

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-24-0311-NEVADA POWER COMPANY:

HOLDOVER USE PERMIT for a mini-warehouse facility.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce and eliminate landscape buffer and screening; and **2)** residential adjacency standards.

DESIGN REVIEW for a mini-warehouse facility on 1.89 acres in a CG (Commercial General) Zone.

Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/hw/syp (For possible action)

RELATED INFORMATION:

APN:

163-30-401-035

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce the height of a non-decorative screening wall along the eastern property line to 7.5 feet where 8 feet is required per Section 30.04.02C (a 6% reduction) **(no longer needed)**.
 - b. Reduce the width of a buffering landscaping strip to 10 feet along the eastern property line where 15 feet is required per Section 30.04.02C (a 33% reduction) **(no longer needed)**.
 - c. Eliminate the landscape buffer strip (landscaping and wall) along the northern property line where 15 feet is required per Section 30.04.02C.
 - d. Reduce the width of a buffering landscaping strip to 7 feet along the western property line where 15 feet is required per Section 30.04.02C (a 53% reduction).
 - e. Allow a non-decorative screening wall along the western property line where a decorative screening wall is required per Section 30.04.02C **(no longer needed)**.
2.
 - a. Allow areas for circulation to be located adjacent to a residential district where not permitted per Section 30.04.06G.
 - b. Eliminate the setbacks for a trash enclosure where a minimum setback of 50 feet is required per Section 30.04.06K (a 100% reduction).
 - c. Allow roll-up overhead doors to face an adjacent residential district where not permitted per Section 30.04.06N.
 - d. Allow reduced screening of loading areas where screening is required per Section 30.04.06N.

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 10096 W. Russell Road
- Site Acreage: 1.89
- Project Type: Mini-warehouse facility
- Number of Stories: Up to 2
- Building Height (feet): **27**
- Square Feet: **38,700**
- Parking Required/Provided: 2/2
- Sustainability Required/Provided: 7/7

Site Plans

The plans depict an existing undeveloped site located on the north side of Russell Road approximately 550 feet east of Hualapai Way. The plans show a proposed 2 building mini-warehouse facility consisting of a total of **38,700** square feet. The main 28,460 square foot building is located centrally on the site with the second **10,240** square foot building located **53** feet to the east of the main building. The main building is shown to be setback 35 feet from Russell Road, 101 feet from the western property line, and 26 feet from the northern property line. The second building is shown set back 35 feet from Russell Road, zero feet from the northern property line, and **15** feet from the eastern property line. Access to the site is provided from Russell Road to a gated driveway located in the northwestern corner of the site. This gated driveway connects to a 30 foot wide existing private access drive which is used by the substation to access Russell Road. A 24 foot to **53** foot wide one way drive aisle surrounds the main building providing access to both mini-warehouse buildings on the site. Parking is located to the west of the main building with 2 parking spaces required and 2 parking spaces provided. Additionally, 2 loading spaces and 3 bicycle racks are provided surrounding the parking spaces. A 5 foot wide pedestrian walkway connects the Russell Road sidewalk to the site along the east side of the existing access drive. Along the east side of the access driveway and along Russell Road, a retaining wall that varies in height up to 6 feet is provided with an 85% open 6 foot tall wrought iron fence. The plans show that decorative block will be used for the retaining wall and landscaping will be used to partially screen the retaining wall.

Landscaping

The plans provided show that buffering and street landscaping is being provided on site. Along Russell Road, a single row of 17 Chilean Mesquite (*Prosopis Chilensis*) and 1 Shoestring Acacia (*Acacia Stenophylla*) trees are provided within a 10 foot wide landscaping strip behind an existing 5 foot wide attached sidewalk. Buffering landscaping is provided on the eastern and western property lines. Along the eastern property line, a **15** foot wide landscaping strip with a **proposed 8** foot tall **decorative wall and an existing 7.5 foot tall** non-decorative wall will be used. Two staggered rows of Shoestring Acacia trees are provided with trees placed every 10 feet. Along the western property line, a 7 to 14 foot wide landscaping strip is provided with a 9.5 foot tall existing non-decorative block wall. Within the landscaping strip, 2 staggered rows of Shoestring Acacia trees are provided with trees placed every 10 feet. Along the northern property, no on-property landscaping is provided. Within the parking area, no landscape islands are provided, but a **3 foot** wide landscaping strip has been provided directly to the west of the

parking area **and contains a single row of Shoestring Acacia trees every 15 feet on center.** This landscape strip consists of a single row of 4 Shoestring Acacia trees.

Elevations

The plans depict the main building as a 2 story, **27 foot** high stepped building. The exterior of the building is shown to consist entirely of decorative painted metal. The metal varies in color being dark beige and dark grey color with the direction of grooves in the metal paneling changing across the elevations. Along the sides of the building that access the storage units, grey painted metal roll-up doors and metal access doors are provided on the first floor with the second story provided with windows with awnings. Additionally, each air conditioning unit is covered with a metal fixture that contains an unilluminated white unit number. The area above each unit contains a roof parapet pop-out and the roof is a gabled painted metal roof.

The second building is shown to be a 1 story, **19.6** foot tall flat roofed building with matching architecture to the main building. The exterior of the second building is shown to consist entirely of decorative painted metal. The metal varies in color being dark beige and dark grey color with the direction of grooves in the metal paneling changes across the elevation. Along the sides of the building that access the storage units, grey painted metal roll-up doors and access doors are provided on the first floor. Additionally, each air conditioning unit is covered with a metal fixture that contains an unilluminated white unit number. The area above each unit contains roofline variations and the parapet pop-outs.

Floor Plans

The main building is shown to contain 18 storage units spread across 2 stories and 28,460 square feet. The units range in size from 1,409 square feet up to 1,776 square feet with the upper level split between 461 square feet and 583 square feet with the lower level split between 938 square feet and 1,193 square feet. The units are access by a roll-up overhead door or a man door on the east and west sides of the building. The secondary building is shown to contain 11 units spread across 1 story and **10,240** square feet. The units range in size from 850 square feet up to 1,183 square feet. The units are access by a roll-up overhead door or a man door on the west side of the building.

Applicant's Justification

The applicant states the proposed mini-warehouse will primarily serve customers with higher end cars and recreational vehicles. They also state that the subject site was previously a part of the NV Energy substation to the north and that a mini-warehouse facility would be a relatively low intensity use of the site. The applicant further states that they are providing significant landscaping along the property lines adjacent to residential development. The applicant also indicates the building has been designed similarly to other high end mini-warehouse facilities.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-2057-98	Vacated and abandoned patent easements	Approved by BCC	February 1999

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0769-97	Allowed an electrical substation and associated structures	Approved by PC	June 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Public Use	RS20	NV Energy electrical substation
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS2	Single-family residential
West	Corridor Mixed-Use	RS3.3	Single-family residential

Related Applications

Application Number	Request
PA-24-700015	A plan amendment to redesignate the site from the Public Use (PU) land use category to Neighborhood Commercial (NC) is a companion item on this agenda.
ZC-24-0310	A zone change to reclassify the site from the RS20 to CG zoning 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

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.

Staff finds that when evaluating the appropriateness of a mini-warehouse facility, the proximity of uses of a similar intensity and nearby residential developments is important. Staff finds that the surrounding areas are comprised mostly of medium density residential development, but there are some commercial developments to the east and west of the major intersection of Grand Canyon Drive and Hualapai Way. Additionally, an electrical substation is located immediately to the north. The existing residential uses to the east and west provide a transition area between the existing commercial and residential uses. This type of surrounding development is important for

mini-warehouse facilities as those renting units will most likely come from the nearby area. In addition, staff finds that a mini-warehouse facility tends to generate very little in terms of traffic and people as compared to similar service and retail businesses and would have little impact on the surrounding residential developments, provided a sufficient buffer is provided. Ultimately, this use would conform to both the zoning and the Master Plan designation, if amended. In addition, this use permit, as proposed, would comply with Policy 1.4.4, which encourages the development of viable uses as in-fill developments. For these reasons, staff has no objection to the use of a mini-warehouse, but since staff is not supporting the zone change, staff cannot 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.

Waiver of Development Standards #1a & #1b

No longer needed.

Waiver of Development Standards #1c

The purpose of buffering and perimeter landscaping is to reduce the impact of commercial uses and the massing and bulk of commercial buildings to residential and public facility zoning. Staff finds that while no buffer has been provided along the northern property line, there is an 11 foot wide buffer containing some small trees and shrubs in front of a 12 foot tall CMU block wall on the adjacent property to the north. Staff also finds that the property to the north is currently being used as the site of an NV Energy electrical substation and is generally unstaffed. Given that the use to the north is a non-residential use, there are generally no people staffed on the property, and is generally more intense than the proposed mini-warehouse facility, staff finds that the strict application of the buffering and screening standards would create an unnecessary hardship and would not serve to enhance the site nor the public good. For these reasons, staff has no objection to this waiver of development standards, but due to being unable to support the **use permit**, staff cannot support this waiver of development standards.

Waiver of Development Standards #1d (WS #1e No Longer Needed)

Staff finds that in the case of the western buffer and screening being proposed, the issue lies mainly with the width of the landscaping strip itself with 2 rows of trees being provided. Staff finds that while the landscaping strip is lacking, the overall development is set back almost 101 feet from the residential development to the west aiding in the reduction of any massing caused by the size of the building and a reduction in potential impacts. Staff also finds that the provided landscaping meets the intent of the buffering standards and with an additional foot of height on the provided wall, the screening provided should reduce any negative impacts from the proposed development. In addition, the wall being provided is already existing. **Finally, supplemental screening is provided in the form of a 3 foot wide landscape strip with a row of tightly**

spaces trees to the west of the parking area that should serve aid in the screening of the building and its activities from the residential uses to the west of the site. Staff finds that the alternatives being proposed in many ways meet the intent of the Code and would provide an appropriate level of screening and protection of the existing residential uses. While staff does not normally support waivers such as this for sites being developed from raw land, staff has no objection to this waiver due to the site being constrained by the existing drive aisle for the substation and the additional screening alternatives being provided; but due to being unable to support the use permit, staff cannot support this waiver of development standards.

Waiver of Development Standards #2a & #2b

The purpose of residential adjacency standards is to promote compatible transitions between land use areas of differing intensities and to reduce potential negative impacts that may occur when higher-intensity development is located near residential zoning districts. Staff finds that areas of circulation can cause impacts on surrounding residential development by intensifying noise, light pollution, and smog. In addition, staff also finds that the presence of trash enclosures adjacent to residential developments is also undesirable due to smell that emanates from the enclosures and the noise that results from the pickup of trash from commercial dumpsters. In the case of the subject site, staff finds that the circulation areas and trash enclosure are generally screened from the eastern and western property lines and have been placed far enough from the eastern and western property lines to not cause an issue. These waivers are being triggered due to their proximity to the northern parcel, which is zoned for residential uses. Staff finds that at the present time, the northern parcel is being used as an electrical substation and issues such as noise and odor will most likely not impact the site in a negative way. For these reasons, staff has no objection to these waivers of development standards, but due to being unable to support the **use permit**, staff cannot support this waiver of development standards.

Waiver of Development Standards #2c & #2d

As previously mentioned, the purpose of residential adjacency standards is to promote compatible transitions between land use areas of differing intensities and to reduce potential negative impacts that may occur when higher-intensity development is located near residential zoning districts. Staff finds that the presence of loading areas and overhead doors, particularly those facing and visible from residential areas, can cause negative impacts on surrounding residential areas due to noise and light pollution. In this case, staff finds that the overhead doors and loading areas are sufficiently setback and will be buffered by an acceptable intense landscape buffer and a 9.5 foot tall wall, **as well as an addition line of compact trees.** Ultimately, these mitigating factors should sufficiently mitigate any negative impacts caused by these uses. For these reasons, staff has no objection to these waivers of development standards, but due to being unable to support the other waivers of development standards, staff cannot support this waiver of development standards.

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 purpose of alternative landscape plans is to provide relief and flexibility in the implementation of the landscape provisions of Title 30, which allow for high quality alternatives that meet the intent of the original provisions. Staff finds that the provided parking lot landscaping, while not providing the required landscaping islands, is providing parking lot shading which would be greater than what would be required within landscape islands. Staff finds that the trees being provided as parking lot landscaping are within 20 feet of the provided parking spaces and would help to serve as additional screening from the residential areas to the west.

Overall, staff finds that the proposed design of the proposed mini-warehouse facility is similar in nature to other mini-warehouse facilities in the Las Vegas Valley, but also in the immediate area. The buildings are attractive with enough architectural articulations on all 4 sides to prevent blank walls. The color scheme is neutral, and the changes in pattern help make the buildings attractive to the eye. The buildings have been provided with enough parking to address the needs of the site, while being sufficiently screened. The landscaping provided on site helps to buffer the site from Russell Road. In addition, the landscaping near the parking areas help to reduce issues related to the urban heat island effect, **and acts to supplementally screen the buildings and uses on site where the western buffer is smaller. In addition, the site contains a full screening buffer along the eastern side of the site. Finally, the buildings being proposed are similar in height to the surrounding the residences and nuisances uses and structures such as the trash enclosure and loading area are sufficiently separated and screened from the nearby residential and right-of-way. For these reasons, staff has no objection to the design of the site, but since staff is unable to support the use permit and waivers of development standards, staff is unable to support this design review.**

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on **November 20, 2024 at 9:00 a.m.**, unless otherwise announced.

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:

- The addition of balconies or other second story external additions are prohibited;
- Business licenses shall not be issued for businesses conducted within individual units;
- 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;
- Traffic study and compliance.

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 #0323-2024 to obtain your POC exhibit; and that flow contributions exceeding District estimates may require another POC analysis.

TAB/CAC: Spring Valley - denial.

APPROVALS:

PROTESTS: 3 cards

PLANNING COMMISSION ACTION: August 6, 2024 – HELD – To 09/17/24 – per the applicant.

PLANNING COMMISSION ACTION: September 17, 2024 – HELD – To 10/15/24 – per the applicant.

APPLICANT: BLAKE ROSSER

CONTACT: CASSANDRA WORRELL, 520 S. FOURTH STREET, LAS VEGAS, NV 89101