

11/16/22 BCC AGENDA SHEET

OFFICE/WAREHOUSE
(TITLE 30)

SUNSET RD/SURREY ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-22-0543-HARTWELL NEVADA PROPERTIES LLC:

ZONE CHANGE to reclassify 2.4 acres from a C-2 (General Commercial) (AE-70) Zone to an M-D (Designed Manufacturing) (AE-70) Zone.

WAIVER OF DEVELOPMENT STANDARDS to reduce landscaping width.

DESIGN REVIEWS for the following: **1)** office warehouse complex; and **2)** finished grade.

Generally located on the south side of Sunset Road and the east side of Surrey Street within Paradise (description on file). JG/lm/syp (For possible action)

RELATED INFORMATION:

APN:

177-02-501-035

WAIVER OF DEVELOPMENT STANDARDS:

Reduce landscaping width to 12.5 feet along an arterial street (Sunset Road) where 15 feet of landscaping is required behind an existing attached sidewalk per Section 30.64.030 (a 16.6% reduction).

DESIGN REVIEWS:

1. Office warehouse complex.
2. Increase finished grade to 3.5 feet where a maximum of 3 feet is the standard per Section 30.34.040 (a 16.6% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.4
- Project Type: Office/warehouse
- Number of Stories: 2
- Building Height (feet): 34
- Square Feet: 6,680 to 7,930

- Parking Required/Provided: 65/75

Site Plan

The applicant is requesting a conforming zone change from C-2 to M-D zoning for an office warehouse complex consisting of 6 buildings. Access to the site is provided from 1 proposed commercial driveway along Sunset Road and an existing shared commercial driveway along Surrey Street. The buildings are set back a minimum of 20 feet from Sunset Road, the east property line, and Surrey Street. The complex requires 65 parking spaces where 75 parking spaces are provided which are evenly distributed throughout the site with buildings 5 and 6 having gated outside storage yards. Bicycle parking is provided along Surrey Street. Pedestrian access walkways are provided on the north side of buildings 3 and 5 along Sunset Road and throughout the development. Each building is provided a separate trash enclosure which is located over 50 feet from the residential property to the east.

Landscaping

The street landscaping consists of a varying width landscape area along Sunset Road and Surrey Street. The landscape area along Sunset Road varies in width from 12.5 feet to over 20 feet with an average of 15 feet of landscape area provided along the street frontage. Street landscaping along Surrey Street is provided with over 20 feet of landscaping. A 20 foot wide intensive landscape area is provided along the east property line in conjunction with a 5 foot wide existing drainage easement. Parking lot landscaping is provided around the buildings and along all parking areas. Materials include Blue Leaf Wattle, Blue Palo Verde, Shoestring Acacia, with accent Date Palms at the corner of Sunset Road and Surrey Street.

Elevations

The plans depict 6 buildings with a proposed overall height of 34 feet. Exterior materials include painted CMU and painted corrugated metal panels. Roll-up doors face the interior of the development.

Floor Plans

The buildings range in size from 6,680 square feet to 7,930 square feet with each building having a mezzanine level.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the requested zoning conforms to the Master Plan. Additional intensive landscaping width is provided along the east property line and an average of 15 feet of landscaping is provided along Sunset Road.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0860-07	Allowed commercial access to a minor residential collector street with design review for a motel	Approved by PC	October 2007

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0990-01	Reclassified to C-2 for a hotel and restaurants	Approved by BCC	September 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Use	P-F	Harry Reid International Airport
South	Business Employment	C-2	Motel
East	Business Employment	R-4	Multiple family residential
West	Business Employment	M-D	Office warehouse

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 request conforms to the Paradise Land Use Plan and complies with all applicable goals and policies for this type of development. The proposed zoning district is within the allowable range of intensity designated on the Land Use Plan. Staff can support the requested change in zoning.

Waiver 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.

Although staff finds the reduction in the street landscaping to be a self-imposed hardship, the landscaping along Sunset Road has an average width of 15 feet. All other landscaping standards are provided to meet or exceed standards throughout the site. The proposed reduction in landscaping is minimal; staff supports the request.

Design Review #1

The overall proposed design of the development is satisfactory to the development standards. An intense landscape buffer is provided on the east side of the lot, to help mitigate any negative impacts to the adjacent multiple family. Staff can support the design of the proposed project with the recording of a perpetual cross access, ingress/egress easements with the property to the south for the shared driveway on Surrey Street.

Public Works - Development Review

Design Review #2

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.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid International 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.

The property lies within the AE-70 (70 - 75 DNL) noise contour for Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade Harry Reid International Airport facilities to meet future air traffic demand.

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;
- Recording a perpetual cross access, ingress/egress easements with the property to the south for the shared driveway on Surrey Street;
- Landscaping along the east property to be planted in accordance with Figure 30.64-12;
- 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 waiver 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.
- 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; and that Nevada Department of Transportation (NDOT) permits may be required.

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 many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- 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 or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- 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; that the FAA's airspace determinations include expiration dates; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the FAA will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

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 #0091-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: OCHOA DEVELOPMENT

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