

OFFICE/WAREHOUSE COMPLEX
(TITLE 30)

UPDATE
WARM SPRINGS RD/BELCASTRO ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-21-0290-LHSFS WARM SPRINGS HOLDINGS, LLC:

ZONE CHANGE to reclassify 5.0 acres from an R-E (Rural Estates Residential) Zone to an M-D (Designed Manufacturing) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; **2)** reduce landscaping; **3)** alternative driveway geometrics; and **4)** reduce driveway departure distance.

DESIGN REVIEWS for the following: **1)** office/warehouse complex; and **2)** finished grade in the CMA Design Overlay District.

Generally located on the northwest corner of Warm Springs Road and Belcastro Street within Spring Valley (description on file). MN/jt/jd (For possible action)

RELATED INFORMATION:

APN:

176-03-801-008

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce the side street (corner) setback to 5 feet where 20 feet is the minimum per Table 30.40-5 (a 75% reduction).
b. Reduce the setback from a right-of-way (Belcastro Street) to 5 feet where 10 feet is required per Section 30.56.040 (a 50% reduction).
2. Reduce street landscaping width to 5 feet where 6 feet is the minimum per Figure 30.64-13 (a 17% reduction).
3. a. Reduce the throat depth for the driveway on Warm Springs Road to 14 feet where 25 feet is the minimum per Uniform Standard Drawing 222.1 (a 44% reduction).
b. Reduce the throat depth for the northern driveway on Belcastro Street to 16 feet where 25 feet is the minimum per Uniform Standard Drawing 222.1 (a 36% reduction).
c. Reduce the throat depth for the southern driveway on Belcastro Street to 6 feet where 25 feet is the minimum per Uniform Standard Drawing 222.1 (a 76% reduction).
4. Reduce the departure distance on Warm Springs Road to 92 feet where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 52% reduction).

DESIGN REVIEWS:

1. Office/warehouse complex.
2. Increase finished grade to 42 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 133% increase).

LAND USE PLAN:

SPRING VALLEY - OFFICE PROFESSIONAL

BACKGROUND:**Project Description****General Summary**

- Site Address: N/A
- Site Acreage: 5
- Project Type: Office/warehouse complex
- Number of Stories: 1
- Building Height (feet): 40
- Square Feet: 72,555 (Building 1 – 48,326/Building 2 – 24,229)
- Parking Required/Provided: 110/151

Neighborhood Meeting Summary

Notices were mailed to property owners within 1,500 feet of the site notifying them of a virtual neighborhood meeting that was held on February 22, 2021 at 5:30 p.m. No neighbors attended the meeting.

Site Plan

The site plan depicts 2 office warehouse buildings centrally located on the site. The northern building is set back 20 feet from the eastern property line along Belcastro Street, 77 feet from the northern property line, and 83 feet from the western property line. The southern building is set back 5 feet from the eastern property line along Belcastro Street for stairwells (a majority of the building is set back 8 feet 5 inches), 79 feet from the southern property line along Warm Springs Road, and 72 feet from the western property line. A waiver of development standards is necessary to reduce the eastern setback for the southern building to 5 feet. The area between the buildings is 63 feet wide and includes a drive aisle and loading docks.

Access to the site is provided by 2 driveways on Belcastro Street and 1 driveway on Warm Springs Road. Waivers of development standards are required for alternative driveway geometrics, which includes reduced throat depth for all 3 driveways and a reduced departure distance on Warm Springs Road. Parking is provided on the south, west, and north sides of the site, and a trash enclosure is provided between both buildings on the west side of the site.

Landscaping

Landscaping along Warm Springs Road includes a 5 foot wide landscape strip, a detached sidewalk, and a 10 foot wide landscape strip. Along Belcastro Street, landscaping ranges in width from 5 feet to 23 feet behind an attached sidewalk. A waiver of development standards is necessary to reduce the landscaping along Belcastro Street to 5 feet where 6 feet is the minimum

width adjacent to a street. An 8 foot wide landscape strip is provided along the north property line, and a 7 foot wide landscape strip is provided along the west property line. Landscaping is also provided within the parking lot in landscape fingers.

Elevations

The southern building is 40 feet high, and the northern building is 34 feet high. Both buildings include parapet walls along the rooflines at various heights, off-set vertical surface planes, and an earth tone color scheme.

Floor Plans

The southern building is 48,326 square feet, and the northern building is 24,229 square feet. Both buildings include open floor plans with areas designated as accessory office uses to accommodate future tenant needs.

Signage

Signage is not a part of this request.

Applicant's Justification

According to the applicant, the proposed office/warehouse development is suitable at this location and the waivers of development standards are appropriate. For example, the reduced setback and landscaping width along Belcastro Street is necessary to maintain on-site circulation, and additional landscaping is provided adjacent to the northern building. Similarly, the alternative driveway geometrics are due in part to the narrowness of the site. Also, Belcastro Street is not heavily utilized, and a public facility is located directly to the east of the site, which does not generate any traffic on Belcastro Street. Therefore, the reduced throat depths should not create a public safety concern. Lastly, the increased finished grade is necessary due to the topography of the site and to maintain necessary flood protection.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	M-D	Office/warehouse complex
South	Residential High (8 du/ac to 18 du/ac)	R-3 & C-2	Single family residential & commercial complex
East	Public Facilities	P-F	Water reservoir & pump station
West	Office Professional	C-P	Office building

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

Related Applications

Application Number	Request
VS-21-0289	A request to vacate and abandon government patent easements is a companion item on this agenda.
TM-21-500091	A tentative map for a 1 lot commercial subdivision 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

Zone Change

The applicant shall provide Compelling Justification that approval of the nonconforming zoning boundary amendment is appropriate. A Compelling Justification means the satisfaction of the following criteria as listed below:

1. *A change in law, policies, trends, or facts after the adoption, readoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate.*

Since the Spring Valley Land Use Plan was last adopted in 2014, a changing economy has necessitated significant increases in additional office/warehouse buildings to facilitate logistics, warehousing, and distribution. Meanwhile, more employees are working from home, which has decreased the demand for office buildings. As a result, M-D zoning is more appropriate for this site than C-P zoning, which would be allowed by the Office Professional land use designation.

2. *The density and intensity of the uses allowed by the nonconforming zoning is compatible with the existing and planned land uses in the surrounding area.*

An identical office/warehouse complex is under development in an M-D zone directly north of this site, an office building is located directly west of this site in a C-P zone, and a water reservoir and pump station are located east of this site across Belcastro Street in a P-F zone. The intensity of uses allowed in the proposed M-D zoning is compatible with these existing surrounding uses. South of the site, across Warm Springs Road, is an existing commercial complex in a C-2 zone and a R-3 zoned single family subdivision. M-D zoning is compatible with the existing C-2 zoned commercial complex, and Warm Springs Road, which is a 100 foot wide arterial street, will provide an adequate buffer between the proposed M-D zoning and the existing R-3 zoned single family subdivision.

3. *There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed by the nonconforming zoning.*

There has been no indication from the public utility purveyors that the proposed M-D zoning would negatively impact any public facilities and services.

4. *The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies.*

Land Use Goal 11 encourages, in part, areas for distribution, logistics, and manufacturing to bolster the economic viability of Southern Nevada. The proposed M-D zoning would allow for these uses. Also, Growth Management Policy 1 encourages the development of vacant parcels within serviced areas. The vacant parcel is within an area serviced by public utilities, and a nonconforming zone change to M-D zoning would make the parcel more viable for development. Lastly, Urban Specific Policy 2 encourages in-fill development to be consistent with existing adjacent development. Here, the proposed M-D zoning is consistent with the adjacent parcel to the north, which is also zoned M-D. As a result, the proposed nonconforming zoning conforms to the applicable adopted plans, goals, and policies.

Summary

Zone Change

The proposed nonconforming zone boundary amendment is appropriate since a changing economy necessitates more M-D zoning to accommodate logistics, warehousing, and distribution. Also, the intensity of uses allowed in an M-D zone is compatible with the existing surrounding development. Lastly, the proposed nonconforming zone boundary amendment will not adversely impact public utilities and services, and it conforms to applicable adopted plans, goals, and policies.

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.

Waivers of Development Standards #1 & #2

The reduced setback and reduced landscaping for the southern building along Belcastro Street complies with the standards of approval for waivers of development standards. For example, the abutting drainage facility and pump station on the east side of Belcastro Street will not be affected in a substantially adverse manner. Furthermore, the reduced setback and street landscaping will not materially affect the health and safety of persons residing in, working in, or visiting the immediate neighborhood. The residents to the south of Warm Springs Road will not be impacted, employees visiting the office/warehouse complex will not be impacted since there is adequate landscaping on other portions of the site, and Belcastro Street will not have heavy traffic volumes so the visual impact to the public realm will be reduced. Furthermore, the reduced setback to 5 feet is only adjacent to a stairway, while most of the building is set back over 8 feet from the back of the attached sidewalk. A setback of 8 feet was approved from Belcastro Street for the identical development directly north of this site. As a result, staff can support these waivers of development standards.

Design Review #1

The site layout and architectural design of the office/warehouse buildings comply with the standards of approval for a design review. The proposed development is compatible with adjacent development and development in the area, and the elevations, design characteristics,

and other architectural features create an orderly and aesthetically pleasing environment; therefore, staff can support the request.

Public Works - Development Review

Waiver of Development Standards #3

Staff has no objection to the reduced throat depths for the commercial driveways. The applicant worked with staff to remove parking spaces and provide additional landscape buffers adjacent to the entrances into the site. The buffers improve the visibility of traffic and provide more room for vehicles to safely exit the right-of-way.

Waiver of Development Standards #4

The applicant worked with staff to place the Warm Springs Road commercial driveway centrally on the site. Although the departure distance does not comply with the minimum standards, staff requested that the proposed driveway be separated from the driveway on the parcel to the west; therefore, staff has no objection to the reduction in the departure distance.

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.

Staff Recommendation

Approval. This item has been forwarded to the Board of County Commissioners for final action.

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.

PLANNING COMMISSION ACTION: August 3, 2021 – APPROVED – Vote: Unanimous
Absent: Frasier

Current Planning

- Resolution of Intent to complete in 4 years;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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 new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that 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.

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 45 feet to the back of curb for Warm Springs Road, 30 feet for Belcastro Street, and associated spandrel;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the final map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and 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.

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 #0254-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC: Spring Valley - approval.

APPROVALS: 2 cards

PROTESTS: 5 cards

APPLICANT: PARTING SEAS INVESTMENTS, LLC

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