

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-25-0323-ZSKSMAZ TOWNSHIP FAMILY TRUST ETAL & MALIK UMER TRS:**

**USE PERMIT** for a proposed mini-warehouse facility.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce parking; **2)** modify buffering and screening; **3)** eliminate street landscaping; **4)** increase fill height; **5)** increase retaining wall height; **6)** reduced driveway throat depth; and **7)** allow attached sidewalks.

**DESIGN REVIEW** for a proposed mini-warehouse facility on 1.97 acres in a CG (Commercial General) Zone.

Generally located on the southeast corner of Valley View Boulevard and Frias Avenue within Enterprise. JJ/sd/cv (For possible action)

---

RELATED INFORMATION:

**APN:**

177-29-401-001

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce on-site parking to 5 spaces where 41 spaces are required per Table 30.04-2 (an 88% reduction).
2.
  - a. Reduce the width of the landscape buffer to 10 feet along the east property line where a 15 foot landscape buffer is required per Section 30.04.02 (a 33% reduction).
  - b. Allow a 6 foot high screen wall along a portion of the eastern property line where an 8 foot high decorative screen wall is required per Section 30.04.03.
  - c. Eliminate buffering and screening consisting of a 15 foot wide landscape buffer with an 8 foot decorative screen wall along the south property line (adjacent to Building 3) where required per Section 30.04.02C.
  - d. Reduce buffering and screening to 5 feet along the southwest portion of the south property line (adjacent to the proposed office building) where a 15 foot wide landscape buffer is required per Section 30.04.02C.
3. Eliminate street landscaping (trees) along Frias Avenue where 1 large tree shall be provided every 30 linear feet per Section 30.04.01.
4. Increase fill height to 5 feet on the southeast corner of the site where a maximum of 3 feet is allowed to be placed within 5 feet of a shared residential property line per Section 30.04.06F (a 67% increase).
5. Increase the height of a proposed retaining wall located on the southeast corner of the site to 5 feet where 3 feet is the maximum allowed per Section 30.04.03C (a 66% reduction).
6. Reduce the proposed driveway throat depth to 20 feet where 25 feet is the standard per Uniform Standard Drawing 222.1 (a 20% reduction).

7. Allow an attached sidewalk along Frias Avenue where a detached sidewalk is required per Section 30.04.08.

**LAND USE PLAN:**

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 10340 S. Valley View Boulevard
- Site Acreage: 1.97
- Project Type: Proposed mini-warehouse facility
- Building Height (feet): 32 (office)/40 (Building 1)/12 (Building 2)/12 (Building 3)
- Square Feet: 89,539 (Building 1)/2,231 (Building 2)/2,850 (Building 3)/1,095 (office)
- Parking Required/Provided: 41/5
- Sustainability Required/Provided: 7/7

History & Site Plan

The site was reclassified to C-1 zoning via ZC-19-0210 for a mini-warehouse facility with recreational vehicle (RV) storage portions of ZC-19-0210 and subsequent applications such as WS-21-0333 and ADR-21-900291 related to the previously approved mini-warehouse facility have since expired.

Since the applications have expired, the applicant is requesting a new use permit to allow a mini-warehouse facility on the subject parcel. The plans depict a proposed mini-warehouse facility with a detached office building located on a 1.97 acre site at the southeast corner of Frias Avenue and Valley View Boulevard. The site plan shows 4 separate buildings with 3 buildings dedicated to self-storage and the fourth being the administrative office building. Building 1 is the largest of the proposed buildings and is located in the center portion of the site with a drive aisle shown on all sides with a minimum width of 24 feet. The other buildings (Building 2) is located along Valley View Boulevard (west property line) and Building 3 and the office are located along the south property line.

Access to the site is from a proposed driveway on the southwest corner of the site adjacent to Valley View Boulevard. The drive aisles along the south exterior and west exterior portions of Building 1 will have a security gate only accessible by a code. A total of 5 parking spaces are provided whereas the current Code requires a minimum of 41 parking spaces, thus requiring a waiver of development standards.

Lastly, the applicant is requesting to increase the fill height on the southeast portion of the site. The request is to increase the fill height to 5 feet where a maximum of 3 feet is allowed to be placed within 5 feet of a shared residential property line. Due to this request, a retaining wall height waiver is required.

### Landscaping

Title 30 requires a 15 foot wide landscape buffer with an 8 foot decorative wall to be installed along the east property line. The applicant is proposing a 10 foot wide landscape buffer with a 6 foot high CMU block wall (northeast corner) since this area is within an existing NV Energy easement. The plans show that the remainder of the eastern wall will be 8 feet high.

Along Valley View Boulevard trees are spaced at 30 feet on center with shrubs that will be adjacent to a detached sidewalk. Along Frias Avenue, there is an existing 50 foot wide NV Energy easement. The applicant submitted correspondence from NV Energy stating that landscaping within the easement cannot exceed a mature height of 8 feet. Therefore, within the 10 foot wide landscape planting strip along Frias Avenue no trees will be planted, only 34 shrubs. A 6 foot high block wall will be installed behind the landscape area along Frias Avenue, and this wall is not within the front setback. Parking lot landscaping is provided south of Building 2 and on the southwest corner of the site, between the office and Building 3.

### Elevations

Building 1 is the largest of all of the proposed buildings on the site. The overall height for this building is 40 feet. Building 1 includes roll-up doors on the west facing elevation, decorative glass, a variety of neutral toned paint colors. The roll-up doors on the west facing elevation for Building 1 are partially screened from the right-of-way (Valley View Boulevard) because Building 2 will be constructed west of Building 1. The roll-up doors on the north and south facing elevation of Building 1 are screened by a 6 foot high block wall along the north property line, while the proposed office building and Building 3 will screen the south facing roll-up doors of Building 1. Lastly, the roll-up doors on the east facing elevation of Building 1 will be screened by a 10 foot wide landscape strip and a 6 foot and 8 foot high block wall adjacent to the undeveloped residential zoned parcel to the east.

Building 2 and Building 3 are 1 story buildings which features roll-up doors for the self-storage units. The overall height for these buildings is 12 feet and the roll-up doors face internally to the site. The proposed office building has an overall height of 32 feet and features glass and aluminum storefront door and window systems. The office includes decorative canopies and a decorative stucco wall design.

### Floor Plans

The plans depict a floor plan for a mini-warehouse facility with individual units of varying size. The office and lobby will have a reception area. Building 1 is 3 stories with an overall area of 89,539 square feet. Building 2 is 1 story with an overall area of 2,231 square feet. Building 3 is 1 story with an overall area of 2,850 square feet. Lastly the proposed office building has an overall area of 1,095 square feet.

### Applicant's Justification

The applicant states this project consists of 1 parcel that will have a total of 4 buildings for a new mini-warehouse facility. The applicant states a mini-warehouse use will complement the neighborhood as a low impact commercial use that will surely be used by many people in the neighboring community.

The applicant is requesting to reduce required parking spaces because mini-warehouse facilities are a very low impact use, typically with low vehicle counts.

In addition, the applicant is requesting to eliminate street landscaping (trees only) along Frias Avenue. Along the north end of the property there is a 50 foot wide NV Energy easement. Documentation has been provided that this project is not allowed to provide trees that are greater than 8 feet at full maturity within this easement, and these trees cannot be either palm or pine trees. The Southern Nevada Regional Plant list does not have a tree that is maximum of 8 feet at full maturity, due to this, a waiver is being requested to remove the requirement of trees within the 50 foot wide NV Energy Easement.

Furthermore, a waiver to modify buffering and screening measures is required because there is a NV Energy easement along the north property line and structures and landscaping over 8 feet are not allowed. There is a portion of the northeast corner which will contain a 6 foot high wall. Additionally, in lieu of the required 15 foot landscape buffer, there will be a 10 foot wide landscape buffer of 2 rows of medium evergreen trees staggered every 20 feet. This will provide substantial buffering to the site to the east when you consider both the 6 foot to 8 foot screen walls. This would also screen the 8 foot high roll-up doors facing the eastern property line.

Additional waivers for this project include a request to increase fill height and increase retaining wall height because the retaining wall height will accommodate the additional fill along the property lines. Per the applicant, this is a rather large site with a large footprint, it is needed to properly grade the site.

Lastly, per the current Standard Drawings, a 25 foot throat depth is required as a minimum. This project has a 49 foot, 10 inch throat depth on the ingress side of the driveway and only a 20 feet throat depth on the egress side of the driveway. The ingress side meets the requirements. Due to the NV Energy easement, this project requires a waiver for an attached sidewalk along Frias Avenue. There is a precedent for an attached sidewalk due north of this property. This parcel has undergone a change of ownership and would like to continue with a design that is like what was previously approved.

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-21-0333	Waiver of development standards to increase retaining wall height and design review for increased grade - expired	Approved by BCC	August 2021
VS-21-0334	Vacation and abandonment of easements of interest - expired	Approved by BCC	August 2021
ADR-21-900291	Allowed modifications to a previously approved mini-warehouse facility - expired	Approved by ZA	July 2021
ADET-21-900219 (ZC-19-0210)	Extension of time for a mini-warehouse and recreational vehicle storage - expired	Approved by ZA	May 2021

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-19-0210	Reclassified R-E to C-1 for mini-warehouse and recreational vehicle storage - use permit, waiver of development standards, and design review - expired	Approved by BCC	May 2019

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential development
South	Urban Neighborhood (greater than 18 du/ac)	CG	Recently approved 118 lot PUD (attached single-family residential development)
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS20	Undeveloped
West	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS3.3	Single-family residential development

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-25-0324	A vacation and abandonment of patent easements 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 the proposed mini-warehouse is a less intense use when compared with other commercial uses that are permitted by right including retail, restaurants, or a shopping center. The site is surrounded by existing and recently approved single-family residential developments to the north, south, and west. Since staff cannot support the waivers of development standards and the design review, staff also 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 #1

Staff cannot support the reduction for on-site parking to 5 spaces where 41 spaces are required. The request is excessive for 749 units and an office. The request is a result of a self-imposed hardship and can be redesigned to accommodate fewer units or the total number of buildings proposed that will allow for more parking or less intensity. Therefore, staff cannot support this request.

#### Waiver of Development Standards #2

Staff cannot support the requested waiver to reduce the landscape buffer to 10 feet where 15 feet is required, and a 6 foot CMU wall is proposed where an 8 foot wall along a portion of the eastern property line is required. The applicant could still provide for 15 feet of landscaping as there is plenty of drive aisle width to accommodate an additional 5 feet, which is wider than the minimum width of the 24 feet for a fire lane. While the applicant has stated there is an NV Energy easement that limits the block wall to 6 feet the applicant could provide for a decorative wall at that height. Along a portion of the south property line a landscape strip of 5 feet will be planted and eliminated along the rest of the property line. Staff finds these waiver requests are a self-imposed hardship. There are alternatives available to redesign the project to limit the impact to the eastern property that has planned land use for Mid-Intensity Suburban Neighborhood. Therefore, staff cannot support this request.

#### Waiver of Development Standards #3

A 10 foot wide landscape planting strip is provided for with the proposed attached sidewalk. The applicant has stated NV Energy requires that no trees can be planted here that exceeds 8 feet in height. The SNWA Regional Plant List provides for trees that are small in caliper and are under 8 feet in height that can be planted in this area. In addition, small trees can be planted at 20 feet on center. Staff finds that the applicant can provide trees that meet both criteria of NV Energy and the Code through an alternative landscape plan; therefore, staff cannot support this request.

#### Waivers of development Standards #4 & #5

Reviewing the height of retaining walls and increase fill when adjacent to a residential use is to assure that proposed heights for the retaining walls and increase fill are necessary for the proper functioning of the site and if what the applicant is proposing is compatible with the surrounding area. The submitted cross sections show that the increase fill request up to 5 feet where a maximum of 3 feet is allowed to be placed within 5 feet of a shared residential property line is on the southeast corner of the site. The plans also show that this area requires a retaining wall height of up to 5 feet due to the increase finished grade. Staff finds that the applicant did not provide significant justification as to these requests are necessary. The applicant has the opportunity to

redesign the site to ensure that residential adjacency standards are accommodated. Therefore, staff cannot support this request.

### 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.

Staff cannot support the proposed design review for the mini-warehouse, including roll-up doors that face residential to the east and pedestrian connectivity. Staff is recommending denial of the waiver of development requests and as such cannot support the proposed design. The applicant can redesign the site to better accommodate the above waiver requests and limit how the design will impact the adjacent residential uses. Therefore, staff cannot support the proposed design.

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

#### Waiver of Development Standards #6

Staff finds that the reduced throat depth for the driveway on Valley View Boulevard will result in on street stacking of vehicles. Since Valley View Boulevard is an arterial street, it is important that traffic can flow without the impediment of vehicles attempting to access the parking lot. Therefore, staff cannot support this request.

#### Waiver of Development Standards #7

Staff cannot support the request to install attached sidewalks in place of detached sidewalks along Valley View Boulevard. The site has no existing off-site improvements, therefore there is no reason detached sidewalks cannot be installed. Additionally, detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic.

### **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:

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- 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 and compliance;
- Full off-site improvements.

**Fire Prevention Bureau**

- Applicant is advised 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 a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0528-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Enterprise - approval of the use permit and waivers of development standards #1, #2b, #4, and #5; denial of waivers of development standards #2a, #2c, #2d, #3, #6, #7, and the design review.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ZSKSMAZ TOWNSHIP FAMILY TRUST ETAL AND MALIK UMER TRS

**CONTACT:** CARROLL DESIGN COLLABORATIVE, 1980 FESTIVAL PLAZA DRIVE, LAS VEGAS, NV 89135