

WAREHOUSE/RETAIL
(TITLE 30)

NELLIS BLVD/JUDSON AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-21-0484-AUTOZONE INC & JRJC, LLC:

ZONE CHANGE to reclassify 2.3 acres from a C-1 (Local Business) (AE-65) Zone to an M-1 (Light Manufacturing) (AE-65) Zone.

USE PERMIT for retail sales and service.

WAIVER OF DEVELOPMENT STANDARDS for alternative driveway geometrics.

DESIGN REVIEWS for the following: **1)** warehouse addition to an existing retail store; and **2)** finished grade.

Generally located on the west side of Nellis Boulevard and the south side of Judson Avenue within Sunrise Manor (description on file). MK/jt/jo (For possible action)

RELATED INFORMATION:

APN:

140-20-601-002 & 140-20-610-082

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce the Nellis Boulevard driveway throat depth to 19 feet where 25 feet is the minimum per Uniform Standard Drawing 222.1 (a 24% reduction).
- b. Reduce the Judson Avenue driveway throat depth to 17 feet where 25 feet is the minimum per Uniform Standard Drawing 222.1 (a 32% reduction).

DESIGN REVIEWS:

1. Warehouse addition to an existing retail store.
2. Increased finished grade to 40 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 122% increase).

LAND USE PLAN:

SUNRISE MANOR - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 2189 North Nellis Boulevard
- Site Acreage: 2.3
- Project Type: Warehouse addition to an existing retail store
- Number of Stories: 1

- Building Height (feet): 21
- Square Feet: 26,170 (warehouse addition)/8,256 (existing retail)/34,426 (total)
- Parking Required/Provided: 73/75

Neighborhood Meeting Summary

Notices were mailed to property owners within 1,500 feet of the site notifying them of a neighborhood meeting at the Hollywood Recreation Center on June 17, 2021. One neighbor attended the meeting who was in favor of the proposed project.

Overview

The northern portion of the site includes an existing automotive parts retail store. A warehouse addition is proposed on the adjacent parcel to the south, which will distribute parts to other automotive parts retail stores in Clark County. The entire site will be reclassified to M-1 zoning to allow the warehouse uses. A use permit is necessary to allow the existing automotive parts retail store to continue operating in the M-1 zone after the entire site is reclassified to the new zoning designation.

Site Plan

The site plan depicts a new warehouse located on the south side of an existing automotive parts retail store. An existing driveway from Judson Avenue on the north side of the site and an existing driveway from Nellis Boulevard on the east side of the site will remain. A waiver of development standards is necessary to reduce the throat depths for these existing driveways. Cross-access will be provided to the new warehouse addition, and no new driveways are proposed. Existing parking spaces are located on the north and east sides of the automotive parts retail store, and new parking spaces will be located on the east side of the warehouse addition and along Nellis Boulevard.

Setbacks for the new warehouse addition include 86 feet from the east property line along Nellis Boulevard, 30 feet from the south property line, and 29 feet from the west property line. No changes are proposed for the existing automotive parts retail portion of the site except for adding enhanced paving at the driveways and adding parking lot landscape fingers to meet the updated Title 30 standards.

Landscaping

Along Nellis Boulevard, landscaping includes a 15 foot wide landscape strip behind an existing attached sidewalk for both the existing automotive parts retail portion of the site and the new warehouse addition portion of the site. Around the warehouse addition, landscaping includes 30 feet along the south property line and 29 feet along the west property line. On the northern portion of the site, existing landscaping along Judson Avenue includes a 10 foot wide landscape strip behind an attached sidewalk and a 10 foot wide landscape strip along the west property line. Parking lot landscape fingers will be added to the existing parking lot around the automotive parts retail store, and parking lot landscape fingers are proposed within the parking lot adjacent to the warehouse addition.

Elevations

The warehouse addition is constructed with smooth and split face CMU block with a parapet wall along the roofline at a height of 21 feet. The existing automotive parts retail store also includes a parapet wall along the roofline at a height of 18 feet. The color scheme for both buildings includes horizontal bands of light gray, dark gray, white, red, orange, and black.

Floor Plans

The proposed 26,170 square foot warehouse addition includes a break area, restroom, and rows of storage. The existing automotive parts retail store is 8,256 square feet and includes a checkout counter, restrooms, and rows of retail merchandise.

Signage

Signage is not a part of this request.

Applicant's Justification

According to the applicant, 4 delivery vans will drive 3 routes per day delivering automotive parts from the proposed warehouse to private and commercial customers as well as sister automotive retail stores. The proposed warehouse is compatible with the existing neighborhood, which consists of a mixture of commercial, industrial, and residential uses. In addition, the site design meets all setback, landscaping, and parking requirements. Although a waiver of development standards is necessary to reduce the throat depths for the existing driveways, these driveways were constructed in 1998, and there have been no issues with vehicles queuing into the right-of-way since that time.

Regarding the design review to increase finished grade, the pad site of the proposed warehouse will need to be raised to meet the existing grade of the automotive parts retail store. This increase in grade is necessary for drainage purposes. The special use permit for the existing automotive parts retail store is necessary to allow the retail operations to continue in the new zoning district with the adjacent warehouse.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0617-12	Request to reclassify the southern parcel to C-2 for a retail building - approved with a reduction to C-1 zoning	Approved by BCC	December 2012
ZC-0306-97	Reclassified the northern parcel to C-1 zoning for an automotive accessory store	Approved by BCC	April 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2 & M-1	Commercial center with outside storage
South	Commercial General	C-2	Undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Residential Medium (3 du/ac to 14 du/ac)	RUD	Single family residential
West	Public Facilities & Office Professional	M-1 & R-E	Outside storage & undeveloped

Clark County Public Response Office (CCPRO)

There are no active violations on the site; however, there are many previous violations for graffiti and vagrant camps on the undeveloped southern portion of the site.

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 Sunrise Manor Land Use Plan is the increased demand for warehouse space and decreased demand for retail commercial space. Reclassifying this site to M-1 zoning will allow additional warehouse space to be constructed while also allowing the existing automotive parts retail use to continue operating with a use permit.

- 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 intensity of uses allowed in an M-1 zone will be compatible with the outside storage uses in the M-1 zoned parcel to the west and the commercial and outside storage on the parcel to the north, across Judson Avenue, which is zoned C-2 and M-1. Farther northwest of the site, most parcels are zoned M-1 with outside storage uses. Southwest of the site, the parcels are undeveloped and planned for office professional uses, and south of the site, an undeveloped parcel is planned for commercial general uses. M-1 zoning can be compatible with all these existing and planned land uses. While a single family subdivision zoned RUD is located to the east, Nellis Boulevard acts as a buffer and separation between the proposed M-1 zoning and single family subdivision.

- 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 nonconforming zone boundary amendment to M-1 zoning will have a negative impact on any public services or infrastructure.

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

Urban Specific Policy 100 in the Comprehensive Master Plan states in part that industrial developments should consider compatibility with existing land use patterns, appropriate access routes, and proximity to single family residential uses. Here, the proposed M-1 zoning is compatible with surrounding land use patterns, access will be from Nellis Boulevard (an arterial street), and the site is not adjacent to any single family residential uses. Parcels south and southwest of the site are undeveloped, and parcels northwest and north of the site include existing industrial and commercial uses. While a single family residential subdivision is located to the east, Nellis Boulevard acts as a buffer between the proposed M-1 zoning and the single family residents. As a result, the request is consistent with Urban Specific Policy 100.

Summary

Zone Change

A trend since the most recent adoption of the Sunrise Manor Land Use Plan is the increased demand for warehouse space, and the intensity of uses allowed in an M-1 zone are compatible with existing and planned land uses in the area. Furthermore, there is no indication that the request will negatively impact public utilities or infrastructure. Lastly, the nonconforming zone boundary amendment complies with Urban Specific Policy 100 in the Comprehensive Master Plan; therefore, staff can support the request.

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.

A use permit will allow the existing automotive parts retail business to continue operating after the site is reclassified to M-1 zoning. Retail uses are appropriate at this location, which is adjacent to Nellis Boulevard, an arterial street. In addition, the retail uses are abutting existing commercial and industrial uses to the north, adjacent to existing industrial uses to the west, and planned Commercial General uses to the south; therefore, staff can support the use permit.

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 Review #1

The warehouse addition will be fully integrated with the existing automobile parts retail establishment. The buildings will include interior access, and cross access will be provided in the parking lot. As a result, the warehouse and retail building will become one cohesive development. Furthermore, the buildings will include similar materials and a uniform color scheme. In addition, the design meets all setback, landscaping, and parking requirements. Lastly, enhanced paving and parking lot landscaping will be added to the existing parking lot to comply with Title 30 standards. Therefore, staff can support the design review.

Public Works - Development Review

Waiver of Development Standards #1a

Staff can support the request to reduce the throat depth for the driveway on Nellis Boulevard. The applicant must coordinate with Nevada Department of Transportation (NDOT) since Nellis Boulevard is a State roadway.

Waiver of Development Standards #1b

Staff can support the request to reduce the throat depth for the driveway on Judson Avenue as the applicant has reduced the potential conflicts by providing extra landscape planters on the drive aisles to provide drivers more distance before they encounter any conflicting parking spaces.

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 will be forwarded to the Board of County Commissioners' meeting for final action on December 8, 2021 at 9:00 a.m., unless otherwise announced.

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.

PRELIMINARY STAFF CONDITIONS:

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;

- 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 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;
- Coordinate with the Regional Transportation Commission (RTC) to dedicate and construct right-of-way for a bus turnout including passenger loading/shelter areas in accordance with RTC standards;
- Nevada Department of Transportation approval.
- 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.

Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and to ensure access to all points of the building within 250 feet from fire access for sprinklered structures.

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 #0357-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Sunrise Manor - approval (subject to a reduction to M-D zoning).

APPROVALS:

PROTESTS:

APPLICANT: AUTOZONE

CONTACT: RIETZ CONSULTING, 3203 E. WARM SPRINGS RD, STE 400, LAS VEGAS, NV 89120