

WAREHOUSE/RETAIL/OFFICE
(TITLE 30)

BUFFALO DR/POST RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-21-0594-FORTE LIVING, LLC:

ZONE CHANGE to reclassify 2.0 acres from an R-E (Rural Estates Residential) (AE-60) Zone to an M-D (Designed Manufacturing) (AE-60) Zone.

USE PERMITS for the following: **1)** offices as a principal use; and **2)** retail as a principal use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce the number of required loading spaces; **2)** alternative architectural materials; and **3)** eliminate cross access.

DESIGN REVIEWS for the following: **1)** warehouse, retail, and office complex; **2)** alternative parking lot landscaping; **3)** lighting; and **4)** finished grade in the CMA Design Overlay District.

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

RELATED INFORMATION:

APN:

163-34-301-020

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the required number of loading spaces to 2 spaces where 3 spaces are required per Table 30.60-6 (a 33.3% reduction).
2. Permit alternative architectural materials (exposed steel frames and steel materials) where exterior siding must consist of or give the appearance of stucco, masonry, or wood per Table 30.56-2.
3. Eliminate cross access where non-residential subdivisions shall provide cross access and shared parking through the recording of perpetual cross access, ingress/egress and shared parking easements or agreements per Table 30.56-2.

DESIGN REVIEWS:

1. Warehouse, retail, and office complex.
2. Permit alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.
3. Lighting.
4. Increase finished grade to 96 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 433% increase).

LAND USE PLAN:

SPRING VALLEY - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2
- Project Type: Warehouse, retail, and office complex
- Number of Stories: 1
- Building Height (feet): 35.5
- Square Feet: 10,650 (Building A)/9,376 (Building B)/8,500 (Building C)
- Parking Required/Provided: 74/74

Site Plan & Request

This request is for a conforming zone change to reclassify 2 acres from an R-E zone to an M-D zone to permit a warehouse, retail, and office complex consisting of 3 buildings. Building A, located within the western portion of the site, consists of a warehouse with incidental office uses and office/retail uses. Building B, located within the northeast portion of the site, consists of a warehouse with incidental office uses. Building C, located within the south portion of the site, includes office and retail uses. Below is a table reflecting the buildings setbacks from the north, south, east, and west property lines of the site:

Building Setbacks from Property Lines (in feet)				
Building:	Property Line			
	North	East	South	West
A	89	188	36	22
B	57	52	140	169
C	205	75	20	112

Trash enclosures and loading spaces are provided throughout the interior of the site. However, 2 loading spaces are provided where 3 loading spaces are required per Code, necessitating a waiver of development standards. Four bicycle parking spaces are located at the northwest corner of Building C. All buildings within the project site are connected via a network of pedestrian walkways, connecting to the detached sidewalk along Buffalo Drive and the attached sidewalk along Post Road. A waiver of development standards is also requested to eliminate the requirements for cross access to the adjacent C-P zoned parcel east of the project site. The proposed development requires 74 parking spaces where 74 parking spaces are provided. Access to the site is granted via a commercial driveway along Post Road and Buffalo Drive. An increase to finished grade is also a part of this request, with the largest increase occurring within the central portion of the site on the east side of Building B, where there is an existing low spot.

Landscaping

The plans depict a 15 foot wide landscape area along Buffalo Drive featuring a 5 foot wide detached sidewalk. Twenty-four inch box trees, planted 30 feet on center, in addition to shrubs and groundcover are located within the street landscape area. A 20 foot wide landscape area, located behind an attached 5 foot wide sidewalk, is proposed along Post Road. An intense landscape buffer measuring 10 feet in width, featuring a double row of large, 24 inch box Evergreen trees planted 20 feet on center, is located along the north property line adjacent to the

existing single family residential development. A 6.5 foot wide landscape area, consisting of shrubs and groundcover, is provided along the east property line of the site, adjacent to an undeveloped C-P zoned parcel. In lieu of providing the required amount of landscape finger islands within the interior of the site, specifically on the west side of Building B, additional trees have been distributed throughout the interior of the development. The development requires a total of 13 medium and large trees within the interior of the parking lot. The site has been designed to include an additional 6 trees (a combination of 19 medium and large trees) that will be distributed throughout the interior of the project site.

Elevations

Building A has a maximum height of 35 feet to the peak of the decorative standing seam pitched metal roof. The north and south elevations of Building A consist of an exposed steel frame along the edges of the structure, an aluminum storefront window system, and decorative split-faced and patterned CMU block. The east and west elevations of Building A consist of decorative standing seam metal panels, an aluminum storefront window system, and decorative metal screens. Building B measures 29.5 feet in height to the top of the parapet wall and 35.5 feet in height to the rooftop mounted equipment. The south and west elevations of Building B feature an aluminum storefront window system, brick veneer, patterned CMU block, and exposed steel frames. The north and east elevations of Building B include exposed steel frames, brick veneer, and patterned CMU block. An at grade, overhead roll-up door is featured on the east elevation of Building B. Building C has a maximum height of 35 feet to the peak of the decorative standing seam pitched metal roof. The east and west elevations of Building C feature an exposed steel frame along the edges of the structure, an aluminum storefront window system, and decorative split-faced and patterned CMU block. The south and north elevations of Building C consist of an aluminum storefront window system with decorative standing seam metal panels. The north elevation of Building C also includes a single, at grade overhead roll-up door.

The exposed steel frames and steel materials require a waiver of development standards to deviate from the standard exterior building materials consisting of stucco, masonry, or wood. All rooftop mounted equipment on Buildings A through C will be screened from public view and the right-of-way by decorative steel mesh screening.

Floor Plans

The floor plans for each building consist of shell space that will be reconfigured based upon the needs of the individual tenants. Below is a table reflecting the area of Buildings A through C.

Building Information:

Building Area	Square Feet
Building A – Tenant 1 – Warehouse with incidental office	4,015
Building A – Tenant 2 – Warehouse with incidental office	3,815
Building A – Tenant 3 – Office/Retail	2,820
Building B – Tenant 4 – Warehouse with incidental office	9,376
Building C – Tenant 5 – Office/Retail	8,500
Total Building Area	28,526

Lighting (Photometric) Plan

The plans depict the type of lighting (wall pack), approximate heights of freestanding light poles, and a photometric plan demonstrating compliance with the Development Code. All exterior building light fixtures are full cut-off and similar in terms of design, materials, finish, color, and color of light. The proposed freestanding luminaries (light poles) have a maximum height of 14 feet along the north property line, adjacent to the single family residential development. Two light poles are located along the north property line of the site while several poles are located within the interior of the site and along the east property line.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the proposed conforming zone change to M-D is compatible with the surrounding neighborhood. Several nearby parcels have been developed with M-D zoning. The primary use for the site will be M-D; however, to provide tenant flexibility for the owner, tenants 3 and 5 are designated as office or retail uses only. Additionally, the mix of professional and retail uses allows low intensity uses to off-set the more intensive industrial uses with respect to the residential neighbors. Two loading spaces have been provided where 3 loading spaces are required. A design review for alternative parking lot landscaping to omit the required landscape finger to the west of Building B is requested. Additional medium/large trees have been added elsewhere on the site. The design intent for this development is to provide sustainable, durable, and long-lasting materials that celebrate the materiality and history of industrial buildings through exposed steel and brick. Without a known layout for the undeveloped parcel to the east, coordination for curb cuts could be inefficient. A design review to increase finished grade is needed to ensure that the building is set high enough above the grade on Buffalo Drive and Post Road to provide adequate flood protection. The maximum fill is anticipated to be 8 feet and the area of the greatest fill is at the middle part of the east side of Building B where this is an existing low spot.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	R-2	Single family residential
South	Commercial General	R-E	Undeveloped
East	Business and Design/Research Park	C-P	Undeveloped
West	Commercial General	C-2	Mixed-use development

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

Related Applications

Application Number	Request
VS-21-0595	A vacation for a portion of a right-of-way being Buffalo Drive 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

This is a request for a conforming zone change and staff finds that this application is compatible with the Business and Design/Research Park land use designation and appropriate for both the project site and the surrounding area. The adjacent parcel to the east is undeveloped and is zoned C-P with a planned land use of Business and Design/Research Park. Approximately 340 feet to the east of the project site is an existing industrial development with M-D zoning. Immediately to the south of the proposed development, across Post Road, is an undeveloped 2 acre parcel zoned R-E with a planned land use of Commercial General. Further to the south of the project site is an M-D zoned parcel approved for an office/warehouse development via NZC-18-0475. To the west of the project site, across Buffalo Drive, is an existing C-2 zoned mixed-use development. To the southwest of the project site, across the intersection of Buffalo Drive and Post Road, is an existing office and warehouse development zoned M-D. There is an existing R-2 zoned single family residential development immediately north of the project site; however, the existing planned land use for the residential development is Business and Design/Research Park. The single family residential development to the north of the project site was approved via a non-conforming zone change, NZC-0398-13, in October 2013. Staff finds the proposed M-D zoning is consistent and compatible with the existing commercial and industrial development and planned land uses within the surrounding area; therefore, recommends approval.

Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Urban Specific Policy 7 from the Comprehensive Master Plan encourages land uses that are complementary and are of similar scale and intensity. The proposed uses associated with the project site are consistent and compatible with the surrounding properties and land uses. Furthermore, the project site is located on the corner of an arterial street (Buffalo Drive) and a local street (Post Road) terminating in a cul-de-sac that serves existing industrial developments; therefore, staff recommends approval of the use permits.

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

Staff finds there is adequate parking located immediately adjacent to Building B, in addition to an at grade, overhead roll-up door located along the east elevation of the warehouse. Eliminating the required loading space should have no impact on the internal operations of the development; therefore, staff recommends approval.

Waiver of Development Standards #3

The intent of providing cross access is to promote public safety, efficient on-site vehicular circulation, shared parking with adjacent properties, and to minimize curb cuts along streets. Staff typically does not support requests to waive cross access to adjacent properties with similar land uses and parking requirements. However, staff does not object to this request for the following reasons: 1) The adjacent parcel to the east has been zoned C-P since 2003, and currently does not have any approved plans for immediate development; 2) the C-P zoned parcel is adjacent to Post Road, which terminates into a cul-de-sac bulb; and 3) it is impossible to determine if the future land use of the adjacent parcel will consist of similar or consistent levels of intensity and similar parking. Therefore, staff recommends approval of this request.

Waiver of Development Standards #2 & Design Review #1

Staff finds that the proposed development complies with Urban Specific Policy 66, which states that commercial developments should provide access points on arterial and collector streets and not on local residential streets. The development features a commercial driveway adjacent to Buffalo Drive, an arterial street. Urban Specific Policy 62 encourages intense buffering on the perimeter of parcels adjacent to existing single family uses. An intense landscape buffer has been provided along the north property line of the project site, adjacent to the existing single family residential development. Staff also finds that the proposed buildings comply with Urban Specific Policy 78, which encourages architectural treatments on all building sides to eliminate blank building elevations along public rights-of-way and areas visible to the general public. The proposed buildings consist of varying building elevations and contrasting building materials, including exposed steel frames, decorative standing seam metal panels, split-faced and patterned CMU block, brick veneer and aluminum storefront window systems. The exposed steel frames utilized on the building elevations compliment the exterior building materials consisting of decorative standing seam metal panels, brick veneer, and patterned CMU block. The proposed development complies with several policies from the Comprehensive Master Plan; therefore, staff recommends approval of these requests.

Design Review #2

Staff finds the proposed alternative parking lot landscaping, including the distribution of the trees and landscape finger islands complies with the Comprehensive Master Plan by encouraging screened parking areas and extensive landscaping. The proposed development requires a total of 13 medium and large trees within the interior of the parking lot. The site has been designed to include an additional 6 trees (a combination of 19 medium and large trees) that will be distributed throughout the interior of the development. The proposed landscaping will reduce the "heat island" effect and improve the aesthetics of the project site and the surrounding area. Staff finds that the request to permit alternative parking lot landscaping within the interior of the site is reasonable. Approximately 6 additional trees will be planted within the interior of the site, in lieu

of the required landscape finger island. The trees will provide additional shade and improve the overall aesthetics of the development; therefore, staff recommends approval.

Design Review #3

The plans indicate that all of the lighting fixtures will be shielded and/or directed away from the abutting residential uses. The photometric calculations submitted for the lighting indicate the on-site lighting will not have a negative impact on the abutting developments. Staff finds the lighting plan complies with Urban Specific Policy 15 of the Comprehensive Master Plan which states that lighting design should be sensitive to off-site residential uses. This policy also encourages all light sources to be shielded to direct light away from residential uses. Therefore, staff can support this request.

Public Works - Development Review

Design Review #4

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 Comprehensive 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;
- 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 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 use permits, 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.
- Applicant is advised that the installation of detached sidewalks will require 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; 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

- 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 #0394-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTESTS:

APPLICANT: PUNCH ARCHITECTURE

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