

04/18/23 PC AGENDA SHEET

OFFICE/WAREHOUSE CENTER
(TITLE 30)

ROBINDALE RD/DEAN MARTIN DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0074-DEAN MARTIN DR., LLC:

ZONE CHANGE to reclassify 4.1 acres from an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone to an M-D (Designed Manufacturing) (AE-60) Zone.

WAIVER OF DEVELOPMENT STANDARDS for alternative driveway geometrics.

DESIGN REVIEWS for the following: **1)** office/warehouse center on 15.8 acres in an (AE-60 & AE-65) Zone; and **2)** finished grade.

Generally located on the north side of Robindale Road and the west side of Dean Martin Drive within Enterprise (description on file). MN/rk/syp (For possible action)

RELATED INFORMATION:

APN:

177-08-206-001 through 177-08-206-003; 177-08-207-001; 177-08-207-003

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the throat depth for the western driveway on Robindale Road to 90 feet where 100 feet is the minimum per Uniform Standard Drawing 222.1 (a 10% reduction).

DESIGN REVIEWS:

1. Office/warehouse complex.
2. Increase finished grade to 60 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 67% increase).

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

ENTERPRISE - (PROPOSED) BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 15.8 (zone change 4.1 acres)
- Project Type: Office/warehouse center
- Number of Stories: 1
- Building Height (feet): 27
- Square Feet: 154,900

- Parking Required/Provided: 232/508

Project Overview

The property was previously approved for an office/warehouse center on 12.6 acres in June 2022, per application NZC-21-0101. The current applicant would like to redesign the site and add an additional parcel to the overall project located on the west side of the site along Procyon Street.

Site Plan

The plan depicts an office/warehouse center consisting of 6 buildings on 15.8 acres. Four buildings are oriented east/west, and 2 buildings located on opposite ends of the site and are oriented north/south. Minimum setbacks for the perimeter buildings include 62 feet to the north property line, 75 feet to the east property line along Dean Martin Drive, 72 feet to the south property line along Robindale Road, and 211 feet to the west property line along Procyon Street. Overhead roll-up doors are shown on both sides of all buildings which will be screened by wide landscape buffers on the perimeter of the development. Parking spaces are located throughout the site, and access is provided by a driveway from Dean Martin Drive and 2 driveways from Robindale Road. A waiver of development standards is necessary to reduce the throat depth for the westerly driveway. Polaris Avenue will terminate in a cul-de-sac on the north side of the site. Additionally, there is no access proposed from Polaris Avenue and Procyon Street to the office/warehouse center.

Landscaping

Street landscaping along Dean Martin Drive and Robindale Road is shown from approximately 25 feet to 96 feet in width with a detached sidewalk. Street landscaping along Procyon Street functions more as a greenbelt and is shown at 173 feet in width. This site will provide standard detached sidewalks along Dean Martin Drive and Procyon Street, as well as a meandering path along Robindale Road to provide additional appeal to the development. Along the north property line, the project will provide a 20 foot wide landscape buffer with off-set trees spaced 10 feet apart near the residential development. Interior to the site, an ample amount of landscaping is distributed throughout the parking lot and around portions of the building footprint.

Elevations

All the office warehouse buildings are constructed of concrete tilt-up panels. The apparent mass of the buildings is reduced by varying the depth of surface planes to create visual relief and using paint colors and architectural features such as tube steel canopies, concrete panels, architectural cornice, and decorative metal lap accents to add visual interest. Other building elements includes overhead roll-up doors, storefront windows, and doors. The base paint colors will be shades of gray with a white accent color.

Floor Plan

The 6 buildings range in size from 16,000 square feet to 52,000 square feet. Each building includes an open floor plan with most of the area dedicated to warehouse uses and accessory portions of the buildings dedicated to office. Floor plans will be built-out per future tenant needs.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the project is intended to provide multi-tenant industrial lease space for a variety of warehousing and manufacturing activities. Target tenants include smaller spaces up to mid-sized light industrial-type activities. The project is planned to be upscale as is evidenced by the proposed building elevations (included canopies, architectural cornice, recessed entries, metal panel details) landscaping, and parking accommodations. According to the applicant the developers have a history of long-term ownership and well-managed projects.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-21-0101	Reclassified 12.6 acres of this site to M-D zoning for an office/warehouse complex consisting of 9 buildings	Approved BCC	June 2021
VS-21-0102	Vacated and abandoned easements and rights-of-way on 12.6 acres	Approved BCC	June 2021
TM-21-500026	1 lot commercial subdivision on 12.6 acres	Approved BCC	June 2021
ZC-19-0457	Reclassified the eastern most parcel of this site to C-P zoning for an office building	Approved by BCC	August 2019
ZC-0659-03	Reclassified the western portions of this site to C-P zoning for an office complex	Approved by BCC	August 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Use; Neighborhood Commercial; & Ranch Estate Neighborhood (up to 2 du/ac)	P-F, C-P, & R-E (RNP-I)	Fire station, undeveloped, & single family residential
South	Neighborhood Commercial; Public Use; & Ranch Estate Neighborhood (up to 2 du/ac)	R-E, P-F, & R-E (RNP-I)	Single family residential & undeveloped
East	Neighborhood Commercial & Business Employment	C-P & M-D	Office park & office/warehouse complex
West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential

Related Applications

Application Number	Request
PA-23-700006	Master Plan Amendment to re-designate the land use category from Ranch Estate Neighborhood (RN) to Business Employment (BE) is a companion item on this agenda.

Related Applications

Application Number	Request
VS-23-0075	A request to vacate easements and rights-of-way 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

Comprehensive Planning

Zone Change & Design Review #1

There is a concurrent Plan Amendment application to re-designate the land use category from Ranch Estate Neighborhood (RN) to Business Employment (BE). Staff is concerned about the potential precedent that would be created by reclassifying the zoning and planned land use to more intense industrial use for APN 177-08-206-001.

The properties to the north, south, and west of APN 177-08-206-001 are zoned R-E (RNP-I) and fully developed. Staff is concerned with the potential incompatibility between this development and existing land uses immediately adjacent to the zone change request. Approval of this project will allow more intense zoning to intrude into an existing ranch estate neighborhood. Even though staff appreciates that the project will provide a large buffer along Procyon Street that essentially functions as a greenbelt between this project and the existing single family residences surrounding the westerly parcel, the intent of a balanced land use plan is to encourage an orderly development pattern with an appropriate spatial distribution of land uses that complement each other. It has always been an adopted and accepted policy that any transitional land use and transitional density occurs on the perimeter, outside of an RNP and not within; therefore, staff cannot support these requests.

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.

Public Works - Development Review

Waiver of Development Standards

Staff has no objection to the reduction in the throat depth for westernmost commercial driveway on Robindale Road. The applicant provided additional landscape buffers adjacent to the entrance into the site. The buffers improve the visibility of traffic trying to access the site, allowing vehicles to safely exit the right-of-way. However, since Planning is recommending denial of the application, staff cannot support this waiver.

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. However, since Planning is recommending denial of the application, staff cannot support this design review.

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.

A portion of the property lies within the AE-65 (65-70 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

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on May 17, 2023 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:

Comprehensive Planning

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Street landscaping along Procyon Street per plans on file;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised 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;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of curb for Dean Martin Drive, 35 feet to the back of curb for Robindale Road, a portion of a cul-de-sac for Polaris Avenue and associated spandrel;
- 30 days to coordinate with Public Works - Construction Management Division and to dedicate any necessary right-of-way and easements for the Blue Diamond Wash improvement project.
- 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; 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 VS-21-0102 expires in June 2023.

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; and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration 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

- 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)

- Applicant is advised that the CCWRD is unable to verify sewer capacity based on this zoning application; and may find instruction for submitting a Point of Connection (POC) request on the CCWRD's website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

TAB/CAC: Enterprise - approval (design review as a public hearing for lighting and signage; design review as a public hearing for significant changes to plans; and the green zone to use 4 to 6 inch rock for groundcover).

APPROVALS:

PROTESTS:

APPLICANT: DEAN MARTIN DRIVE, LLC

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