

03/04/26 BCC AGENDA SHEET

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**WS-26-0018-2151 SUNSET, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate and reduce buffering and screening; and **2)** modify residential adjacency standards.

**DESIGN REVIEW** for a proposed office/warehouse complex with accessory outdoor storage yards on 2.46 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-70) Overlay.

Generally located south of Sunset Road and east of Surrey Street within Paradise. JG/md/kh  
(For possible action)

---

**RELATED INFORMATION:**

**APN:**

177-02-501-035

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Allow an existing 6 foot high non-decorative block wall and an existing 6 foot high wrought iron fence along the east property line where an 8 foot decorative screen wall is required per Section 30.04.02C.
- b. Eliminate buffering and screening along the south property line where buffering and screening shall consist of a 15 foot landscape buffer with an 8 foot decorative screen wall per Section 30.04.02C.
2. Allow accessory outdoor storage yards where not permissible where residential adjacency standards apply per Section 30.04.06E.

**LAND USE PLAN:**

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 2151 E. Sunset Road
- Site Acreage: 2.46
- Project Type: Office/warehouse complex
- Number of Stories: 2
- Building Height (feet): 35 (Buildings 1 through 6)
- Square Feet: 7,091 (Building 1)/6,654 (Building 2)/7,898 (Building 3)/8,231 (Building 4)/6,751 (Building 5)/6,674 (Building 6)
- Parking Required/Provided: 43/51
- Sustainability Required/Provided: 7/7

### History and Request

The project site was reclassified to an M-D zoning district (now IP) via ZC-22-0543 by the Board of County Commissioners (BCC) in November 2022. This application included a waiver request to reduce the landscape width along the east property line, adjacent to the existing multi-family development, in addition to design reviews for an office/warehouse complex and to increase finished grade. The waiver of development standards and design review portions of that application expired in November 2024. A subsequent application was filed, UC-23-0681, for a recreational facility that was approved by the BCC in November 2023. A waiver of development standards to reduce parking in conjunction with design reviews for an office/warehouse complex and to increase finished grade were also approved with that application, but subsequently expired in November 2025. The applicant is now proposing an office/warehouse complex consisting of 6 buildings with 4 accessory outdoor storage yards with this request.

### Site Plan

The plans depict a proposed office/warehouse complex consisting of 6 buildings on a 2.46 acre site. Buildings 1 and 2, which are attached and function as one building, are located on the west portion of the site. A fire pump room is located at the northeast corner of Building 2. Buildings 3 and 4 are centrally located within the development while Buildings 5 and 6 are located on the east portion of the development. Two accessory outdoor storage yards (1 and 2) are located in an east/west direction between Building 2 and 4. A third outdoor storage yard (3) is located between Buildings 5 and 6, while the fourth yard is located immediately south of building 6. All storage yards are screened from public view and the right-of-way with an 8 foot high CMU block wall with access to the yards controlled by individual gates. A waiver of development standards is required to allow accessory outdoor storage yard uses where the residential adjacency standards apply. The proposed development requires 43 parking spaces where 51 parking spaces are provided. The primary access to the site is granted via a single proposed driveway located at the northeast corner of the site along Sunset Road. A secondary access point to the site is granted via a single proposed driveway located at the southeast corner of the site, along an existing access easement.

Below is a table reflecting the building setbacks from the north, south, east, and west property lines of the site:

<b>Building #</b>	<b>Building Setback from Property Lines (in feet)</b>			
	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
1 & 2*	63	308	34	20
3	20	153	193	161
4	153	172	40	150
5	20	20	176	307
6	136	20	63	301

\*Building 1 and 2 are attached and function as one building.

### Landscaping

The plans depict a proposed street landscape area, including two, 5 foot wide landscape strips provided on each side of the detached sidewalk along Sunset Road and Surrey Street. The street landscape area consists of trees, shrubs, and groundcover. A 15 foot wide landscape area with a

double-row of evergreen trees is located behind a 5 foot wide drainage easement, along the east property line adjacent to an existing multi-family development. An existing 6 foot high non-decorative block wall is located along the majority of the east property line that eventually transitions into a 6 foot high wrought iron fence located at the northeast corner of the site. The existing non-decorative block wall and wrought iron fence require a waiver of development standards in lieu of the required 8 foot high decorative block wall along the east property line. A second waiver is required to eliminate buffering and screening along the south property line as there is an existing motel within a CG zoning district immediately south of the project site. There is an existing access easement, consisting of a paved vehicle drive aisle, that bisects the project site and the CG zoned property to the south. A total of 8 trees are required within the interior of the parking lot where 29 trees are provided.

Elevations

Buildings 1 through 6 each measure up to 35 feet in height to the top of the parapet walls. The exterior of the buildings will consist of CMU block and an aluminum storefront window systems with metal awnings located over the entrances to the buildings. A fire pump room is located at the northeast corner of building 2. The buildings will be painted with neutral colors consisting of white and valley tan. All rooftop mounted equipment will be screened from public view and the right-of-way by parapet walls.

Floor Plans

The floor plans for each building consist of shell space with the future interior configuration to be determined by the needs of the individual tenant. Each building will contain a second floor mezzanine level, which is included within the total area for each building. Below is a table reflecting the area of Buildings 1 through 6:

<b>Building #</b>	<b>Building Area (square feet)</b>
1	7,091
2	6,654
3	7,898
4	8,231
5	6,751
6	6,674
<b>Total Building Area</b>	<b>43,299</b>

<b>Outdoor Storage Yards #</b>	<b>Outdoor Storage Yards (square feet)</b>
1	1,750
2	1,750
3	2,552
4	2,560
<b>Total Outdoor Storage Yard Area</b>	<b>8,612</b>

Applicant’s Justification

The applicant cannot increase the existing wall height along the east property line because additional footings would be required, which cannot be placed within the easement, nor can a redundant wall be placed within the drainage easement. The trees are set back 5 feet due to the

easement, but the required 15 foot wide landscape buffer is being provided. Street photographs depict an existing 6 foot tall, non-decorative, painted CMU wall with an existing wrought-iron fence at the northeast property line, resulting in a portion of the wall being a 6 foot fence rather than a wall. However, a landscape buffer is provided along the southern portion of the site. Fifty-three trees are required on the site, and 74 are provided. The buildings are oriented internally, so an entrance facing the street would serve no purpose, as it cannot provide public access to the back of the house. The project shares an access drive along the southern boundary with the motel to the south, making it impossible to build a wall and screening along the southern boundary. An access easement provides access to the motel to the south. A wall and landscaping would impact the motel's only access if a wall and landscape buffer were provided. Landscaping is placed along the southern boundary where possible, but it does not meet the buffer requirement. The previous plan was approved for outdoor storage along the eastern boundary, with a 10 foot landscaped buffer (in addition to the drainage easement), and a single row of trees. Title 30 now requires a 15 foot buffer with a double row of trees, which is being provided. The landscape plan provides better screening than the previous plan. Outdoor storage should have minimal impact on the multi-family development. There is a Las Vegas Valley Water District easement at the northeast portion of the site. Trees cannot be planted in this area, making it difficult to landscape this area. However, 8 parking lot trees are required for the site, and 29 are provided. Eleven trees are provided along Sunset Road where 11 trees are required.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-23-0681	Recreational facility with a waiver of development standards to reduce parking and design reviews for an office/warehouse complex and finished grade - expired	Approved by BCC	November 2023
ZC-22-0543	Reclassified 2.4 acres from C-2 (now CG) to M-D (now IP) zoning for an office/warehouse complex (waiver and design review expired)	Approved by BCC	November 2022
WS-0860-07	Allowed commercial access to a minor residential collector street with design review for a motel	Approved by PC	October 2007
ZC-0990-01	Reclassified to C-2 zoning for a hotel and restaurants	Approved by BCC	September 2001

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Public Use	PF (AE-70, AE-75, & RPZ)	Harry Reid International Airport
South	Business Employment	CG (AE-65 & AE-70)	Motel
East	Business Employment	RM32 (AE-65 & AE-70)	Multi-family residential
West	Business Employment	IP (AE-65 & AE-70)	Office/warehouse

## Related Applications

Application Number	Request
VS-26-0019	A vacation and abandonment of rights-of-way is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### Analysis

#### Comprehensive Planning

##### Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

##### Waiver of Development Standards #1a

The intent of buffering and screening adjacent to a less intensive use, in this particular case the multi-family development to the east, is to mitigate any impact a non-residential development may have on such existing use. Staff typically does not support requests to waive the screening and buffering requirement; however, the applicant is only requesting to waive the required 8 foot high decorative block wall requirement along the east property line. This is due to the existing drainage easement as a redundant wall cannot be constructed within the easement. The required 15-foot wide landscape buffer, with a double-row of evergreen trees, is provided along the east property line of the site. Staff finds the existing fence and wall along with the proposed landscaping provide sufficient screening, and the requested waiver should have minimal to no impact on the multi-family development.

##### Waiver of Development Standards #1b

Staff typically does not support requests to eliminate buffering and screening adjacent to less intensive uses. However, this case is unique in nature as there is an existing, paved access easement that separates the proposed development with IP zoning and the CG zoned site to the south, developed with an existing motel. The previous 2 approvals for an office/warehouse complex, ZC-22-0543 and UC-23-0681 which have since expired, were not required by Title 30 to provide landscaping along the south property line between the CG and IL zoned parcels. Staff finds the absence of buffering and screening along the south property line should have minimal to no impact on the existing motel as the existing access easement creates sufficient separation between the 2 properties.

### Waiver of Development Standards #2

The intent of the residential adjacency standards, which include limiting principal and accessory outdoor storage uses adjacent to residential development, is to prevent any adverse or negative impact on such less intensive uses. Staff is cognizant that outdoor storage yards have previously been approved with ZC-22-0543 (office/warehouse complex) and UC-23-0681. The 2 accessory outdoor storage yards approved with UC-23-0681 (office/warehouse complex) consisted of 1,100 square feet and 2,700 square feet, respectively. The yard measuring 2,700 square feet was located at the southeast corner of the project site. The cumulative outdoor storage yard area with this application, measuring 8,612 square feet, is significantly more than the previous approval in 2023. Furthermore, the 2 outdoor storage yards (3 and 4) located on the east portion of the site have a cumulative area of 5,112 square feet. Although the accessory outdoor storage yards will be screened with an 8-foot high decorative block wall, staff is concerned the accessory uses may impact the adjacent multi-family development to the east. Therefore, staff recommend denial of this request.

### Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The design of the office/warehouse buildings consist of contrasting colors and exterior materials. The layout of the office/warehouse complex and parking lot is functional, and the overall design of the site is compatible with warehouse development to the west, across Surrey Street and the existing land uses within the surrounding area. The development also complies with Policy 6.2.2 which encourages sustainable site design and development practices. Sustainability measures have been integrated into the design of the site and buildings, including but not limited to water efficient landscaping, cool roof materials, and low-emissivity glass. Furthermore, staff has no objection to the alternative landscape plan. However, since staff is not supporting the request to allow accessory outdoor storage yards, staff recommends denial of this request.

### **Department of Aviation**

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

The property lies within the AE- 70 (70 - 75 DNL) noise contour for Harry Reid 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 Harry Reid International Airport facilities to meet future air traffic demand.

### **Staff Recommendation**

Approval of waiver of development standards #1; denial of waiver of development standards #2 and the design review.

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.

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

If approved:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; applicant is advised that certain uses are not permitted in the airport environs and certain other uses will require a special use permit; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

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

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

### **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 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- 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. The Determination of No Hazard must not be expired.

- 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.
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the Federal Aviation Administration 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.

**Fire Prevention Bureau**

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0370-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Paradise - approval (2 year review as a public hearing).

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** 2151 SUNSET, LLC

**CONTACT:** LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE, BUILDING 3, SUITE 577, LAS VEGAS, NV 89134