

## 12/03/25 BCC AGENDA SHEET

### PUBLIC HEARING

#### APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

#### **UC-25-0739-DUGGANNY HOLDINGS, LLC-SERIES II:**

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

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase maximum parking; **2)** eliminate parking lot landscaping; **3)** allow attached sidewalks to remain; **4)** allow an existing pan driveway; and **5)** eliminate throat depth.

**DESIGN REVIEWS** for the following: **1)** outdoor storage; **2)** truck parking; and **3)** all accessory and ancillary uses including storage containers, modular office, vehicle fuel island, paint booth, office/warehouse building, storage and vehicle maintenance building, and vehicle wash on 6.26 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65, AE-70, & APZ-2) Overlay.

Generally located east of Marion Drive and north of Carey Avenue within Sunrise Manor.  
MK/md/kh (For possible action)

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#### RELATED INFORMATION:

##### **APN:**

140-17-801-003; 140-17-801-005; 140-17-801-007

##### **WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow 28 parking spaces where a maximum of 23 parking spaces are permissible per Section 30.04.04D (a 21.7% increase).
2. Eliminate parking area landscaping where landscaping is required per Section 30.04.01D.
3.
  - a. Allow an existing attached sidewalk to remain along a portion of Marion Drive where a detached sidewalk is required per Section 30.04.08C.
  - b. Allow an existing attached sidewalk to remain along Carey Avenue where a detached sidewalk is required per Section 30.04.08C.
4. Allow an existing pan driveway to remain along Marion Drive where a commercial curb return driveway is required per Section 30.04.08 and Uniform Standard Drawing 222.1.
5. Eliminate throat depth for an existing driveway along Marion Drive where a minimum depth of 25 feet is required per Section 30.04.08 and Uniform Standard Drawing 222.1.

##### **LAND USE PLAN:**

SUNRISE MANOR - BUSINESS EMPLOYMENT

##### **BACKGROUND:**

###### **Project Description**

###### General Summary

- Site Address: 2530 Marion Drive
- Site Acreage: 6.26

- Project Type: Outdoor storage & truck parking
- Number of Stories: 1
- Building Height (feet): 20 (existing office/warehouse)/24.5 (proposed storage & vehicle maintenance building)/14 (existing modular office building)/9 (existing ice storage structure)/9.5 feet (existing paint booth)
- Square Feet: 6,250 (existing office/warehouse)/2,260 (existing modular office building)/4,200 (proposed storage & vehicle maintenance building)
- Parking Required/Provided: 20/30
- Sustainability Required/Provided: 7/4

### Site Plans

The plans depict a proposed outdoor storage yard and truck parking area located on 6.26 acres at the northeast corner of Marion Drive and Carey Avenue. The outdoor storage yard and truck parking area is located on the south two-thirds of the project site while the existing office/warehouse building, modular office building, and parking lot (truck and employee parking) are located on the north one-third of the site. The site will be secured by a 10 foot high security fence (9 foot high fence with 12 inches of barbed wire) with mesh screening, located behind the required street landscape areas along Marion Drive and Carey Avenue. An existing trash enclosure and ice storage area are also located within the north portion of the property. A proposed single-story, pre-fabricated metal storage and vehicle maintenance building, and an existing fuel island, enclosed paint booth, unenclosed vehicle wash bay, and several storage containers are also located in the south portion of the property. The fuel island is an accessory use to the site, serving the company's fleet vehicles and is not open to the general public. The proposed building will be utilized for storage of materials and vehicle maintenance. A parking area for fleet/commercial vehicles and outdoor storage is located immediately north of the existing office/warehouse building. Outdoor storage areas with alternative paving in accordance with Clark County Air Quality regulations are located along the east, central, and west portions of the site. A total of 30 parking spaces are provided for the development where 20 parking spaces are required. A waiver of development standards is required to allow 28 standard parking spaces where a maximum of 23 standard parking spaces are permissible per Title 30. The entirety of the site, including the areas for outdoor storage, will be paved with asphalt. Access to the site is granted via an existing driveway located at the northwest corner of the site, adjacent to Marion Drive. The proposed access gate will be set back 22 feet from the west property line and will remain open during business hours. Waivers of Development Standards are requested to allow the existing commercial pan driveway to remain along Marion Drive, in addition to reducing the throat depth of the driveway. A second point of access to the site is provided through a proposed driveway along Carey Avenue. The proposed access gate will also be set back 21 feet from the south property line and will remain open during business hours. A waiver of development standards is also requested to allow an existing attached sidewalk along the northwest portion of the site adjacent to Marion Drive and to allow an existing attached sidewalk adjacent to Carey Avenue.

### Landscaping

The plans depict a proposed street landscape area, including two, 5 foot wide landscape strips provided on each side to the detached sidewalk located along the southwest side of the site, along Marion Drive. A 10 foot wide landscape strip is located behind the existing 5 foot wide attached

sidewalks at the northwest and south portions of the site, adjacent to Marion Drive and Carey Avenue, respectively. Trees, shrubs, and groundcover are planted within the street landscape areas. No parking lot landscaping is provided within the interior of the site, necessitating a waiver of development standards request.

#### Elevations

The plans depict a proposed single-story, pre-fabricated metal storage and vehicle maintenance building with vertical metal siding measuring up to 24.5 feet in height. The existing office/warehouse building measures up to 20 feet in height and is constructed with a metal exterior. The existing modular office building measures 14 feet in height and consists of vertical wood panels. The existing ice storage structure measures up to 9 feet in height, consists of a pitched metal roof, and is enclosed on 3 sides by a CMU block exterior. The paint booth measures 9.5 feet in height (15 feet in height to the top of the exhaust vent) and is fully enclosed,

#### Floor Plans

The proposed metal storage and vehicle maintenance building measures 4,200 square feet in area and consists of an open floor plan. Furthermore, there is an existing office/warehouse building and modular office building measuring 6,250 square feet and 2,260 square feet, respectively.

#### Applicant's Justification

The current owner operates a utility contracting company from the premises utilizing the 3 parcels for various functions including an existing office building, existing vehicle wash bay, existing fuel island, and existing outdoor storage. Use permits are requested for outdoor storage and truck parking for operations of the site. The intent of the use permit for outdoor storage is to keep stacking and storage of materials below the height of the screened fence; however, there may be temporary conditions or materials received on site that require this height to be exceeded. There will be a small number of trucks and trailers on the parcels, with some vehicles meeting the definition of "Commercial Vehicles" per Title 30. A waiver to eliminate parking lot landscaping is requested as the parking lot is generally for private use and screened behind a security fence at the property perimeter. The existing attached sidewalk and pan driveway located at the northwest corner of the site, along Marion Drive, are intended to remain. Furthermore, the existing attached sidewalks along Marion Drive and Carey Avenue are intended to remain in place.

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

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
DR-199-91	Design review for an office/warehouse building	Approved by PC	December 1991
VC-783-91	Variance to waive paved driveway and permit the installation of a 6 foot high chain-link fence at the front property line	Approved by PC	December 1991
ZC-98-81	Reclassified APNs 140-17-801-005 and 140-17-801-007 to an IP zoning district	Approved by BCC	July 1981

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Business Employment	IL (AE-70 & APZ-2)	Contractor's office
South	Business Employment	IP (AE-65 & APZ-2)	Undeveloped
East	Business Employment	IP & IL (AE-65, AE-70, & APZ-2)	Warehouse buildings & outdoor storage
West	Business Employment	RS5.2 (AE-65, AE-70, & APZ-2)	Manufactured home park

### **Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-25-0737	A zone change from IP to IL is a companion item on this agenda.
VS-25-0738	A vacation and abandonment of right-of-way 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 and truck parking lot is secured by a chain-link fence with mesh screening along Marion Drive and Carey Avenue. Staff does not object to the mesh screening; however, staff is concerned with the stacking of materials and the proximity of the use to Marion Drive, which is designated as collector street. The outdoor storage yard has 950 linear feet of street frontage adjacent to Marion Drive, which experiences a steady volume of vehicular traffic. Furthermore, there is a manufactured home park immediately to the west of the site, across Marion Drive, which may potentially be impacted by the use. Staff recognizes that materials may only be temporarily stacked above the height of the security fence; however, staff cannot support this request based on the aforementioned concerns. Therefore, staff recommends denial.

##### Use Permit #2 & Design Review #2

Staff has no objection to the request for truck parking on the site, as the site will be secured by a 10 foot high security fence with mesh screening along the streets. The truck parking should have

minimal impact on the surrounding land uses; therefore, staff recommends approval of these requests.

#### 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 increase the number of standard parking spaces should have a minimal to no impact on the surrounding land uses. Therefore, staff recommends approval of this request.

#### Waiver of Development Standards #2

The intent of requiring parking lot landscaping is to provide climate adaptable plant materials that enhance environmental conditions by providing shade and reducing storm water run-off. The absence of parking lot landscaping potentially increases higher surface level temperatures that affect the heat vulnerability index. The requested waiver is inconsistent 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 footprint of hardscaped areas, and otherwise help to reduce heat absorption by exterior surfaces. Staff finds the request to waive the required landscaping is a self-imposed burden; therefore, recommends denial.

#### Design Review #1

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 is cognizant of the existing industrial uses to the north and east of the site, which include outdoor storage uses. However, unlike the proposed outdoor storage yard associated with this request, those uses do not front along a collector street or abut a residential use. Due to the totality of the waiver requests, the proximity of the use along an arterial street, and the lack of sustainability points, staff cannot support this request.

#### Design Review #3

Staff does not have an objection to the proposed metal storage and vehicle maintenance building, contingent upon painting the structure with neutral, earth tone colors. Furthermore, staff does not have an objection to the existing accessory uses which include storage containers, a modular office building, vehicle fuel island, paint booth, and an office/warehouse building as they are

necessary to support the operations of the utility contracting company. Therefore, staff recommends approval of this request.

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

#### **Waiver of Development Standards #3**

Staff cannot support the request to allow an existing attached sidewalk in place of a detached sidewalk for Carey Avenue and Marion Drive as both serve as collector streets that accommodates a high volume of traffic. Additionally, detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic. With the redevelopment of the site, there is no reason detached sidewalks cannot be installed.

#### **Waiver of Development Standards #4**

Commercial curb return driveways help mitigate traffic by allowing a smooth transition from the road into the commercial site, whereas pan driveways require vehicles to nearly come to a stop to negotiate a turn into a site. As such, pan driveways are not an acceptable standard for any driveways other than emergency access driveways only. Furthermore, the site has sufficient area to install a commercial curb return driveway. Therefore, staff cannot support this request.

#### **Waiver of Development Standards #5**

Staff finds that the reduced throat depth for the driveway on Marion Drive will result in on street stacking of vehicles. Since Marion Drive is a collector 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.

### **Staff Recommendation**

Approval of use permit #2, waiver of development standards #1, and design reviews #2 and #3; denial of use permit #1, waivers of development standards #2 through #5 and design review #1.

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:

- Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operation;
- No gathering of individuals in an area that would result in an average density of greater than 25 persons per acre per hour during a 24-hour period, not to exceed 50 persons per acre at any time;
- Storage and vehicle maintenance building to be painted with neutral, earth tone colors;
- 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;
- Reconstruct any unused driveways with full off-site improvements;
- Right-of-way dedication to include a 40 foot property line radius on the southwest portion of the site;
- 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;
- 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.

#### **Fire Prevention Bureau**

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; 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; and that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

#### **Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0216-2026 to obtain your POC exhibit; to flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Sunrise Manor - approval of use permit #2 and design reviews #2 and #3; denial of use permit #1, waivers of development standards, and design review #1.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ANDREW HANSEN

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