

04/16/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-25-0120-WINDMILL & PLACID, LLC:

USE PERMIT to allow outdoor storage.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow outdoor storage as a primary use adjacent to a residential use; **2)** allow existing attached sidewalks to remain; and **3)** alternative driveway geometrics.

DESIGN REVIEW for a proposed outdoor vehicle storage facility on 3.91 acres in a CG (Commercial General) Zone.

Generally located on the north side of Windmill Lane and the east side of Placid Street within Enterprise. MN/hw/kh (For possible action)

RELATED INFORMATION:

APN:

177-09-810-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow outdoor storage as a primary use adjacent to a residential use where not permitted per Section 30.04.06E.
2. Allow existing attached sidewalks to remain where detached sidewalks are required per Section 30.04.08C.
3.
 - a. Reduce the throat depth for the western driveway along Windmill Lane to 15 feet where 25 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08C (a 40% reduction).
 - b. Reduce the departure distance from the intersection of Fairfield Avenue and Windmill Lane to 128 feet where 190 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08C (a 32% reduction).
 - c. Reduce the approach distance to the intersection of Placid Street and Windmill Lane to 141 feet where 150 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08C (a 6% reduction).

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 300 E. Windmill Lane
- Site Acreage: 3.91
- Project Type: Outdoor vehicle storage lot

- Number of Stories: 1
- Building Height (feet): 11
- Square Feet: 3,100
- Parking Required/Provided: 7/9
- Sustainability Required/Provided: 7/7

Site Plans

The plans depict a currently undeveloped, 3.91 acre site located on the north side of Windmill Lane and between Placid Street and Fairfield Avenue. The plans show the site will be developed as an outdoor storage facility for the storage of vehicles that are awaiting to be sold off-site or online. A 3,100 square foot building is proposed in the southeast corner of the site and will be rectangular in shape. The proposed building will serve as an office and will be the only structure on-site.

The remainder of the site will be paved and will contain various striped vehicle storage spaces. There will be a mix of secure and unsecured storage behind a proposed 8 foot tall security fence. The 8 foot tall security fence will be constructed of decorative wrought iron metal tubes and will run the full length of the west property and along the south property line until the western driveway. At the western driveway, the fence will run north for approximately 60 feet and then run east approximately 175 feet where it will connect with a two-way badge-based access control gate. After the gate, the fence continues another 10 feet to connect with the proposed building. After the proposed building, the fence continues east again to the east property line where it turns north and runs along the east property line. The fence along the east and west property line will connect with an 8 foot tall decorative block screen wall that runs the length of the north property line.

Within the fenced and gated area, there are 449 storage spaces within 4 main tandem storage areas. The main storage area is located in the western half of the site and consists of 255 tandem spaces in 17 rows that measure 270 feet long and 9 feet wide and run east to west. A similar tandem storage area is located 31 feet to the east of the northeast corner of the large tandem storage area and consists of four 180 foot long rows containing 40 storage spaces running east to west. A smaller tandem storage area, consisting of 24 storage spaces within 8 rows that are 9 feet wide and 54 feet long, is located at the southeast corner of the site. The fourth tandem storage area is located 24 feet south of the southwest corner of the large tandem storage area. This area will hold 21 storage spaces in 16 rows that are 9 feet wide and 36 feet long running north to south. The remainder of the storage spaces are single 9 feet by 18 feet spaces located along the west, north, and east properties line. The plans show there will be 22 spaces along the west property line, 60 spaces along the north property line, and 7 spaces along the northeast portion of the site. Additionally, there are 9 EV charging station spaces for the stored cars located directly north of the proposed building.

Outside of the fenced area are 35 unsecured storage spaces and 9 parking spaces for employees and visitors. Of the 35 unsecured storage spaces, 16 of these spaces will be located between the 2 proposed driveways and another 16 storage spaces located to the east of the eastern driveway. The 9 standard parking spaces will be located to the south of the proposed building with an

additional 3 storage spaces located to the east of the parking spaces. A total of 7 visitor/employee parking spaces are required for the proposed development.

The plans show the proposed gates will be set back between 96 feet and 103 feet from the Windmill Lane right-of-way. Access to the site will be provided by 2 driveways located on Windmill Lane with both measuring 39 feet wide. The driveways will provide access to a series of drive aisles that will essentially loop around 2 east-west tandem storage areas and along the front of the site in front of the proposed building. The drive aisles will range in width from 24 feet up to 34.5 feet. The largest drive aisle is located to the south of the large tandem storage area, outside of the fenced area, and will partially serve as an unloading area for car carriers.

Landscaping

The plans show landscaping will be provided along the street frontages, with the visitors/employee parking area, and along the rear property line. Along the streets, 5 foot wide attached sidewalks are provided with a minimum 10 foot wide landscape area provided behind the sidewalks with the landscape area increasing up to 15 feet along the central and eastern portion of the Windmill Lane frontage. Within these street landscaping strips, Shoestring Acacia (Acacia Stenophylla) trees have been provided in a single row approximately every 30 feet on center. Overall, a total of 33 large trees are required along the street frontage with 9 trees provided along Fairfield Avenue, 18 trees provided along Windmill Avenue, and 9 trees provided along Placid Street for a total of 36 large street trees.

In terms of parking lot landscaping, the only landscaping provided is within the lot in the southeast corner in front of the proposed building. There are 3 Mulga (Acacia Aneura) trees provided in landscape finger islands in the spaces directly adjacent to the proposed building. The applicant provided 5 additional Mulga trees for the row of storage spaces across from the proposed building placed primarily in the street landscaping strip.

Finally, the applicant has provided a screening and a landscape buffer along the northern property line. This buffer consists of a 15 foot wide landscape strip with an 8 foot tall decorative block wall. Within the buffer landscape strip area are 59 Texas Mountain Laurel (Sophora Secundiflora) trees placed in 2 staggered rows with trees generally spaced 10 feet apart.

Elevations

The plans depict a standard prefabricated office building measuring 11 feet in height. The exterior will primarily be constructed of painted fiber cement lapping. All facades will be a beige color with a dark brown trim. Grey painted metal doors are provided along the south, west, and north facades and commercial windows are provided on all façades. Air conditioning units will be screened and painted to match the exterior of the building.

Floor Plans

The interior of the building is shown to contain 3,100 square feet with a large open office space and breakroom. The interior of the building will also contain offices, a mailroom, restrooms, and a driver dispatch area.

Applicant's Justification

The proposed outdoor storage facility and office will be for administrative use of the applicant. The site will allow the applicant to store a fleet of vehicles until resold into the market. There will be no sale or rental of vehicles directly to the public from the proposed location, like a traditional car dealership. The attached sidewalk should be allowed to remain as the sidewalks are consistent with the existing attached sidewalks to the east and west of the site on both sides of Windmill Lane. There are several existing wet and dry utilities on the site that would also be impacted by moving the sidewalks, including but not limited to, 3 separate telecom vaults in the sidewalk along Windmill Lane, domestic water on-site along Windmill Lane and Placid Street, 2 fire backflows on Windmill Lane and Placid Street. Finally, the proposed use will be separated from the residential to the north by a 15 foot landscape buffer and 8 foot block wall, and while it may look like a standard parking lot and may see high levels of traffic such as a commercial center; it is not. The site will operate as a vehicle remarketing facility during normal business and there will not be any loudspeakers on-site to disturb neighbors.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-23-0208	Vacated and abandoned patent easements	Approved by BCC	August 2023
ZC-23-0207	Reclassified the site from CRT to C-1 for a convenience store, gas station, restaurants, and retail buildings	Approved by BCC	August 2023
VS-0163-06	Vacated and abandoned driveway easements - recorded	Approved by PC	April 2006
WS-1940-05	Office complex development with reduced parking - expired	Approved by BCC	January 2006
TM-0378-05	1 lot commercial subdivision	Approved by PC	August 2005
ZC-0135-04	Reclassified the site from R-E to CRT for an office complex	Approved by BCC	April 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Single-family residential
South	Neighborhood Commercial	RS20 & CP	Place of worship & undeveloped
East	Neighborhood Commercial	CP	Office complex
West	Neighborhood Commercial	RS20	Single-family residential & 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

Use Permit & Waiver of Development Standards #1

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.

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.

The purpose of reviewing applications to allow outdoor storage as a primary use is to assure the proposed use is properly sited and the activities on-site will not be a burden or cause any safety hazards, particularly to neighboring residential properties. Staff finds, in this case, the primary surrounding land uses are residential in nature with some low intensity commercial buildings scattered along the Windmill Lane corridor. And while the subject site and other properties along the Windmill Lane corridor are planned for Neighborhood Commercial outdoor storage uses are not found to be compatible uses typically anticipated in the Neighborhood Commercial land use category. Staff also finds the location of the site along an arterial street, like Windmill Lane, and within the vicinity of a second arterial street, in Bermuda Road, would support commercial uses on the site and in the area. As a result, staff finds the use of the site for outdoor storage is not compatible with the zoning, planned land use, and the general expectation of uses along high-capacity arterial streets. Staff also finds the site, while buffered from the adjacent residential uses with landscaping and walls, has insufficient screening from the rights-of-way due to the use of larger trees and no screening other than a wrought iron fence. Furthermore, staff finds the use of the site as an outdoor storage facility would have a relatively low traffic volume due to limited visitors and employees but is more industrial in nature and would be dissimilar to the other non-residential uses in the area that mainly consist of offices and small retail establishments. Staff finds such non-residential uses, like an office building or low-intensity commercial complex, would be more compatible and serve as a better buffer to the low intensity residential uses to the north than an outside storage use which is generally more industrial in nature. Additionally, staff is concerned that such a site could eventually include other uses such as vehicle repair, scraping of parts, storage of fuel, the storage of vehicles remain in an inoperable condition, and other future outdoor storage uses not related to the proposed use which could cause a significant safety issue or nuisance to the surrounding area. For these reasons, staff cannot support these 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 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 proposed design of the site situates the necessary uses and activities in a logical and efficient manner. The storage of the vehicles, particularly the areas with a high concentration of storage, are generally placed in the middle of the site setback significantly from both the surrounding rights-of-way and the adjacent residential uses to the north. The high intensity uses, such as the office and loading area are situated on the opposite side of the residential uses. Staff also finds Code compliant landscaping is provided along the exterior of the site to aid with buffering. Additionally, the site is secured by 3 access gates that are sufficiently set back and secured by a decorative security fence. However, staff's main concerns have to do with the appropriateness of the use when considering its surroundings. Additionally, staff is concerned with the placement of the loading and unloading area within a large drive aisle in the front without additional screening and the design of the office building. Staff is also concerned with the loading and unloading of cars along the front of the site visible from the street is not compatible with the planned land uses along Windmill Lane and potentially cause safety issues. Additionally, staff finds the modular building is more similar to an industrial development rather than a commercial development similar to those in the area. Finally, staff is concerned the lack of full screening along the east and west sides of the site would also be visibly intrusive to surrounding properties. For these reasons, and staff's inability to support the use permit and waivers of development standards, staff cannot support this request.

Public Works - Development Review

Waiver of Development Standards #2

Staff cannot support the request to not install detached sidewalks along Placid Street, Windmill Lane and Fairfield Avenue. Detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic.

Waiver of Development Standards #3a

Staff has no objection to the reduction in throat depth for the western driveway along Windmill Lane. The driveway should see minimal traffic as it will not be for public access. However, since staff cannot support this application in its entirety, staff cannot support this waiver.

Waiver of Development Standards #3b & #3c

Staff cannot support the reduction in approach and departure distances for the Windmill Lane commercial driveways. Staff has concerns with the volume of traffic the area creating conflicts with movements from both driveways. There is no reason why applicant cannot meet the minimum requirements as the site is a raw parcel.

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:

- Expunge the use permit, waivers of development standards, and design review portions of ZC-23-0207;
- No vehicle repair or storage of fuel is permitted;
- All vehicles shall remain in an operable condition;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- 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;
- Reconstruct any unused driveways with full off-site improvements;
- 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 Duck Creek/Blue Diamond improvement project;
- 90 days to record said separate document for the Duck Creek/Blue Diamond improvement project.
- Applicant is advised that off-site improvement permits may be required.

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 a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0092-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ENTERPRISE LEASING COMPANY

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