

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-26-0179-MUNOZ AMBROCIO & PETERSON HELEN:

USE PERMITS for the following: **1)** outdoor storage and display; and **2)** vehicle sales.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate street landscaping; **2)** reduce setbacks; **3)** allow a non-decorative fence; **4)** increase fence height; **5)** reduce driveway width; and **6)** waive off-site improvements.

DESIGN REVIEW for an existing outdoor storage and display and vehicle sales facility in conjunction with an existing vehicle tow yard on 0.83 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-75 & APZ-1) Overlay.

Generally located east of Ringe Lane and north of Alto Avenue within Sunrise Manor.
MK/jam/cv (For possible action)

RELATED INFORMATION:

APN:

140-16-201-033

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate street landscaping along Alto Avenue where required per Section 30.04.01D.
2.
 - a. Reduce the side the street setback for the existing office building along Alto Avenue to 7 feet where 20 feet is required per Section 30.02.19. (a 65% reduction).
 - b. Eliminate the access gate setback along Alto Avenue where 18 feet is required per Section 30.04.03.
3. Allow a non-decorative fence along Ringe Lane and Alto Avenue where in the Urban Area, fences and walls along a street shall be decorative per Section 30.04.03B.
4. Increase the existing chain-link fence height along Ringe Lane to 6 feet where a 3 foot maximum height is permitted when located in the front setback per Section 30.04.03B (a 100% increase).
5. Reduce the width of a proposed commercial driveway along Alto Avenue to 20 feet where 32 feet is required per Uniform Standard Drawing 222.1 (a 38% reduction).
6.
 - a. Waive full off-site improvements (sidewalk, curb, gutter, streetlights and partial pavement) along Ringe Lane where required per Section 30.04.08C.
 - b. Waive full off-site improvements (sidewalk, curb, gutter, streetlights and partial pavement) along Alto Avenue where required per Section 30.04.08C.

LAND USE PLAN:

SUNRISE MANOR - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 2820 Ringe Lane
- Site Acreage: 0.83
- Project Type: Outdoor storage (tow yard)/vehicle sales
- Number of Stories: 1
- Building Height (feet): 15
- Square Feet: 940
- Parking Required/Provided: 4/4

Site Plan

The site plan depicts an existing tow yard with outdoor storage on a developed parcel at the northeast corner of Ringe Lane and Alto Avenue. The existing conditions include; 1 building, perimeter fencing, 2 gated access points, and paved yard areas used for towing-related storage. The plans show that portions of the building, fencing, and driveway approach lie within or near required setback and future right-of-way areas. Proposed modifications consist of relocating the east gate roughly 30 feet north to meet driveway requirements, removing the west gate, improving the parking lot area and separating it from the outdoor storage area.

A 940 square foot office is located near the south portion of the property, set back 7 feet from Alto Avenue (south property line). Outdoor storage and display areas are located on the north and west portions of the site. A new trash enclosure is located to the west of office. Parking is located at the southeast portion of the site. The parking analysis shows that 4 parking spaces are required for both the vehicle sales and the outdoor storage and display use, where 4 are provided. 2 vehicle display spaces are provided for customers to pick-up their vehicles.

A use permit is requested since the outdoor storage is not screened with the required 8 foot high wall or fence and is instead screened by an existing 6 foot high fence along the perimeter of the site. In addition, the applicant wishes to conduct accessory vehicle sales within the APZ-1 Overlay which also requires a use permit. Section 30.02.26 (Key 6300*), states in part that vehicle related sales may be allowed as an accessory use if established in conjunction with vehicle storage as the primary use, subject to approval of a Special Use Permit.

Landscaping

The applicant is proposing landscaping along Alto Avenue behind the existing chain link fence; however, since this does not comply with Title 30 a waiver is being requested. Along Ringe Lane, the applicant is proposing large trees per Title 30 within a 10 foot wide landscape strip.

Elevations

The elevations show the existing 1 story building with residential architectural features includes a low-slope roof, exterior windows, and doors arranged along the north and south facades that are to remain unchanged. The exterior stucco color is identified as terra cotta.

Floor Plans

The floor plan illustrates the interior layout of the existing one-story building, showing multiple rooms arranged around a central corridor. The plan includes labeled interior spaces, existing doorways, and window placements along the exterior walls. All shown elements represent existing conditions, with no modifications noted.

Applicant's Justification

The applicant is requesting approval for the continued use of the site for towing operations with outdoor vehicle storage. The existing building, originally constructed as a residence and currently used as an office, is proposed to remain in its current configuration, with no structural modifications. The applicant notes that certain existing site features such as the building location, perimeter fencing, and driveway approaches do not meet current standards. As a result, the request includes multiple waivers to retain these existing conditions. The applicant states that the site is fully paved and meets air-quality surfacing requirements. The applicant further indicates willingness to participate in a future Special Improvement District (SID) for off-site improvements when initiated.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0239-05	Zone change, waivers and design review for outdoor storage facility - expired	Approved by BCC	September 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, & West	Business Employment	IL (AE-75 & APZ-1)	Outdoor storage
East	Business Employment	IL (AE-75 & APZ-1)	Warehouse & outdoor storage

Related Applications

Application Number	Request
WC-26-400035 (ZC-0239-05)	Waivers of conditions of a zone change is a companion item on this agenda.

Clark County Public Response Office (CCPRO)

CE23-30137 is an active violation for not having approved land use entitlements or permits.

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 Permits

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.

Per Section 30.03.07D, outdoor storage must be screened from arterial and collector streets, rights-of-way, and adjacent non-industrial uses with an 8 foot high screened fence or wall; however, the applicant proposes the existing 6 foot high fence along Ringe Lane and Alto Avenue. Staff does not support the request, as the site can accommodate an 8 foot high screen fence or wall consistent with Title 30, and the reduced height does not meet the intent of the standard to fully screen outdoor storage from public view and adjacent uses.

The vehicles offered for sale will be stored behind fencing, which will limit public access and help minimize customer activity on the site. Because the primary use of the property is outdoor storage for a towing operation and the vehicle sales component functions only as an accessory use, staff could support the request under different circumstances. However, given that staff is not supporting other key elements of the overall application, staff recommends denial of the use permits.

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

The intent of street landscaping is to enhance the perimeter of the project site by providing shade, mitigating the heat index, and reducing stormwater runoff. Staff acknowledges that trees will be planted along the south property line behind the chain link fence; however, the applicant has the opportunity to relocate the existing fence along Alto Avenue behind the proposed landscaping to meeting Title 30 standards. Although the applicant is providing trees behind the fencing at the required intervals, the required street landscaping in front of the fencing would provide an additional buffer between the site and the right-of-way and upgrade the streetscape; therefore, staff recommends denial.

Waiver of Development Standards #2a

Staff typically does not support waiver requests to significantly reduce setbacks, however the reduction of the side street setback to 7 feet for a portion of the existing structure should not

create a hazardous condition. Staff can support this request, however, since staff does not support the remainder of the application, staff does not support this request.

Waiver of Development Standards #2b

Staff understands the desire to secure the site, staff finds that the requests to reduce the access gate setback are self-imposed hardships that will not substantially increase the safety and security of the site than if it was setback per Title 30 regulations. The applicant has not provided a compelling justification for why the fence and access gate cannot be redesigned or relocated to comply with Title 30 standards. Therefore, staff cannot support this request.

Waivers of Development Standards #3 & #4

The applicant also requests to allow a non-decorative fence along Ringe Lane and Alto Avenue where a decorative fence is required within the Urban Area per Section 30.04.03(B). Section 30.07.02 defines a decorative fence as one constructed of decorative materials, which may include decorative walls or columns, with at least 50% of the vertical surface open. A chain-link fence with a screen mesh does not meet this definition. The proposed fence does not contribute to the enhanced streetscape character intended for urban areas, and no hardship has been demonstrated.

In addition, the request to construct a 6 foot high screened fence within the front setback along Ringe Lane does not meet Section 30.04.03(B), which limits front yard walls in Industrial Districts to a maximum height of 3 feet. This standard is intended to maintain visibility, reduce potential conflicts with vehicles and pedestrians, and preserve an open streetscape character along public frontages. The applicant has not demonstrated that the increased fence height would avoid adverse impacts or that compliance is infeasible; therefore, staff recommends denial of these waiver 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 other 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.

The site is similar in nature to other properties in the surrounding area. However, the applicant can redesign the site to meet current development standards, even within the limited lot area. Enhancing the streetscape such as adding decorative fencing and providing the required landscaping would further improve compliance and overall site quality. Because the requested waivers are not supportable, staff also cannot support the design as currently presented.

Public Works – Development Review

Waiver of Development Standards #5

The reduction in driveway width decreases the safety of vehicles entering and exiting the site. Narrower driveways will result in more vehicles stopping in the right-of-way while drivers attempt to negotiate the tight turns that will be required. Therefore, staff cannot support this request.

Waiver of Development Standards #6

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

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:

- 1 year to complete the building permit and inspection process or the application will expire unless extended with approval of an extension of time;
- Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operation;
- 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;
- 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 that certain uses are not permitted in the airport environs and certain other uses will require a special use permit; and that 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;
- Right-of-way dedication to include 30 feet for Ringe Lane, 40 feet for Alto Avenue and associated spandrel;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Betty Lane improvement project;
- Said dedication must occur prior to issuance of building permits, concurrent with the recording of a subdivision map, OR within 30 calendar days from a request for dedication by the County.

- Applicant shall agree to participate in a Special Improvement District (SID) for off-site improvements, including, but not limited to, paving, curb and gutter, streetlights, and fire hydrants.

Fire Prevention Bureau

- Applicant is advised 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)

- Applicant is advised that the property appears to have an existing septic system; please contact the Southern Nevada Health District with regards to modifying existing plumbing fixtures.

TAB/CAC: Sunrise Manor - approval.

APPROVALS:

PROTESTS:

APPLICANT: AMBROCIO MUNOZ

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