

OFFICE/WAREHOUSE BUILDING  
(TITLE 30)

POLARIS AVE/CAVARETTA CT

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-23-0013-MORALLY JOHN P REVOCABLE TRUST & MORALLY JOHN P TRS:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) landscaping; and 2) alternative driveway geometrics.

**DESIGN REVIEWS** for the following: 1) an additional office warehouse building; and 2) finished grade in conjunction with an existing office warehouse building on 1.9 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the west side of Polaris Avenue, 260 feet north of Cavaretta Court within Paradise. MN/al/syp (For possible action)

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RELATED INFORMATION:

**APN:**

162-20-202-015

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Permit alternative landscaping along a street where 15 feet of landscaping adjacent to an existing attached sidewalk is required per Section 30.64.030.
- b. Permit alternative parking lot landscaping where landscaping is required per Figure 30.64-14.
2. a. Reduce driveway throat depth to a minimum of 24 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 4% reduction).
- b. Reduce driveway width to a minimum of 28 feet where a minimum of 32 feet is required per Uniform Standard Drawing 222.1 (a 12.5% reduction).
- c. Allow existing pan driveways to remain where driveways per Uniform Standard Drawing 222.1 are required.

**DESIGN REVIEWS:**

1. A proposed office/warehouse building in conjunction with an existing office/warehouse building.
2. Increase finished grade by 40 inches where a maximum of 36 inches is the standard per Section 30.32.040 (an 11.1% increase).

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: 4305 Polaris Avenue
- Site Acreage: 1.9
- Project Type: Additional office/warehouse building
- Number of Stories: 2
- Building Height (feet): 35
- Square Feet: 17,180 (existing)/14,804 (new building)/31,984 (total)
- Parking Required/Provided: 50/51

#### Site Plan

The site is developed with an existing office/warehouse building located in the central portion of the northern half of the property. The request is to construct an additional office/warehouse building on the western portion of the southern half of the property. Access to the site is from Polaris Avenue with 2 existing driveways. Parking is located on the eastern portion of the site, east of the buildings and along the western property line in the rear of the site. The parking area to the east of the buildings is being reconfigured to add landscape areas as part of the request. The plan also depicts 2 canopies for covered parking areas, with 1 located at the southeastern corner of the existing building and the other along the southern property line, east of the proposed building.

#### Landscaping

There are 4 existing landscape areas on the site that are located along Polaris Avenue, at the entrance to the office, and at the south side of the building at the west end of a row of parking spaces. The landscape areas along Polaris Avenue are between 7 feet and 18 feet in width consisting of clustered palm trees, shrubs, and groundcover. The landscape area at the entrance to the office consists of shrubs and the landscaping in the parking area consists of palm trees. The plan shows the landscape areas along Polaris Avenue will be modified between 5 feet and 11 feet in width. The palm trees will be removed and replaced with 6 Desert Museum Palo Verde trees, additional scrubs, and ground cover. Additional landscape areas consisting of shrubs and groundcover will be added along the south and east sides of the office portion of the existing building and within the parking areas.

#### Elevations

The existing building on the property is 2 stories with a flat roof behind parapet walls and is painted in neutral colors. The proposed building is 1 story with a flat roof behind parapet walls. The exterior of the building consists of smooth face concrete block, tile and stone veneer, and an aluminum and glass store front for the office portion of the building. The proposed building will be painted to match the existing building. The 2 canopies for the covered parking spaces will be 13 feet in height and each with an area of 1,026 square feet. The canopies have flat roofs that are supported by 8 posts.

### Floor Plans

The existing building has an area of 17,180 square feet consisting of 5,180 square feet of office area and 12,000 square feet of warehouse area. The proposed building has an area of 14,804 square feet consisting of 3,090 square feet of office area and 11,714 square feet of warehouse area. With the proposed building the site will have a total building area of 31,984 square feet.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant indicates that the proposed building is consistent and compatible with the existing building on the property and with other developments in the area.

### **Surrounding Land Use**

	<b>Planned land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Entertainment Mixed-Use	M-1	Office/warehouse facility
South	Entertainment Mixed-Use	M-1	Warehouse facility
East	Entertainment Mixed-Use	H-1	Warehouse facility
West	Entertainment Mixed-Use	M-1	Union Pacific Railroad & office/warehouse complex

### **STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

### **Analysis**

#### **Comprehensive Planning**

##### 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

The design of the landscape areas along Polaris Avenue and within the parking areas are not in compliance with the requirements of Section 30.64. The proposed design for the parking areas does not provide the required number of trees for the parking spaces. Plant material within the landscape area along Polaris Avenue is not complying with the types of plants and spacing as required by Title 30, Chapter 30.64. This site is developed with an existing office/warehouse building, and as part of the request to add an additional building, the applicant is proposing to retrofit additional landscape areas with the modified parking lot. The proposed landscaping is not in compliance with Code standards; however, it is an improvement to the existing site. This site is located in an area of moderate heat vulnerability. Since the applicant is proposing to

provide additional landscaping to the site, improving the site, and in turn, doing more to improve the heat vulnerability of the area than the current development, staff can support this waiver.

#### Design Review #1

The proposed building is consistent and compatible with existing development on-site and on the abutting properties. Therefore, staff can support the design review for the building.

#### **Public Works - Development Review**

##### Waiver of Development Standards #2

Staff has no objection to allowing pan driveways with the reduction in driveway widths and throat depth, for both the driveways on Polaris Avenue. Polaris Avenue sees low volumes of traffic as it ends just north of the site.

#### 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.

#### **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**

- 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 this application must commence within 2 years of approval date or it 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;
- Reconstruct driveways in accordance with Uniform Standard Drawing 224.
- 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.

**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.
- 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; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

**Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

**Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:** Paradise - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MORALLY JOHN P REVOCABLE TRUST & MORALLY JOHN P TRS

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