

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-26-0133-FORD INDUSTRIAL 114, LLC:

USE PERMIT for outdoor storage.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce street landscaping; **2)** security fencing; **3)** allow a non-decorative fence; **4)** increase maximum parking; **5)** allow an attached sidewalk; and **6)** modified driveway geometrics.

DESIGN REVIEW for outdoor storage on 1.14 acres in a CG (Commercial General) Zone.

Generally located north of Ford Avenue and east of Dean Martin Drive within Enterprise.
JJ/sd/cv (For possible action)

RELATED INFORMATION:

APN:

177-17-308-002

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce street landscaping (trees) along Ford Avenue to 2 existing trees where 1 large tree every 30 feet is required per Section 30.04.01D.
2.
 - a. Allow security fencing where not permitted per Section 30.04.03D.
 - b. Reduce the height of a security wire to 5 feet where a minimum of 8 feet above ground per Section 30.04.03D (a 38% reduction).
3. Allow an existing 7 foot high security fence (5 foot non-decorative chain-link with 2 foot barbed wire) along Ford Avenue where fences and walls along a street shall be decorative per Section 30.04.03B.
4. Increase parking to 5 parking spaces where a maximum of 1 parking space is allowed per Section 30.04.04D (a 400% increase).
5. Allow an existing attached sidewalk along Ford Avenue to remain where a detached sidewalk is required per Section 30.04.08.
6.
 - a. Reduce the back of curb radius at the ingress side of the commercial driveways to 15 feet where 25 feet is required per Uniform Standard Drawing 222.1 (a 40% reduction).
 - b. Reduce the driveway width to 24 feet where 32 feet is required per Uniform Standard Drawing 222.1 (a 25% reduction).

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 3070 W. Ford Avenue
- Site Acreage: 1.14
- Project Type: Outdoor storage
- Building Height: 12 (existing office trailer)
- Square Feet: 528 (existing office trailer)
- Parking Required/Provided: 1/6 (5 plus 1 ADA space)
- Sustainability Required/Provided: 7/0

Request & Site Plan

A use permit is required since outdoor storage in the CG zoning district is limited to outdoor display only.

The plans depict an existing trailer on the southern portion of the parcel that will be utilized as an office. Access is from Ford Avenue along the south property line, with 2 existing driveways adjacent to swinging access gates, which will remain open during business hours, set back 18 feet from the property line. Behind the landscape area along the south property line is an existing 7 foot high security fence with a pedestrian access gate. Six parking spaces are located south of the office, and a waiver to increase parking is required. A 24 foot wide drive aisle is depicted with access to both driveways, and pedestrian pathways are provided. Lastly, the site plan depicts screening along the north property line which includes a 6 foot high block wall and a 6 foot high block wall and a 7 foot high security fence along the east and the west property lines.

Landscaping

The plans depict landscaping along the west, east, and north property lines with medium trees spaced at 20 feet on center within 8 foot wide landscape strips. Trees are shown within landscape islands at the end of the row of parking spaces. Adjacent to the attached sidewalk is street landscaping that includes 2 existing trees. A waiver of development standards to reduce the required number of trees is a part of this application.

Elevations & Floor Plan

An existing 528 square foot trailer will remain and will be utilized as an office. The exterior finishes include brown vertical wood-look vinyl siding and dark brown trim. The trailer is not on a permanent foundation.

Applicant's Justification

The applicant states the use permit will allow for outdoor storage not an accessory to an indoor primary use for a landscape company to park their commercial vehicles. The requested waivers of development standards will not create an undue burden on the immediate neighborhood.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1907-04	Zone change from H-2 to CG for a restaurant	Approved by BCC	December 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & West	Business Employment	IP	Undeveloped
South	Business Employment	RS20 & H-2	Undeveloped
East	Business Employment	H-2	Contractor's yard

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
VS-26-0134	A vacation and abandonment 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

Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Staff finds that the request for a special use permit to allow outdoor storage in the CG zoning district does not meet the required findings for approval. Per Section 30.03.07D, outdoor storage is only permitted in a CG district when it is in conjunction with a primary indoor use. Even if the property were rezoned to IP, which is the same zoning district on the parcels to the north and west and to the southeast, the primary use of the site as outdoor storage would still not be appropriate since Title 30 contemplates that the outdoor storage area needs to be smaller in area than the indoor use. Therefore, staff recommends denial of the use permit.

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 #1

The intent of street landscaping is to enhance the perimeter of the project site by providing shade and reducing storm water run-off. The required street landscaping would provide an enhancement to the streetscape along Ford Avenue. Review of the landscape plan shows areas along the street where an additional 2 trees can be planted outside of the sight visibility zones. Likewise, the adjacent development to the west and north has an approved landscape plan with trees planted along Ford Avenue in compliance with Title 30. The request to waive the required number of trees for street landscaping along Ford Avenue is a self-imposed burden, and therefore, staff recommends denial.

Waivers of Development Standards #2 & #3

The intent of establishing a minimum height for security wire is to minimize potential conflicts with pedestrians, particularly when the security fence is located in proximity to public streets and sidewalks. In addition, fences and walls are required to be decorative along the street to provide a uniform design aesthetic along street frontages. This request is a self-imposed burden and a safety concern and therefore, staff recommends denial.

Waiver of Development Standards #4

The overall design of the 6 parking spaces includes the required landscape islands and is situated close to the proposed office. Staff finds that increasing the number of parking spaces to 5 should not negatively impact the site. However, since staff does not support the aforementioned waivers or use permit, staff also cannot support 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 applicant can provide for visually appealing site design and improve the site with minimal changes. Staff finds that the design of the existing modular building is not appropriate as it is not supported by a foundation and it does not have the required masking between the bottom of the building and finished grade. Additionally, mechanical equipment that is partially visible from the right-of-way is not properly screened. Staff recommends denial of the design review.

Public Works - Development Review

Waiver of Development Standards #5

Staff cannot support the request to install attached sidewalks in place of detached sidewalks along Ford Avenue. Detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic.

Waiver of Development Standards #6a & #6b

The reduction in throat depth and driveway width reduces the safety of vehicles entering and exiting the site. Narrower driveways combined with reduced throat depth will result in more vehicles stopping in the right-of-way while drivers attempt to negotiate the tight turns that will be required. Therefore, staff 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:

- Enter into a standard development agreement prior to any permits in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance, and payment of the tree fee-in-lieu is required for any required trees waived.
- Applicant is advised approval of this application does not constitute approval of any other permit or license; 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

- Drainage study and compliance;
- Applicant to install commercial curb return driveways per Uniform Standard Drawing 222.1 to the minimum width for two-way traffic or provide a 5 foot wide concrete sidewalk behind the existing driveways or compliance with the Americans with Disabilities Act (ADA);
- Coordinate with Public Works - Development Review to reconstruct the median at the Ford Avenue and Dean Martin Drive intersection.

Fire Prevention Bureau

- 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)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: FORD INDUSTRIAL 114, LLC.

CONTACT: TAYLOR CONSULTING GROUP, INC., 8414 W. FARM ROAD #180, LAS VEGAS, NV 89131