

02/07/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WC-23-400170 (ZC-0380-05)-EMA HOLDINGS, LLC SERIES D:**

**WAIVER OF CONDITIONS** of a zone change requiring the construction of a slump stone wall with a wrought iron gate along Las Vegas Boulevard North in conjunction with a proposed outside storage yard with a watchman's trailer on 2.7 acres in an M-1 (Light Manufacturing) (AE-65) Zone.

Generally located on the north side of Las Vegas Boulevard North, 400 feet east of Puebla Street within Sunrise Manor. MK/mh/syp (For possible action)

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RELATED INFORMATION:

**APN:**

140-08-501-002

**LAND USE PLAN:**

SUNRISE MANOR - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 4229 Las Vegas Boulevard North
- Site Acreage: 2.7
- Project Type: Outside storage

**Site Plan & Request**

The original request (ZC-0380-05) approved a zone change from H-2 (General Highway Frontage) to M-1 (Light Manufacturing), a waiver of development standards for off-site improvements (except paving), and a design review for an outside storage yard with a watchman's trailer. A condition of approval required the construction of a slump stone wall with a wrought iron gate along Las Vegas Boulevard North in order to screen the outside storage from the right-of-way. This request is to waive that condition and allow the site to maintain its existing chain-link fence.

The approved plans depict an outside storage yard for construction related vehicles and equipment. The plans depict a watchman's trailer with applicable parking requirements. There is a 20 foot wide landscape area along Las Vegas Boulevard North and a 10 foot wide landscape area per Figure 30.64-11 along the north property line.

### Previous Conditions of Approval

Listed below are the approved conditions for ZC-0380-05:

#### Current Planning

- Subject to no resolution of intent and staff preparing an ordinance to adopt the zoning;
- Constructing a slump stone wall with a wrought iron gate along Las Vegas Boulevard North;
- Compliance with all applicable Clark County Air Quality Regulations;

#### Public Works - Development Review

- Drainage study and compliance;
- Off-sites on Las Vegas Boulevard North as approved by Nevada Department of Transportation;
- And all applicable standard conditions for this application type.

### Applicant's Justification

The applicant states that the property is only going to be used for temporary outside storage and will later be part of a larger development. The applicant requests that the existing chain-link fence be allowed to remain, as it is consistent with other sites along this stretch of Las Vegas Boulevard North.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
PA-22-70007	Plan amendment to amend the Northeast (Las Vegas) Valley Transportation Map of the Master Plan to remove the Arterial Street Designation for East Alexander Road between Puebla Street and Nellis Boulevard within Sunrise Manor	Approved by BCC	March 2023
ZC-0380-05	Reclassified 2.7 acres from H-2 to M-1 zoning, waiver of development standards for off-site improvements (except paving), and design review for an outside storage yard with watchman's trailer	Approved by BCC	April 2005

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RUD	Single family residential
South	Business Employment	R-T, H-2, & M-D	Campground & industrial park
East	Business Employment	C-2	Flood channel & convenience store
West	Business Employment	H-2	Undeveloped

**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**

A waiver of conditions may be approved upon a finding that the condition will no longer fulfill its intended purpose.

Staff finds that the condition requiring a slump stone wall with a wrought iron gate along Las Vegas Boulevard North is still applicable as the applicant intends to use the site for outside storage, at least temporarily. There are currently no other land use applications in process for this property, so there is no guarantee that the property will be developed for an alternative use. The condition was imposed to screen the outside storage from the Las Vegas Boulevard North right-of-way and the less intensive uses across the street. A chain-link fence is considered insufficient screening for outside storage, and the applicant has not provided any justifications as to why a decorative wall cannot be installed. For these reasons, staff cannot support this request.

**Staff Recommendation**

Denial.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the condition will no longer fulfill its intended purpose.

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:

- Applicant is advised any changes to the approved plans will require approval of a new land use application.

**Public Works - Development Review**

- No comment.

**Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:**  
**APPROVALS:**  
**PROTEST:**

**APPLICANT:** PEYMAN MASACHI

**CONTACT:** PEYMAN MASACHI, 74 HUNT VALLEY TRAIL, HENDERSON, NV 89052