

03/04/26 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-26-0020-GALKOS, LLC:

USE PERMITS for the following: **1)** outdoor storage and display; and **2)** truck parking or staging.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** non-decorative fence; **2)** increase fence height; and **3)** reduced approach distance.

DESIGN REVIEW for an industrial development consisting of proposed outdoor storage and display and proposed truck parking or staging on a 3.57 acre portion of a 6.91 acre site in an IL (Industrial Light) Zone within the Airport Environs (AE-65 & AE-70) Overlay.

Generally located north of Sunset Road and west of Windy Road within Paradise. MN/md/kh
(For possible action)

RELATED INFORMATION:

APN:

162-32-810-004

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Allow a proposed non-decorative fence (chain-link) along Windy Road where in the urban area all fences and walls along a street shall be decorative per Section 30.04.03B.
b. Allow a proposed non-decorative fence (chain-link) along Sunset Road where in the urban area all fences and walls along a street shall be decorative per Section 30.04.03B.
2. Increase the height of a proposed chain-link fence along Windy Road to 8 feet where a maximum fence or wall height of 3 feet is permitted within the front setback in industrial districts per Section 30.04.03B (a 166.67% increase).
3. Reduce the approach distance to the intersection of Windy Road and Sunset Road to 49 feet where a minimum of 150 feet is required per Section 30.04.08 and Uniform Standard Drawing 222.1 (a 67.3% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 6427 Windy Road
- Site Acreage: 3.57 (project site)/6.91 (overall)
- Project Type: Outdoor storage and display/truck parking or staging

- Parking Required/Provided: 9/9
- Sustainability Required/Provided: 7/0

History & Request

ADR-900665-02 was administratively approved in August 2002 for outdoor storage for the northern half of the project site, which is not a part of this request. No modifications or changes are proposed to the northern portion of the site. The applicant is requesting use permits, waiver, and design reviews for outdoor storage and truck parking for the southern half of the site consisting of 3.97 acres.

Site Plan

The plans depict a project site consisting of 6.91 acres, with the northern half of the site previously approved and developed as outdoor storage. The southern half of the site, consisting of 3.57 acres, will function as an outdoor storage yard and truck parking lot. Access to the southern half of the site is granted via single, proposed driveways along Windy Road and Sunset Road, respectively. The driveways will be secured by access gates, which will be set back a minimum of 18 feet from the property line and will remain open during business hours. Nine parking spaces are required where 9 parking spaces are provided within the central portion of the outdoor storage and truck parking lot. Five foot wide detached sidewalks are proposed along the east and south portions of the project site, adjacent to Windy Road and Sunset Road, respectively. Cross-access will not be provided between the existing outdoor storage area to the north and the proposed outdoor storage and truck parking area to the south. The perimeter of the project site will be screened by a 8 foot high chain-link fence with mesh screening. A waiver of development standards is required to increase the height of the proposed chain-link fence to 8 feet along Windy Road, in addition to a waiver request to allow a non-decorative fence along Windy Road and Sunset Road. A third waiver of development standards is requested to reduce the approach distance from a proposed driveway along Windy Road to the intersection of Windy Road and Sunset Road.

Landscaping

The plans depict a proposed street landscape area, including two, 5 foot wide landscape strips provided on each side of the detached sidewalk, located along the east and south portions of the project site, along Windy Road and Sunset Road, respectively. Trees, shrubs, and groundcover are planted within the street landscape areas. The required parking lot landscaping is centrally located within the project site.

Applicant's Justification

The site will be screened with a 8 foot high chain-link fence with mesh screening. Nothing will be stacked above the chain link fence as the site will be utilized for truck parking and outdoor storage. There is minimal traffic entering and exiting the site. The trucks' length prevents immediate turns into the site, minimizing traffic conflicts. Windy Road is approximately 1,300 feet long, reducing traffic and conflicts on site.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-900665-02	Parking lot APN 162-32-810-004 and warehouse addition APN 162-32-810-006	Approved by ZA	August 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	IL (AE-70)	Office/warehouse
South	Entertainment Mixed-Use	CR (AE-65 & AE-70)	Town Square
East	Business Employment	IL (AE-65 & AE-70)	Industrial & warehouse buildings
West	Business Employment	IL (AE-65 & AE-70)	Office/warehouse

Related Applications

Application Number	Request
VS-26-0021	A vacation and abandonment of rights-of-way is a companion item on this agenda.
TM-26-500002	A tentative map for a 1 lot commercial subdivision 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 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.

Use Permit #1

The perimeter of the proposed outdoor storage yard will be secured by a 6 foot high chain-link fence with mesh screening along Windy Road and Sunset Road. Outdoor storage is a conditional use in the IL zoning district subject to meeting the applicable zoning district setbacks and screening outdoor storage from any adjacent nonindustrial use with an 8 foot high screened fence or wall. The expectation for outdoor storage yards is to meet these conditions; however, since they are not being met with this proposal, a use permit is required. The outdoor storage yard has

445 linear feet of street frontage adjacent to Sunset Road, an arterial street, which experiences a high volume of vehicular traffic. Staff is cognizant of the existing industrial uses to the north, east, and west of the site. The expectation for outdoor storage yards is to meet the setback and screening requirements to mitigate any impact on surrounding land uses and adjacent public streets. Staff is concerned with the proximity of the outdoor storage yard to an arterial street, Sunset Road, which is a major thoroughfare. Staff also finds the mesh screening does not adequately screen the outdoor storage, along Sunset Road and Windy Street.

Use Permit #2

A use permit is required to permit truck parking or staging within the industrial zoning districts. A condition of the use permit requires this type of use to construct a minimum of 1 building for the purpose of monitoring on-site activities and controlling access to the facility. Staff finds the truck parking on the site should have minimal to no impact on the surrounding land uses. However, the lack of an on-site building for controlling access and monitoring on-site activities is a self-imposed burden; therefore, staff recommends denial of 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 #1

Staff finds the request to allow a non-decorative fence (chain-link) adjacent to Sunset Road and Windy Road is a self-imposed burden and the applicant could have selected a decorative material to comply with the Code. The area surrounding the project site is beginning to develop and allowing chain-link fencing would set a precedent for future development that staff cannot support. Therefore, staff recommends denial of this request.

Waiver of Development Standards #2

Staff understands the intent of the height increase to the existing chain-link fence is to secure the storage yard and truck parking lot from theft and vandalism. Fences and walls measuring 8 feet in height are not uncommon within industrial areas. Staff does not have an objection to the height increase, but rather the location of the existing chain-link fence within the front setback along Windy Road. Locating the fence within the front setback is a self-imposed burden; therefore, staff recommends denial.

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.

Staff is not supporting the waivers of development standards and use permit requests associated with this application; therefore, staff recommends denial of the design review.

Public Works - Development Review

Waiver of Development Standards #3

Staff cannot support the reduction in approach distance for the Windy Road commercial driveway. There is no reason why applicant cannot meet the minimum requirements as the site is a raw parcel.

Department of Aviation

The property lies within the AE- 65 (65 - 70 DNL) and the AE-70 (70 - 75 DNL) noise contour for Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade Harry Reid International Airport facilities to meet future air traffic demand.

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:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 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; applicant is advised that certain uses are not permitted in the airport environs and certain other uses will require a special use permit; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Department of Aviation

- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

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 #0291-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: GALKOS, LLC

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