

03/17/26 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-26-0049-2925 FREMONT HOLDINGS, LLC:

USE PERMIT to allow outdoor storage.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** modified residential adjacency standards; **2)** reduce buffering and screening; **3)** eliminate street landscaping; and **4)** fence.

DESIGN REVIEW for outdoor storage on 0.46 acres in a CR (Commercial Resort) Zone.

Generally located east of Fremont Street and north of Oakey Boulevard within Sunrise Manor.
TS/sd/cv (For possible action)

RELATED INFORMATION:

APN:

162-01-202-014

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow outdoor storage adjacent to a residential zoning district where not permissible per Section 30.04.06E.
2. Allow an existing 6 foot high screen wall along the northeast property line to remain where an 8 foot high decorative wall is required per Section 30.04.02C.
3. Eliminate street landscaping along Fremont Street where required per Section 30.04.01D.
4.
 - a. Allow a chain-link fence along Fremont Street where fences and walls along a street shall be decorative per Section 30.04.03.
 - b. Increase the height of a fence within front setback to 6 feet where 3 feet is the maximum allowed per Section 30.04.03 (a 50% increase).

LAND USE PLAN:

SUNRISE MANOR - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 2909 Fremont Street
- Site Acreage: 0.46
- Project Type: Outdoor storage
- Parking Required/Provided: 3/3
- Sustainability Required/Provided: 7/1

Site Plans

The plans depict an existing undeveloped parcel to be paved and used for outdoor storage. Access to the parcel is from Fremont Street. A total of 16,456 square feet of outdoor storage is proposed. A 6 foot high block wall exists along the property line to the northeast, adjacent to an existing manufactured home park. A chain-link fence is proposed along Fremont Street and both side property lines. A total of 3 parking spaces will be provided in the southeast portion of the parcel with one space designated as an accessible space.

Landscaping

The plans depict a 15 foot wide intense landscape buffer along the property line to the northeast, adjacent to an existing manufactured home park. Along the same property line, there is an existing 6 foot high block wall, and the applicant is requesting a waiver of development standards to allow the 6 foot high block wall to remain instead of the required 8 foot high decorative wall. The applicant is proposing to waive the required street landscaping and install desert landscaping instead.

Applicant's Justification

The applicant states they will be paving this parcel to allow for outdoor storage of vehicles. The outdoor storage use will not be open to the public and will include inoperable vehicles that are not for public display. A total of approximately 16,456 square feet of this lot will be paved and will install an intense landscape buffer along the southeast property line. The applicant states the requested use is similar to other uses within the immediate area and the rear property line with an intense landscape buffer will offset any impacts to the adjacent residential uses and the immediate area.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0598-06	Reclassified 2.2 acres from C-2 to H-1 zoning	Approved by BCC	June 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
Northwest	Entertainment Mixed-Use	CR	Undeveloped
Southeast	Entertainment Mixed-Use	CR	Vehicle sales & maintenance
Northeast	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Manufactured home park
Southwest	City of Las Vegas	C-2	Commercial use

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 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.

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.

Use Permit & Waiver of Development Standards #1

Staff finds that although the proposed outdoor storage will be screened from the adjacent residential use to the northeast with an intense landscape buffer consisting of evergreen trees, due to the proximity to the adjacent residential use, the proposed outdoor storage is inappropriate for the site, as it raises concerns about visual and operational incompatibility. Therefore, staff cannot support the requested use permit and the waiver of development standards to allow outdoor storage adjacent to a residential use.

Waiver of Development Standards #2

The applicant is proposing to eliminate the Title 30 buffering and screening requirements of an 8 foot high decorative screen wall and keep the existing 6 foot high block wall. The provision of buffering and screening would help mitigate the impact of outdoor storage on the adjacent residential property. The applicant has not provided a compelling justification as to why the required 8 foot high decorative block cannot be installed, nor proposed a suitable alternative to minimize the potential adverse effects. For these reasons, staff cannot support this request.

Waiver of Development Standards #3

The purpose of street landscaping is to enhance the perimeter of a site by providing shade for sidewalks and mitigate the urban heat island effect. Staff finds that many of the commercial and industrial uses in this area have installed street landscaping, which has greatly improved the streetscape of the immediate area. For these reasons, staff cannot support this request.

Waiver of Development Standards #4

While staff understands the desire to secure the site, the applicant has not provided a compelling justification as to why the fence at the proposed height cannot be redesigned as a decorative fence or be set back to comply with Title 30 standards. Therefore, staff 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

Staff finds that the request for outdoor storage and associated waivers of development standards will likely have adverse effects on the residences to the northeast of the site. The request relies on approval of waivers and a use permit, which staff does not support. Additionally, the plans do not depict a trash enclosure nor has the applicant provided any documentation of an alternative trash collection for this site. 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:

- 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 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

- Applicant is advised 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.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: FRANK STUCKEY

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