

03/05/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-25-0042-SIMON, PETER A. III TRUST 101 & SIMON, JOY MARIE TRUST 101:

USE PERMIT for outdoor storage as a primary use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate street landscaping; **2)** eliminate parking lot landscaping; **3)** eliminate landscape buffer; **4)** increase fence height; and **5)** waive full off-site improvements.

DESIGN REVIEW for outdoor storage with modular office trailers on 28.26 acres in an IP (Industrial Park) Zone.

Generally located on the west side of Las Vegas Boulevard South, 3,450 feet north of SR 161 within the South County Planning Area. MN/rr/kh (For possible action)

RELATED INFORMATION:

APN:

217-12-201-002

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate street landscaping along Las Vegas Boulevard South where two, 5 foot wide landscape strips are required on both sides of a detached sidewalk per Section 30.04.01D.
2. Eliminate parking lot landscaping where 1 tree within landscape finger islands is required for every 6 spaces per Section 30.04.01D.
3. Eliminate buffering where a 15 foot landscape buffer is required per Section 30.04.02C.
4. Increase fence height to 12 feet within the side and rear setbacks where 10 feet is the maximum height allowed per Section 30.04.03B (a 20% increase).
5. Waive full off-site improvements (curb, gutter, detached sidewalks, streetlights, and partial paving) along Las Vegas Boulevard South per Section 30.04.08C.

LAND USE PLAN:

SOUTH COUNTY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 28.26
- Project Type: Outdoor storage
- Parking Required/Provided: 34/34

Site Plan

The plan depicts a 28.26 acre site located on the west side of Las Vegas Boulevard South. The plan indicates the site will be used for outdoor storage and will be surrounded by a 12 foot tall chain-link fence with a fabric screen on all sides. The fence is proposed to be set back 20 feet from the property line along Las Vegas Boulevard South and will be located along the north, south, and west property lines. Access to the site is granted via two, 40 foot wide driveways from Las Vegas Boulevard South that are located near the northern and southern sides of the property. Access to the property will be controlled by gates at each driveway which will be set back 20 feet from the street and remain open during business hours. On-site parking is proposed near the southeast corner of the site along with 3 modular office trailers used for offices. The outside storage areas are 100 feet in width and proposed to be accessed by 40 foot wide drive aisles. The on-site parking areas, drive aisles, and the outdoor storage areas are all proposed to be graded and have a surface treatment of gravel subject to dust control requirements in compliance with Clark County Division of Air Quality standards for areas outside of State of Nevada Hydrographic Basin 212.

Landscaping

Parking lot, street and perimeter landscaping is not provided necessitating the waivers of development standards.

Elevations

The plan indicates office trailers 10 feet in height with a flat roofs. Two entrances are indicated on 1 side which are accessible from 2 sets of stairs with handrails. Windows are provided on all sides of the trailers.

Floor Plan

The modular trailers measure 320 square feet and have 2 entrances. Two offices are indicated on each side of the trailer with a restroom in the center of the structure.

Applicant's Justification

The applicant states the outdoor storage yard is intended for a temporary construction materials laydown yard with a lease term of 3 years. The applicant states the laydown yard is solely for the purposes of supporting the construction and/or improvements associated with the southern leg of the GridLiance West Core Upgrades high voltage transmission corridor project which in total encompasses over 160 miles of private transmission line upgrades. The applicant states that material storage will be typical of a high voltage transmission project including metal transmission poles, cable, resistors, insulators, and related electrical components. The applicant indicates the storage will be for short periods of time with shipments arriving and then being delivered to the construction site. The applicant also states that water and sewer mains will not be extended to serve the property. At the conclusion of the lease, the applicant indicates the driveways connecting to Las Vegas Boulevard South will be removed as requested by Public Works.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-23-0195	Reclassified from R-U and H-2 to M-D zoning for future industrial development	Approved by BCC	July 2023
PA-23-700010	Plan amendment to redesignate the land use category from Entertainment Mixed-Use and Open Land to Business Employment	Approved by BCC	July 2023
PA-21-700004	Plan amendment to reduce the right-of-way width for Las Vegas Boulevard South between St. Rose Parkway and the state line at Primm to 200 feet	Approved by BCC	November 2021

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Open Lands	RS80 & H-2	Undeveloped
South	Entertainment Mixed-Use	IP	Undeveloped
East	Industrial Employment & Open Lands	IL & H-2	Undeveloped
West	Entertainment Mixed-Use & Open Lands	IP & RS80	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

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 is requesting a use permit to allow an outdoor storage facility as a primary use on an IP zoned site. There are no permanent structures proposed on the site. The only proposed structures are 3 temporary office trailers that will be placed on the site while it is being used for outdoor storage. The applicant indicates this will be a temporary construction materials laydown yard with a lease term of 3 years. Given the temporary nature of the outdoor storage yard, staff can support this request with a condition requiring an application for review in 3 years. While the lease term is for 3 years, additional time may be needed for the use of the property to commence.

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.

Waivers of Development Standards #1 through #3

The applicant is requesting to waive all landscape requirements along the street, parking areas, and the landscape buffer along the south and west sides of the property where it adjoins undeveloped properties designated as Entertainment Mixed-Use according to the Master Plan. According to the applicant the site will not have a permanent source of irrigation and maintaining the landscaping beyond the 3 year timeframe for the lease would be impractical and non-typical for a temporary outdoor storage yard. It should be noted that street and parking lot trees which are waived are normally subject to a fee-in-lieu payment. Given the temporary nature of the outdoor storage yard, staff can support these waivers with a condition that the fee-in-lieu payment for the trees be deferred and reviewed as part of an application for review.

Waiver of Development Standards #4

The applicant is requesting to increase the height of a chain-link fence with a fabric screen to 12 feet where 10 feet is the maximum height allowed. The applicant states that construction materials which will be stored at the site will consist of bundles and crates of components that exceed 10 feet in height. In the IP district, outdoor storage shall not be stacked or piled above the height of any screen fence and this standard shall not be waived or varied. Given that the storage materials will exceed 10 feet and that these materials must not be higher than the screen fence, a waiver to allow 2 additional feet of fence height can be supported by staff.

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 proposed outdoor storage yard will be screened from view from the adjacent street and surrounding properties by a 12 foot tall fence with fabric screening. The proposed fencing will meet the setback requirements along Las Vegas Boulevard South. The increased fence height should ensure that no stored items will be stacked or piled above the height of the screen fence. The outdoor storage use is intended to be temporary and is subject to a 3 year lease. Staff can support this request subject to a future application for review to be able to evaluate the temporary nature of the proposed project.

Public Works - Development Review**Waiver of Development Standards #5**

Staff has no objection to not installing off-site improvements. Staff finds due to the location of the site and the temporary use requested, off-site improvements are not necessary at this time.

Staff Recommendation

Approval.

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**

- 3 years to review or the application will expire;
- Fee-in-lieu payment is deferred until application for review;
- All equipment materials and improvements shall be removed when use of the property as a construction storage yard ceases;
- 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 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

- 4 year review of off-sites;
- Drainage study and compliance with future development;
- Any future applications will require full off-site improvements or pay a contribution for local roadway, drainage, or trail related improvements in District A in lieu of constructing full off-site improvements, as determined by Public Works.

Fire Prevention Bureau

- 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.
- 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: LARRY BITTON

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