2 years of approval date or they 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;
- 30 days to coordinate with Public Works Design Division and to dedicate any necessary right-of-way and easements for the Badura Avenue/Buffalo Drive traffic signal project and the Maule Avenue/Badura Avenue project;
- 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.
- Applicant is advised 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.

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 #0148-2021 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, LLC

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