USE PERMITS for the following: 1) permit outside storage to be visible from the right-of-way; and 2) permit stacking of outside storage above a screened fence or wall.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate loading spaces; 2) alternative street landscaping; 3) increase wall height; 4) reduce setback for a decorative fence/retaining wall and an existing structure (chain link fence with barbed wire); 5) reduce setback from the right-of-way for a proposed decorative fence/retaining wall and an existing structure chain link fence with barbed wire; 6) waive trash enclosure requirements; 7) permit alternative exterior materials and design standards; 8) parking lot landscaping; 9) reduce drive aisle width; 10) reduce parking; and 11) waive off-site improvements (curb, gutter, sidewalk, streetlight, and partial paving along street).

DESIGN REVIEWS for the following: 1) proposed structure (tent) with alternative exterior materials (fabric membrane) and design standards; and 2) outside storage and staging area in conjunction with an existing office/warehouse building on 1.8 acres in an M-1 (Light Manufacturing) Zone in the MUD-1 Overlay District.

Generally located on the west side of Valley View Boulevard, 250 feet south of Nevso Drive within Paradise. SS/md/ja (For possible action)

RELATED INFORMATION:

APN:
162-19-504-004

USE PERMITS:
1. Permit outside storage to be visible from the right-of-way (Valley View Boulevard) where screening is required, per Table 30.44-1.
2. Permit outside storage to be stacked above a screened fence or wall where not permitted per Table 30.44-1.

WAIVERS OF DEVELOPMENT STANDARDS:
1. Reduce loading spaces to zero spaces where 2 spaces are required per Table 30.60-5 (a 100% reduction).
2. Allow alternative street landscaping (Valley View Boulevard) where landscaping per Figure 30.64-17 is required.
3. Increase combined decorative fence and retaining wall height to 16 feet (8 foot retaining wall and 8 foot decorative fence) where a maximum of 9 feet (3 foot retaining wall and 6 foot fence) is permitted per Figure 30.64-15 (a 77.8% increase).
4. a. Reduce the front yard setback for a proposed structure (decorative fence/retaining wall) to zero feet where 20 feet is required per Table 30.40-3 (a 100% reduction).
   b. Reduce the front yard setback for an existing structure (6 foot high chain link fence with 3 feet of barbed wire) to 4 feet where 20 feet is required per Table 30.40-3 (a 60% reduction).

5. a. Reduce the setback from the right-of-way (Valley View Boulevard) for a proposed structure (decorative fence/retaining wall) to zero feet where 10 feet is required per Section 30.56.040 (a 100% reduction).
   b. Reduce the setback from the right-of-way for an existing structure (6 foot high chain link fence with 3 feet of barbed wire) to 4 feet where 10 feet is required per Section 30.56.040 (a 60% reduction).

6. Provide no trash enclosure where a trash enclosure is required per Section 30.56.120.

7. a. Permit alternative exterior materials (fabric membrane) where stucco, masonry, and/or wood are required per Table 30.56-2.
   b. Permit alternative design standards (fabric membrane roof material) where tile or asphalt shingle is required per Table 30.56-2.
   c. Permit roof material (fabric membrane) to match the exterior material (fabric membrane) where the roof shall be constructed of a different material per Table 30.56-2.

8. Provide no parking lot landscaping where landscaping is required per Figure 30.64-14.

9. Reduce 2-way drive aisle width to 11 feet where 24 feet is the standard per Table 30.60-3 (a 54.2% reduction).

10. Reduce required parking to 21 spaces where 29 parking spaces are required per Table 30.60-1 (a 27.6% reduction).

11. Waive off-site improvements on Valley View Boulevard (curb, gutter, sidewalk, streetlights, and partial paving) per Section 30.52.040.

DESIGN REVIEWS:
1. a. A proposed structure (tent) with alternative exterior materials consisting of fabric membrane.
   b. Permit alternative design standards (fabric membrane roof material) where tile or asphalt shingle is required per Table 30.56-2.
   c. Permit roof material (fabric membrane) to match the exterior material (fabric membrane) where the roof shall be constructed of a different material per Table 30.56-2.

2. A proposed outside storage and staging area.

LAND USE PLAN:
WINCHESTER/PARADISE – COMMERCIAL TOURIST

BACKGROUND:
Project Description
General Summary
- Site Address: 4255 S. Valley View Boulevard
- Site Acreage: 1.8
- Project Type: Structure (tent) with alternative materials (fabric membrane) and outside storage
- Number of Stories: 1
• Building Height: 32.5 feet
• Square Feet: 3,417
• Parking Required/Provided: 29/21

Site Plan & Request
The plan depicts an existing 9,084 square foot office/warehouse building and a proposed 3,417 square foot fabric membrane structure (tent). A 5,760 square foot outside storage and staging area is located immediately north of the proposed warehouse building. Nineteen parking spaces designated for delivery vehicles are located to the west and northwest of the existing and proposed buildings. A 6 foot wide attached sidewalk is proposed along Valley View Boulevard. Access to the site is granted via an existing commercial driveway located along Valley View Boulevard. Twelve non-standard (8 feet wide by 18 feet deep) parking spaces are located to the east of the existing building. The 12 parking spaces are serviced by an 11 foot wide 2-way drive aisle. Twenty-one parking spaces are provided where 29 parking spaces are required.

Landscaping
The plans depict a proposed landscape area ranging between zero feet to 4.5 feet along Valley View Boulevard, behind a proposed 6 foot wide attached sidewalk. A proposed 8 foot high retaining wall with an 8 foot high decorative fence is proposed behind the landscape area. There are 10 existing palm trees located along Valley View Boulevard behind the proposed decorative wall.

Elevations
The plan depicts a 32.5 foot high fabric membrane structure (tent). A 14 foot high overhead roll-up door is depicted on the north elevation. The photographs depict an existing 2 story, 35 foot high building consisting of decorative split-face CMU block. Two existing overhead roll-up doors are depicted on the south elevation, 3 roll-up doors on the north elevation, and 1 roll-up door on the west elevation.

Floor Plans
The plans for the proposed structure (tent) depict an open floor area consisting of 3,417 square feet. The first floor plans of the existing building consist of 4,797 square feet of warehouse area and 2,554 of office area. The second floor plans of the existing building consist of 456 square feet of warehouse space and 1,277 square feet of office area.

Signage
Signage is not a part of this application.

Applicant’s Justification
The applicant states that the proposed building will be utilized to store bottled water away from the weather and the elements. The bottled water is sometimes temporarily placed and staged outside prior to being placed inside the building. While the outside storage area is visible from Valley View Boulevard, the outside storage is temporary in nature because the tent is used as staging area for products in storage and loaded onto the daily delivery trucks. The products are not intended to sit out in the elements and weather and are only placed outside in order to prepare the goods for loading and moving the product onto the delivery trucks.
The existing facility has 33 parking spaces and an additional 19 truck parking spaces for delivery trucks. The applicant requests that the requirement for a loading zone be removed due to the fact that the facility uses the staging/storage area as a loading and unloading zone. The facility has loading and unloading areas at the rear of the warehouse where any shipment is already off-loaded or unloaded as necessary.

The area of South Valley View Boulevard from the Flamingo Road Wash down to the south 1 mile is being developed and improved by Public Works. Therefore, Clark County is responsible for the development of the off-sites which includes a retaining wall, a landscape buffer, and a sidewalk along the entire property fronting Valley View Boulevard.

Prior Land Use Requests

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>VC-1192-94</td>
<td>Permitted chain link fence above retaining walls – expired</td>
<td>Approved by PC</td>
<td>September 1994</td>
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<tr>
<td>DR-0713-93</td>
<td>Expansion to existing office/warehouse building</td>
<td>Approved by PC</td>
<td>June 1993</td>
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<tr>
<td>AC-146-83</td>
<td>Office/warehouse building</td>
<td>Approved by PC</td>
<td>September 1983</td>
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Surrounding Land Use

<table>
<thead>
<tr>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
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<tbody>
<tr>
<td>North</td>
<td>M-1</td>
<td>Drainage channel (Flamingo Wash) &amp; parking lot</td>
</tr>
<tr>
<td>Commercial Tourist &amp; Public Facilities</td>
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<td></td>
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<tr>
<td>South</td>
<td>M-1</td>
<td>Office/warehouse</td>
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<tr>
<td>Commercial Tourist</td>
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<tr>
<td>East</td>
<td>M-1 &amp; H-1</td>
<td>Motel &amp; Resort condominiums</td>
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<td>Drainage channel</td>
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<tr>
<td>Public Facilities</td>
<td></td>
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</tr>
</tbody>
</table>

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

Analysis

Current Planning

Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Valley View Boulevard serves as an arterial street and has a higher volume of vehicular traffic on a daily basis. Although the topography of the site is at least 8 feet higher than the adjacent right-of-way, the outside storage is visible to passing motorists and pedestrians. Furthermore, the stacking of outside storage above a screened fence or wall allows for greater visibility from the right-of-way, creating an unsightly appearance. Therefore, staff recommends denial of the use permits.
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 and value 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.

Waiver of Development Standards #1

Staff cannot support the applicant’s request to eliminate the required loading spaces as this is a self-imposed hardship. Although the proposed building is specifically oriented in a way that permits the loading and unloading of goods, staff finds there is adequate room within the project site to provide the required loading zones.

Waiver of Development Standards #2

Staff can support the request to allow alternative street landscaping along Valley View Boulevard. The 10 existing palm trees adjacent to the right-of-way will remain in place behind the proposed decorative wall and fence during the construction of the future off-site improvements along Valley View Boulevard. Staff recommends a condition that the existing palm trees must remain on site, with any tree replacement to be approved by staff.

Waivers of Development Standards #3, #4a, & #5a

The proposed decorative fence (wrought iron and retaining wall) combination complies with Urban Specific Policy 16 of the Comprehensive Master Plan which states all new perimeter walls should be decorative. The decorative fence and block wall combination is a site enhancement that visually minimizes the stark appearance of a block wall face. Staff recommends a condition that the decorative fence portion along the northeast corner of the site be an 8 foot high decorative block wall, to screen the outside storage and mitigate any impacts that the outside storage may have on the surrounding area.

Staff does not typically support setback reductions from the right-of-way for proposed structures, such as the decorative fence/retaining wall. However, the proposed retaining wall is included as part of an off-site improvement plan by the Department of Public Works along Valley View Boulevard. Therefore, staff can support this request.

Waivers of Development Standards #4b & #5b

If building permits had been submitted prior to the construction of the existing 6 foot high chain link fence, the setback requirements could have been acted upon and considered through the land use application process. The waiver permitting the 6 foot high chain link fence on top of the retaining wall along Valley View Boulevard expired in September 1995. Building records indicate that the required permit for the chain link fence was never finalized. Staff finds this is a self-imposed hardship; therefore, cannot support this request.

Waiver of Development Standards #6

Staff is concerned with the lack of a trash enclosure which will result in the non-containment of debris and refuse generated by the existing warehouse/office and proposed structure. Staff finds
that there is adequate room within the boundaries of the project site to construct the required trash enclosure; therefore, cannot support this request.

**Waiver of Development Standards #7**
Industrial Policy 101 of the Comprehensive Master Plan encourages industrial developments that are complementary with abutting uses through site planning and building design on the perimeter. Staff has reviewed the elevations of the proposed structure compared to the architectural materials utilized on the surrounding non-residential buildings. The existing office/warehouse building on site consists of a decorative and textured CMU block. The exterior of the office/warehouse complex immediately to the south of the project site has a combination of textured CMU block and vertical metal paneling. The proposed membrane structure is not compatible with materials used in surrounding developments, including the motel to the east, across Valley View Boulevard, which consists of stucco exterior finishes. The office/warehouse complex to the east consists of concrete tilt-up paneling and an aluminum storefront window system. Staff finds that the proposed fabric membrane material utilized for the proposed warehouse is not architecturally compatible with or similar to the exterior materials utilized on buildings within the surrounding area. Therefore, staff cannot support this request.

**Waiver of Development Standards #8**
The intent of parking lot landscaping is to provide climate adaptable plant materials that improve the visual appearance of the project site, enhance environmental conditions by providing shade and reducing storm water run-off, and to provide buffer areas between land uses of varying intensity. The request to waive the required landscaping is a self-imposed hardship. Staff finds that the applicant has not provided a compelling justification to waive the required parking lot landscaping; therefore, staff cannot support this request.

**Waiver of Development Standards #9**
Staff is concerned with the substandard 2-way drive aisle width of 11 feet. The reduction of the drive aisle can potentially cause conflict as vehicles enter and exit the parking area. Based on the use proposed on the site, this request will create circulation and traffic conflicts on the site. Therefore, staff cannot support this request.

**Waiver of Development Standards #10**
Staff does not typically support requests to reduce a significant portion of the required on-site parking; however, the recently adopted parking requirements have revised the warehouse parking calculations to 1.5 spaces per 1,000 square feet. This land use application was accepted while the previous parking requirements at 2 spaces per 1,000 square feet were still effective for warehouse uses. Utilizing the new parking requirements for warehouse uses, 19 parking spaces are required for the existing and proposed warehouse and 3 parking spaces are required for the outside storage and staging area use. Based on the new parking calculations, the site has a net deficiency of 1 parking space. Therefore, staff can support the request as the reduction (4.5%) to the new parking requirements is minimal.

**Design Review #1**
Industrial Policy 101 encourages industrial developments that are complementary with abutting uses through site planning and building design. Staff finds that the proposed fabric membrane material utilized for the proposed structure (tent) and roof material is not architecturally compatible with or similar to the exterior materials utilized on buildings within the surrounding
area and the existing warehouse/office building on the project site. Additionally, the proposed structure will be highly visible to passing motorists and pedestrians along Valley View Boulevard. Therefore, staff cannot support this request.

**Design Review #2**

Staff is concerned with the proposed outside storage and staging area and its impact on the surrounding area and land uses. The outside storage and staging area will not be screened from the right-of-way, and will be visible to passing motorists and pedestrians along Valley View Boulevard. Therefore, staff cannot support this request. If approved, staff recommends a condition that the northeast portion of the retaining wall, along Valley View Boulevard, includes an 8 foot high decorative screen wall, to mitigate any impact the outside storage may have on the surrounding area and right-of-way.

**Public Works – Development Review**

**Waiver of Development Standards #11**

The applicant’s justification to not install off-site improvements on Valley View Boulevard is because there is a Public Works project, the Harmon Avenue/Valley View Boulevard/UPRR Grade Separation Project, which proposes improvements in the area. However, that project is not currently funded and there is no assurance that the entirety of off-site improvements will be installed with the Clark County project. Properties adjacent to Valley View Boulevard without off-site improvements are still responsible for the construction of such improvements with any proposed development and those improvements must be coordinated with Public Works. Such is the case for this property and the hotel/shopping center at Valley View Boulevard and Flamingo Road. When a waiver is granted for off-site improvements, the cost of the improvements is diverted to the County, which in turn depletes funds for other Public Works projects. Therefore, staff cannot support this request.

Additionally, Valley View Boulevard is shown on the Transportation Element of the Comprehensive Master Plan as a minimum 120 foot wide arterial road. As such, additional right-of-way will be required with this application.

**Staff Recommendation**

Approval of waivers of development standards #2, #3, #4a, #5a, and #10; and denial of use permits, waivers of development standards #1, #4b, #5b, #6 through #9, #11, and the design reviews.

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:

- Northeast portion of retaining wall, along Valley View Boulevard, to include an 8 foot high decorative screen wall;
- 10 existing palm trees depicted on the site/landscape plan to remain on-site with any tree replacement to be approved by staff;
Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.

Applicant is advised that 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 this application must commence within 2 years of approval date or it will expire.

Public Works – Development Review
- Execute a restrictive covenant agreement (deed restrictions);
- Drainage study and compliance;
- Traffic study and compliance;
- Right-of-way dedication to include 10 additional feet for Valley View Boulevard.

Building/Fire Prevention
- Applicant is advised to contact Clark County Building Department regarding fire sprinkler requirements for Membrane structure at this facility at (702) 455-8040; that fire/emergency access must comply with the Fire Code as amended; to show on-site fire lane, turning radius, and turnarounds; to show fire hydrant locations both on-site and within 750 feet; that operational permits may be required for this facility; that fire protection may be required for this facility; and that automatic fire sprinkler will 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 the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: Joe Mazariegos
CONTACT: Joe Mazariegos, 12371 Antelope Drive, Victorville, CA 92392