

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-25-0074-FUND AF HOLDING TRUST & RICHARD CAROL ANN TRS:**

**USE PERMIT** to allow contract construction services.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate street landscaping; **2)** eliminate parking lot landscaping; **3)** waive full off-site improvements; and **4)** allow alternative driveway geometrics.

**DESIGN REVIEW** for a proposed office/warehouse building in conjunction with a proposed contract construction service facility on 1.41 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-80 & APZ-1) Overlay.

Generally located on the west side of Betty Lane, 465 feet south of Cheyenne Avenue within Sunrise Manor. MK/sd/kh (For possible action)

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RELATED INFORMATION:

**APN:**

140-16-102-007

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate street landscaping along Betty Lane where a **6** foot wide landscape strip with 1 large tree every 30 feet is required per Section 30.04.01D.
2. Eliminate parking lot landscaping where a landscape island shall be provided every 6 parking spaces and at the end of each row of parking per Section 30.04.01D.
3. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Betty Lane where required per Section 30.04.08.
4. Allow the existing driveway along Betty Lane to remain where a commercial curb return driveway is required per Uniform Standard Drawing 222.1.

**LAND USE PLAN:**

SUNRISE MANOR - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3125 Betty Lane
- Site Acreage: 1.41
- Project Type: Proposed contract construction services with a proposed office/warehouse building
- Number of Stories: 1
- Building Height (feet): 17
- Square Feet: 3,675 (warehouse)/325 (office)

- Parking Required/Provided: 6/6
- Sustainability Required/Provided: 5/2

### Site Plan

The plan depicts a proposed office/warehouse building to be utilized for a contract construction service (plastering company) on the subject parcel. The plan shows a pre-manufactured steel building set back zero feet from the west property line, 57 feet from the south property line, and 10 feet from the north property line. Access to the site is from Betty Lane to the east, and the existing driveway leads west to the 2 centrally located 24 foot wide drive aisles which are parallel from one another. There are 6 parking spaces located east of the proposed building, and the plan also shows a 10 foot high security fence around the perimeter of the site. As part of the proposed use, the site includes outdoor storage of equipment, along the north property line, and a smaller area along the south property line. The applicant will install a screen mesh material along the north, south, and east security fences in order to screen the outdoor storage from the right-of-way (Betty Lane). Lastly, the center of the site includes an unpaved retention area and no parking will occur on this part of the site.

As a part of this application, a use permit to allow a proposed contract construction service (plastering company) on the subject parcel is required because the site is within the APZ-1 (Accident Potential Zone 1) Overlay. Furthermore, the applicant is requesting to waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Betty Lane where required per Code. Finally, the applicant is requesting to allow the existing driveway along Betty Lane to remain.

### Landscaping

No landscaping is proposed on the site. The applicant is requesting to eliminate street landscaping along Betty Lane where required per Code. Per Title 30, 5 large trees spaced every 30 feet on center within a 6 foot wide landscape street is required along Betty Lane. In addition, the applicant is proposing to not install parking lot landscaping where required per Code. Title 30 requires 1 landscape island to be installed on the north and south ends of the 6 parking spaces east of the proposed building.

### Elevations & Floor Plan

The plans depict a pre-manufactured metal building that has an overall height of 17 feet and has an overall area of 3,675 square feet, with an office that is 325 square feet. The exterior is comprised of vertical metal painted white with roll-up doors and pitched roofline. The north, south, and west elevations are solid with no windows or doors, while the east elevation features roll-up doors.

### Applicant's Justification

The applicant states the proposed use will be for contract construction services only. A use permit is required since the proposed use is within the Accident Potential Zone (APZ-1). The property will be paved with the exception of the drainage retention area in the middle of the subject parcel. The applicant will also provide a 10 foot high security fence around the site. Since the site is for an industrial use, and the businesses in the area are not generally open to the public, the area intentionally lacks off-site improvements along Betty Lane. The frequent use of heavy

equipment and machinery would quickly deteriorate these types of improvements. The applicant is requesting to allow the existing driveway to remain as is. Street landscaping is also not provided since the area is frequently used with heavy machinery and maintenance of the landscaping would be a challenge. Parking lot landscaping is also not provided due to the rapid deterioration of parking lot landscaping due to the machinery on-site.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-0341-88	Reclassified the site from M-D (AE-80 & APZ-1) to M-1 (AE-80 & APZ-1) zoning	Approved by BCC	December 1988

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North, South, East, & West	Business Employment	IL (AE-80 & APZ-1)	Industrial uses

**Clark County Public Response Office (CCPRO)**

There is an active zoning violation CE23-30140 for unpermitted outdoor storage.

**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.

A use permit for proposed uses within an Accident Potential Zone overlay allows for consideration of factors such as labor intensity, air pollution, size of establishment, and peak period concentrations of employees and customers. Staff finds that the proposed use is compatible with the surrounding industrial uses. The proposed contract construction services business will be a small-scale operation which will not have a negative impact to the neighboring industrial uses. Therefore, staff can support 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.

### Waivers of Development Standards #1 & #2

The applicant is requesting to waive all street landscaping along Betty Lane. This area is primarily comprised of industrial uses where no street landscaping has been provided. Title 30 states that street landscaping could reduce the impacts of wind, dust, pollution, glare, and heat island effect on human health and comfort on the subject site. Since the site will be fully developed with proposed on-site improvements, the applicant has the opportunity to add the 5 required trees and required shrubs along Betty Lane. Similarly, staff also cannot support eliminating parking lot landscaping. Per the submitted plans there are 6 parking spaces located within the front (east) of the pre-manufactured metal building. The site has ample room to add landscape finger islands within the parking area or propose a modified tree placement for the 2 missing trees. Therefore, staff does not 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 overall layout of the site will not create any internal conflicts or have any significant impacts on the surrounding area. This area is primarily industrial uses with similar operations and facilities. The proposed pre-manufactured metal building will be located at the western property line with roll-up doors facing towards the street. The roll-up doors are approximately 295 feet set back to Betty Lane. The proposed pre-manufactured metal building will not be injurious to the neighborhood and is a typical facility with industrial uses. However, since staff is not supporting the waivers of development standards #1 and #2; staff does not support the design review.

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

#### Waiver of Development Standards #3

Staff has no objection to waive full off-site improvements along Betty Lane due to the Special Improvement District (SID) project.

#### Waiver of Development Standards #4

Staff has no objection to allow the existing driveway along Betty Lane. The driveway will be reconstructed with the Special Improvement District (SID) project.

### **Staff Recommendation**

Approval of the use permit and waivers of development standards #3 and #4; denial of waivers of development standards #1 and #2, and the design review.

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 of security cameras and surveillance operation;
- 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**

- Drainage study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant shall agree to participate in a Special Improvement District (SID) for off-site improvements, including, but not limited to, paving, curb and gutter, and streetlights.

#### **Southern Nevada Health District (SNHD) - Engineering**

- Applicant is advised to contact the SNHD Environmental Health Division at [septics@snhd.org](mailto:septics@snhd.org) or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

#### **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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0061-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Sunrise Manor - approval (add street landscaping after the Special Improvement District Project).

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** AZTECH PLASTERING, LLC

**CONTACT:** CAROL RICHARD, 11255 W. TORINO AVENUE, LAS VEGAS, NV 89161