

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0524-FG INDEPENDENT HAULING, INC.:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** non-decorative fence; **2)** increase fence height; **3)** eliminate access gate setback; **4)** eliminate street landscaping; and **5)** waive full off-site improvements.

**DESIGN REVIEW** for outdoor storage yards on 0.5 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-75 & AE-80) Overlay.

Generally located south of Washburn Road and west of Mt. Hood Street within the Sunrise Manor Planning Area. MK/mh/kh (For possible action)

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RELATED INFORMATION:

**APN:**

123-34-310-029; 123-34-310-033

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow non-decorative fences (chain-link) along Dike Street where all fences and walls along a street are required to be decorative per Section 30.04.03B.
2. Increase the height of proposed chain-link fences along Dike Street to 8 feet where a maximum fence or wall height of 3 feet is permitted within the front setback per Section 30.04.03B (a 166.67% increase).
3. Eliminate the setback for proposed access gates along Dike Street where access gates shall be set back no less than 50 feet from the property line per Section 30.04.03E.
4. Eliminate street landscaping along Dike Street where a 6 foot wide landscaped area is required per Section 30.04.01D7.
5. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Dike Street where required per Section 30.04.08C.

**LAND USE PLAN:**

SUNRISE MANOR - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 0.25 (each storage yard)/0.5 (overall)
- Project Type: Outdoor storage (2 yards)
- Number of Stories: 1 (metal storage buildings)
- Building Height (feet): 8.5 (metal storage buildings)
- Square Feet: 80 (metal storage buildings)

- Area (individual storage yards): 10,890 (square feet)/0.25 (acres each)
- Parking Required/Provided: 6/6
- Sustainability Required/Provided: 7/0

#### Site Plans

The plans depict 2 separate outdoor storage yards generally located south of Washburn Road, on the east and west sides of Dike Street. APN 123-34-310-029 is located along the west side of Dike Street, while APN 123-34-310-033 is along the east side of Dike Street. Each storage yard measures 0.25 acres (10,890 square feet) in area and is secured by a proposed chain-link fence measuring 8 feet in height with mesh screening. Waivers of development standards are required to allow a non-decorative fence (chain-link) and to increase the height of the fences along Dike Street. Each storage yard is accessed through a separate access gate immediately adjacent to the public right-of-way, necessitating a waiver of development standards to eliminate the setback for the access gates. Six parking spaces are required for the outdoor storage yards (3 for each yard) where 6 parking spaces have been provided. Each outdoor storage yard features a metal storage building measuring 80 square feet for equipment storage with a setback of 3 feet from the interior side and rear property lines. A waiver for full off-site improvements along Dike Street is also part of this request.

#### Landscaping

A waiver of development standards is required to eliminate street landscaping along Dike Street. Parking lot landscaping is not provided or required with this proposed development as each storage yard features less than 6 parking spaces.

#### Elevations & Floor Plans

The plans depict 2 metal storage buildings, each measuring 8.5 feet in height and 80 square feet in area. Each storage yard will feature 1 metal storage building.

#### Applicant's Justification

The applicant is requesting approval of 2 outdoor storage yards for the safe and secure parking and keeping of semi-trucks, equipment, and material. There is no water source on-site or nearby to maintain landscaping. The increase in fence height will allow the site to not be visible to the public and will prevent trespassing and theft. The fence will be placed along the front property line to maximize the area of the outdoor storage yard. The access gates shall remain locked during business hours and after hours with the intention of the gates being open once in the morning and evening to allow trucks to exit and enter the site. A trash enclosure will not be provided as waste will not be brought to the site.

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-1814-03	Reclassified 34,200 acres in the Nellis Air Force Base Airport Environs Overlay District by adding the appropriate sub-district designation (AE-65, AE-70, AE-75, & AE-80) to their existing zoning	Approved by BCC	December 2004

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North & West	Business Employment	RS80 (AE-75 & AE-80)	Undeveloped
South & East	Business Employment	RS80 & H-2 (AE-75 & AE-80)	Undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-25-0523	A zone change from RS80 and H-2 to IL is a companion item on this agenda.

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

CE24-23095 is an active violation on APN 123-34-310-033 for the outdoor storage of equipment and vehicles within the RS80 and H-2 zoning districts.

**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.

Waiver of Development Standards #1

Staff finds the request to allow non-decorative fences (chain-link) along Dike Street is a self-imposed burden and the applicant could have selected a decorative material to comply with the Code. The area surrounding the project site is beginning to develop and allowing chain-link fencing would set a precedent for future development that staff cannot support. Therefore, staff recommends denial of this request.

Waiver of Development Standards #2

The intent of the height increase to the proposed chain-link fences along Dike Street is to secure the storage yards from theft and vandalism. Fences and walls measuring 8 feet in height are not uncommon within industrial areas; however, since staff is not supporting the request to allow the non-decorative fence (chain-link), staff recommends denial of this request.

### Waiver of Development Standards #3

The intent of maintaining a uniform setback for access gates along streets is to ensure vehicles do not queue into the public right-of-way, creating conflict with motorists. Staff recognizes that Dike Street does not experience a large volume of vehicular traffic and the potential for conflict is minimal based on current conditions. However, staff finds the request to eliminate the setback requirement for the access gates is not ideal given the developing nature of the area and the fact the gates are manually operated. Therefore, staff recommends denial of this request.

### Waiver of Development Standards #4

The intent of street landscaping is to enhance the perimeter of the project site by providing shade and reducing storm water run-off. Furthermore, the required street landscaping would provide an additional buffer between the proposed outdoor storage use and the public streets. Staff finds that the request to waive the required street landscaping along Dike Street is a self-imposed burden; therefore, recommends denial of 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 the outdoor storage yard is compatible with the surrounding industrial uses, which include outdoor storage, warehouse, and distribution center uses. However, due to the totality of the waivers of development standards requests, which staff is not supporting, staff recommends denial of the design review.

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

#### Waiver of Development Standards #5

Staff cannot support the request to not install full off-site improvements along Dike Street. The site is located in an area that in recent years, has been growing with developments providing full off-site improvements. Additionally, full width paving, curb, and gutter allows for better traffic flow and drainage control, and sidewalks on public streets provide safer pathways for pedestrians.

### **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 and application for review; 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**

- 2 years to complete full off-site improvements;
- 2 years to review completion of full off-site improvements;
- Drainage study required prior to future off-site improvements;
- Off-site permit required for the removal and replacement of unpermitted improvements;
- Execute a Restrictive Covenant Agreement (deed restrictions).

### **Fire Prevention Bureau**

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and 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:** FAUSTINO GUERRA

**CONTACT:** JOSE DE JESUS CARRILLO, 3195 BROCKINGTON DRIVE, LAS VEGAS, NV 89120