

01/18/22 PC AGENDA SHEET

FUTURE WAREHOUSE DEVELOPMENT
(TITLE 30)

SR 161/I-15
(JEAN)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-21-0678-JEAN DEVELOPMENT WEST:

ZONE CHANGE to reclassify 143.0 acres from an R-U (Rural Open Land) Zone, a C-2 (General Commercial) Zone, an H-1 (Limited Resort and Apartment) Zone, and a P-F (Public Facility) Zone to an M-D (Designed Manufacturing) Zone for future warehouse development.
DESIGN REVIEW for a conceptual distribution center.

Generally located on the north and south sides of State Route 161 (alignment) and the east and west sides of I-15 within South County (description on file). JJ/MN/jt/jo (For possible action)

RELATED INFORMATION:

APN:

217-11-701-002; 217-12-301-002; 217-12-401-001; 217-13-101-011; 217-13-101-012; 217-14-501-001 through 217-14-501-003

LAND USE PLAN:

SOUTH COUNTY (JEAN) – COMMERCIAL TOURIST
SOUTH COUNTY (JEAN) – PUBLIC FACILITY

BACKGROUND:

Project Description

General Summary

- Site Addresses: 2 Goodsprings Road & 1 Main Street
- Site Acreage: 143
- Project Type: Future warehouses & distribution centers

Neighborhood Meeting Summary

Flyers were mailed to property owners within 1,500 feet of the site, which provided notification of a virtual neighborhood meeting held on August 30, 2021 at 5:30 p.m. Six neighbors attended the meeting who expressed concerns about future traffic congestion that will be caused by the project. The neighbors were also concerned about the reduction of the Las Vegas Boulevard South right-of-way from 300 feet to 200 feet.

Site Plan

The site plan depicts conceptual warehouse and distribution center locations on the northwest, northeast, and southeast quadrants of the intersection of SR 161 and I-15. The plans associated with this application are conceptual only, although a distribution center in the northwest quadrant

of the site is shown in more detail. A condition of approval will require a design review as a public hearing on final plans.

The conceptual plans of the distribution center show access from State Route 161 and drive aisles and parking spaces are located around the perimeter of the site. The conceptual distribution center is 367,360 square feet and located near the center of the site. Setbacks include 160 feet to the north property line, 141 feet to the west property line, 210 feet to the south property line, and 128 feet to the east property line. Loading docks are located on both the north and south sides of the building. A drainage channel is located on the south, west, and a portion of the north side of the site, and the I-15 is located on the east side of the site.

Existing buildings are located on some of the parcels associated with this application. For example, the multiple story resort hotel is in the southeast quadrant of the site. Both active and inactive business licenses are in place for this resort hotel; however, the facility is not currently operating. The plans indicate that this resort hotel building will be demolished and replaced with a future distribution center. In addition, the parcel to the east includes existing post office buildings, which will remain; an existing Nevada Highway Patrol building, which will be relocated; and an existing water treatment facility, which will remain.

Landscaping

Landscaping for the conceptual distribution center in the northwest quadrant of the site includes perimeter landscaping, parking lot landscaping, and landscaping around portions of the building footprint.

Existing landscaping around the resort hotel and post office buildings will remain until the design reviews are approved and the future warehouses and distribution centers are constructed. Landscaping will be reviewed for conformance with development standards with future applications.

Elevations

The conceptual distribution center is 45 feet high to the top of parapet walls along the roofline. Exterior materials include painted concrete tilt-up panels, painted tube steel canopies over the windows, overhead roll-up doors, and storefront window systems.

Floor Plans

The conceptual distribution center is 367,360 square feet of open storage area with accessory future offices located at the 4 corners of the building.

Signage

Signage is not a part of this request.

Applicant's Justification

Two of the 3 previous resort hotels located in Jean have been demolished, and the last remaining resort hotel has remained closed from the start of the COVID-19 Pandemic. As a result, resort hotels may no longer be viable in this area. Rather, the location of the site with access from I-15, railroad lines, and future aviation expansions makes the site ideal for industrial development. In

addition, an approved non-gaming hotel application (NZC-20-0324), which was approved in the northwest quadrant of this site, will be expunged with the approval of this application.

At full buildout, the applicant anticipates approximately 1.9 million square feet of warehouse and distribution center space. Although conceptual plans were submitted with this application, the applicant requests a condition of approval requiring a design review on each building prior to permitting and construction. As each tenant/end user is identified, a design review will be submitted for that specific pad site.

Prior Land Use Requests

West Side of I-15

Application Number	Request	Action	Date
NZC-20-0324	Reclassified a portion of the site to H-1 zoning for a hotel, restaurants, and retail	Approved by BCC	October 2020
ZC-19-83	Reclassified a portion for the project site from R-U to H-1 zoning for a hotel and casino	Approved by BCC	April 1983
UC-29-83	Hotel and casino	Approved by BCC	April 1983
VC-95-83	Waived a portion of the paving requirements and blocked zone boundary wall requirement	Approved by BCC	April 1983

East Side of I-15

Application Number	Request	Action	Date
PA-21-700004	Plan amendment to reduce the right-of-way width for Las Vegas Boulevard South between St. Rose Parkway and the state line at Primm to 200 feet	Approved by BCC	November 2021
ZC-076-92	Reclassified the northern portion of the site to H-1 zoning for a resort hotel	Approved by BCC	June 1992
ZC-0146-89	Reclassified the southern portion of the site to P-F zoning for a wastewater treatment plant, this application also included a request to reclassify the northern portion of the site to RVP, which is expired	Approved by BCC	June 1989
ZC-257-86 & UC-336-86	Reclassified the southern portion of the site to H-1 for a resort hotel	Approved by BCC	August 1987
ZC-117-79 & UC-96-79	Reclassified an eastern portion of the site to C-2 zoning for a parking lot and a use permit for an off-premises sign	Approved by BCC	July 1979
ZC-85-74	Reclassified a portion of the site to H-1 zoning	Approved by BCC	August 1974

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Open Lands & Commercial Tourist	R-U & H-2	Undeveloped
South	Public Facilities	P-F	Jean Airport
East	Commercial Tourist & Industrial	R-U, C-2, & M-1	Undeveloped & warehouse facility
West	Open Lands, Commercial General, & Commercial Tourist	R-U & C-2	Undeveloped & gasoline station

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 applicant shall provide Compelling Justification that approval of the nonconforming zoning boundary amendment is appropriate. A Compelling Justification means the satisfaction of the following criteria as listed below:

- 1. A change in law, policies, trends, or facts after the adoption, readoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate.*

The Master Plan was adopted in December 2021, which reclassified the planned land use designations in Clark County. The parcels associated with this application were previously dedicated for Commercial Tourist and Public Facilities uses, and the parcels are now designated for Entertainment Mixed-Use and Public Use, which maintains similar planned land uses. Nevertheless, existing resort hotels have been demolished in the area, and parcels within this corridor between Jean, Sloan, and the Las Vegas Valley have shifted to more warehouse and distribution center uses. These warehouse and distribution center uses help facilitate the increased demand for distribution of goods to Clark County. As a result, an increased demand for warehouse and distribution centers in this area is a changing trend that makes the proposed nonconforming zone boundary amendment appropriate.

- 2. The density and intensity of the uses allowed by the nonconforming zoning is compatible with the existing and planned land uses in the surrounding area.*

The land immediately around the State Route 161 and I-15 interchange includes existing gasoline stations, existing industrial uses, a prison facility, an airport, and planned Entertainment Mixed-Use land uses. Beyond the immediate intersection, the land is undeveloped and planned for Open Land uses. Lastly, this area includes access to a variety of transportation options including I-15, the Union Pacific Railroad, and the Jean Airport. As a result, the intensity of the

uses allowed by the nonconforming zone boundary amendment is compatible with the existing and planned land uses in the area.

3. *There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed by the nonconforming zoning.*

There has been no indication from public utility purveyors that the proposed nonconforming zone boundary amendment will have a negative impact on public services.

4. *The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies.*

The proposed nonconforming zone boundary amendment complies with goals and policies in the Master Plan. For example, Goal 1.6 encourages the protection of the character, identity, and economic viability of the County's outlying communities, and Policy 1.6.3 supports opportunities for local economic development in outlying communities. Here, reclassifying the parcels to M-D zoning will allow for the development of warehouses and distribution centers. This will provide employment opportunities for residents in Sandy Valley and Goodsprings to the west and Sloan to the north. Also, concentrating the development opportunities around the intersection of State Route 161 and I-15 will limit the development to an area that was previously developed with intense resort hotel uses.

Furthermore, Goal 3.6 encourages enhanced sustainability and resilience practices to be integrated into the built environment, and Policy 3.6.6 encourages expanded and inter-connected transportation options to reduce transportation related carbon emissions. Here, the location of the proposed M-D zoning will have access to a freeway, railroad, and airport, which facilitates the use of a variety of transportation options, consistent with Goal 3.6 and Policy 3.6.6. Similarly, Policy 5.5.1 supports the development of industrial and employment uses in areas that are proximate to major air, rail, and highway facilities.

Summary

Zone Change

A trend along the I-15 corridor in the South County has been the increased demand for warehouse and distribution centers, and the proposed nonconforming zone boundary amendment to M-D zoning is consistent with the intensity of existing and planned land uses in Jean. Furthermore, the nonconforming zone boundary amendment will not negatively impact public services, and the request is consistent with goals and policies in the recently adopted Master Plan. Therefore, staff can support the request.

Design Review

The design of the conceptual warehouse and distribution centers for the site is consistent with the intent of the M-D zoning. However, a design review as a public hearing will be required for final plans, and the design will be reviewed for conformance with Title 30 standards at that time.

Department of Aviation

Any development on the parcels would likely penetrate the 100:1 notification airspace surface for Jean Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration. Additionally, portions of the development depicted as conceptual would likely penetrate the Part 77 airspace surface (Airport Airspace Overlay District), as defined by Section 30.48.100 of the Clark County Unified Development Code. Therefore, as required by Section 30.16.210(12)(D) of the Clark County Unified Development Code, final action cannot occur until the FAA has issued an airspace determination and CCDOA has reviewed the determination for any final development proposals that penetrate the Part 77 surfaces for Jean Airport.

Flooding damage to the Jean airfield from increased development storm water flows upstream must be avoided.

Assessor's Parcel Number 217-14-601-002 (CCDOA Lot): This parcel is owned by CCDOA and previously made available to the former Gold Strike Hotel and Casino (Casino Property) for the use of overflow parking. Developer intends to convert the use of the Casino Property by demolishing the existing improvements and constructing an industrial building.

Runway Protection Zone (RPZ): As discussed during our meeting on June 3, 2021, a portion of the property lies within the RPZ for Jean Airport, which is recognized by the FAA. The primary purpose of the RPZ is the protection of people and property on the ground. FAA guidance states that the RPZ area should be clear of all structures and no buildings, structures (including signage), or above ground transmission lines should be included within the RPZ. The guidance also encourages airports to own and control RPZ property. Therefore, CCDOA remains interested in acquiring the RPZ property at fair market value under a voluntary acquisition and requests a follow up discussion with the Developer regarding this proposal.

The proposed development would cause potential conflicts with the proposed super arterial ground transportation option that would provide access to and from the SNSA (Southern Nevada Supplemental Airport). In addition to I-15, ground transportation could be provided by a super arterial that would start just south of Sloan and terminate at the northern end of the SNSA site. The super arterial would run parallel to I-15 and transition to Las Vegas Boulevard South in the vicinity of the Jean Airport.

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on February 16, 2022 at 9:00 a.m., unless otherwise announced.

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

- Resolution of Intent to complete in 3 years;
- Design review as a public hearing for final plans;
- Expunge the portion of NZC-20-0324 on the subject site.
- Applicant is advised that the resort hotel will not be able to operate in the M-D zone and the H-1 zoning and Gaming Enterprise District would need to be reestablished for any future unrestricted gaming operations; approval of this application does not constitute or imply approval of any other County issued permit, license or approval; 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.

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, when final development proposals are submitted;
- 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 when final development proposals are submitted;
- 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;
- Developer to thoroughly establish an existing condition analysis to determine what currently drains underneath Prison Road and the delta increase from site development, note there is an existing airport access road that connects to Prison Road and provides access to the east side of the airfield, this access road is used extensively by CCDOA for glider operations, there is an existing culvert crossing underneath the access road that crosses the wash, and the development must not negatively impact the existing CCDOA access road and culvert crossing;
- Developer to mitigate increased flows on private property so as to not impact the airfield south of Prison Road; if on-site detention is selected, then the facility must drain within 48 hours, so it is not a wildlife attractant upstream of an airport environment;
- All flood control facilities constructed by the Developer are to be located within their development site; facilities and grading are not allowed on CCDOA property;
- Discharge velocities onto CCDOA property must match existing conditions or be less, it is not acceptable for high velocities to be point concentrated on CCDOA property, note: in the existing condition, CCDOA staff has observed extensive erosion on the south side of Prison Road, on both the west and east sides of the package treatment plant, this indicates that the flow splits around the treatment plant berm;

- Need assurances from the Developer or Clark County Regional Flood Control District (RFCDD) that flood control facilities will be properly maintained or repaired upstream after large storm events; especially if energy dissipation consists solely of grouted rip rap that may be washed away over time;
- As part of its proposed project and at its sole expense, Developer shall demolish the CCDOA Lot improvements on 217-14-601-002, stabilize the soil, and install 6 foot tall chain link fencing with one, 24 foot wide double swing gate in conformance with the chain link fence specification provided by CCDOA, afterwards, Developer shall have no further use or access to the CCDOA Lot;
- CCDOA would like to work with the Developer regarding the project schedules, project needs, and conceptual plans to maintain proposed ground transportation options and preserve access to and from the SNSA as well as ensure the success of both projects;
- Design reviews, as public hearings, required on each of the buildings prior to permitting and construction commencing.
- 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; and 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 #0349-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: TOLLES DEVELOPMENT COMPANY

CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., STE 650, LAS VEGAS, NV 89135