

OUTSIDE STORAGE YARD
(TITLE 30)

JUDSON AVE/MARION DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-21-0500-CIVIL WERX, LLC:

ZONE CHANGE to reclassify 1.8 acres from an R-E (Rural Estates Residential) (AE-65 & APZ-2) Zone to an M-1 (Light Manufacturing) (AE-65 & APZ-2) Zone.

USE PERMIT to allow an outside area used for equipment storage to be unpaved.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** landscaping; **2)** trash enclosure; **3)** parking; **4)** off-site improvements (curb, gutter, sidewalks, streetlights, and partial paving); and **5)** allow a modified driveway design.

DESIGN REVIEWS for the following: **1)** outside storage yard; and **2)** storage containers.

Generally located on the south side of Judson Avenue, 660 feet east of Marion Drive within Sunrise Manor (description on file). MK/rk/jo (For possible action)

RELATED INFORMATION:

APN:

140-20-610-097; 140-20-610-098

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Waive parking lot landscaping where required per Figure 30.64-14.
 - b. Waive street landscaping where required per Figure 30.64-13 adjacent to Judson Avenue.
 - c. Waive the required landscaping adjacent to a less intense use (to the south and west) per Figure 30.64-11.
2. Waive the requirement for a trash enclosure per Section 30.56.120.
3. Waive parking on-site per Section 30.60.030.
4. Waive off-site improvements (curb, gutter, sidewalks, streetlights, and partial paving) where required per Section 30.52.050.
5. Waive throat depth for the driveways along Judson Avenue to zero feet where 25 feet is the standard per Uniform Standard Drawing 222.1 (a 100% reduction).

LAND USE PLAN:

SUNRISE MANOR - INDUSTRIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A

- Site Acreage: 1.8
- Project Type: Outside equipment storage yard
- Storage Container Height (feet): 9.5
- Square Feet: 320 (per container)

Site Plan

The applicant is requesting a conforming zone change from R-E zoning to M-1 zoning for an outside storage yard for a contracting company. The overall site is approximately 1.8 acres with a proposed 8 foot high perimeter block wall. Currently the site has been functioning as an outside storage yard without proper entitlement. There is an existing 6 foot high block wall along the east and west property lines. There are 2 access points shown along Judson Avenue with 24 foot wide sliding gates at the property line. The gates will remain open during business hours. There are no proposed structures on the subject site other than 6 storage containers located toward the center of the site. All outside area used for parking, maneuvering, and storage will have alternative asphalt millings in lieu of paving. The Department of Air Quality has been out to the site and has indicated the alternative materials are acceptable.

Landscaping

The applicant is requesting to waive all landscaping requirements for the proposed use. In lieu of street landscaping, the applicant intends to display vintage antique equipment along the front portion of the property along Judson Avenue.

Elevations

The shipping containers are 9.5 feet in height with a flat roof and consists of nondecorative metal vertical lap sides.

Floor Plans

Each of the 6 containers are 8 feet wide and 40 feet long, totaling 320 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the subject site will mainly be used by a contracting business on the adjacent site to the east and will not be open for public access; therefore, they are asking to waive landscaping, trash enclosure, and on-site parking. Furthermore, the heavy equipment on the site will destroy pavement, which is why an alternative surface is proposed. The addition of the 8 foot high screen wall will assist in buffering the intended use to the properties to the south and west. As for the off-sites, the applicant indicates the properties to the west and majority of the properties in the area do not have full off-site improvements or commercial driveways.

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|-----------------------------------|------------------------|--|
| North | Business and Design/Research Park | M-D | Office/warehouse building |
| South | Business and Design/Research Park | R-E & M-D | Single family residential & office/warehouse |
| East | Business and Design/Research Park | M-D | Warehouse building with outside storage |
| 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

Zone Change

This zone boundary amendment conforms to the Sunrise Manor Land Use Plan, and the proposed zoning district is within the allowable range of intensity designated by the Industrial land use category. However, the more appropriate zoning for this property would be M-D as the properties to the north are all zoned M-D while the properties to the south are a mix of R-E and M-D zoned properties, thus there is no way to provide a transition if this property were to be rezoned to M-1.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waivers of Development Standards #1 through #3

Due to the totality of the waiver requests, and the potential impact these requests may have on the adjacent single family residential development, staff cannot support these requests. Staff finds the project site as designed is not an appropriate development between the existing single family residential developments to the west and south and the light industrial developments to the north and east; therefore, recommends denial.

Use Permit & Design Reviews

The site design and development parameters are established and dependent on consideration of the companion requests, thereby requiring contingent consideration of the use permit and design review. Since Planning and Public Works cannot support the application in its entirety, staff cannot support the use permit and design reviews.

Public Works - Development Review

Waiver of Development Standards #4

Staff cannot support this request to not install full off-site improvements on Judson Avenue when there are existing full improvements on the parcels immediately to the east and north. 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.

Waiver of Development Standards #5

Staff finds that the reduced throat depth for the driveway on Judson Avenue will result in on-street stacking of vehicles. 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

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operations;
- 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.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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; and that the use permit, waivers of development standards, and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study shall be required with future development as determined by Public Works - Development Review;
- Traffic study shall be required with future development as determined by Public Works - Development Review;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there is an active septic permit on APN 140-20-610-098; to connect to municipal sewer and abandon or remove the septic system in accordance with Section 17 of the SNHD *Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management*; and to submit documentation to SNHD showing that the system has been properly abandoned or removed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that this property is currently serviced by a septic system with regard to sewage disposal; this system falls under the jurisdiction of the Southern Nevada Health District; however, this property is within 400 feet of public sanitary sewer; and to connect to the public system, a Point of Connection request must be submitted to the CCWRD as shown on the CCWRD's website.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS:

APPLICANT: CIVIL WERX

CONTACT: ANN PIERCE, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE,
SUITE 650, LAS VEGAS, NV 89135