

**AGENDA MEMO - PLANNING**

PLANNING COMMISSION MEETING DATE: JUNE 13, 2017

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: CONCRETE SOLUTIONS - OWNER: JAIME
AND REFUGIO ESPINOZA LOPEZ**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
VAR-70259	Staff recommends DENIAL, if approved subject to conditions:	VAR-70472 SDR-70261
VAR-70472	Staff recommends DENIAL, if approved subject to conditions:	VAR-70259 SDR-70261
SDR-70261	Staff recommends DENIAL, if approved subject to conditions:	VAR-70259 VAR-70472

**** NOTIFICATION ******NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 24**NOTICES MAILED** 132 - VAR-70259 and VAR-70472
132 - SDR-70261**PROTESTS** 1 - VAR-70259 and VAR-70472
1 - SDR-70261**APPROVALS** 0 - VAR-70259 and VAR-70472
0 - SDR-70261

**** CONDITIONS ****

VAR-70259 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-70472) and Site Development Plan Review (SDR-70261) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

6. Sign and record a Covenant Running with Land Agreement for half street improvements not constructed at this time on Balsam Street (including curb and gutter, sidewalks, permanent paving and possibly fire hydrants and sewers). The Covenant agreement must be recorded with the County Recorder and a copy of the recorded document must be provided to the City prior to the issuance of off-site permits or the recordation of a map, whichever may occur first.

VAR-70472 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-70259) and Site Development Plan Review (SDR-70261) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SDR-70261 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-70259) and Variance (VAR070472) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan date stamped 05/02/17, except as amended by conditions herein.

Conditions Page Three

June 13, 2017 - Planning Commission Meeting

4. A Waiver from Title 19.08 is hereby approved, to allow a zero-foot landscape buffer along the north, south, and west property line where eight feet is required.
5. A Waiver from Title 19.08 is hereby approved, to allow a zero-foot landscape buffer along the east property line where 15 feet is required.
6. A Waiver from Title 19.08 is hereby approved, to allow an eight-foot tall chain link fence with screening material along a portion of the north property line where an eight-foot tall solid structure is required.
7. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
8. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan:
 - In accordance with Title 19.18, twenty-four inch box trees shall be a minimum of 8 feet in height, 6 feet in spread and 2 inch trunk caliper measured at 4 1/2 feet above the soil line; palm trees shall have a minimum trunk height of 15 feet.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Conditions Page Four

June 13, 2017 - Planning Commission Meeting

Public Works

12. Construct all incomplete public street improvements adjacent to this site meeting current City Standards concurrent with development of this site. This condition will be modified if VAR-70259 is approved.
13. This site shall abandon the Individual Sewage Disposal System (ISDS) according to Southern Nevada Health District (SNHD) regulations and connect to the public sewer in Balsam Street prior to the issuance of a certificate of occupancy for this site.
14. Extend the public sewer along the frontage of this site in Balsam Street at a depth and location acceptable to the Sanitary Sewer Planning Section of the Department of Public Works.
15. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

Staff Report Page One
June 13, 2017 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to allow the conversion of a 2,784 square-foot single family detached residence to a Contractor's Plant, Shop and Storage Yard at 4515 Balsam Street.

ISSUES

- A Variance is requested to allow no sidewalk, curb, and gutter where existing half street improvements including sidewalk, curb, and gutter exist directly to the south and east of the subject site. Staff does not support this request.
- A second Variance is requested to allow a 14-foot side yard setback where 50 feet is required when adjacent to residentially zoned property and to allow outdoor storage within the required setback areas. Staff does not support this request.
- A Waiver is requested for no landscape buffer along all four edges of the subject property to accommodate outdoor storage. Staff does not support this request.
- A second Waiver is requested to allow an eight-foot tall chain link fence with screening material along a portion of the north property line where a solid eight-foot tall screen wall is required. Staff does not support this request.
- The existing individual septic disposal system (ISDS) has been paved and used for parking in violation of the ISDS permit.

ANALYSIS

The subject site is a single family detached dwelling constructed in 1972. In 2008, the subject site was rezoned from R-E (Residence Estates) to M (Industrial) with 4505 Balsam Street in order to construct a 51,250 square-foot warehouse center with 18,100 square feet of office. In 2013 the subject site was granted land use entitlements to convert the single family detached dwelling into a Contractor's Plant, Shop and Storage Yard, but the land use entitlements expired in 2015 prior to the issuance of a building permit as required by Title 19.16.100(J)(2) which states, "A Site Development Plan is exercised upon the issuance of a building permit for the principal structure on the site or, in the case of a residential subdivision, upon the recordation of a final subdivision map."

The existing structure is currently being used as a Contractor's Plant, Shop and Storage Yard, as the subject site was licensed in 2007 for a Contractor (C25-03647) use and has remained active since the date of issuance.

Staff Report Page Two

June 13, 2017 - Planning Commission Meeting

In order to legally convert the detached single family residence into a commercial use, a Variance to allow a 14-foot side setback on the north side of the subject site is required, as a minimum 50-foot setback is required when adjacent to residentially zoned property. The adjacent property to the north is currently zoned R-E (Residence Estates) within Clark County. In addition, the applicant is currently storing items within the required setback areas. A Variance is also requested to allow the continuance of outdoor storage within the required setback areas in violation of Title 19.08.040(E)(4)(e)(i) which states, "Outdoor Storage shall not be permitted within required setback areas, landscape buffer yards or other required landscape areas, or parking spaces required to meet minimum parking standards."

A second Variance has been requested to allow no sidewalk, curb, and gutter (half-street improvements) where such is required. Directly south and east of the subject site half street improvements including sidewalk, curb and gutter have been installed as required by Title 19.04. Title 19.04 set forth requirements for achieving a connected transportation system as outlined in the City's General Plan to provide a safe and accessible environment for a variety of transportation modes and users. When a site is developed in the City of Las Vegas, it is customary to require the installation of all incomplete or damaged improvements surrounding the site so they match what exists in the surrounding area. Varying from these standards does not provide a safe and accessible environment for a variety of transportation modes and users. Currently, the subject site has a paved front yard that offers no delineation between the subject site and the public right-of-way. The lack of striped parking, a curb cut, and sidewalk creates confusion for vehicular and pedestrian traffic.

The applicant has requested a Waiver to allow no landscape buffers in order to accommodate outdoor storage in addition to a Waiver to allow for a portion of the north perimeter screen wall to remain an eight-foot tall chain link fence with vinyl screening material woven through it where Title 19.08 requires a solid eight-foot tall structure for the screening of industrially zoned property when adjacent to residentially zoned property. Landscape buffers are necessary to provide noise and visual screening for neighboring properties. Due to the fact that the property directly north of the subject site is residential, landscape buffers are necessary for the subject site and staff does not support this request.

This subject parcel is currently not served by the Las Vegas Valley Water District (LVVWD), but is currently served by a well that is permitted for residential use only. According to LVVWD, the applicant will be required to satisfy the Division of Water Resources and secure water rights for commercial use prior to issuing a building permit. Unless the customer has non-revocable water rights, the State may also require them to abandon the well and connect to the public water system since it is less than 100 feet from the parcel.

Staff Report Page Three

June 13, 2017 - Planning Commission Meeting

This site is currently connected to an individual septic disposal system (ISDS), which was constructed for a single family dwelling and has since been paved over and continuously driven and parked upon by both passenger and commercial vehicles of varying weights. The applicant has requested to not connect to the public sewer system and continue to use the existing individual septic disposal system (ISDS). In conversations with the Southern Nevada Health District Environmental Health Division, once an ISDS has been paved over and driven on, it has likely failed and should not be used any further. Also, the planned development shows the area over the ISDS to continue to be covered with pavement; this will also not allow the existing septic system to function properly. The Southern Nevada Health District Environmental Health Division has indicated to City staff that a permit to continue to use the individual septic disposal system (ISDS) will not be granted. The applicant will be required by the Public Works Department to connect to the public sewer that is planned in the Balsam Street right-of-way.

The subject site is on the west side of an existing cul-de-sac that has seen recent commercial development on the east side of the cul-de-sac. Staff does not support the Variance request to not require half-street improvements when the remaining commercial properties adjacent to this cul-de-sac have provided the necessary half-street improvements including curb, sidewalk, and gutter. Additionally, three residential homes exist north of the subject site on the west side of Balsam Street. Staff does not support the requested Waivers to not provide landscape buffers, or appropriate screening to the north, as the lack of these elements will legalize a commercial property that is not compatible or harmonious with the existing residential uses in the immediate area. Staff is recommending denial of all applications.

FINDINGS (VAR-70259)

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance

Staff Report Page Four

June 13, 2017 - Planning Commission Meeting

from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing the conversion of a residential property to commercial property without the required sidewalk, curb, and gutter. Constructing the required sidewalk, curb, and gutter would allow conformance to the Title 19 requirements for commercial development. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (VAR-70472)

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.”

Additionally, Title 19.16.140(L) states:

“Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by storing items within the required setback areas and landscape buffers. Not storing items within these required setback and landscape buffer areas would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

Staff Report Page Five
June 13, 2017 - Planning Commission Meeting

FINDINGS (SDR-70261)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1.The proposed development is compatible with adjacent development and development in the area;

Existing commercial developments to the south and the east of the subject site have installed landscape buffers and half street improvements, including curb, gutter, and sidewalk. The applicant is requesting a Variance to not provide the required half-street improvements, and Waivers to allow no landscape buffers, making it not compatible with the existing residential and commercial development in the area.

2.The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;

The proposed development is not in compliance with Title 19 Standards, as a Waiver has been requested to allow no landscape buffers along all four property lines, and to allow a portion of the north property line to be screened by an eight-foot tall chain link fence with mesh where a solid eight-foot tall structure is required. In addition, the proposed development does not meet the minimum development standards set forth by Title 19.08 for the M (Industrial) zoning district.

3.Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

The lack of curb, gutter, and sidewalk negatively impacts neighborhood traffic as there is no defined entrance and exit to the subject site. In addition, the lack of sidewalk creates a conflict between pedestrians and vehicles as there is no defined right-of-way.

4.Building and landscape materials are appropriate for the area and for the City;

The subject site is an existing single family residence constructed of materials appropriate for the area and the City.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The subject site is a single family residential structure being used for commercial purposes.

The entire front, side, and a portion of the rear yards have been paved, allowing for no landscape buffer and trees. While the architectural features of the single family home is not obnoxious or unsightly, the site itself does not create an orderly or aesthetically pleasing environment, since there are no landscape buffer areas and only very minimal planters. With the entire front and side yard being paved, and no curb, gutter, or sidewalk, there is no delineation between private property and the public right-of-way, creating confusion for all modes of traffic, including vehicular and pedestrian. This is not harmonious or compatible with the existing commercial development in the area that has provided the required curb, gutter, and sidewalk.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The conversion of the subject single family residence to a commercial use will require building permits and regular inspections during the conversion process, thus protecting the public's health, safety, and general welfare.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/19/07	The City Council approved a Petition to Annex (ANX-23639) property at 4515 Balsam Street. The Planning Commission and staff recommended approval.
08/20/08	The City Council approved a request to amend a portion of the Centennial Hills Sector Plan of the General Plan (GPA-28388) from O (Office) to LI/R (Light Industrial/Research) on 5.62 acres at 4505 and 4515 Balsam Street. The Planning Commission recommended approval, staff recommended denial.
	The City Council approved a request for a Rezoning (ZON-28389) from R-E (Residence Estates) and U (Undeveloped) [O (Office) General Plan Designation] to C-PB (Planned Business Park) and M (Industrial) on 5.62 acres at 4505 and 4515 Balsam Street, 4491 North Rainbow Boulevard; and 2.39 acres 300 feet south of Red Coach Avenue on Balsam Street. The Planning Commission recommended approval, staff recommended denial.

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/20/08	The City Council approved a request for a Variance (VAR-28392) to allow a 4.62 acre C-PB (Planned Business Park) Zoning District where 20 acres is the minimum site area required and to allow a 10-foot side setback where 50 feet is required for an M (Industrial) District located adjacent to a Residential District on 5.62 acres at 4505 and 4515 Balsam Street, 4491 North Rainbow Boulevard; and 2.39 acres 300 feet south of Red Coach Avenue on Balsam Street. The Planning Commission recommended approval, staff recommended denial.
	The City Council approved a request for a Site Development Plan Review (SDR-28390) for a proposed 51,250 square-foot warehouse center with 18,100 square feet of office with Waivers to allow a 10-foot landscape buffer on the eastern property line where 15 feet is required and a zero-foot landscape buffer on the western and portions of the southern property line where eight feet is required on 5.62 acres at 4505 and 4515 Balsam Street, 4491 North Rainbow Boulevard; and 2.39 acres 300 feet south of Red Coach Avenue on Balsam Street. The Planning Commission recommended approval, staff recommended denial.
02/27/08	Code Enforcement processed a complaint (#62799) for business activity (paving business), trucks being parked on the property, and people coming and going at 4515 Balsam Street. The case was resolved on 09/04/08.
03/18/08	Code Enforcement processed a complaint (#63537) for a paving business being run out of a home with commercial tractor/trailers parked in the back of the home at 4515 Balsam Street. The case was resolved on 03/21/08.
09/08/08	Code Enforcement processed a complaint (#69510) for a paving business being run out of a home, commercial tractors/trailers parked in the back of the home at 4515 Balsam Street. The case was resolved on 09/10/08.
02/17/09	Code Enforcement processed a complaint (#74599) for a business being run out of a home with equipment and vehicles being parked on dirt lots at 4515 Balsam Street. The case was resolved on 10/20/10.
02/01/11	Code Enforcement processed a complaint (#97730) for the building being too close to the property line, parking on the neighbor's property, and asphalt trucks being parked on the property behind at 4515 Balsam Street. The case was resolved on 02/02/11.
09/13/11	Code Enforcement processed a complaint (#105714) for a semi parked on the property at 4515 Balsam Street. The case was resolved on 03/05/12.

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/24/12	Code Enforcement processed a complaint (#121399) for an unpaved parking lot at 4515 Balsam Street. The case remains open.
06/11/13	The Planning Commission approved a request for a Variance (VAR-48828) to allow no wall on the north property line where a six-foot screen wall is required adjacent to residential property, to allow outdoor storage within the setback and landscape buffer areas, and to allow an existing seven-foot chain link fence with mesh screening where a solid structure or wall of eight feet is required on 0.61 acres at 4515 Balsam Street. Staff recommended denial. The land use entitlement expired on 06/11/16.
	The Planning Commission approved a request for a Variance (VAR-48827) to allow a 14-foot side yard setback where 50 feet is required adjacent to residential districts on 0.61 acres at 4515 Balsam Street. Staff recommended denial. The land use entitlement expired on 06/11/16.
	The Planning Commission approved a request for a Site Development Plan Review (SDR-48826) for the conversion of an existing 2,784 square-foot single family residence to a Contractor's Plant, Shop and Storage Yard Office with Waivers of perimeter landscape buffer standards to allow zero feet on the north property line and two feet on the south property line where eight feet is required; and to allow zero feet on the east property line where 15 feet is required on 0.61 acres at 4515 Balsam Street. Staff recommended denial. The land use entitlement expired on 06/11/16.
06/09/15	The Planning Commission approved a request for an Extension of Time (EOT-59116) of an approved Variance (VAR-48828) to allow no wall on the north property line where a six-foot screen wall is required adjacent to residential property, to allow outdoor storage within the setback and landscape buffer areas, and to allow an existing seven-foot chain link fence with mesh screening where a solid structure or wall of eight feet is required on 0.61 acres at 4515 Balsam Street. Staff recommended approval. The land use entitlement expired on 06/11/16.
	The Planning Commission approved a request for an Extension of Time (EOT-59115) of an approved Variance (VAR-48837) to allow a 14-foot side yard setback where 50 feet is required adjacent to residential districts on 0.61 acres at 4515 Balsam Street. Staff recommended approval. The land use entitlement expired on 06/11/16.

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/09/15	The Planning Commission approved a request for an Extension of Time (EOT-59059) of an approved Site Development Plan Review (SDR-48826) for the conversion of an existing 2,784 square-foot single family residence to a Contractor's Plant, Shop and Storage Yard Office with Waivers of perimeter landscape buffer standards to allow zero feet on the north property line and two feet on the south property line where eight feet is required; and to allow zero feet on the east property line where 15 feet is required on 0.61 acres at 4515 Balsam Street. Staff recommended approval. The land use entitlement expired on 06/11/16.
08/05/15	The City Council approved a request for a Review of Condition (ROC-59058) of an approved Site Development Plan Review (SDR-48826) to delete condition #13 which states, "construct all incomplete half-street improvements adjacent to this site, and remove all existing substandard street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City standards within two years from the date of this approval" and to delete condition #16 which states, "this site shall connect to public sewer in Red Coach Avenue and abandon the individual sewage disposal system (ISDS) according to SNHD regulations prior to the issuance of a certificate of occupancy for this site" 0.61 acres at 4515 Balsam Street. The Planning Commission recommended approval, staff recommended denial. The land use entitlement expired on 06/11/16.
	The City Council approved a request for a Variance (VAR-59057) to allow no sidewalk curb and gutter, where such are required 0.61 acres at 4515 Balsam Street. The Planning Commission and staff recommended denial. The land use entitlement will expire on 08/05/17.

<i>Most Recent Change of Ownership</i>	
06/28/12	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
10/22/07	A Business license (C25-03647) was issued for a contractor at 4515 Balsam Street. The license is active as of 05/30/17.
09/23/13	A building permit (#245332) was issued for an investigation inspection at 4515 Balsam Street.
10/29/13	A Business license (C25-04452) was issued for a contractor at 4515 Balsam Street. The license is active as of 05/30/17.

Related Building Permits/Business Licenses	
04/09/14	A building permit (#257981) was issued for a CMU (Concrete Masonry Unit) at 4515 Balsam Street. The permit received its final inspection on 01/05/15.
06/09/14	A building permit application (#54468) was submitted for the conversion of a single family residence to an office with on-sites at 4515 Balsam Street. The application remains in review status.

Pre-Application Meeting	
04/18/17	Staff conducted a pre-application meeting where the submittal requirements for a Variance and Site Development Plan Review were discussed.

Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
05/04/17	During a routine field check, staff observed the subject site where the existing conditions were documented by staff: • There is no sidewalk, curb or gutter. There is no delineation between the public right-of-way and private property. • Vehicles are parked haphazardly since there is no parking lot striping. • Outdoor storage is occurring within the front yard area (trailers, dirt, storage container, etc.). • The trash receptacle was located in the public right-of-way.

Details of Application Request	
Site Area	
Net Acres	0.61

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Contractor's Plant, Shop & Storage Yard	LI/R (Light Industrial/Research)	M (Industrial)
North	Single Family, Detached	OP (Office Professional) Clark County	R-E (Rural Estates) Clark County
South	Contractor's Plant, Shop & Storage Yard	LI/R (Light Industrial/Research)	M (Industrial)
East	Public or Private School, Primary and Secondary	LI/R (Light Industrial/Research)	C-PB (Planned Business Park)
West	US-95	Right-of-Way	Right-of-Way

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
No Applicable Master Plan Area	N/A
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District - 175 Feet	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Centennial Hills Sector Plan	Y
Northwest Open Space Plan	Y
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS*Pursuant to 19.08, the following standards apply:*

Standard	Required/Allowed	Provided	Compliance
Min. Lot Width	100 Feet	85 Feet	N*
Min. Setbacks			
• Front	10 Feet	72 Feet	Y
• Side	50 Feet	14 Feet	N**
• Corner	10 Feet	N/A	N/A
• Rear	0 Feet	209 Feet	Y
Max. Building Height	Residential Adjacency 30 Feet	13.5 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	By Condition	By Condition
Mech. Equipment	Screened	By Condition	By Condition

*Rezoning (ZON-28389) approved on 08/20/08 allowed a lot width of 85 feet where 100 feet is required.

**When property zoned M (Industrial) is adjacent to residentially zoned property, a 50-foot setback is required. A Variance has been requested to allow a 14-foot side setback from the residentially zoned property to the north.

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	41 Feet	92 Feet	Y
Trash Enclosure	50 Feet	125 Feet	Y

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	12 Trees	0 Trees	N*
• South	1 Tree / 20 Linear Feet	17 Trees	0 Trees	N*
• East	1 Tree / 20 Linear Feet	5 Trees	0 Trees	N*
• West	1 Tree / 30 Linear Feet	3 Trees	0 Trees	N*
TOTAL PERIMETER TREES		37 Trees	0 Trees	N*

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	3 Trees	8 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet		0 Feet	N*
• South	8 Feet		0 Feet	N*
• East	15 Feet		0 Feet	N*
• West	8 Feet		0 Feet	N*
Wall Height	8-Foot Tall Solid Screen Wall/Structure Adjacent to Residential		Combination eight-foot tall solid block wall and chain link fencing with screening material.	N**

*A Waiver is requested to allow no landscape buffers along all four property lines.

**A Waiver has been requested to allow the chain link portion of the screen wall to remain.

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Balsam Street	Local	Title 13	43	N*

*The applicant is requesting a Variance to not construct the sidewalk, curb, and gutter.

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Contractor's Plant, Shop & Storage Yard	2,784 SF	1:500	6				
TOTAL SPACES REQUIRED			6		6		Y*
Regular and Handicap Spaces Required			5	1	5	1	Y*

**Seven parking spaces are demonstrated on the site plan, but an existing planter makes one of the parking spaces not usable.*

<i>Waivers</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
Eight-foot wide landscape buffer along the north, south, and west property line.	To allow a zero-foot landscape buffer along the north, south, and west property line.	Denial
Fifteen-foot wide landscape buffer along the east property line.	To allow a zero-foot landscape buffer along the east property line.	Denial
An eight-foot tall screening structure along the north property line.	To allow an eight-foot tall chain link fence with screening material along a portion of the north property line.	Denial