

STORAGE CONTAINERS
(TITLE 30)

CHEYENNE AVE/WALNUT RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

AR-21-400006 (UC-0040-10 (WC-0081-17))-THREE PEAKS INVESTMENTS ETAL & REP GLOBAL, LLC:

WAIVER OF CONDITIONS THIRD APPLICATION FOR REVIEW for a use permit requiring that the storage containers be removed when towing business leaves the property on 9.2 acres in an M-1 (Light Manufacturing) (AE-75) (APZ-2) Zone.

Generally located on the north side of Cheyenne Avenue, 750 feet east of Walnut Road within Sunrise Manor. WM/jgh/jd (For possible action)

RELATED INFORMATION:

APN:

140-07-802-007

LAND USE PLAN:

SUNRISE MANOR - INDUSTRIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 4100 E. Cheyenne Avenue
- Site Acreage: 9.22

Site Plans

The original plans depict 12 metal storage containers located along the west property line adjacent to an existing 6 foot high CMU wall. However, there are currently 19 storage containers located on the site. These containers are 8 feet wide by 40 feet long and 9 feet high. The containers have been used as a buffer between a towing business use and the adjacent residential use. In addition, the applicant redesigned the parking lot so that there are 78 foot long parking spaces perpendicular to the storage containers. The plans also show an existing outside storage yard, an existing 11,500 square foot truck maintenance building in the center of the site, and an existing 1,600 square foot office building in the southwest corner of the site. The truck maintenance building was being utilized to repair the tow trucks used by the towing service. There is an attached sidewalk, an existing 10 foot wide landscape area with rocks and groundcover (no trees or shrubs), and an existing 6 foot high CMU wall along the south property line adjacent to Cheyenne Avenue.

Previous Conditions of Approval

Listed below are the approved conditions for AR-19-400008 (UC-0040-10):

Current Planning

- Until February 2, 2021 to review as a public hearing.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that 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.

Listed below are the approved conditions for AR-18-400162 (WC-0081-17):

Current Planning

- Until February 2, 2019 to review as a public hearing.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that 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.

Listed below are the approved conditions for UC-0040-10 (WC-0081-17):

Current Planning

- 1 year to review;
- Close off interior gaps between containers.
- Applicant is advised that a substantial change in circumstances or regulations may warrant
- denial or added conditions to an extension of time and application for review; and that 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.

Listed below are the approved conditions for UC-0040-10 (ET-0021-12):

Current Planning

- Remove the time limit;
- All applicable standard conditions for this application type.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system.

Listed below are the approved conditions for UC-0040-10:

Current Planning

- 2 years to commence and review storage containers;
- Containers are to be removed when towing business leaves the property;
- Containers will not be used for any type of storage;

- Accessory structures to be painted to match the principal building;
- Plant trees within the existing landscape area along Cheyenne Avenue in accordance with Figure 30.64-13;
- 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;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- All applicable standard conditions for this application type.
- Applicant is advised that certain uses are not permitted in the airport environs and certain other uses will require a use permit; and that any change in circumstances or regulations may be justification for the denial of an extension of time.

Applicant's Justification

The applicant indicates that an application for review was a condition of approval from AR-19-400008 (UC-0041-10). The use of outside storage remains the same and there have been no violations or complaints from neighboring properties. The applicant is requesting that either the application review condition be removed or allow the use to remain without any reviews for five years.

Prior Land Use Requests

Application Number	Request	Action	Date
AR-19-400008 (UC-0040-10)	Second application for review for a use permit to waive architectural compatibility of storage containers in an M-1 zone	Approved by BCC	March 2019
AR-18-400162 (WC-0081-17)	First application for review of a use permit requiring that storage containers be removed when towing business leaves the property in an M-1 zone	Approved by BCC	September 2018
UC-0040-10 (WC-0081-17)	Waiver of a use permit requiring that storage containers be removed when towing business leaves the property in an M-1 zone	Approved by BCC	August 2017
UC-0040-10 (ET-0021-12)	First extension of time for a use permit to waive architectural compatibility	Approved by BCC	April 2012
UC-0040-10	Use permit to waive architectural compatibility for accessory structures (storage containers) in an M-1 zone	Approved by BCC	March 2010

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	C-2 & H-2	R-V park

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South & East	Business and Design/Research Park	M-D	Warehouse & distribution center
West	Business and Design/Research Park	R-E	Single family residential

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis**Current Planning**

Title 30 standards of approval for an application for review state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred since the original approval.

There are no reported problems from Clark County Public Response Office. Staff has no additional concerns or objections to this request; therefore, staff recommends removal of the time limit.

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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:**Current Planning**

- Remove the time limit.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTEST:

APPLICANT: THREE PEAKS INVESTMENTS ET AL

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