APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-18-400203 (UC-0506-16)-FRANCIS DEVELOPMENT INC:

USE PERMITS FIRST EXTENSION OF TIME for the following: 1) allow office as a principal use; and 2) allow retail sales as a principal use in conjunction with a proposed office/warehouse building.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) a trash enclosure in the front setback; 2) reduce setbacks; 3) allow alternate landscaping and screening in conjunction with a proposed office/warehouse building.

DESIGN REVIEWS for the following: 1) an office/warehouse building; and 2) a lighting plan on 1.2 acres in an M-D (Designed Manufacturing) (AE-60) Zone.

Generally located on the northeast corner of Dean Martin Drive and Arby Avenue (alignment) within Enterprise. SS/tk/ ja (For possible action)

RELATED INFORMATION:

APN:
177-05-304-003

WAIVERS OF DEVELOPMENT STANDARDS:
1. Permit a trash enclosure within the front (west) setback and 10 feet from Dean Martin Drive where trash enclosures are not permitted within the building setback of 20 feet from Dean Martin Drive (a 50% reduction).
2. a. Reduce the rear (east) setback to 8 feet where 20 feet is required (a 60% reduction). 
   b. Reduce the setback to a right-of-way (I-15) to 8 feet were a minimum of 10 feet is required (a 20% reduction).
3. a. Permit alternative landscaping with an attached sidewalk along Dean Martin Drive where landscaping with a detached sidewalk is required per Figure 30.64-17.
   b. Permit alternative landscaping and screening along the east property line adjacent to I-15 where landscaping and screening per Figure 30.64-4 is required.

LAND USE PLAN:
ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK
BACKGROUND:

**Project Description**

**General Summary**
- Site Address: N/A
- Site Acreage: 1.2
- Project Type: Office warehouse facility
- Number of Stories: 2
- Building Height: 35 feet
- Square Feet: 15,500
- Parking Required/Provided: 62/62

**Site Plans**
The approved plans depict a proposed office/warehouse facility consisting of 1 building, which will be divided into 4 leasable spaces. The application also included requests for use permits to allow offices and retail sales as principal uses in the facility to allow more flexibility for future tenants. The site is a triangular shaped property that fronts on Dean Martin Drive to the west and backs up to the I-15 on-ramp from the 215 Beltway. The approved plans depict 2 driveways including an exit only driveway to Dean Martin Drive on the northwest corner of the site and an ingress/egress driveway located at the center of the site on the Dean Martin Drive frontage. The proposed building is located on the southeast portion of the site, set back 10 feet front the south property line, 8 feet from the east property line, and 71 feet from the west property line. Parking is located to the north and west of the building. The closest residential development is to the west across Dean Martin Drive and is a minimum of 145 feet from the building. A 6 foot high decorative fence consisting of split-face concrete blocks and wrought iron is depicted along the east property line along the I-15 on-ramp.

**Landscaping**
The plans depict an attached sidewalk along Dean Martin Drive which is consistent with the existing sidewalks to the south and along the west side of Dean Martin Drive. The original site plan depicts landscape areas varying in width between 3 feet and 10 feet consisting of trees, shrubs, and groundcover and are located along Dean Martin Drive. The revised site plan indicates the landscape areas along Dean Martin Drive will be a minimum of 10 feet in width. Additional landscape areas consisting of trees, shrubs, and groundcover are located in the parking areas and adjacent to the building.

**Elevations**
The proposed building is 2 stories, 35 feet in height and has a flat roof behind a parapet wall. The exterior of the building has a stucco finish painted in earth tone colors. A second floor deck is located along the east side of the building and faces I-15. Decorative metal canopies are located on the west side of the building over the entrances to the lease spaces and above the windows on the second floor. Exterior staircases are located on the north and south sides of the building which provide exterior access to the decks on the east side of the building. Each lease space will have full view roll-up doors (glass) on the east and west sides of the building. If the lease space is used as a warehouse the doors on the west side of the building will be used to provide access to the warehouse. If the lease spaces are used for offices or retail sales these roll-up doors will be used as windows.
Floor Plans
The proposed building has a total area of 15,500 square feet that is divided into 4 lease spaces, with each lease space having a first and second floor. Access is provided to the second floor in each lease space by a stairway and an elevator. The second floor consists of a restroom, a conference room, 2 private offices, and an open area. The first floor consists of a reception area, restrooms, a private office, and an open area.

Lighting
The approved plans depict wall mounted and pole mounted light fixtures for the project and all lighting is fully shielded. A total of 7 light fixtures are mounted on the building, 1 each on the north and south sides of the building and the remaining fixtures on the west side of the building. The wall mounted light fixtures are located approximately 10 feet above the finished grade of the building. A total of 8 pole mounted light fixtures are depicted within the parking lot and the light poles are 18 feet in height. The plans indicate lighting from this site will not have a negative impact on the adjacent developments.

Previous Conditions of Approval
Listed below are the approved conditions for UC-0506-16:

Current Planning
- Design review as a public hearing on signage;
- 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;
- Full off-site improvements;
- Commercial curb return driveways per County Standards 222.1 and 225.

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.

- 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; and that the FAA’s airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

WAIVER OF DEVELOPMENT STANDARDS #2 WAS WITHDRAWN WITHOUT PREJUDICE.

Applicant’s Justification
The applicant is requesting this extension of time to allow for the property owner to obtain proper financing to complete the project.

Prior Land Use Requests

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
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<tbody>
<tr>
<td>UC-0506-16</td>
<td>Allowed office as a principal use and retail sales as a principal use in conjunction with a proposed office/warehouse building</td>
<td>Approved by PC</td>
<td>September 2016</td>
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<tr>
<td>WS-0921-07</td>
<td>Office/warehouse facility with reduced setbacks and alternative landscaping – expired</td>
<td>Approved by PC</td>
<td>September 2007</td>
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Surrounding Land Use

<table>
<thead>
<tr>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
</tr>
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<tbody>
<tr>
<td>North</td>
<td>R-E, M-D &amp; M-1</td>
<td>215 Beltway/I-15 Interchange &amp; office/warehouse facilities</td>
</tr>
<tr>
<td>South</td>
<td>M-D</td>
<td>Office/warehouse facilities</td>
</tr>
<tr>
<td>East</td>
<td>H-2, M-D &amp; R-E</td>
<td>215 Beltway/I-15 Interchange, undeveloped parcels &amp; office/warehouse facilities</td>
</tr>
<tr>
<td>West</td>
<td>R-E (RNP-I)</td>
<td>Single family residences</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
Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the
subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval. Since the original approval in September 2016, no application has been submitted for plan review and no work has started on the property. The owner is working on obtaining financing for the project; therefore, staff can support an additional 2 years.

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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning
- Until September 6, 2020 to commence;
- 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; 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
- Compliance with previous conditions.

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

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

APPLICANT: FRANCIS DEVELOPMENT INC.
CONTACT: APTUS ARCHITECTURE, 1200 S. 4TH ST, STE 206, LAS VEGAS, NV 89104