

WAREHOUSE & DISTRIBUTION CENTERS
(TITLE 30)

UPDATE
LAS VEGAS BLVD S/SLOAN RD
(SLOAN)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-21-0411-VANDERMEER, LLC:

ZONE CHANGE to reclassify 28.7 acres from an H-2 (General Highway Frontage) Zone and an R-U (Rural Open Land) Zone to an M-D (Designed Manufacturing) Zone for a warehouse and distribution center complex.

USE PERMIT to allow loading spaces for a distribution center to be unscreened from a street.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase wall height; **2)** reduce throat depth; and **3)** off-site improvements (including curb, gutter, sidewalk, streetlights, and partial paving).

DESIGN REVIEWS for the following: **1)** warehouse and distribution center complex; and **2)** finished grade.

Generally located on the east side of Las Vegas Boulevard South, 5,000 feet south of Sloan Road within South County (description on file). MN/jt/jd (For possible action)

RELATED INFORMATION:

APN:

191-30-301-008

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase retaining wall height to 12 feet where 6 feet is the maximum per Section 30.64.050 (a 100% increase).
2. Reduce throat depth on north side unnamed street to 21 feet where 75 feet is the minimum per Uniform Standard Drawing 222.1 (a 72% decrease).
3. Waive off-site improvements (including curb, gutter, sidewalk, streetlights, and partial paving) for a future right-of-way on the south side of the site where off-site improvements are required per Chapter 30.52.

DESIGN REVIEWS:

1. Warehouse and distribution center complex.
2. Increased finished grade to 156 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 767% increase).

LAND USE PLAN:

SOUTH COUNTY (SLOAN) - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 15260 Las Vegas Boulevard South
- Site Acreage: 28.7
- Project Type: Warehouse & distribution center complex
- Number of Stories: 1
- Building Height (feet): 44
- Square Feet: 462,600
- Parking Required/Provided: 232/332

Neighborhood Meeting Summary

Notices were mailed to surrounding property owners notifying them of a virtual neighborhood meeting held on March 3, 2021. No members of the public attended the neighborhood meeting.

Site Plans

The plans depict a warehouse and distribution center complex consisting of a warehouse located on the north side of the site, a distribution center located near the center of the site, and a distribution center located near the southern part of the site. Setbacks for the northern warehouse building are over 100 feet from both Las Vegas Boulevard South to the west and an unnamed street to the north. The setback for the northern warehouse building from the east property line is 63 feet. The centrally located distribution center is over 100 feet from Las Vegas Boulevard South to the west and 60 feet from the east property line. Setbacks for the southern distribution center are over 120 feet from Las Vegas Boulevard South to the west, 80 feet to the east property line, and 76 feet to the southern property line.

Loading spaces are located on the south side of the northern warehouse building, on the north side of the centrally located distribution center, and on the south side of the southern distribution center. Title 30 requires that loading spaces for a distribution center must be screened from view from any street with landscaping or a building. A use permit is necessary since the loading spaces for the centrally located distribution center will be unscreened from a driveway on Las Vegas Boulevard South. Parking spaces are located throughout the site. Due to the grade changes on the site, cross access is not provided from the warehouse and distribution center on the north and central portion of the site to the distribution center on the south side of the site.

Access to the site is provided by 3 driveways from Las Vegas Boulevard South (on the west side of the site) and 1 driveway from an unnamed street (on the north side of the site). Dedication is shown for a future right-of-way along the south side of the site; however, the off-site improvements for this right-of-way are requested to be waived. A waiver of development standards is also necessary to reduce the throat depth for the driveway on an unnamed street on the north side of the site.

Landscaping

Landscaping along Las Vegas Boulevard South includes a 5 foot wide landscape strip, a 5 foot wide detached sidewalk, and a landscape strip that ranges in width from 12 feet to over 70 feet. An attached sidewalk is shown along the unnamed street on the north side of the site with a

landscape strip behind the sidewalk that ranges in width from 20 feet to 50 feet. Landscaping along the east property line is 25 feet wide but consists of tiered retaining walls (a waiver of development standards is necessary to increase multiple tiered retaining walls up to 12 feet each). Tiered retaining walls are also located between the 2 distribution center buildings. Along the south property line, the perimeter landscaping ranges in width from 12 feet wide to over 40 feet wide and includes tiered retaining walls. Landscaping is also included around the front and sides of the warehouse and distribution centers and within the parking lots.

Elevations

All 3 buildings consist of concrete tilt-up panels with parapet walls along the roofline that vary in height up to 44 feet. Other exterior materials include metal canopies, aluminum storefront window systems, overhead roll-up doors at the loading docks, and transom windows.

Floor Plans

The northern warehouse building is 80,000 square feet, the central distribution center is 130,000 square feet, and the southern distribution center is 252,600 square feet.

Signage

Signage is not a part of this request.

Applicant’s Justification

According to the applicant, the warehouse and distribution center complex is appropriate for the site, and the alternatives to the Title 30 standards will not create any negative impacts. For example, the reduced throat depth on the north side unnamed street will not cause traffic to queue into the right-of-way since the use will not generate high traffic volumes and the site is designed to allow truck access and on-site parking that will not inhibit ingress traffic flow patterns. Similarly, the waiver of development standards to not construct off-sites for the future right-of-way along the southern portion of the site is necessary since the right-of-way will not connect to the east.

Regarding the increased retaining wall height and the increased finished grade, these requests are necessary due to the existing elevation contours of the site. Lastly, the use permit to allow unscreened loading bays for the centrally located distribution center building is only necessary for the driveways. The remainder of the Las Vegas Boulevard South street frontage will be screened with landscaping.

Prior Land Use Requests

Application Number	Request	Action	Date
VC-1836-95	Reduced setbacks for an off-premises advertising sign	Approved by PC	December 1995

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities	H-2	Undeveloped (former go-cart racing facility)

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South & East	Commercial Tourist & City of Henderson	H-2, R-U, & No Zoning Designation (Henderson)	Undeveloped
West	Open Land (up to 1 du/10 ac) & Business and Design/Research Park	H-2 & R-U	Las Vegas Boulevard South, I-15, & undeveloped

Related Applications

Application Number	Request
CP-21-900394	Authorize the Chair to sign a resolution amending the Transportation Element of the Clark County Comprehensive Master Plan is a companion item on this agenda.
TM-21-500123	A 1 lot commercial tentative map is a companion item on this agenda.
PA-21-700004	A plan amendment to reduce the width of Las Vegas Boulevard South 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.*

A change in trends since the most recent adoption of the South County Land Use Plan is the increased demand for warehouse and distribution centers. Industrial and light industrial uses are located in the Sloan area, and the proposed M-D zoning will allow for similar light industrial uses with limited outside storage.

- 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.*

Industrial and Business and Design/Research Park uses are existing and planned for the west side of I-15 in the Sloan area. On the east side of I-15 and Las Vegas Boulevard South, the area surrounding the subject site is mostly undeveloped and planned for Commercial Tourist uses,

Public Facility uses, or within the City of Henderson. However, a batch plant is in an R-U zone approximately 1,500 feet northeast of the site, and a recreational facility (racetrack) is in an M-1, H-2, and R-U zone approximately 3,200 feet northeast of the site. As a result, the proposed intensity of the M-D zone is compatible with the existing and planned land uses in the surrounding area.

- 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 public utility purveyors that the proposed nonconforming zone change will have a negative impact on public services or infrastructure.

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

The South County Land Use Plan includes goals and policies specific to Sloan since this area functions as a gateway into the Las Vegas Valley. For example, Policy 62.3 states in part that outdoor storage or assembly are not appropriate within 1,000 feet of I-15, and Policy 62.11 states that uses involving outdoor storage or assembly are not appropriate along Las Vegas Boulevard South. Here, the reclassification of the site to M-D zoning would limit outside storage to an accessory use, and the outside storage would need to be screened. Similarly, Policy 62.4 states that heavy industrial uses are not appropriate in the I-15 corridor. Here, the M-D zoning would not allow heavy industrial uses. Therefore, the proposed M-D zoning conforms to applicable policies in the Comprehensive Master Plan.

Summary

Zone Change

A trend since the most recent adoption of the South County Land Use Plan is the increased demand for warehouses and distribution centers. Also, the intensity of uses allowed with an M-D zone is compatible with existing and planned land uses in the area. Lastly, the proposed nonconforming zone change will not impact public facilities and services, and the zoning reclassification is consistent with policies in the South County Land Use Plan element in the Comprehensive Master Plan.

Use Permit

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.

Most of the loading bays will be screened from the public rights-of-ways. For example, the loading bays on the northern warehouse building face south into the complex, and the loading bays on the southern distribution center face north into the complex. The loading bays on these 2 buildings will be completely screened by landscaping and buildings. Although, the loading bays on the central distribution center face north towards the northern warehouse, a driveway from

Las Vegas Boulevard South is located northwest of these loading bays, which will allow visibility from the right-of-way. Nevertheless, the visibility will be limited, and staff does not anticipate any negative visual impacts. As a result, staff can support the request.

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 #1

The increased retaining wall heights are tiered on the site, which will help limit the visual impact of large, austere block walls. In addition, the tiered retaining walls are internal to the site since the surrounding elevation will be higher on both the east and south sides of the complex. As a result, staff does not anticipate any negative impacts from the increased retaining walls, which are necessary to develop the property.

Design Review #1

Urban Specific Policy 96 encourages business and research park developments to be designed as centers with coordinated architecture, screened parking areas, and extensive landscaping. Here, the warehouse and distribution center complex includes 3 buildings with similar architecture, screened parking areas, and extensive street landscaping. Also, Urban Specific Policy 97 encourages developments to orient less intense uses and landscaping around the perimeter of the development to improve visual quality. Here, landscaping and parking areas are located around the perimeter, while the more intense uses (loading spaces) are located internal to the complex. As a result, the design of the warehouse and distribution center complex complies with policies in the Comprehensive Master Plan, and staff can support the design review.

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to the reduced throat depth for the north side unnamed street commercial driveway. With the north side unnamed street alignment terminating to the east adjacent to Bureau of Land Management (BLM) parcels, this driveway should see a low volume of traffic. Additionally, the 3 commercial driveways along Las Vegas Boulevard South should see equal use, further mitigating the potential impacts from the reduction in the throat depth.

Waiver of Development Standards #3

Staff has no objection to not installing full off-site improvements on the south side unnamed right-of-way. Since the right-of-way will terminate to the east, adjacent to Bureau of Land Management (BLM) parcels, this alignment should see a low volume of traffic.

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: October 5, 2021 – Approved – Vote: Aye: Stone, Kirk, Kilarski, Nguyen, Waltho Abstained: Castello Absent: Frasier

Current Planning

- Resolution of Intent to complete in 4 years;
- 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 on Las Vegas Boulevard and the north side unnamed street;
- Right-of-way dedication to include 30 feet for the north side unnamed street, 30 feet for the south side unnamed street, and associated spandrels;
- Right-of-way dedication for Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;
- 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, if required by Public Works;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger, if required by Public Works;
- All other right-of-way and easement dedications to record with the subdivision map;
- Execute a Restrictive Covenant Agreement (deed restrictions);

- Record of survey must be recorded by the applicant prior to the issuance of building permits;
- Applicant shall coordinate with Public Works - Development Review to apply for a Bureau of Land Management (BLM) grant to provide access to the parcel.
- Applicant is advised 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; 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; that billboards are not permitted within the public right-of-way; and that a minimum width of 32 feet of paving is required for the south side unnamed street.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs to contact the City of Henderson.

TAB/CAC:

APPROVALS: 9 cards

PROTESTS:

APPLICANT: JASON KUCKLER

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