

01/18/23 BCC AGENDA SHEET

DISTRIBUTION CENTER  
(TITLE 30)

**UPDATE**  
NELLIS BLVD/CRAIG RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**NZC-22-0592-4350 NELLIS BLVD, LLC:**

**AMENDED ZONE CHANGE** to reclassify 20.0 acres from a C-2 (General Commercial) (AE-65 & AE-70) Zone to an M-D (Designed Manufacturing) (AE-65 & AE-70) Zone.

**WAIVER OF DEVELOPMENT STANDARDS** to allow a modified driveway design.

**DESIGN REVIEWS** for the following: **1)** proposed distribution center; and **2)** alternative parking lot landscaping.

Generally located on the east side of Nellis Boulevard and the south side of Craig Road within Sunrise Manor (description on file). MK/rk/syp (For possible action)

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RELATED INFORMATION:

**APN:**

140-04-310-002; 140-04-310-003 (previously not notified)

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce throat depth for the driveways along Nellis Boulevard to a minimum of 3 feet and 11 feet where 100 feet is the standard per Uniform Standard Drawing 222.1 (a 97% and 89% reduction respectively).

**LAND USE PLAN:**

SUNRISE MANOR - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 4350 Las Vegas Boulevard North
- Site Acreage: 20
- Project Type: Distribution center
- Number of Stories: 1
- Building Height (feet): Up to 47
- Square Feet: 385,560 (total of 2 buildings)
- Parking Required/Provided: 192/306

## **Neighborhood Meeting Summary**

The applicant conducted a meeting on March 28, 2022, as required by the nonconforming amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. There were 10 attendees present at the open house meeting for this item. The neighbors expressed they were not in favor of the proposed warehouse project and would rather see a grocery store on the site.

## Site Plan

This application is for a nonconforming zone change to M-D zoning with a waiver and design review for a distribution warehouse center. The plans depict 2 buildings located in the central portion of the site totaling 385,560 square feet. The site is bounded by public rights-of-way on the north, south, and west sides of the development. Access to the site is provided by 2 driveways on Nellis Boulevard, Craig Road, and Las Vegas Boulevard North. Parking for the facility is located along the perimeters of the development. The loading and service areas are located at the rear of the buildings facing internally to the center of the project. The service area that contains overhead doors and loading docks are screened from public view by the buildings and with ample street landscaping. A total of 306 parking spaces are provided where 192 parking spaces are required.

## Landscaping

Street landscaping is shown from approximately 15 feet to 160 feet in width with an existing attached sidewalk located along the public streets. Interior to the site, an ample amount of landscaping is distributed throughout the parking lot and around portions of the building footprint.

## Elevations

The 47 foot high building has a contemporary architectural design consisting of painted concrete tilt-up panels with glass store fronts and vertical and horizontal reveal lines. There are surface plane and color variations consisting of walls that have contrasting design schemes. The height of the building varies slightly and has been designed to break-up the roofline and enhance the overall look of the building. The overhead doors will be located on the east and west sides of the buildings that are internal to the site.

## Floor Plans

The plans depict a 385,560 square foot distribution center with shell buildings and incidental office areas shown at the corners of the buildings. Building A is shown at 192,910 square feet and Building B is shown at 192,650 square feet.

## Signage

Signage is not a part of this request.

## Applicant's Justification

This is a request for a nonconforming zone change that is surrounded by planned light industrial uses. The applicant indicates this site has been designed to be compatible with the surrounding area as well as most of the objectives of Title 30 and the Master Plan. Ample landscaping is proposed around the perimeter of the development and the loading areas will exceed the 150 foot

minimum separation requirement from a residential use. The applicant also states the vacant Walmart and Del Taco buildings will be demolished which will help eliminate some of the vacancies in the area and enhance the overall economic viability of the neighborhood.

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-0123-05	Addition to an existing garden center in conjunction with a Walmart store	Approved by PC	March 2005
ZC-1995-98	Reclassified this site to C-2 zoning for a 208,000 square foot retail center, including a 15,000 square foot outdoor garden center	Approved by BCC	February 1999

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	C-2 & R-3	Motel & multiple family residential
East	Corridor Mixed-Use	H-2	Office building
South	Business Employment & Corridor Mixed-Use	C-2 & H-2	Commercial uses
West	Corridor Mixed-Use & Urban Neighborhood (greater than 18 du/ac)	C-2 & R-4	Undeveloped & multiple family residential

**Related Applications**

Application Number	Request
VS-22-0593	A request to vacate a driveway easement 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.*

The distribution warehouse center is located across the street (Las Vegas Boulevard North) from planned light industrial uses such as this one. Farther south is 1 of the runways inside Nellis Air Force Base. Several parcels located in this area of Sunrise Manor that were designated for commercial development in the land use plan have been reclassified into business design manufacturing land uses. In addition, M-D and M-1 zoning can be found along Las Vegas Boulevard North heading south of the subject site.

- 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.*

The density and intensity of the use being proposed by this amendment is compatible with the existing and planned land uses in the area. The proposed project is appropriate for this location and bounded on 3 sides by the larger arterial streets. The project in terms of scale, intensity, and density are compatible with the adjacent developments. Furthermore, the overall site has been designed to minimize impacts on the various surrounding land uses. The site has immediate access to Craig Road, which connects to Interstate 15.

- 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.*

The proposed zone change will not result in any additional impacts on surrounding infrastructure not already contemplated in the area. The facility will take advantage of the adjacent arterial streets which the project is located on. There has been no indication from service providers that this request will have a substantial adverse effect on public facilities and services.

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

Growth Management Policy 1 encourages the development of undeveloped parcels within serviced areas for which this vacant parcel is within an area serviced by public utilities. This proposal also meets the goals and policies of the Master Plan which encourages in-fill development with proper transitioning between uses. Staff finds thoughtful transition has been proposed with ample street landscaping and overhead doors located internally away from the right-of-way and out of the line of sight from the street or the adjacent residential to the north. Staff finds the proposed nonconforming zone change to M-D, with the proposed layout and design, consistent with the County's goals and policies.

## **Summary**

### Zone Change

The intensity of the proposed project is consistent and compatible with existing and planned developments in this area. The intensity of uses allowed in an M-D zone is compatible with the existing surrounding developments. 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. Therefore, staff finds the applicant has provided justification to warrant approval of the nonconforming zone boundary request.

### Waiver 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.

### Design Reviews

The design of the distribution center is consistent with the standards of approval for a design review. The site layout and buildings create an orderly and aesthetically pleasing environment that is compatible with the area. This project provides ample perimeter landscaping along all public street frontages. Along portions of the site near the buildings, there are no parking lot landscape fingers shown on the plans. The elimination of the trees within the landscape fingers will alternatively be provided on other portions of the project. Therefore, since the plant material will be distributed throughout the site, staff can support this alternative parking lot design.

### **Public Works - Development Review**

#### Waiver of Development Standards

Staff has no objection to the reduction in the throat depth for the commercial driveways on Nellis Boulevard. The applicant provided additional landscape buffers adjacent to both entrances into the site. The buffers provide more distance before drivers encounter conflicts when entering the site, allowing vehicles to safely exit the right-of-way.

### **Staff Recommendation**

Approval. This item has been forwarded to the Board of County Commissioners' meeting 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PLANNING COMMISSION ACTION:** December 20, 2022 – APPROVED – Vote: Unanimous

### **Current Planning**

- Resolution of Intent to complete in 3 years;
- Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operation.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; 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 Master Plan area plan amendment and a 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;
- If required by the Regional Transportation Commission (RTC), relocate the bus turnout on Craig Road east of Nellis Boulevard and dedicate right-of-way and construct the bus turnout including passenger loading/shelter areas in accordance with RTC standards.

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

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0034-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

**TAB/CAC:** Sunrise Manor - denial.

**APPROVALS:** 3 cards

**PROTESTS:** 3 cards

**APPLICANT:** PARKER SIECK

**CONTACT:** PARKER SIECK, 1980 FESTIVAL PLAZA DR., SUITE 650, LAS VEGAS, NV 89135