

05/18/22 BCC AGENDA SHEET

OFFICE/WAREHOUSE BUILDING
(TITLE 30)

JONES BLVD/SUNSET RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-21-400180 (WS-0674-14)-AINSWORTH GAME TECHNOLOGY, INC:

HOLDOVER WAIVER OF CONDITIONS of a waiver of development standards requiring per revised plans dated 09/17/14 in conjunction with an existing office/warehouse building on 16.5 acres in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District.

Generally located 1,000 feet east of Jones Boulevard between Sunset Road and Rafael Rivera Way within Enterprise. MN/jt/jo (For possible action)

RELATED INFORMATION:

APN:

176-01-110-004

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 5800 Rafael Rivera Way
- Site Acreage: 16.5
- Project Type: Office/warehouse building
- Number of Stories: 1 & 2
- Building Height (feet): 50
- Square Feet: 288,546
- Parking Required/Provided: 578/602

Site Plans & Request

The original plans depicted an office/warehouse building located approximately 38 feet from the west property line, 280 feet from the north property line along Sunset Road, and 125 feet from the south property line. Access to the site is provided from Sunset Road to the north, Rafael Rivera Way to the south, and Westwind Road to the east.

No changes are proposed for the overall site except for parking lot modifications in the northeast portion of the site with a companion application (DR-21-0708). This companion application will

eliminate approximately 60 parking spaces and the access from Westwind Road. Although 60 parking spaces will be removed, the remaining parking spaces exceed Title 30 standards. Also, another access drive aisle will be provided to Westwind Road with the development of the adjacent parcels to the east as an office/warehouse building and distribution center with another companion application (UC-21-0655).

Since the parking lot layout is changing with the companion applications, this application is necessary to waive a condition of approval on WS-0674-14, which states “per revised plans dated 09/17/14.”

Landscaping

The original application included a 15 foot wide landscape area with detached sidewalks along Sunset Road, a 15 foot wide landscape area with attached sidewalks along Westwind Road, and a 15 foot to 30 foot wide landscape area with attached sidewalks along Rafael Rivera Way. Interior landscaping was also provided throughout the parking lot and around the building.

No changes are proposed to the existing landscaping, except for the addition of an 8 foot wide landscape strip along the northeast property line for the parking lot modifications. Also, 3 parking lot landscape fingers will be provided within the parking lot modifications. However, 2 of the landscape fingers will include a fire hydrant and an NV Energy pull box, which prevents the installation of trees in the landscape fingers.

Elevations

The original plans depicted the office portion of the building as 2 stories and 50 feet high. The manufacturing portion of the building is 1 story and 48 feet high. No changes are proposed for the existing office/warehouse building.

Floor Plans

The original plans showed an overall 288,546 square foot office/warehouse building. No changes are proposed for the existing office/warehouse building.

Previous Conditions of Approval

Listed below are the approved conditions for WS-0674-14:

Current Planning

- Per revised plans dated 09/17/14;
- Block wall along Sunset Road to be decorative;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time; and that this application must commence within 2 years of approval date or it will expire.

Public Works – Development Review

- Drainage study and compliance;
- Traffic study and compliance;

- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Westwind Road and any associated spandrels;
- Detached sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control which may require a vacation of excess right-of-way or execute a License and Maintenance agreement for non-standard improvements in the right-of-way;
- Coordinate the dedication of additional right-of-way and off-site improvements along Rafael Rivera Way with Public Works Department - Design Division.

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.
- 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; 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; the FAA's airspace determinations include expiration dates; and that the separate airspace determinations will be needed for construction cranes or other temporary equipment.

Building/Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; permits and fire protection may be required for this facility; and to please contact Fire Prevention for further information (702) 455-7316.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that existing sewer is located within 400 feet of the parcel; at the time of development CCWRD requires submittal of civil improvement plans and estimated wastewater flow rates to determine sewer point of connection; also at the time of construction, CCWRD requires submittal of the products being manufactured with SIC Code for engineering review and pretreatment evaluation for any disposal other than domestic waste to the public sewer system; and that applicant shall follow current CCWRD Pretreatment resolutions and any applicable portions of 40CFR for any waters that may enter the sanitary sewer system.

Applicant's Justification

According to the applicant, the revised parking lot layout (DR-21-0708) and waiver of conditions of WS-0674-14 are necessary to allow the distribution center and office/warehouse buildings associated with the companion application, UC-21-0655.

Prior Land Use Requests

Application Number	Request	Action	Date
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 and included a design review for the entire site 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 (subsequently approved by legal settlement)	February 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment & Neighborhood Commercial	M-D & C-P	Undeveloped & congregate care facility
South	Business Employment	R-E & M-D	CC 215 & data centers
East	Business Employment	M-D	Undeveloped & office/warehouse building
West	Business Employment	C-2	Undeveloped

The subject site and surrounding parcels to the east, west, and south are in the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
UC-21-0655	A development with a distribution center and an office/warehouse is a companion item on this agenda.
DR-21-0708	A design review for parking lot modifications and alternative parking lot landscaping 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**

Staff can support the modification to the parking lot associated with the companion application, DR-21-0708. As a result, the condition of approval “per revised plans dated 09/17/14” will no longer fulfill its intended purpose, and staff can support the request.

Staff Recommendation

Approval.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the condition will no longer fulfill its intended purpose.

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 comment.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:**PROTEST:**

COUNTY COMMISSION ACTION: February 2, 2022 – HELD – To 02/16/22 – per the applicant.

COUNTY COMMISSION ACTION: February 16, 2022 – HELD – To 03/02/22 – per the applicant.

COUNTY COMMISSION ACTION: March 3, 2022 – HELD – To 03/16/22 – per the applicant.

COUNTY COMMISSION ACTION: March 16, 2022 – HELD – To 04/06/22 – per the applicant.

COUNTY COMMISSION ACTION: April 6, 2022 – HELD – To 04/20/22 – per Commissioner Naft.

COUNTY COMMISSION ACTION: April 20, 2022 – HELD – To 05/18/22 – per the applicant.

APPLICANT: VLMK

CONTACT: VLMK, 3933 SW KELLY AVENUE, PORTLAND, OR 97239