

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-25-0118-SCHMID & COOK, LLC:**

**HOLDOVER USE PERMIT** for outdoor storage and display.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** modify residential adjacency standards; **2)** reduce street landscaping; **3)** reduce and eliminate buffering and screening; **4)** eliminate parking lot landscaping; **5)** reduce parking; **6)** eliminate access gate setbacks; and **7)** reduce security wire height.

**DESIGN REVIEW** for outdoor storage and equipment rental or sales and service on 4.18 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65) Overlay.

Generally located on the north side of Las Vegas Boulevard North, 200 feet northeast of Lamont Street within Sunrise Manor. MK/dd/kh (For possible action)

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RELATED INFORMATION:

**APN:**

140-05-802-003

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Allow outdoor storage adjacent to a residential use where not permissible per Section 30.04.06E.  
b. Allow roll-up overhead doors to face a residential district that is not screened by another building where not permissible per Section 30.04.06N.
2. Reduce street landscaping along Las Vegas Boulevard North to 2 trees where 6 trees are required per Section 30.04.01D (a 67% reduction).
3. a. Allow a 6 foot high screen fence to remain along the north and east property lines where an 8 foot high decorative screen wall is required per Section 30.04.02C.  
b. Eliminate the landscape buffer along the north and east property lines where a 15 foot wide landscape buffer is required per Section 30.04.02C.
4. Eliminate parking lot landscaping where parking lot landscaping is required per Section 30.04.01D.
5. Reduce the number of parking spaces to 15 spaces where 25 spaces are required per Section 30.04.04C (a 40% reduction).
6. Eliminate access gate setbacks where a minimum of 18 feet is required per Section 30.04.03E.
7. Reduce the height of security wire to 5 feet above the ground where a minimum of 8 feet above the ground is required per Section 30.04.03D (a 38% reduction).

**LAND USE PLAN:**

SUNRISE MANOR - CORRIDOR MIXED-USE

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: 4073 Las Vegas Boulevard North
- Site Acreage: 4.18
- Project Type: Outdoor storage and sales equipment/pallet manufacturing
- Number of Stories: 1 (all buildings)
- Building Height (feet): 20 (main building)/20 (equipment or sales and service storage building)/15 (pallet office)
- Square Feet: 6,950 (pallet manufacturing)/2,608 (pallet office)/6,031 (equipment sales and service)/3,000 (vacant)/18,589 (total)
- Parking Required/Provided: 25/15
- Sustainability Required/Provided: 7/0

#### Site Plan

The site plan depicts an existing equipment trailer sales lot, pallet manufacturing, and pallet storage site. Access to the site is from Las Vegas Boulevard North to the south via two driveways. One driveway is at the southwest corner of the lot, and the other driveway is at the southeast corner. Both driveways feature rolling access gates.

A single 24 foot wide drive aisle is depicted on plans and is mainly accessible from the southwest entrance of the property. The drive aisle meanders north through the site and terminates in a turnaround on the northern half of the site.

The main building on site is located near the southeast corner of the parcel, 67 feet from Las Vegas Boulevard North to the south and 10 feet from the interior side property line to the east. Parking for the site is shown on the south and west sides of the building. There are two more buildings on site; one is an equipment sales and service storage building located immediately to the west of the main building and north of the parking area, and the other is centrally located on the site near the west property line. There are also several interior fences and accessory structures throughout the site, as well as areas dedicated to the storage of trash and recycling containers. Display areas for equipment trailers are located throughout the southern half of the site, and outdoor storage areas for stacks of pallets are located throughout the northern half of the site.

#### Landscaping

Landscaping plans depict the addition of one new large tree on the southeast corner of the property and one new large tree on the southwest corner of the property. Other than the installation of these trees, no landscaping is proposed.

#### Elevations

Photos depict the main building as being a maximum of 20 feet high. All faces of the main building feature a mixture of metal panels and sheeting, CMU block, wood panels, and glazed storefront windows, with the front (south) face of the building also featuring a metal paneled roof. The north, south, and west faces of the main building also feature overhead roll-up doors.

The equipment sales and service storage building to the west of the main building is depicted as a maximum of 20 feet high and is constructed of sheet metal panels. There are overhead roll-up doors on the north, south, and west faces of the building.

The pallet office that is centrally located near the west property line is depicted as being a maximum of 15 feet high and is constructed with stucco.

Finally, there is a chain link fence that surrounds the entire property that varies from 5 feet to 6 feet in height, and the access gates are both shown as being 6 feet high. There is an additional 1 foot high installation of straight barbwire on top of all of the fencing around the site, including the access gates. Additionally, the applicant has noted that the pallets stored on site are stacked to a maximum height of 15 feet, greater than the height of the fence surrounding the site.

#### Floor Plans

The floor plan depicts the main building on the southern half of the property as being made up of four main suites and two small office spaces, and these areas are utilized by three different businesses. The first business is located within the central suite of the building and is occupied by "Trailer Depot", an equipment service company. This suite is listed as 3,750 square feet. The north and east suites are occupied by "M&H Pallets", a pallet manufacturing company. These two suites have a combined square footage of 6,950 square feet. The southernmost suite of the main building is currently vacant and is shown as 3,000 square feet. The two small office spaces, located on the west side of the building, are occupied by "M&H Pallets" and "Carson Trailer", an equipment trailer sales business and the third business on site. The "M&H Pallets" office is 300 square feet, and the "Carson Trailer" office is 600 square feet.

The first accessory building to the west of the main building is shown as being 1,681 square feet and is occupied by "Carson Trailer". The second accessory building is shown as being 2,308 square feet and is occupied by "M&H Pallets".

#### Applicant's Justification

The applicant states that this site is home to multiple businesses that have operated there since 1992. The site was recently sold, and in the transition between owners, UC-04-1502 (the prior land use approval for these uses) expired. The applicant states that the site will remain as it always has been, that there are few public customers, and that the surrounding area is heavily industrial. Additionally, the applicant states that when the property was originally developed it was somewhat desolate, and that much of the infrastructure was developed around it throughout time.

The applicant also states that the businesses on site all share a single dumpster and recycling container, and employees are encouraged to take their trash and recyclables home with them to reduce waste on site. Additionally, the applicant states that planting trees along the property line to the south and throughout the parking area would be cost restrictive, citing the need to remove asphalt and partially reconfigure the site.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ET-400092-13 (UC-1502-04)	Wood manufacturing third extension of time - until September 23, 2018 to review landscaping and screening - expired	Approved by PC	November 2013
ET-400096-11 (UC-1502-04)	Wood manufacturing second extension of time - until September 23, 2013 to review landscaping and screening - expired	Approved by PC	November 2011
ET-400246-06 (UC-1502-04)	Wood manufacturing first extension of time - until September 23, 2011 to review landscaping and screening - expired	Approved by PC	November 2006
UC-1502-04	Original application for wood manufacturing not within an enclosed building with waivers for screen fencing along a street, street landscaping, trash enclosure, and slats in chain link fence - subject to 2 years for review - expired	Approved by PC	September 2004
VC-0550-92	Wood pallet manufacturing business not within an enclosed building with waivers for screen fencing along a street, street landscaping, and a wall enclosed trash area - subject to a 5 year review - expired	Approved by PC	August 1992

There were other land use approvals not related to this project that have since expired.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Compact Neighborhood (up to 18 du/ac)	RM18 (AE-65)	Single-family residential
South	Corridor Mixed-Use	H-2 (AE-70)	Parking lot & undeveloped
East	Corridor Mixed-Use	CG (AE-65)	Undeveloped
West	Corridor Mixed-Use	IL (AE-65)	Equipment rental & 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.

While staff does not typically support a reduction in screening for outdoor storage, or for the stacking of items above the screen fence or wall, staff acknowledges that the conditions of the site which were previously approved for the same use have not changed. Screen fence height and the stacking of objects (pallets) up to 15 feet high can have negative visual impacts to the surrounding area, but staff can confirm that this site has been used for outdoor storage since the early 1990's based on previous land use approvals and satellite imagery. Developments to the north and east would be most heavily impacted, but the development to the north began long after the subject site's original approval, and the property to the east is still undeveloped. For these reasons, staff can support this request.

#### 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 & #3

While outdoor storage is not a permitted use when adjacent to an area subject to residential adjacency standards, and an intense landscape buffer is required along the north and east property lines, staff finds that outdoor storage has been the primary use at this location since the early 1990's, before the residential development to the north existed. The tentative map for the residential development to the north was finalized in 2018 and construction of these residences is still ongoing. Additionally, there is a drainage channel to the north of the outdoor storage site, south of the homes being constructed which adds an additional physical barrier for the residences. The property to the east of the site is undeveloped and requires a landscape buffer based on the planned land use, but similarly to the property to the north, any development that begins will be knowingly located adjacent to an outdoor storage facility. For these reasons, staff can support these requests.

#### Waivers of Development Standards #2 & #4

Street and parking lot landscaping are useful for preventing the urban heat island effect. Street landscaping improves the aesthetics of street frontages, while parking lot landscaping improves the aesthetics of individual sites. Staff acknowledges that the applicant is planning to plant 2 trees within the boundaries of their property along Las Vegas Boulevard, but 6 trees are required. Similarly, staff acknowledges that some pavement would need to be removed to install parking lot landscaping, but doing so would improve the site overall. Waiving any landscaping is never encouraged by staff, and for these reasons, staff cannot support these requests.

#### Waiver of Development Standards #5

While the site does not provide the necessary number of parking spaces in relation to the different businesses and uses on site, staff acknowledges that the site itself was developed and approved under a different set of standards, and that the businesses themselves are relatively low traffic with few customers at any given time. For these reasons, staff can support this request.

#### Waiver of Development Standards #6

Staff finds that the lack of gate setbacks for the site could potentially present a danger to vehicles entering and exiting the site. While the gates have existed for many years and traffic to and from the site is minimal, access gate setbacks are important to prevent accidents and improve overall safety in the area. The applicant states the access gates will remain open during business hours which does help mitigate any potential issues, but there is also no reason that the gates could not be relocated to improve the safety conditions on site. For these reasons, staff cannot support this request.

#### Waiver of Development Standards #7

The design standards set forth in Title 30 relating to security fencing are set in place for safety purposes, and the reduction of required height for barbed wire presents a safety hazard for staff and customers to the site. Staff acknowledges that the fencing and barbwire has existed for many years, but potential accidents involving barbwire and security fencing may happen at any time. Additionally, while the barbed wire provides additional security for the site, it could be removed and this waiver could be avoided altogether. For this reason, 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 this site has been used for pallet manufacturing and storage since the early 1990s, and that the applicant has remained at this same site since then. Staff also notes that the site was originally approved to operate as it is now by UC-1502-04 and was further approved by multiple subsequent extensions of time up until September of 2018.

While the site does not feature a trash enclosure, a mobile dumpster and a recycling container are provided on site. Additionally, many of the accessory structures on site are not architecturally compatible with the main building, but a majority of them are not visible from Las Vegas Boulevard to the south and were previously approved as they are today.

While staff finds that the site does not meet current Title 30 standards, past approvals coupled with the fact that there are no proposed changes to the uses or existing structures on site lead staff to be supportive of this application. For this reason and those listed before, staff can support this request.

**Staff Recommendation**

Approval of the use permit, waivers of development standards #1, #3, and #5, and the design review; denial of waivers of development standards #2, #4, #6, and #7.

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; approval of this application does not constitute or imply approval of any other County issued permit, license or approval; 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**

- No comment.

**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: Sunrise Manor - approval (add decorative rock and desert landscaping along the front property line; prohibit parking on North Las Vegas Boulevard; keep the stacked pallets below the fence line; maintain the fence (keep it free of graffiti and replace any broken or missing sections); maintain a drive aisle and turnaround wide enough for emergency services to access the site; remove the existing barbed/razor wire from the fence surrounding the site).**

**APPROVALS:**

**PROTESTS:**

**PLANNING COMMISSION ACTION:** March 18, 2025 – HELD – To 05/06/25 – per staff for the applicant to return to the Sunrise Manor Town Board.

**APPLICANT:** SCHMID & COOK, LLC

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