

TOWING SERVICES
(TITLE 30)

OLETA AVE/MANN ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0597-MTL TRUST:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** parking lot landscaping; **2)** eliminate street landscaping and detached sidewalk; and **3)** not construct a commercial driveway.

DESIGN REVIEW for a towing services yard with an ancillary office and storage building on 4.3 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the north side of Oleta Avenue, 328 feet east of Torrey Pines Drive within Enterprise. JJ/sd/syp (For possible action)

RELATED INFORMATION:

APN:

176-23-601-001; 176-23-601-007

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate parking lot landscaping where required per Figure 30.64-14.
2.
 - a. Eliminate street landscaping and detached sidewalk along Oleta Avenue where required per Figure 30.64-17.
 - b. Eliminate street landscaping and detached sidewalk along Blue Diamond Road where required per Figure 30.64-17
3. Eliminate pan driveway where a commercial driveway is required per Uniform Standard Drawing 222.1.

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.3
- Project Type: Towing services yard
- Building Height (feet): 17
- Square Feet: 1,800 (ancillary office)/1,200 (ancillary storage)
- Parking Required/Provided: 14/14

Site Plans

The plans submitted depict a proposed towing services yard with an ancillary building on undeveloped parcels along Blue Diamond Road. Both parcels are zoned M-1 where towing services is a permitted use. Access to the parcels will be from Oleta Avenue and will be secured by a 36 foot wide security gate. No access is proposed from Blue Diamond Road. An ancillary office is shown in the southeast corner of the site with 14 customer parking spaces located along the east side of the office building. The trash enclosure is shown north of the customer parking spaces. Interior to the sites there is a 24 foot wide fire lane on the perimeter of the site.

Landscaping

The applicant has applied for waiver of development standards to eliminate street landscaping and detached sidewalk along Blue Diamond Road and Oleta Avenue. In addition, the applicant is also requesting a waiver of development standards to eliminate parking lot landscaping and landscape islands.

Elevations

The plans depict an ancillary office and storage building associated with the tow services yard that is 17 feet in height to the pitched roofline with standing seam metal roof and vertical metal with roll-up doors. The ancillary building will utilize beige colors to prevent vivid hues.

Floor Plans

The plans depict an ancillary office building divided into 2 separate suites with 1 being 1,200 square feet for storage and the other 1,800 square feet for office use which will be used for administration purposes related to the proposed use of tow services.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the proposed use of this parcel is for a towing service use, which is a permitted use in M-1 zone. The proposed use includes a 3,000 square foot office/warehouse premanufactured metal building, paved storage yard on parcels 1 and 2, paved access from Oleta Avenue, which is a local paved access road, and an 8 foot CMU block wall and 2 sliding gates for access to the yard. Both gates will be replaced by an 8 foot block wall and an 8 foot high CMU block wall is proposed on the perimeter of parcel 1.

Parking analysis has been provided on the site plan. The number of parking spaces was based on the area of the yard dedicated to storage of impounded vehicles and the total area of the proposed building. The 14 parking spaces provided along the east property line meet Code and are adequate given the expected number of employees and customers. The facility operator also states they expect no more than 2 to 3 customers at any given time.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0418-17	Vacated and abandoned easements and right-of-way being Mann Street	Approved by PC	October 2017
UC-0030-16	Retail sale of landscape materials with waivers for design standards for a temporary modular structure, street landscape requirements, eliminated parking lot landscaping, eliminated loading space, eliminated trash enclosure, on-site paving, and full off-site improvements with a design review for landscape materials for retail/wholesale and storage facility including modular building - expired	Approved by BCC	April 2016
UC-0118-13	Private recreation facility (zoo), included several waivers and a design review - expired	Approved by BCC	May 2013
UC-0355-09	Swap meet with related storage units - expired	Approved by BCC	July 2009
UC-0227-09	Swap meet and included waivers, design review, and waivers of conditions (design review was denied) - expired	Approved by BCC	May 2009
UC-1204-07	Recreational facility (paintball fields) and included a design review and waivers for reduced parking, landscaping, alternative exterior materials, and reduced setbacks - expired	Approved by PC	November 2007
ZC-1254-06	Reclassified 176-23-601-001 from H-2 to M-1 zoning for a future development	Approved by BCC	October 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, West, & East	Business Employment	H-2	Undeveloped
South	Business Employment	M-1	Undeveloped & outside storage

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

Related Applications

Application Number	Request
WC-23-400136 (ZC-1254-06)	A waiver of conditions to provide full off-site improvements and right-of-way dedication for a towing services yard is a companion item on this agenda.
VS-23-0598	A vacation and abandonment of patent easements and right-of-way is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Comprehensive Planning

Waivers 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.

Waivers of Development Standards #1 & #2

Staff finds that redesigning the proposed parking lot could allow for placement of requisite landscape islands and parking lot landscaping. The existing parcel is vacant and will allow for the applicant to incorporate landscaping to the site and provide development standards of the Code, including landscape islands or alternative parking lot landscaping. The applicant has not provided other mitigation measures to off-set any landscaping within the parking lot, including planting of required trees elsewhere on the property. Street and parking lot landscaping are provided for not only community beautification, but to also reduce the urban heat island effect.

With continued warming from urban heat island effect, Policy 3.6.1 of the Master Plan encourages new development through site design providing shade to reduce heat absorption by exterior surfaces. The opportunity to provide the required landscaping is available with the new site design. Therefore, staff is unable to support these requests.

Design Review

Staff finds the proposed use is consistent with Policy SM-5.1 of the Master Plan which encourages the compatible development of businesses that provide an employment base near residents. However, the proposed plans do not provide enhancement into the site, nor is the proposed design consistent with other developments that incorporate landscape areas that have been approved for other similar uses. Since staff cannot support the waivers for street landscaping and parking lot landscaping, staff cannot support this request.

Public Works - Development Review

Waiver of Development Standards #3

Commercial curb return driveways help mitigate traffic by allowing a smooth transition from the road into the commercial site, whereas having no driveways will confuse vehicles as to if this was a street or the access to the driveway causing vehicles to nearly come to a stop to help negotiate where to go. With development of the on-site portions of the site, staff finds that it is imperative to improve the driveway as public safety is more important than the on-site redevelopment.

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 or subdivision mapping 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.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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 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; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at 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 and reference POC Tracking #0201-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval of waiver of development standards #3; denial of waivers of development standards #1 and #2 and the design review (design review as a public hearing for lighting and signage).

APPROVALS:

PROTESTS:

APPLICANT: MTL TRUST

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