PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-18-0851-AKELA, LLC:**

**UPDATE**

**VEHICLE DISMANTLING YARD NELLIS BLVD/GEIST AVE (TITLE 30)**

**APN:**
140-16-201-011

**USE PERMITS:**
1. Allow a vehicle dismantling yard.
2. Allow a vehicle dismantling yard in an APZ-1 Zone.
3. Allow vehicle sales in conjunction with a vehicle dismantling yard.

**WAIVERS OF DEVELOPMENT STANDARDS:**
1. Reduce the setback of a vehicle dismantling yard from a residential use to zero feet where a minimum of 600 feet is required per Table 30.44-1 (a 100% reduction).
2. Allow small evergreen trees where large evergreen trees are required per Figure 30.64-11.

**LAND USE PLAN:**
SUNRISE MANOR - INDUSTRIAL
BACKGROUND:

Project Description
General Summary
- Site Address: N/A
- Site Acreage: 1.8
- Project Type: Vehicle dismantling yard with accessory vehicle sales
- Number of Stories: 1
- Building Height (feet): 13
- Square Feet: 672
- Parking Required/Provided: 8/11

Site Plans
The site will be used for vehicle dismantling facility with accessory vehicle sales. The plans depict a proposed vehicle dismantling facility on the easterly portion of the parcel, a future phase 2 expansion along the northwesterly portion of the property, adjacent to Nellis Boulevard, with access via a centrally located commercial driveway to Nellis Boulevard and an office building located in the southerly portion of the property set back 15 feet from the south property line, 150 feet from the west property line, and 128 feet from the east property line. Along the east property line is a 10 foot wide landscape area.

Landscaping
The plans depict a 10 foot wide landscape area along the east property line with a single row of small trees (Sweet Acacia), a 20 foot wide landscape area adjacent to an attached sidewalk along Nellis Boulevard includes a single row of medium trees (Bottle Tree), a 7 foot wide landscape area south of the parking area along the south property line, and parking lot landscaping provided throughout the parking areas and on the west side of the office building. All landscape areas include shrubbery and groundcover. The plan includes perimeter block walls along the north and northerly portion of the east property lines, and a decorative block wall along the east property line adjacent to the residential property. The vehicle dismantling yard and future expansion area will be enclosed by an 8 foot high decorative block wall.

Elevations
The building is single story, 13 feet high with a flat roof with painted exterior.

Floor Plans
The office building consists of 672 square feet with office and restroom areas.

Signage
Signage is not a part of this request.

Applicant’s Justification
The applicant indicates that the zoning conforms to the Sunrise Manor Land Use Plan. Although the property to the east is zoned for residential use, it is designated Industrial in the land use plan. The requested zoning, use permits, waivers of development standards, and design review are appropriate because the majority of the surrounding land is zoned M-1 and have outside storage
yards. The setback reduction for the dismantling facility to the residential use and the aerial photos indicate outside storage along the westerly portion of the property. The alternative landscaping is needed to allow for the tree height limitations for the landscaping located under the NV Energy power line located along the east property line. The applicant also indicates that the accessory vehicles on-site are consistent with development in the area and the additional landscaping and screening will enhance the area.

**Surrounding Land Use**

<table>
<thead>
<tr>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>M-1</td>
<td>Wrought Iron Contractor</td>
</tr>
<tr>
<td>South</td>
<td>M-1</td>
<td>Construction equipment storage &amp; rental</td>
</tr>
<tr>
<td>East</td>
<td>M-1 &amp; R-E</td>
<td>Wrought Iron Contractor &amp; single family residence (outside storage)</td>
</tr>
<tr>
<td>West</td>
<td>M-1</td>
<td>Used trailer &amp; container sales</td>
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**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 request conforms to the Sunrise Manor Land Use Plan which designates this site as Industrial and is compatible with the existing and proposed development in the area.

**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. Staff can support the requests to reduce the setback to the residential use. While the adjacent parcel to the east is zoned R-E and has a single family residence on the property, the property appears to be used for industrial purposes as a number of shipping containers, trailers, building supplies, and numerous commercial vehicles are located on the property via aerial evidence and from Ringe Lane. Additionally, staff may support the requested uses as the sub-zone APZ-1 regulations allow certain nonhazardous industrial land uses with small work forces. The vehicle dismantling yard and vehicle sales are compatible with the surrounding uses and typically have small workforces.

**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.

**Waiver of Development Standards #1**
As previously stated, staff finds the proposed use appropriate in the Industrial category, and landscaping and screening are provided along the east property line between the proposed uses and the existing residential development. Therefore, staff can support this request.

**Waiver of Development Standards #2**
Staff finds the use to be complementary with abutting uses as encouraged by Urban Specific Policy 101 of the Comprehensive Master Plan with appropriate buffers and screening provided. The reduction in tree size may be mitigated within the 10 foot wide landscape buffer with small evergreen trees (Sweet Acacia) that are permitted by the Southern Nevada Regional Planning Coalition Regional Plant List under overhead utility lines and by providing 2 off-set rows of trees so as to provide adequate screening between the trees as they mature. Therefore, staff can support this request.

**Design Review**
Staff finds that the proposed office building is compatible with the surrounding uses and the design conforms to Urban Specific Policy 103 of the Comprehensive Master Plan which encourages offices to be set back from the right-of-way and that landscaping is provided along the right-of-way to improve visual quality. Staff finds that the plans provide adequate landscaping with the additions suggested.

**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**
- 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 operation;
- Provide 2 off-set rows of trees 20 feet on center along the east property line;
- 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 the use permits, waivers of development standards, and design review must commence within 2 years of approval date or they will expire.
Public Works - Development Review
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Nevada Department of Transportation approval.

Building Department - Fire Prevention
- No comment.

Clark County Water Reclamation District (CCWRD)
- No comment.

TAB/CAC:
APPROVALS: 1 card
PROTESTS: 4 cards

COUNTY COMMISSION ACTION: May 22, 2019 – HELD – To 06/19/19 – per the applicant.

APPLICANT: AKELA, LLC
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