

11/20/24 BCC AGENDA SHEET

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-24-0526-GHANOLI HOLDINGS, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase fence height; and **2)** allow a non-decorative fence.

**DESIGN REVIEW** for modifications to a previously approved truck staging area on 0.49 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-60) Overlay.

Generally located on the south side of Martin Avenue and the east side of Crystal Street within Enterprise. MN/dd/kh (For possible action)

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**RELATED INFORMATION:**

**APN:**

177-05-204-001

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow a 6 foot high fence within the front setback where 3 foot is the maximum height allowed per Section 30.04.03B (a 100% increase).
2. Allow a non-decorative fence along Crystal Street, Martin Avenue, and Dean Martin Drive where fences along a street shall be decorative per Section 30.04.03B.

**LAND USE PLAN:**

ENTERPRISE - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 6734 Crystal Street
- Site Acreage: 0.49
- Project Type: Fencing and site modifications
- Building Height (feet): 6 (fence)
- Parking Required/Provided: 0/7 (truck parking spaces)

**Site Plan & History**

The site was previously approved as a truck staging area by the BCC in December of 2023 via UC-23-0695; the applicant has altered the design to include 2 access gates, update the landscape plan, add non-decorative fencing along the perimeter of the lot, and add a 3 foot high retaining wall along the eastern boundary of the site. A condition of approval required a zoning inspection prior to commencing the use, however, aerial photos show that the site has been used as a truck staging area since the original approval, but the conditions from UC-23-0695 were never met.

The approved plan depicts a paved parking area for staging of up to 8 trucks. Truck parking spaces were shown along the north side of the subject property at a minimum of 10.5 feet in width and 74 feet in length. The parking area was proposed to be accessed from two, 40 foot wide commercial driveways from Crystal Street. Additionally, there were no proposed areas for outside storage.

Now, the applicant has altered the plan to show a paved parking area for staging of up to 7 trucks where 8 parking spaces were originally approved; 1 parking spot was removed to accommodate the installation of the fences and access gates. The size and location of the parking spots is unchanged. Additionally, the parking area will now be accessed via a proposed rolling gate on the west property line and a proposed swinging gate near the south portion of the property. The rolling gate is shown as being 48 feet wide and the swinging gate is shown as being 38 feet wide, and both gates are to be set back 18 feet from property lines and will remain open during business hours. The gates connect to a 6 foot high chain-link fence that surrounds a majority of the site. A chain-link fence is proposed along the perimeter of the site, behind the required landscaping. There is also a retaining wall shown along the eastern boundary of the site. The retaining wall is a maximum of 3 feet high at its highest point with the 6 foot high chain-link fence on top.

#### Landscaping

The approved landscape plan depicts street landscaping areas with existing attached sidewalks along Martin Avenue and along portions of Dean Martin Drive. The street landscaping is 10 feet in width along Martin Avenue and 6.5 feet wide along Dean Martin Drive. Additional right-of-way was dedicated on the south portion of Dean Martin Drive for the elevated roadway over CC 215 and there is no landscaping in this area. Attached sidewalks with street landscaping 10 feet in width were also shown along Crystal Street.

Upon approval of the previous application, a condition was added that the Modesto Ash trees needed to be replaced by a tree species recommended by the Southern Nevada Water Authority plant list. The applicant has updated the plans to replace the Modesto Ash tree with Cedar Elm. Also, the applicant is requesting to replace Date Palm with Southern Live Oaks. All of the previously approved dimensions for the landscaping and attached sidewalks are unchanged.

#### Applicant's Justification

The applicant states that the proposed fencing and access gates would provide the security necessary for the site without the installation of a block wall, as a block wall could create a canyon effect in the cul-de-sac. The applicant also states that the trucks parked at the site would be mail trucks coming from California, and that they would not be parked there for more than a few hours at a time before departing to their destinations. Additionally, the applicant states the landscaping to be installed will help mitigate the effects of the non-decorative chain-link fence. Lastly, the applicant states the access gates are to remain open during business hours.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-23-0695	Truck staging area	Approved by BCC	December 2023
VS-23-0696	Vacated and abandoned patent easements	Approved by BCC	December 2023

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Business Employment	IL (AE-60 & AE-65)	Feed store & off-premises sign
South & East	Business Employment	RS20 (AE-60)	Dean Martin Drive, I-15, & CC 215 ramps
West	Business Employment	IP (AE-60)	Distribution center

### **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.

While the installation of landscaping is an improvement for the site, staff finds the installation of non-decorative fences along both streets is not consistent with Title 30. Fencing in the front yard is meant to be minimal and fencing along a street is required to be decorative to reduce visual impact, and in this case no additional mitigation is provided for the negative impacts, other than the required landscaping. For these reasons, staff cannot support these requests.

#### **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.

Staff finds the addition of the access gates will improve the security of the site. Also, the update of landscape material to the original plan and the substitution for SNWA recommended trees is a welcome change that is in-line with the goals of the Master Plan. While staff would support the addition of the fences and gates, staff is not supporting the waivers of development standards for non-decorative fences and; therefore, cannot 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:

- A business license shall not be issued, or if no business license is required, the use shall not commence 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; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

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

- Full off-site improvements;
- Right-of-way dedication to include a portion of the cul-de-sac for Crystal Street and spandrel at the intersection of Martin Avenue and Dean Martin Drive.

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

- No comment.

#### **TAB/CAC:**

#### **APPROVALS:**

#### **PROTESTS:**

**APPLICANT:** GHANOLI HOLDINGS, LLC

**CONTACT:** VTN-NEVADA, 2727 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146