PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-19-0241-TEN15 SUNSET GRIER, LLC:

USE PERMITS to allow the following: 1) office as a principal use; and 2) restaurants (food court).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow encroachment into airspace; 2) increased building height; 3) reduced parking; and 4) reduced throat depth.

DESIGN REVIEW for a proposed office building with a parking garage on 3.1 acres in M-D (Design Manufacturing) and M-1 (Light Manufacturing) (AE-65) (AE-70) Zones.

Generally located on the south side of Sunset Road and the east side of Grier Drive within Paradise. JG/jor/ja (For possible action)

RELATED INFORMATION:

APN:
177-03-110-006

WAIVERS OF DEVELOPMENT STANDARDS:
1. Encroachment into airspace.
2. Increase the proposed building height to 100 feet where 50 feet is the maximum per Table 30.40-5 (a 100% increase).
3. Reduce the number of parking stalls to 554 parking stalls where 605 parking stalls are required per Chapter 30.60 (an 8% decrease).
4. Reduce the throat depth to 34 feet where 150 feet is the required per Uniform Standard Drawing 222.1 (a 341% decrease).

LAND USE PLAN:
WINCHESTER/PARADISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:
Project Description
General Summary
- Site Address: 700 Grier Drive
- Site Acreage: 3.1
- Project Type: Office building with restaurants (food court) and a parking garage
- Number of Stories: 6 (office building)/4 (parking garage)
- Building Height (feet): 100 (office building)/40 (parking garage)
- Square Feet: 105,110 (office lease space)/200,003 (parking garage)/10,728 (food court)/28,147 (common space)
- Parking Required/Provided: 605/554

**Site Plan**
The site was previously approved via ZC-182-82 to reclassify 400 acres of R-E (Rural Estates Residential) zoned parcels to M-D (Design Manufacturing) and M-1 (Light Manufacturing) zoning to establish an industrial complex.

The subject property is a 3.1 acre site located on the southeast corner of Sunset Road and Grier Drive. Access to the site is provided by 1 driveway along the north property line adjacent to Sunset Road and a second driveway along the south property line along Grier Drive. Existing 5 foot wide attached sidewalks are located along the north, west, and south property lines. A centrally located 26 foot wide drive aisle divides the site layout and features the applicant’s proposed office building with a food court on the west half of the site and a proposed parking garage on the east half of the subject property.

The site also includes the following schematic design elements: a loading area adjacent to the driveway along Sunset Road, bicycle racks on the west side of the parking garage, outdoor patio space along the north and west sides of the office building, a pedestrian walkway in between the parking garage and the office building, trash enclosures on the southeast corner of the parcel, and lastly, the entry plaza and lobby are located on the south side of the office building adjacent to Grier Drive.

**Landscaping**
Per the landscape plan, the applicant is proposing a desert contemporary streetscape which entails large decorative boulders, landscape mounding, accent agaves, yuccas, and fountain shrubs. The plan also depicts decorative river rocks adjacent to large shade trees, accent grasses, and decorative landscape rocks. Existing trees located along the north, west, and south property lines will be integrated with the proposed landscaping.

**Elevations**
The overall height of the office building is 100 feet, and the attached garage has an overall height of 40 feet. The office building features architectural elements which include glazed window wall systems with clear anodized aluminum mullions. The window wall systems accentuate the height, mass, and scale of the building by creating a vertical linear patterns on the north and south facing elevations. The east and west facing elevations display a juxtaposed diamond-shaped pattern across the exterior of the building created by the proposed installation of perforated and dimpled aluminum sheet metal panels over the window wall system. The attached parking garage exterior elevation also features horizontal dimpled aluminum sheet metal to complement the office building’s exterior. Existing trees and proposed landscaping helps soften the clean lines and modern architecture proposed on-site.
Floor Plans
The applicant is proposing a basement level for the proposed parking garage and this feature will span the entire length and width of the office building and parking garage footprint. The first level of the office building includes the food court and the office lobby, and immediately to the east of the office building is the first level of the parking garage (accessed by the pedestrian walkway). Level 2 of the office building will feature lease spaces, fitness center, storage room, data room, and the second level to the parking garage is connected to the office building. Level 2.5 will consist of the parking garage only and is not attached to the office building. Level 3 will consist of additional lease spaces, an elevated deck area on the northwest corner of the building, electrical and data rooms, and this level of the office building is attached to the 3rd level of the parking garage. Levels 4, 5, and 6 consist of additional lease spaces and the electrical and data rooms and are not attached to the parking garage. Restrooms and the elevators are centrally located within the office building. The office lease spaces have an overall area of 105,110 square feet with a centrally located food court which feature 10,728 square feet of restaurants and dining space. The parking garage has an overall area of 200,003 square feet and provides 554 parking stalls.

Signage
Signage is not a part of this request.

Applicant’s Justification
Per the submitted justification letter, the applicant is proposing to construct a high-end 6 level office complex with a food court and attached parking garage. The food court will feature casual restaurants and the parking garage encompasses the basement level of the site and the east half of the property. The architectural design features north and east glazed glass wall systems to take advantage of the panoramic views of the Las Vegas Valley. The applicant states that the proposed building height is compatible to the surrounding buildings since there are a significant amount of multi-story buildings in the surrounding area. Per the applicant, the proposed parking reduction is anticipated to be feasible for the site, since the proposed food court would require 103 parking stalls in its entirety but it is only an accessory to the office building which is the primary use of the site. The applicant is proposing a project that they believe is appropriate for the surrounding businesses and will bring positive benefits to the area.

Prior Land Use Requests

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>UC-0055-08</td>
<td>Allow a hotel, increased building height, waiver for alternative landscaping, and a design review for the hotel – expired</td>
<td>Approved by PC</td>
<td>February 2008</td>
</tr>
<tr>
<td>ADR-0204-04</td>
<td>Allow an off-premises advertising sign (billboard) – expired</td>
<td>Administratively Approved</td>
<td>September 2004</td>
</tr>
<tr>
<td>UC-0817-02</td>
<td>Allow an off-premises advertising sign (billboard) and a waiver to reduce the separation requirements for billboards on the same side of the street – expired</td>
<td>Approved by BCC</td>
<td>October 2002</td>
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<tbody>
<tr>
<td>ET-0265-90 (ZC-223-88)</td>
<td>First extension of time of a zone change which reclassified a portion of the site from R-E to M-1 and M-D zoning</td>
<td>Approved by BCC</td>
<td>October 1990</td>
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<tr>
<td>ZC-223-88</td>
<td>Reclassified a portion of the site from R-E to M-1 and M-D zoning for all of Hughes Airport Center Phase II and the ROI was valid until September 7, 1990</td>
<td>Approved by BCC</td>
<td>September 1988</td>
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<tr>
<td>ET-0453-91 (ZC-182-82)</td>
<td>First extension of time of a zone change</td>
<td>Withdrawn by applicant</td>
<td>Withdrawn by applicant</td>
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<tr>
<td>ZC-223-88 &amp; ZC-182-82</td>
<td>Reclassified the site from R-E, M-1 and R-D to M-1 zoning, with a waiver of conditions on a previously approved zone change (ZC-182-82) requiring residential lots along White Avenue to construct and maintain a commercial/industrial complex</td>
<td>Denied by BCC</td>
<td>June 1989</td>
</tr>
<tr>
<td>ZC-182-82</td>
<td>Second extension of time to reclassify a portion of the site from R-E to M-1 and M-D zoning to construct an industrial complex with a variance to reduce the front and side setback from 50 feet to 20 feet in the M-D zone, also to reclassify a portion of the site from R-E to R-D Zoning to construct and maintain 10,000 square foot minimum single family residential lots</td>
<td>Approved by BCC</td>
<td>December 1989</td>
</tr>
<tr>
<td>ZC-182-82 &amp; VC-390-82</td>
<td>First extension of time to reclassify a portion of the site from R-E to M-1 and M-D zoning to construct an industrial complex with a variance to reduce the front and side setback from 50 feet to 20 feet in the M-D zone, also to reclassify a portion of the site from R-E to R-D Zoning to construct and maintain 10,000 square foot minimum single family residential lots</td>
<td>Approved by BCC</td>
<td>December 1988</td>
</tr>
<tr>
<td>ZC-182-82 &amp; VC-390-82</td>
<td>The original Hughes Airport Center zone change to reclassify a portion of the site from R-E to M-1 and M-D zoning to construct an industrial complex with a variance to reduce the front and side setback from 50 feet to 20 feet in the M-D zone, also to reclassify a portion of the site from R-E to R-D Zoning to construct and maintain 10,000 square foot minimum single family residential lots – ROI valid until December 7, 1989</td>
<td>Approved by BCC</td>
<td>December 1982</td>
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<tr>
<td>Surrounding Land Use</td>
<td>Planned Land Use Category</td>
<td>Zoning District</td>
<td>Existing Land Use</td>
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<tr>
<td>North</td>
<td>Public Facility</td>
<td>P-F</td>
<td>McCarran International Airport</td>
</tr>
<tr>
<td>South</td>
<td>Industrial</td>
<td>M-I</td>
<td>Office warehouse</td>
</tr>
<tr>
<td>East</td>
<td>Business and Design/Research Park</td>
<td>M-D</td>
<td>Office building &amp; airport connector ramps</td>
</tr>
<tr>
<td>West</td>
<td>Business and Design/Research Park</td>
<td>M-D</td>
<td>Office building complex</td>
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**STANDARDS FOR APPROVAL:**
The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

**Analysis**

**Current Planning**

**Use Permits**

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

The applicant is proposing to establish the office building as a principal use with a centrally located food court as an accessory use to the site. Office as a principal use is a compatible use for the site since the surrounding area (east, south, and west) have existing office and warehouse complexes. Furthermore, adding a food court to the office building should not pose negative impacts to the site or the neighboring businesses since there are existing restaurants surrounding the site. The proposed project will promote employment opportunities and encourage more uses in the area that are similar to the applicant’s request. Lastly, the proposed uses support #7 of the Urban Specific Policies of the Comprehensive Master Plan, which in part states that land uses should be complementary and are of similar scale and intensity. Staff is in support of the proposed use permits.

**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 #2**

The applicant is requesting to increase the building height to 100 feet where 50 feet is the maximum height per code. The unique shape of the parcel lends itself to a building design which is geared towards presenting itself as a prominent vertical structure. There are existing facilities in the area with similar height requests that were previously approved; therefore, staff is in support of this request.
Waiver of Development Standards #3
Per the submitted plans, the applicant states that the proposed parking is based on a shared parking schedule between the proposed office uses and the potential patrons of the proposed food court. The shared parking schedule per Table 30.60-3 (Weekdays 7:00 a.m. – 6:00 p.m.) determines that the 605 parking stalls are required for the subject property. Staff does not foresee detrimental effects of an 8% reduction (554 provided parking stalls) for the overall site. Since the proposed project is within walkable and carpooling distances from surrounding offices and business, the provided parking is ample for the site. Staff recommends approval of this request.

Design Review
Staff has no overall objection to the aesthetic features of the proposed project. The proposed project is visually pleasing and compatible to the neighboring area and is not out of character to the surrounding businesses. The applicant’s proposed project supports #78 of the Urban Specific Policy of the Comprehensive Master Plan which encourages architectural treatments on all building sides to eliminate blank building elevations along public rights-of-way and areas visible to the general public to improve visual quality. Similarly, buildings located on corner lots should have facades enhanced to match the front of the building to emphasize their prominent location. Staff supports this request.

Department of Aviation
The development will penetrate the 100:1 notification airspace surface for McCarran 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.

Additionally, the development will penetrate the Part 77 airspace surface (Airport Airspace Overlay District), as defined by Section 30.48.100 of the Clark County Unified Development Code. Therefore, as required by Section 30.16.210(12)(D) of the Clark County Unified Development Code, final action cannot occur until the FAA has issued an airspace determination and the Department of Aviation has reviewed the determination.

The property lies within the AE-70 (70–75 DNL) and the AE-65 (65–70 DNL) noise contours for McCarran 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 McCarran International Airport facilities to meet future air traffic demand.

Public Works - Development Review
Waiver of Development Standards #4
Staff finds the request to reduce throat depth to be a self-imposed hardship. Changes in traffic flow through the site can reduce the number of conflicts, especially at the Grier Drive driveway.
Staff Recommendation
Approval of the use permits, waivers of development standards #2 and #3, and the design review; and denial of waiver of development standards #4.

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:

Current Planning
If approved:
- Design review as a public hearing for significant changes to the plans;
- Design review as a public hearing for lighting;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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;
- Traffic study and compliance;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with RTC standards;
- Nevada Department of Transportation approval.

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;
- 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.

Building Department - Fire Prevention
• Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and to request a meeting with Fire Prevention and contact Neil Hutzol at neil.hutzol@clarkcountynv.gov to schedule a time.

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 #0163-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Paradise - approval.
APPROVALS:
PROTESTS:

APPLICANT: TEN 15 SUNSET GRIER, LLC
CONTACT: ANN PIERCE, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135