

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-24-400076 (NZC-21-0038)-ASHLEY FURNITURE INDUSTRIES, LLC:

ZONE CHANGE FIRST EXTENSION OF TIME to reclassify 18.7 acres from a CG (Commercial General) Zone to an IP (Industrial Park) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase building height; **2)** screening loading docks; **3)** increase sign height; **4)** increase animated sign area; **5)** alternative perimeter landscape and screening; **6)** non-standard improvements within right-of-way; **7)** waive the sidewalk requirement along Rafael Rivera Way; **8)** allow an attached sidewalk along portions of Sunset Road; and **9)** modified driveway design standards.

DESIGN REVIEWS for the following: **1)** a proposed distribution center with ancillary retail sales; **2)** a comprehensive sign plan; and **3)** finished grade in the CMA Design Overlay District.

Generally located on the south side of Sunset Road and the east and north sides of Rafael Rivera Way within Spring Valley (description on file). JJ/my/syp (For possible action)

RELATED INFORMATION:

APN:

176-05-510-005

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 60 feet where 50 feet is permitted per Table 30.40-5 (a 20% increase).
2. Allow a loading dock area to not be screened from right-of-way (Rafael Rivera Way).
3. Increase the height of a freestanding sign to 70 feet where a maximum height of 28 feet is permitted per Section 30.48.680 (a 150% increase).
4. Increase animated sign area to 576 square feet where a maximum area of 70 square feet is permitted per Section 30.48.680 (a 723% increase).
5.
 - a. Allow an alternative perimeter landscape area and retaining wall on-site adjacent to Rafael Rivera Way where a 15 foot minimum landscape area is required per Section 30.48.660 and screening per Section 30.64.020.
 - b. Allow an alternative perimeter landscape area on-site adjacent to Sunset Road where a 15 foot minimum landscape area is required per Figure 30.64-17.
6.
 - a. Allow proposed landscaping in the Sunset Road right-of-way between the proposed driveway and Riley Street where not permitted per Chapter 30.52.
 - b. Allow a proposed retaining wall in the slope easement along Rafael Rivera Way where not permitted per Chapter 30.52.
7. Waive requirements for sidewalks adjacent to Rafael Rivera Way where required per Chapter 30.52.
8. Allow an attached sidewalk along portions of an arterial street (Sunset Road) where a detached sidewalk is required per Figure 30.64-17.

9. Reduce throat depth for a driveway along Sunset Road to a minimum of 43 feet where 100 feet is the standard per Uniform Standard Drawing 222.1 (a 57% reduction).

DESIGN REVIEWS:

1. For a furniture distribution center.
2. For a comprehensive sign plan.
3. Increase finished grade to 60 inches (5 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 233% increase).

LAND USE PLAN:

SPRING VALLEY - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 6555 S. Riley Street
- Site Acreage: 18.7
- Project Type: Furniture distribution center
- Number of Stories: 1 & 2
- Building Height (feet): 47
- Square Feet: 93,042 (retail showroom)/180,180 (warehouse distribution)
- Parking Required/Provided: 281/285

Site Plans

The approved plans depict a 273,222 square foot furniture distribution center (Ashley Home Store) consisting of a single building located in the central portion of the site and 3 future retail pad sites located to the east along Riley Street (a private drive aisle). The site is bounded by roads on 3 sides of the development. Access to the site is provided by 1 driveway on Sunset Road and 2 driveways on Riley Street. No access is shown on Rafael Rivera Way. Parking for the facility is spread out through the site and meets the CMA Design Overlay standards. The building is set back 97 feet from Sunset Road, 179 feet from Riley Street, and 117 feet from Rafael Rivera Way. Loading areas and trash enclosures are located on the west side of the building. The service area that contains overhead doors and loading docks is not technically screened from the CC 215 frontage road (Rafael Rivera Way); however, the site is depressed by approximately 16 feet. A total of 285 parking spaces are provided where 281 parking spaces are required.

Landscaping

Waivers of development standards were requested to allow for an alternative landscape plan to accommodate the existing approved and constructed conditions. Some landscaping is provided along Rafael Rivera Way; however, due to the severe slopes, additional landscaping and sidewalk could not be provided. Trees along Riley Street are typically 60 feet on center with tree clusters at the corners and entry points. Where trees are provided on Rafael Rivera Way, they are 30 feet on center. Also, alternative landscaping to accommodate the existing approved and constructed conditions was requested along Sunset Road. Trees are typically 40 feet on center

with tree clusters at the corners and entry points and groundcover is provided at 50 percent per Code. The pad site parking lot landscaping will be addressed in the future. A 6 foot decorative retaining wall that is set back 11 feet from property line runs along Rafael Rivera Way. The wall is needed to accommodate the elevated road system. The landscape materials include large trees, shrubs, and groundcover.

Elevations

The approved building will be 60 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 ribbon panels and metal canopies over the doorways. The height of the building varies from 45 feet to 60 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 on the west side of the building.

Floor Plans

The approved plans show the building will consist of a 93,042 square foot office/showroom (first floor 49,082 square feet; second floor 43,960 square feet) where customers can view and select furnishing for their respective projects, with the remaining area (180,180 square feet) being utilized for distribution warehouse activities.

Signage

This site is in the CMA Design Overlay District and as such, signage requires approval as part of a design review. This request was for the distribution warehouse site and depicts the location, height, square footage, and materials being used. The sign types within the submittal package consist of freestanding, monument, canopy, and wall signs.

The approved plan depict a 70 foot high freestanding sign on Rafael Rivera Way and a monument sign on Riley Street. The 70 foot high freestanding sign is located on the southwest portion of the site. The sign is double face which includes a 576 square foot animated video display near the center of the main sign face. The overall sign area is 864 square feet and is oriented in a north/south direction. The 10 foot high monument sign is located at the main driveway entrance onto Riley Street and is 70 square feet in area. Both the wall signs and freestanding sign have elements that are compatible with the materials used for the building in the complex and will consist of internally illuminated cabinets and panel channel letters.

Previous Conditions of Approval

Listed below are the approved conditions for NZC-21-0038:

Current Planning

- Resolution of Intent to complete in 3 years;
- Limit sign radiance to 300 nits (auto adjusted);
- Minimum time for display of message is 6 seconds before message changes to a new image;
- 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 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 new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that 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.

Public Works - Development Review

- Enter into a cost participation agreement for a sidewalk along Rafael Rivera Way from the private drive aisle, known as Riley Street, west/northwest to the concrete barrier;
- Grant an easement along the entire frontage of the site adjacent to Rafael Rivera Way for pedestrian access;
- Grant an easement over the sidewalk along the entire frontage of the site adjacent to the private drive aisle, known as Riley Street, for pedestrian access;
- 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;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Coordinate with Clark County Public Works - Directors Office for the Beltway frontage road improvement project;
- Coordinate with Public Works - Development Review for improvements in or adjacent to the slope easements.
- 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.

Building Department - Fire Prevention

- Applicant is advised to show on-site fire lane, turning radius, and turnarounds (portions of site included in this scope may not allow access to future pads); and to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0334-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

Applicant's Justification

The applicant states that collaboration with Public Works took longer than expected due to the language and number of easements they required for the civil improvement permit to move forward. They also state that they need additional time to have any other unexpected items that arise to be resolved prior to construction.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-24-900375	Revised floor plans, landscape changes, generator pad and screening, and facade color/material changes	Approved by ZA	June 2024
NZC-21-0038	Reclassified from C-2 to M-D zoning; with waivers to alter landscaping and off-site improvements, along with signs; and design review for a furniture distribution center with sign plan and finished grading	Approved by BCC	June 2021
ET-19-400138 (WS-0690-17)	Extension of time for a commercial center	Approved by BCC	January 2020
ET-19-400163 (UC-0121-17)	Extension of time for a commercial center	Approved by BCC	January 2020
UC-19-0301	Allowed a 1 time temporary outdoor commercial event (San Gennaro Feast)	Approved by BCC	July 2019
ADET-19-900308 (UC-0895-16)	Extension of time for a hotel - expired	Approved by ZA	May 2019
ADET-19-900307 (WS-0896-16)	Extension of time for a retail center - expired	Approved by ZA	May 2019
WS-0690-17	Modifications to an approved commercial center	Approved by BCC	October 2017
UC-0694-17	Allowed a 1 time temporary outdoor commercial event (San Gennaro Feast)	Approved by BCC	September 2017
UC-0121-17	Commercial center	Approved by BCC	April 2017
WS-0896-16	Retail center on the northeast corner of the parcel - expired	Approved by BCC	March 2017
UC-0895-16	Hotel on the northwest corner of the parcel - expired	Approved by BCC	March 2017
WS-0107-16	A parking lot in conjunction with the IKEA store - expired	Approved by BCC	April 2016
WS-0107-15	Off-site improvement requirements in conjunction with an approved commercial timeshare development - expired	Approved by BCC	April 2015
TM-0112-14	1 lot commercial subdivision on 20.4 acres	Approved by PC	September 2014
DR-0082-14	Commercial timeshare development and signage - expired	Approved by BCC	April 2014

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-24-900375	Revised floor plans, landscape changes, generator pad and screening, and façade color/material changes	Approved by ZA	June 2004
ZC-0613-04	Zone boundary amendment to C-2 zoning for a future commercial development - this zone boundary amendment zoned most of the site	Approved by BCC	May 2004
ZC-1749-00	Zone boundary amendment to C-2 zoning on a portion of the site	Approved by BCC	January 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use	CG & CC	Office component of a mixed-use development & undeveloped
East	Entertainment Mixed-Use	CG	IKEA store
West	Major Development Project (Rhodes Ranch)	CC 215 & RS3.3	CC 215
South	Entertainment Mixed-Use	CR	Undeveloped & Durango Casino

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

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 has been issued a structural study permit and an off-sites permit. They have received multiple permits from the Building Department related to the construction of the distribution center, with an Administrative Design Review recently approved for minor modifications to the approved plans. Therefore, staff can recommend approval for a 2 year extension of time, provided that there are no substantial changes or alterations made to the original approved plans.

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 June 16, 2026 to complete 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: Spring Valley - approval.

APPROVALS:

PROTEST:

APPLICANT: HODGDON GROUP REALTY INC

CONTACT: G. C. GARCIA, INC, GEORGE GARCIA, 1055 WHITNEY RANCH DRIVE, SUITE 210, LAS VEGAS, NV 89014