

WALL HEIGHT  
(TITLE 30)

NELLIS BLVD/CAREY AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-23-0035-RG NELLIS NV, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase wall height; and **2)** increase building height.

**DESIGN REVIEW** for finished grade on 6.2 acres in conjunction with an approved distribution center in an M-D (Designed Manufacturing) (AE-65 & APZ-2) Zone.

Generally located on the southwest corner of Nellis Boulevard and Carey Avenue within Sunrise Manor. TS/bb/syp (For possible action)

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RELATED INFORMATION:

**APN:**  
140-20-502-005

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase perimeter wall height to 14 feet (6 foot retaining wall and 8 foot screen wall) where 13 feet (3 foot retaining wall and 10 foot screen wall) is the maximum per Section 30.64.020 (a 58% increase).
2. Increase the building height to 52 feet where 50 feet is the maximum per Table 30.40-5 (a 4% increase).

**DESIGN REVIEW:**

Increase finished grade to 72 inches where 60 inches was previously approved and where a maximum of 36 inches is the standard per Section 30.32.040 (a 100% increase where a 67% increase was previously approved).

**LAND USE PLAN:**

SUNRISE MANOR - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 2327 Nellis Boulevard
- Site Acreage: 6.2
- Project Type: Distribution center
- Number of Stories: 1

- Building Height (feet): 47
- Square Feet: 136,030
- Parking Required/Provided: 67/83

#### Site Plan

The site plan depicts a 136,030 square foot distribution center oriented north to south with access from Carey Avenue and Nellis Boulevard. Loading docks are located on the west side of the building with an access drive aisle on the west, south, and east sides of the building. Eighty-three parking spaces are located on the southwest portion of the site and the east side of the building. Primary entrances are located on the northeast and southeast corners of the building. A 5 foot maximum increased finished grade was previously approved by WS-22-0408 and shown on the Nellis Boulevard side of the lot and south side of the lot. As a result of the drainage study and design, the increased finished grade is now proposed to be 6 feet. The site plan depicts walls located along the west and south property lines, 6 feet retaining wall with an 8 foot screen wall on top, for a total of 14 feet.

#### Landscaping

Landscaping was previously approved as part of WS-22-0408.

#### Elevations

The elevations previously depicted a 47 foot high concrete tilt-up building with vertical off-set parapets and return walls to break-up the façade. As a result of the increased finished grade and adjusted drive aisles, the southeast corner of the building will be 52 feet high as measured from the new grade, requiring the proposed waiver. Walkways are adjacent to the north, east, and south areas of the building for pedestrian access.

#### Floor Plans

The floor plans were previously approved with WS-22-0408.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant is requesting waivers and a design review to accommodate the increased finished grades of 6 feet and associated combined retaining/screen wall height of up to 14 feet. The increased finished grade is required to protect the distribution center building from potential flooding related to the high levels of water in the adjacent streets during a flood event. The southeast corner of the distribution center building will be 5 feet higher than the adjacent drive aisle, creating a building height at this location of up to 52 feet. The waiver for building height will allow for this increase in measured height at this location. The combined retaining wall and screen wall will be located on the west and south property lines.

### Prior Land Use Requests

Application Number	Request	Action	Date
WS-22-0408	Distribution center, cross access, landscaping, and increased finished grade	Approved by BCC	September 2022
TM-0463-06	Commercial subdivision on 6.1 acres - expired	Approved by PC	December 2006

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D	Undeveloped & gasoline station
South	Business Employment	M-1	Undeveloped, outside storage, & vehicle sales
East	Urban Neighborhood (greater than 18 du/ac) & Business Employment	R-4 & M-1	Multiple family residential & vehicle repair
West	Business Employment	M-1	Industrial water equipment & storage

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

### Analysis

#### Comprehensive Planning

##### 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. The increased wall height is directly tied to the approval of a drainage plan and increased finished grade request. The property is surrounded on 3 sides by industrial properties with the only residential property located on the east side of Nellis Boulevard. The higher combined retaining and screen walls will not negatively impact the surrounding area. Policy 3.3.8 Flood Control of the Master Plan supports controlling localized flooding. The proposed increased finished grade and related combined retaining/screen wall is a result of drainage improvements. Staff can support these requests.

#### Public Works - Development Review

##### Design Review

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.

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**

- 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 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**

- Comply with approved drainage study PW22-17730;
- 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.
- 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.

#### **Fire Prevention Bureau**

- No comment.

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

- No comment.

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

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MICHAEL SAJJADI

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