

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-26-0199-MBM FAMILY TRUST & MAILE MARVIN M. & JANICE A. TRS:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase wall height; **2)** eliminate street landscaping; **3)** eliminate buffering and screening; **4)** modify residential adjacency standards; and **5)** waive full off-site improvements.

**DESIGN REVIEW** for a proposed outdoor storage facility on 2.52 acres in an IL (Industrial Light) Zone

Generally located east of Arville Street and north of Huckleberry Lane within the South County planning area. JJ/jam/cv (For possible action)

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RELATED INFORMATION:

**APN:**

191-19-601-005

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow an 8 foot high CMU wall along Huckleberry Lane where a maximum decorative fence or wall height of 3 feet is permitted when located in the front setback per Section 30.04.03B (a 167% increase).
2. Eliminate street landscaping along Huckleberry Lane where required per Section 30.04.01D.
3. Eliminate buffering and screening (northwest corner) where buffering and screening shall consist of a 15-foot landscape buffer with an 8 foot decorative screen wall per Section 30.04.02C.
4. Allow primary outdoor storage where not permissible where residential adjacency standards apply per Section 30.04.06E.
5. Waive full off-site improvements (sidewalk, curb, gutter, streetlights and partial pavement) along Huckleberry Lane where required per Section 30.04.08C.

**LAND USE PLAN:**

SOUTH COUNTY (SLOAN) - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 4350 Huckleberry Lane
- Site Acreage: 2.52
- Project Type: Outdoor storage
- Number of Stories: 1
- Building Height (feet): 14

- Square Feet: 2,370 (office)
- Parking Required/Provided: 5/5

### Site Plan

The submitted site plan illustrates an outdoor construction-equipment storage yard with access from Huckleberry Lane via a gate set back 50 feet from the south property line. The site will be fully enclosed by an 8 foot CMU screen wall along the perimeter including within the front setback necessitating a waiver of development standards. A designated AC-paved oversized equipment staging/loading/storage area providing 15 spaces is proposed within the interior of the site, and a 24 foot wide drive aisle circulates around this area. The site plan shows 5 vehicle parking spaces are located north of the proposed office which is being converted from an existing single-family residence. A trash enclosure will be installed east of the proposed office building and the existing well building located west of the proposed access gates will remain. Since Arville Street will be vacated, residential adjacency standards apply per Section 30.04.06 only at the northwest corner of the site; since outdoor storage is not permissible as thus necessitating a waiver of development standards.

### Landscaping

The applicant requests a waiver of development standards of the 6 foot wide landscape area along Huckleberry Lane. The applicant is proposing to pay the tree fee-in-lieu instead of planting the required landscaping.

### Elevations

The existing residence with an overall area of 2,370 square feet will be used as the office. No new building construction is proposed beyond screen walls and fencing.

### Floor Plans

The floor plan illustrates the internal layout of the existing structure that will serve as the on-site office. The building contains multiple enclosed office spaces (identified as Office 1, Office 2, and Office 3), a reception area, a work area, two restrooms, and a dining or meeting space.

### Applicant's Justification

The applicant states that the requested waivers are necessary due to the site's rural industrial context. An 8-foot wall is needed to properly secure and screen construction equipment, while full off-site improvements along Huckleberry Lane, such as curb, gutter, sidewalk, full paving, and streetlights, are impractical because no such infrastructure exists nearby and is unlikely to be installed in the foreseeable future; instead, 32 feet of at-grade paving will provide adequate access and dust control. The waiver of the 6 foot landscape strip is also justified because the area lacks water infrastructure, making tree-fee payment a more appropriate alternative. The project consists of outdoor storage for construction equipment with no vehicle repair activities, retains the existing house for office use, employs about ten people, and provides the required five parking spaces along with fifteen additional equipment-staging spaces.

### Prior Land Use Requests

Application Number	Request	Action	Date
WS-1027-01	Overhead power transmission lines	Approved by PC	September 2001

### Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Business Employment	RS80	Undeveloped

### Related Applications

Application Number	Request
ZC-26-0198	A zone change from RS80 to IL is a companion item on this agenda.
VS-26-0200	Vacation and abandonment of easements and right-of-way is a companion item on this agenda.

### 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

The increased wall height provides necessary security and visual screening for heavy construction equipment. The surrounding area is largely undeveloped and industrial-transition in character; therefore, the increased wall height does not induce adverse visual impacts and provides compatibility with anticipated industrial uses. For these reasons, staff can support the waiver.

##### Waiver of Development Standards #2

While the applicant notes the lack of water infrastructure and proposes payment of a tree-fee-in lieu of street landscaping, staff finds that this rationale is insufficient given current development patterns in the immediate area. Other industrial projects in the vicinity have elected to install their required street landscaping despite similar infrastructure limitations, resulting in a more consistent streetscape treatment and improved visual conditions along developing corridors. Approving a waiver in this instance would create an unnecessary exception and undermine the emerging pattern

of compliance with Title 30 landscape standards. For these reasons, staff cannot support this waiver request.

#### Waiver of Development Standards #3

The northwest corner of the site is the only location where residential adjacency standards technically apply due to the pending vacation of Arville Street. However, the remaining surrounding area is entirely undeveloped and designated for Business Employment, with all other adjacent parcels zoned RS80 but planned for future industrial transition. There are no existing residential uses, nor are any anticipated given the adopted land use plan. The proposed outdoor storage use is consistent with the industrial character emerging in the Sloan area, and the site will be fully enclosed by an 8 foot CMU screen wall, which provides substantial visual mitigation beyond what is typically required in rural industrial contexts. In addition, the area of the site that is adjacent to the residential use is part of a drainage channel which provides a natural buffer. The additional 15-foot landscape buffer and enhanced screening required by Section 30.04.02C would not provide a significant benefit. For these reasons, staff can support the waiver.

#### Waiver of Development Standards #4

Residential adjacency standards apply only at the northwest corner of the property because Arville Street is being vacated. All other surrounding parcels are vacant, designated Business Employment, and expected to transition to industrial uses consistent with IL zoning. The site's operational activity and all outdoor storage are located in the middle or southern portion of the property, far removed from the northwest corner where adjacency technically occurs. The entire site is enclosed by an 8 foot CMU wall, providing more than adequate screening and separation in this rural industrial context. Since no additional residential uses exist or are anticipated in the other surrounding parcels, applying full residential adjacency standards would offer no practical benefit. As mentioned above, the area of the site that is adjacent to the residential use is part of a drainage channel which provides a natural buffer. For these reasons, staff can support this waiver 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.

The site is arranged to accommodate outdoor storage of construction equipment with defined access points, circulation areas, and screening. The existing residence that will serve as the office remains in place, and no new building construction is proposed aside from screening elements. The 8 foot CMU walls enclose the storage areas and provide a consistent perimeter treatment intended to limit visibility of equipment from adjacent roads and properties. The overall layout shows clear circulation patterns, adequate parking, a compliant trash enclosure, and appropriate placement of staging areas for oversized equipment, reflecting a straightforward industrial site design.

Given the rural-industrial context of the Sloan area, the design relies on functional components rather than architectural features, and the development is consistent with the utilitarian character

common in the vicinity. Access and circulation appear sufficient for the types of vehicles anticipated, and the use of at-grade paving is consistent with the surrounding roadway conditions. The project does not introduce elements that would negatively affect nearby land or roadway operations, and the screening and site organization meet the intent of ensuring compatibility with existing and future industrial development. Therefore, staff can support the request.

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

#### Waiver of Development Standards #5

Staff cannot support this request to not install full off-site improvements when there are existing full improvements on the north side of the site. Additionally, future plans with full off-site improvements to be installed have been proposed to fully develop the area. Furthermore, 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**

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

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; 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 a portion of an elbow at the intersection of Arville Street and Huckleberry Lane;
- 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;
- Execute a Restrictive Covenant Agreement (deed restrictions);

- Applicant to coordinate a contribution with Public Works - Development Review for improvements on Sloan Road;
- Applicant to coordinate with Public Works - Development Review to apply for a Bureau of Land Management (BLM) right-of-way grant.

**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:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MBM FAMILY TRUST, TRUSTEE

**CONTACT:** JPL ENGINEERING, INC., 6725 S. EASTERN AVENUE, SUITE 5, LAS VEGAS, NV 89119