

09/22/21 BCC AGENDA SHEET

WAREHOUSE/DISTRIBUTION CENTERS  
(TITLE 30)

BADURA AVE/LINDELL RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WC-21-400122 (ZC-0851-04)-COUNTY OF CLARK (AVIATION) & BELTWAY  
BUSINESS PARK WAREHOUSE #10 LEASE:**

**WAIVER OF CONDITIONS** of a zone change requiring interior landscaping as shown on plans in conjunction with a proposed warehouse and distribution center complex and existing office complex on 24.2 acres in an M-D (Designed Manufacturing) Zone and M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the north side of Badura Avenue, the south side of Roy Horn Way, the east side of Lindell Road, and the west side of Edmond Street within Enterprise. MN/jt/jo (For possible action)

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RELATED INFORMATION:

**APN:**

176-01-601-036; 176-01-601-037

**LAND USE PLAN:**

ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 6775 Edmond Street
- Site Acreage: 24.2
- Project Type: Warehouse and distribution center complex and a parking lot expansion for an office complex

Overview

A previous industrial/commercial center was approved on this site (ZC-0851-04); however, only 2 office buildings were built in the northeast portion of the site with access from Edmond Street to the east. A condition of approval of the industrial/commercial center was interior landscaping as shown on plans. Currently, a companion item (WS-21-0398) for a warehouse with 2 distribution centers is proposed on the south and west portions of the site, and a second companion item (WS-21-0399) for a parking lot expansion for the 2 office buildings is proposed near the center of the site.

### Site Plan

The previous site plan approved with ZC-0851-04 included 6 buildings in an industrial/commercial complex. Four buildings were adjacent to the north side of the site, and 2 buildings were oriented towards Badura Avenue to the south. Access was provided by all the adjacent streets, and surface parking was distributed throughout the site.

The current proposal is for an expansion of the parking lot for the existing office buildings in the northeast corner of the site. In addition, a warehouse is proposed on the northwest corner of the site and 2 distribution centers located on the south side of the site.

### Landscaping

Landscaping included perimeter landscaping along the street frontages, landscaping around the buildings, and landscaping within the parking lots.

### Elevations

Three of the buildings were 3 stories at a height of 55 feet, and 3 of the buildings were 2 stories and 40 feet high. The design of the buildings consisted of concrete tilt-up construction, windows, and parapet walls along the roofline to screen roof-mounted mechanical equipment.

The current proposal shows the warehouse building in the northwest portion of the site is 34 feet high, and the 2 distribution centers are 40 feet in height. All 3 buildings are constructed with concrete tilt-up panels painted earth tone colors. Glazing is located on the front and sides of the buildings, and the rear portions of the buildings include depressed loading docks with overhead roll-up doors. The parapet wall along the roofline varies in height and continues articulation and variation at least every 100 feet to comply with the CMA Design Overlay standards.

### Floor Plans

Each building included an open floor plan that would be built out by future tenants.

The proposed northwest warehouse building is 37,225 square feet, the southwest distribution center is 128,394 square feet, and the southeast distribution center is 102,333 square feet. Each building includes warehouse and distribution space with areas designated for future accessory office use.

### Previous Conditions of Approval

Listed below are the approved conditions for ZC-0851-04:

Subject to no resolution of intent and staff preparing an ordinance to adopt the zoning; providing 15 foot minimum landscape areas and detached sidewalks along perimeter roadways including Lindell Road and the I-215 frontage road; interior landscaping as shown on plans; a cross parking and access agreement with APN 176-01-601-006; a landscape maintenance agreement; a design review to the Board of County Commissioners for a signage program per the CMA Design standards; right-of-way dedication to include 40 feet for Badura (Maule) Avenue, 40 feet for Lindell Avenue, 30 feet for Edmond Road, related spandrels, and right-of-way as required by Public Works Design Engineering along the I-215 frontage road; drainage and traffic studies and compliance; traffic study to also address dedication and construction of a bus turn-out, including

passenger loading/shelter area, in accordance with Regional Transportation Commission standards, if required by Regional Transportation Commission; driveways to be minimum of 32 feet width; if sidewalk does not abut back of curb or is meandering in design, dedicate right-of-way to back of curb with applicant granting necessary pedestrian access, streetlight, and traffic control easement, if applicable, vacate any excess right-of-way; construct full off-site improvements; all applicable vacations to be recordable prior to building permit issuance or applicable map submittal; filing Federal Aviation Administration (FAA) Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, as the development will penetrate the 100:1 notification airspace surface; alternatively, the applicant may submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation; as required by Section 30.48.120 of the Clark County Unified Development Code, receive either a permit from the Director of Aviation or a variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction; no building permits will be released for the project prior to the Department of Aviation notifying Zoning Plan Check that the applicant has received all necessary airspace approvals; and all applicable standard conditions for this application type. Applicant is advised that that enhanced pavement is required at all driveway entrances into the development and also at pedestrian crossings; the FAA's determination is advisory in nature and does not guarantee the Director's permit or an AHABA variance will be approved; and that a standard condition of approval for a Director's permit or an AHABA variance is the granting of an avigation easement.

Applicant's Justification

A warehouse and 2 distribution centers are proposed on the south and west portion of this site, and a parking lot expansion is proposed near the center of the site for the 2 existing office buildings. As a result, the previous condition for interior landscaping as shown on plans is no longer applicable to the proposed development.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
VS-20-0382	Vacated and abandoned of portions of rights-of-way	Approved by PC	October 2020
VS-20-0264	Vacated and abandoned easements (patents and slopes)	Approved by PC	August 2020
ZC-0089-06	Reclassified 71.1 acres to M-1 and M-D zoning with waivers and design review for signs in conjunction with industrial, office, and retail development on 263.3 acres	Approved by BCC	May 2006
ZC-0851-04 (WC-0085-05)	Waived a condition requiring cross parking and access agreement (easement) with APN 176-01-601-006	Approved by BCC	May 2005
ADR-0189-05	Building orientation for previously approved office buildings	Approved by ZA	February 2005

### Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0851-04	Reclassified 32.7 acres to M-D zoning with use permits for office, retail, restaurant uses, and increased building heights for an industrial/retail center	Approved by BCC	August 2004

Additional land use applications have been approved for this site; however, these applications are the most relevant.

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	M-D & C-2	CC 215 with associated Roy Horn Way frontage road, public facility, & undeveloped
South	Business and Design/Research Park	M-D	Distribution centers
East	Business and Design/Research Park	M-D	Office & office/warehouse
West	Business and Design/Research Park	M-D	Office/warehouse & undeveloped

The subject site and surrounding parcels are in the Public Facilities Needs Assessment (PFNA) area.

### Related Applications

Application Number	Request
WS-21-0398	A waiver of development standards with a design review for a warehouse and distribution center complex is a companion item on this agenda.
WS-21-0399	A waiver of development standards with a design review to expand a parking lot 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

The condition for interior landscaping as shown on plans applied to an industrial/commercial complex that was only partially built. A warehouse and distribution center complex and a parking lot expansion are now proposed on the remainder of this site, and these developments include landscaping related to the proposed projects. As a result, the condition of approval is no longer applicable to the new uses and staff can support this 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:****Public Works - Development Review**

- No comment.

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

- No comment.

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

**APPROVALS:**

**PROTEST:**

**APPLICANT:** ROD MARTIN

**CONTACT:** JOHN VORNSAND, 62 SWAN CIRCLE, HENDERSON, NV 89074