

DISTRIBUTION CENTER  
(TITLE 30)

CHEYENNE AVE/MARION DR

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-23-0107-GROUP XIII PROPERTIES, LP:**

**HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** modified driveway design; and **2)** alternative landscaping along a street.

**DESIGN REVIEWS** for the following: **1)** office/warehouse; **2)** finished grade; and **3)** alternative parking lot landscaping on 8.7 acres in an M-D (Designed Manufacturing) (AE-75, AE-80, & APZ-2) Zone.

Generally located on the north side of Cheyenne Avenue and the west side of Marion Drive within Sunrise Manor. MK/bb/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

140-08-401-008

**WAIVERS OF DEVELOPMENT STANDARDS:**

1.
  - a. Reduce throat depth for the northern driveway along Marion Drive to a minimum of 8 feet where 75 feet is the standard per Uniform Standard Drawing 222.1 (an 89% reduction).
  - b. Reduce throat depth for the central driveway along Marion Drive to a minimum of 8 feet where 75 feet is the standard per Uniform Standard Drawing 222.1 (an 89% reduction).
  - c. Reduce throat depth for the southern driveway along Marion Drive to a minimum of 8 feet where 75 feet is the standard per Uniform Standard Drawing 222.1 (an 89% reduction).
  - d. Reduce the departure distance from the northern driveway along Marion Drive to the intersection of Marion Drive and Colton Avenue to 158 feet where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 17% reduction).
2.
  - a. Allow a proposed attached sidewalk with 8 feet up to 28 feet of landscaping along Marion Drive where a detached sidewalk is required per Figure 30.64-17.
  - b. Allow a proposed attached sidewalk with 15 feet of landscaping along Cheyenne Avenue where a detached sidewalk is required per Figure 30.64-17.
  - c. Allow a proposed attached sidewalk with 22 feet of landscaping along Colton Avenue where a detached sidewalk is required per Figure 30.64-17.

**DESIGN REVIEWS:**

1. Office/warehouse.

2. Increase finished grade to 5 feet where a maximum of 36 inches (3 feet) is the standard per Section 30.32.040 (a 67% increase).
3. Allow alternative parking lot landscaping (fewer landscape islands) where landscaping per Figure 30.64-14 is required.

## **LAND USE PLAN:**

SUNRISE MANOR - BUSINESS EMPLOYMENT

## **BACKGROUND:**

### **Project Description**

#### General Summary

- Site Address: 3255 Marion Drive
- Site Acreage: 8.7
- Project Type: Office/warehouse
- Number of Stories: 1 (with 2,500 square foot office mezzanines)
- Building Height (feet): 43
- Square Feet: 86,284 (Building 1)/50,533 (Building 2)/23,280 (Building 3)/160,097 (total)
- Parking Required/Provided: 241/254

#### Site Plan

The plan depicts a distribution center with 3 buildings located on 8.7 acres on the north side of Cheyenne Avenue, the south side of Colton Avenue, and the west side of Marion Drive. Access is shown along Marion Drive with 3 driveways, nearly equally distributed along the frontage. The north driveway does not meet the required departure distance to Colton Avenue and is the subject of one of the waiver requests. All 3 driveways require a throat depth waiver. The buildings are separated by 2 interior drive aisles and connected with north/south drive aisles around the buildings. Trash enclosures are located along the west side property lines. Portions of this property are located in the AE-75, AE-80, and APZ-2 overlay districts. A known earthquake fault line runs east and west through the south end of this property, with neither building located over the estimated fault line. Gates control access to the secure loading dock areas are located on the east side of the buildings, and the loading docks are facing west.

#### Landscaping

The plan depicts attached sidewalks along Colton Avenue, Marion Drive, and Cheyenne Avenue. Colton Avenue landscaping includes a 22 foot wide area of intense landscaping to buffer the site from the residential uses to the north. Marion Drive is shown with a landscape strip adjacent to the attached sidewalk that ranges from 8 feet to 28 feet in width. Cheyenne Avenue has a 15 foot wide landscaped area behind the attached sidewalk. The planting area along the west property line is less than 8 feet in width and the parking spaces do not include landscape fingers, but the total number of trees (179) on the property exceeds the minimum required of 40 large trees or 60 medium trees. Small shrubs are located on the north, east, and south sides of each building, and adjacent to walkways.

### Elevations

The plans depict buildings up to 43 feet in height with concrete tilt-up panel construction with reveals, wall returns, medium reflective glass in clear anodized aluminum storefront entrances, metal awnings over entry doors, multi-tone paint, and clerestory windows for accent and natural lighting. Mechanical equipment will be screened and set back from the edge of the roof. Roll-up doors are on the west side of the buildings.

### Floor Plans

The plans depict Building 1 on the north side of the property and split into 3 units, each with a 2,500 square foot office area along the east side of the building and 1 at the northeast corner of the building. The office spaces include a mezzanine area of the same size with office space. Building 2 in the middle of the property is shown with 2 units, each with a 2,500 square foot office area with mezzanine space. Building 3 has 1 unit with a 2,500 square foot office space and mezzanine area. Building 1 is 86,284 square feet, Building 2 is 50,533 square feet, and Building 3 is 23,280 square feet in area. The buildings do not meet the definition of a distribution center.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant is requesting to construct 3 light industrial distribution center buildings on 8.7 acres zoned M-D and in the AE-75 airport overlay district for Nellis Air Force Base. Due to the noise levels, the property will meet current noise abatement requirements during construction. A lighting plan will be submitted during plan review and will meet code requirements. A maximum increased finished grade of 5 feet will be required for drainage plan review near the center of the site. The northern driveway is sited across from an existing driveway located on the east side of Marion Drive and avoids off-set driveways, which is less desirable than the requested departure distance waiver.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
DR-1257-07	Distribution center - expired	Approved by BCC	December 2007
VS-1130-07	Vacated a portion of Marion Drive for detached sidewalk - expired	Approved by PC	November 2007
TM-0263-07	One lot industrial subdivision - expired	Approved by PC	November 2007
DR-1667-05	Office warehouse complex - expired	Approved by BCC	December 2005
WS-0133-05	Waived screening and buffering of loading docks - expired	Approved by BCC	March 2005
ZC-1599-04	Reclassified the north half of the property from R-E to M-D zoning	Approved by BCC	October 2004

### Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1099-04	Reclassified the south half of the property from R-E to M-D zoning	Approved by BCC	July 2004

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	R-T	Single family residential
South & East	Business Employment	M-1	Distribution center
West	Business Employment	M-1	Freight trucking company

### 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.

##### Waiver of Development Standards #2

The proposed attached sidewalk along Marion Drive would directly serve pedestrians from the north, trying to access Nellis Meadows Park to the east. The residential neighborhood north of Colton Avenue would have direct access to the park along Colton Avenue, and Marion Drive. The Cheyenne Avenue sidewalk is less of a concern since it serves mostly industrial property to the west. Policy SM-4.2 supports improved pedestrian connections, including pedestrian safety for access corridors. In addition, Title 30 requires 15 feet of landscaping when an existing attached sidewalk is permitted. Staff recommends denial of waiver #2 and construction of detached sidewalks.

##### Design Reviews #1 & #3

While the site design takes into account screening bay doors from public view, intense landscaping along the north property line, adequate parking, enhanced building design with 3 separate structures, and related varying facades and architecture, staff cannot recommend approval without adequate pedestrian access adjacent to the property. In addition, portions of Marion Drive only have 8 feet of landscaping behind an attached sidewalk.

## **Public Works - Development Review**

### Waiver of Development Standards #1a, #1b, & #1c

Staff has no objection to the reduction in throat depth for the driveways on Marion Drive. The applicant has placed landscape buffers adjacent to all driveways. Additionally, the 3 driveways should see equal use, further mitigating potential impacts from the reduced throat depths. With the narrowness of the site combined with the site not able to have access on the north, the applicant could only place the driveways on Marion Drive. However, since Planning does not support the waivers of development standards or design reviews, staff does not support this request.

### Waiver of Development Standards #1d

Staff has no objection to the reduction in departure distance for the southern driveway on Marion Drive. With the narrowness of the site the applicant has placed 3 driveways on Marion Drive to help mitigate the flow traffic onto the site. Additionally, the driveway lines up with a driveway on the east side of Marion Drive. However, since Planning does not support the waivers of development standards or design reviews, staff does not support this request.

### 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. However, since Planning does not support the waivers of development standards or design review #1, staff does not support this request.

## **Staff Recommendation**

Denial.

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:

- No gathering of individuals in an area that would result in an average density of greater than 25 persons per acre per hour during a 24 hour period, not to exceed 50 persons per acre at any time;
- Work with the Las Vegas Metropolitan Police Department for the installation and use of security cameras and surveillance operation;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- 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**

- 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.
- 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; and that Nevada Department of Transportation (NDOT) permits may be required.

**Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

**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 and reference POC Tracking #0114-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**COUNTY COMMISSION ACTION:** May 3, 2023 – HELD – To 06/07/23 – per the applicant.

**APPLICANT:** SCOTT L SCHOFIELD

**CONTACT:** SCOTT MARTIN, KIMLEY-HORN, 6671 LAS VEGAS BOULEVARD SOUTH, SUITE 320, LAS VEGAS, NV 89119