

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0004-COKER ASSET PROTECTION TRUST & COKER MARLANE & AUGUSTUS A TRS:

AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce street landscaping (previously notified as eliminate street landscaping); **2)** increase fence/wall height; **3)** allow attached sidewalks; **4)** waive off-site improvements (streetlights) (previously notified as sidewalk and streetlights); and **5)** alternative driveway geometrics in conjunction with an existing warehouse and outdoor storage yard on 4.25 acres in an IP (Industrial Park) Zone and an IL (Industrial Light) Zone within the Airport Environs (AE-65, AE-70, & APZ-2) Overlay.

Generally located north of Carey Avenue and west of Lamont Street within Sunrise Manor. MK/mh/kh (For possible action)

RELATED INFORMATION:

APN:

140-17-802-006

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce street landscaping along Carey Avenue where a 10 foot wide landscape strip with large trees placed every 30 feet on center is required per Section 30.04.01D.
 - b. Reduce street landscaping along Lamont Street where a 10 foot wide landscape strip with large trees placed every 30 feet on center is required per Section 30.04.01D.
2.
 - a. Increase fence height along the east property line to 11 feet where a maximum of 10 feet is permitted per Section 30.04.03B (a 10% increase).
 - b. Increase wall height along the north property line to 13 feet where a maximum of 10 feet is permitted per Section 30.04.03B (a 30% increase).
3.
 - a. Allow an existing attached sidewalk to remain along Carey Avenue where a detached sidewalk is required per Section 30.04.08C.
 - b. Allow an attached sidewalk along Lamont Street where a detached sidewalk is required per Section 30.04.03B.
4. Waive off-site improvements (streetlights) along Lamont Street where required per Section 30.04.08C.
5.
 - a. Reduce driveway width to 32 feet where 36 feet is required per Uniform Standard Drawing 222.1 (an 11% reduction).
 - b. Allow existing commercial pan driveways to remain where commercial curb return driveways are required per Uniform Standard Drawing 222.1.

- c. Reduce the departure distance from the intersection of Carey Avenue and Lamont Street to the driveway along Carey Avenue to 16 feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1 (a 92% reduction).

LAND USE PLAN:

SUNRISE MANOR - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 4880 E. Carey Avenue
- Site Acreage: 4.25
- Project Type: Warehouse and outdoor storage

History, Request, & Site Plan

The southern portion of the site was originally rezoned from M-D to M-1 (currently IL) via ZC-0147-80 in 1980, which also approved a 5,400 square foot warehouse with outdoor storage. A 1,250 square foot office addition to the warehouse building was approved via AC-0112-81 in 1981. A variance to waive paving and screen fencing requirements was approved via VC-0006-82 in 1982. A use permit to allow materials to be stacked or piled above the height of the screened fence was approved via UC-0462-07 in 2007. This application included waivers for street landscaping and off-site improvements (curb, gutter, sidewalks, and streetlights). The waiver for street landscaping was denied in its entirety, while the waiver for off-site improvements was partially denied for curb and sidewalk. Thus, the site was required to include street landscaping, sidewalks, curb, and streetlights. The curb was completed, but the sidewalk and streetlights were not installed. Therefore, UC-0462-07 expired and the applicant is now requesting waivers to eliminate street landscaping along Carey Avenue and Lamont Street, allow attached sidewalks along Carey Avenue and Lamont Street, waive partial off-site improvements (streetlights) along Lamont Street, as well as a waiver to allow alternative driveway geometrics.

The plans depict an existing industrial site located on the northwest corner of Carey Avenue and Lamont Street, featuring a warehouse, office trailers, temporary structures, and an outdoor storage yard. The site is accessed via 2 commercial driveways along Carey Avenue. The warehouse building features an office addition, with the building being set back 27 feet from the west property line. The parking area is located in the southwest corner of the site, south of the warehouse, and includes a carport. Temporary structures are located on the east and north sides of the warehouse. The majority of the site is used for outdoor storage, which is screened by a screen wall ranging from 7 feet to 10 feet in height along the west property line, a 13 foot high screen wall along the north property line, and an 11 foot high screened fence along the east and south property lines. A waiver for increased fence and wall height along the north and east property lines is required, while the fence along the south property line is allowed to exceed 10 feet in height since it is not within the front setback. Carey Avenue features an existing attached sidewalk, while Lamont Street features an existing curb and the applicant is proposing the construction of an attached sidewalk. The applicant is also proposing 3 foot wide landscape strips along both streets, which will consist of decorative rock. The driveways do not meet

current standards, requiring waivers to allow reduced driveway width, commercial pan driveways, and reduced departure distance.

Applicant’s Justification

The applicant states that the site has operated as an outdoor storage facility for over 45 years, with the outdoor storage screened from the adjacent rights-of-way. The lack of street landscaping is consistent with other properties in the surrounding area. There is little pedestrian traffic in the area, so sidewalks and streetlights are not appropriate for this site. The alternative driveway geometrics should not create issues due to the minimal traffic volume, allowing vehicles to safely enter and exit the site.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0462-07	Use permit for an outside storage yard and waiver for partial off-site improvements (all waivers were denied except for streetlights)	Approved by PC	June 2007
VC-0006-82	Variance to waive paving and screen fencing requirements for a storage yard	Approved by BCC	March 1982
AC-0112-81	Architectural supervision to construct and maintain an office addition to an existing industrial building	Approved by PC	July 1981
ZC-0147-80	Zone change from M-D to M-1 for a warehouse with outside storage of construction equipment	Approved by BCC	August 1980

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	IP (AE-70 & APZ-2)	Mini-warehouse facility
South	Public Use	IP (AE-65 & APZ-2)	U.S. Post Office
East	Business Employment	IP (AE-65, AE-70, & APZ-2)	Retail & home improvement center
West	Business Employment	IL (AE-65, AE-70, & APZ-2)	Vehicle sales, vehicle body shop, & office-warehouse building

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

Staff finds that the request to reduce street landscaping along Carey Avenue and Lamont Street is inconsistent with surrounding development. The properties to the east and west all feature street landscaping with trees and shrubs, so the absence of street trees and shrubs on the subject site may adversely affect these properties. The lack of landscaping also conflicts with Policy 3.6.1 of the Master Plan, which seeks to mitigate the urban heat island effect in existing and new development through site and building features that provide shade, reduce the hardscaped areas, and otherwise help to reduce heat absorption by exterior surfaces. For these reasons, staff cannot support this request.

Waiver of Development Standards #2

Staff finds that there is no compelling justification for the request to increase the fence height along the east property line and wall height along the north property line. The heights for these portions were increased beyond what Title 30 allows without the requisite permits, and staff finds that 10 foot high fences and walls are sufficient to secure the site. Therefore, staff cannot support this request.

Public Works - Development Review

Waiver of Development Standards #3

Staff cannot support the request to allow the existing attached sidewalk to remain along Carey Avenue and the installation of an attached sidewalk on Lamont Street. Detached sidewalks offer improved pedestrian safety by increasing the distance between pedestrians and vehicular traffic. Staff finds that it is imperative to provide detached sidewalks.

Waiver of Development Standards #4

Staff cannot support the request to not install streetlights along Lamont Street as there are existing streetlights to the east of the site. Streetlights not only provide safety for pedestrians and motorists, but they also assist in improving security. Therefore, staff finds that it is imperative to provide the streetlights.

Waiver of Development Standards #5

The reduction in driveway width and departure distance, combined with the request to allow existing pan driveways to remain, reduces the safety of vehicles entering and exiting the site on Carey Avenue. Narrower driveways will result in more vehicles stopping in the right-of-way while drivers attempt to navigate the tight turns that will be required. Further complicating off-site to on-site movements, the reduced departure distance will compound the impact of the pan driveways and narrow driveways, creating a dangerous situation for the public. Therefore, staff cannot support this request.

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, 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 not required if the temporary office trailer is elevated 18 inches above the water surface elevation on Carey Avenue;
- 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 Carey Avenue 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;
- All parking must be on-site within the gates to prevent vehicles from backing into the right-of-way;
- No perpendicular parking adjacent to Carey Avenue.

Fire Prevention Bureau

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

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: COKER ASSET PROTECTION TRUST & COKER MARLANE & AUGUSTUS A TRS

CONTACT: KAEMPFER CROWEL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135