

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0627-LINDA PROPERTIES, LLC:**

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

**DESIGN REVIEW** for a proposed outdoor storage facility on 2.09 acres in an IL (Industrial Light) Zone.

Generally located south of Glen Avenue and east of Stratford Avenue within Sunrise Manor.  
TS/sd/cv (For possible action)

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RELATED INFORMATION:

**APN:**

161-07-103-006; 161-07-103-007; 161-07-103-009; 161-07-103-012

**WAIVERS OF DEVELOPMENT STANDARDS:**

1.
  - a. Eliminate the landscape buffer along the east boundary line of APN 161-07-103 012 where buffering and screening shall consist of a 15 foot landscape buffer with an 8 foot high decorative screen wall per Section 30.04.02C.
  - b. Eliminate the landscape buffer along the north boundary line APN 161-07-103 012 where buffering and screening shall consist of a 15 foot landscape buffer with an 8 foot high decorative screen wall per Section 30.04.02C.
  - c. Eliminate the landscape buffer along the northwest boundary line of APN 161-07-103-012 where buffering and screening shall consist of a 15 foot landscape buffer with an 8 foot high decorative screen wall per Section 30.04.02C.
  - d. Eliminate the landscape buffer along a portion of the east boundary line of APN 161-07-03-006 where buffering and screening shall consist of a 15 foot landscape buffer with an 8 foot high decorative screen wall per Section 30.04.02C.
  - e. Eliminate the landscape buffer along a portion of the west boundary line of APN 161-07-103-006 where buffering and screening shall consist of a 15 foot landscape buffer with an 8 foot high decorative screen wall per Section 30.04.02C.
  - f. Eliminate the landscape buffer along the north boundary line of APN 161-07 103-007 where buffering and screening shall consist of a 15 foot landscape buffer with an 8 foot high decorative screen wall per Section 30.04.02C.
2. Eliminate street landscaping along Glen Avenue where a 6 foot wide landscape area consisting of 1 large tree every 30 linear feet is required per Section 30.04.01D.
3.
  - a. Allow a trash enclosure 18 feet from a residential district where a minimum of 50 feet is required per Section 30.04.06 (a 64% reduction).

- b. Allow outdoor storage adjacent to a residential zone where not permissible per Section 30.04.06E.
4. Waive full off-site improvements (curb, gutter, sidewalks, streetlights, and partial paving) along Glen Avenue where required per Section 30.04.08C.

## **LAND USE PLAN:**

### **SUNRISE MANOR - BUSINESS EMPLOYMENT**

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: 3739 Stratford Avenue and 3743 Glen Avenue
- Site Acreage: 2.09
- Project Type: Outdoor storage
- Number of Lots: 4
- Building Height (feet): 15 (existing building located on APN 161-07-103-006)
- Square Feet: 1,576 (existing building located on APN 161-07-103-006)
- Parking Required/Provided: 4/5
- Sustainability Required/Provided: 5/0

#### Site Plans

The plans submitted depict a proposed outdoor storage facility on the subject parcels. The proposed development has a companion zone change to reclassify the parcels currently zoned either RS20 and CG zoning to IL (Industrial Light). Title 30 states that IL zoning allows for outdoor storage as a principal use. Access to the site for outdoor storage purposes will be from a private easement along the south property lines, which connect to Stratford Avenue to the west. On the north end of APN 161-07-103-006 (adjacent to Glen Avenue), employees will access an existing building (formerly a place of worship) that will be utilized as an office. Within this area, 5 parking spaces and a trash enclosure are located north of the existing building. East of the building will include a proposed 8 foot high screened wrought iron fence with an access gate that is set back 118 feet from the north property line. A 24 foot wide driveway is proposed along the northeast property line of APN 161-07-103-006. The proposed driveway will allow for access to the office building for ingress/egress for the employees. No commercial vehicles will access the outdoor storage yard from Glen Avenue. The applicant is proposing to waive off-site improvements along this portion of the parcel adjacent to Glen Avenue.

The existing structures located on the southern portion of APN 161-07-103-006 such as the existing fence, ramp, shed, and building will be removed. The site plan also depicts that 8-foot-high CMU walls will screen the outdoor storage areas, in addition, an 8 foot high screened fence will also be installed along the southern property lines of APNs 161-07-103-006 and 161-07-103-012 adjacent to the private easements. The applicant is requesting waivers of development standards related to residential adjacency standards because the trash enclosure north of the office building will be 18 feet from a residential district where a minimum of 50 feet is required per Code. Lastly, a waiver of development standards to allow outdoor storage adjacent to a residential zone is also required to modify residential adjacency standards.

### Landscaping

No landscaping is proposed with this project. The applicant is requesting a waiver of development standards to eliminate the required 15 foot wide landscape buffer adjacent to less intensive residential uses and to eliminate street landscaping along Glen Avenue. Although the 15 foot wide landscape buffer is not provided, the applicant will install an 8 foot high CMU block (screen) wall which is required for the buffering and screening standards.

### Elevations

The existing building (formerly a place of worship) that will remain is 14 feet high with a pitched roof line and stucco finish. The applicant has not proposed any additions or alterations to the building. All improvements will be internal as tenant improvements.

### Floor Plans

The plans submitted shows that the existing building will be converted to an office. This building has an overall area of 1,576 square feet.

### Applicant's Justification

The proposed use will be for other companies to lease space at this location for storage of commercial vehicles. The applicant states that commercial vehicles will be stored here with customers picking up the vehicles in the morning and returning in the evening. The trucks and transports leave daily and return in the evening, and the hours of operations will be designated by the company leasing the lot. Larger and heavier equipment will be stored as far as possible away from any residential lot. The following commercial vehicles and equipment will be stored on the site, and they are the following: D-8 Track Dozers, D-6 Track Dozers, D-10 Track Dozer, Track Excavators, Scrapers (Blade Equipment), Industrial Loaders, Super Tens, End Dumps, and Side Dumps. A security gate will remain on the easement to restrict access to the site. Several waivers of development standards are requested and include buffering and screening, street landscaping, block walls and residential adjacency standards for both trash enclosure and outdoor storage as a principal use.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-1571-06	Zone Change to reclassify APNs 161-07-103-007, 161-07-103-009, & 161-07-103-012 from R-E to C-2 zoning for a future commercial use	Approved by BCC	December 2006

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Corridor Mixed-Use	CG	Off-highway vehicle, recreational vehicle, & watercraft storage facility
South	Business Employment	IP	Outside storage & undeveloped

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
East	Business Employment	RS20	Single-family residence
West	Business Employment	RS20 & IP	Single-family residence & recently approved outdoor storage yard

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-25-0626	A zone change from RS20 and CG to IL 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

Staff cannot support the requested waiver of development standards to eliminate the required buffering to the residential homes that are adjacent to the proposed outdoor storage yard. Without the appropriate buffering staff has concerns with impacts associated with industrial uses and associated outdoor storage as the intent of buffering and screening is to reduce such impacts of uses and activities associated with outdoor storage. The intent of installing a double row of evergreen trees per the buffering criteria is to mitigate impacts of higher intensity uses on neighboring residential properties. While the applicant is installing an 8 foot CMU wall along the property lines of the adjacent residences, staff still has concerns regarding the intensity of the proposed use that does not incorporate the required buffering. Therefore, staff cannot support this request.

Waiver of Development Standards #2

The intent of street landscaping is to provide shade and reduce storm water run-off. Furthermore, the required street landscaping would provide an extra additional buffer to screen outdoor storage uses from the public right-of-way. Staff find the request to waive the required street landscaping along Glen Avenue is a self-imposed burden; therefore, recommends denial.

### Waiver of Development Standards #3

Staff cannot support the requested waiver of development standards to modify residential adjacency standards as they relate to the proposed location of the trash enclosure and to allow outdoor storage as a principal use adjacent to residential development. The trash enclosure could be relocated to other areas of the overall property to minimize impacts. In addition, the applicant is proposing outdoor storage as a primary use adjacent to residential uses and is not providing the requisite buffering to those residential uses at 3715 Glen Avenue, 3739 Glen Avenue and 3771 Glen Avenue. While the applicant is providing an 8 foot high CMU wall, staff cannot support the waiver as any lack of buffering will have impacts on the residential uses.

### 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.

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 cannot support the design review as submitted for an outdoor storage yard due to the waivers of development standards that staff cannot support. Staff has concerns regarding the lack of buffering to those residential uses adjacent to the applicant's property. Staff also has concerns over the lack of reducing the visual impact of the outdoor storage from the right-of-way with the request to eliminate street landscaping. Staff finds the requested waiver of development standards being sought for this use are a self-imposed hardship and the use as proposed would have significant impact to the neighborhood and adjacent residential uses. Since staff cannot support the proposed waiver of development standards, staff cannot support the design review.

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

#### Waiver of Development Standards #4

Staff cannot support this request to not install full off-site improvements on Glen Avenue when there are existing full off-site improvements in the surrounding areas. Additionally, 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**

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 and application for review; 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;
- 5 year review of off-site improvements;
- Right-of-way dedication to include 20 feet for Glenn Avenue;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant shall agree to participate in a Special Improvement District (SID) for off-site improvements, including but not limited to, paving, curb and gutter, streetlights, and fire hydrants.

### **Fire Prevention Bureau**

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features; 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 is already connected to the CCWRD sewer system; and if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** LINDA PROPERTIES, LLC

**CONTACT:** SUZANA RUTAR ARCHITECT LTD., 1950 E. WARM SPRINGS ROAD, LAS VEGAS, NV 89119