



# Planning Commission Agenda Item

Date:  
<MEETING\_DATE>

Item No: <#>

**TO:** Planning Commission

**FROM:** Alfredo Melesio, Jr., AICP, EDFP  
Director Land Development & Community Services  
Prepared By: Bryan Saylor, Planner

**SUBJECT: VN-05-2024 TJ MAXX BUILDING EXPANSION (Public Hearing).**  
Applicant: NBC Fourth Realty Corp. Request: A Variance in an M-2 (General Industrial District) to allow an Overall Fence/Wall Height of 14 Feet where a Maximum Height of 12 Feet is allowed. Location: 4100 East Lone Mountain Road. (APN 123-31-702-002). Ward 1. (For Possible Action)

## RECOMMENDATION: APPROVE

### PROJECT DESCRIPTION:

The applicant is requesting Planning Commission consideration of a variance to allow a wall up to Fourteen (14) feet in height where twelve (12) feet is the maximum height allowed in an M-2 General Industrial District. The current land use category is Heavy Industrial.

### BACKGROUND INFORMATION:

Previous Action
N/A

### RELATED APPLICATIONS:

Application #	Application Request
N/A	

### GENERAL INFORMATION:

	Land Use	Zoning	Existing Use
<b>Subject Property</b>	Heavy Industrial	M-2 General Industrial	Existing Industrial

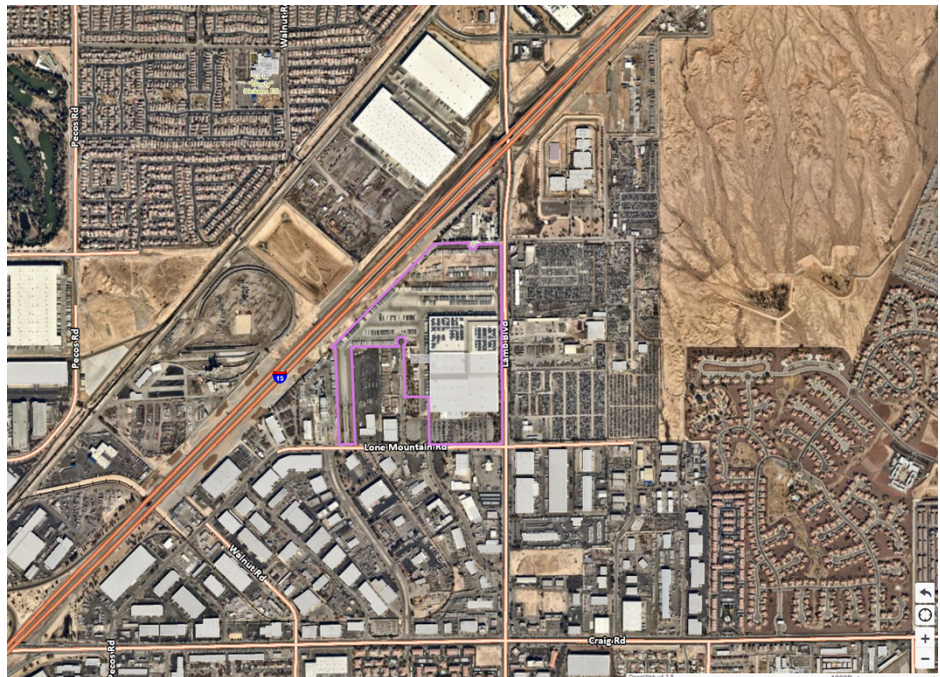
<b>North</b>	Heavy Industrial	M-2 General Industrial	Existing Industrial
<b>South</b>	Heavy Industrial	M-2 General Industrial	Existing Industrial
<b>East</b>	Heavy Industrial	M-2 General Industrial	Existing Industrial
<b>West</b>	Heavy Industrial	M-2 General Industrial	Existing Industrial

### DEPARTMENT COMMENTS:

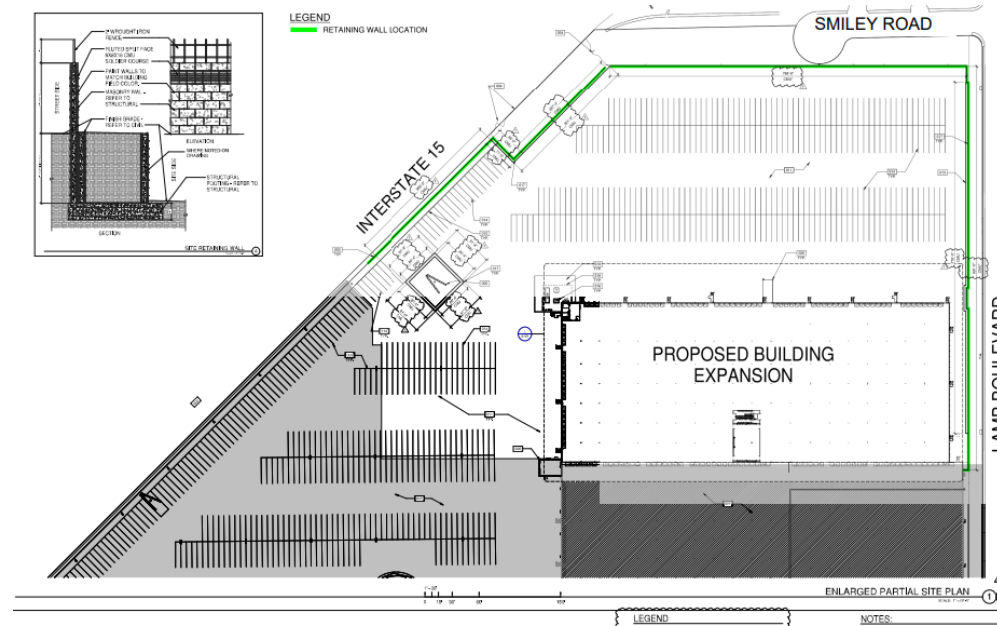
Department	Comments
Public Works:	No Comment.
Police:	No Comment.
Fire:	No Comment.
Clark County School District:	No Comment.
Clark County Department of Aviation:	No Comment.

### ANALYSIS:

The subject site is located at the northwest corner of Lone Mountain Road and N. Lamb Boulevard. This is a heavy industrial area of the city with a lot of manufacturing and trucking industry surrounding the subject site. There are four (4) points of access from Lone Mountain Road, an eighty (80) foot right-of-way. Three (3) generally for passenger vehicle access and one (1) dedicated gate for trucking traffic. There are also two (2) access points from Lincoln Road, one (1) gated passenger vehicle access and one (1) gated fire access point. There is one (1) more gated access from Smiley Road at the north end of the property, the site has no direct access from Lamb Boulevard however.



The applicant intends to expand the building and parking lot. The building addition will require cutting into the existing slope of the site in order to maintain the existing floor level inside the building. In addition, the elevations of the surrounding street network



are already existing. Therefore the site needs additional retaining walls to meet the existing elevations of the building and the street network. The wrought iron is a decorative aspect for the wall but also serves as security feature

that would assist in deterring unauthorized individuals from gaining access to the property. The area is dark and not well travelled after normal business hours, so security is a concern.

This is a preferred type of security measure when compared to barbed wire or razor wire, which are usually requested, but are not permissible as per the City of North Las Vegas Zoning Code. The addition of the wrought iron helps to provide an aesthetically pleasing aspect to the wall instead of just being a typical CMU block wall.



The block design of the existing wall is being proposed to be maintained as part of the new wall in order to provide continuity across the site.

### Requirements for Approval of a Variance

State Law, under NRS 278.300 (1)(c), sets forth the requirements which must be met

before a Planning Commission is empowered to grant a variance:

*“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 regulation enacted under NRS 278.010 to 278.630, inclusive, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of property, to authorize a variance from that strict application 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.”*

In accordance with the Zoning Ordinance, the Planning Commission may, by motion grant a variance if the Planning Commission finds, from the evidence presented, that all of the following criteria has been met:

- **The property must contain an exceptional and extraordinary circumstance that does not generally apply to other properties in the same vicinity.**
  - The proposed building addition to the site and the large floor area of the building are driving the need for additional earthwork on the site, this is generating the need for additional retaining walls on the site.
- **Is the variance necessary for a property right that the site does not have but others in the vicinity do possess?**
  - The existing grade of the right-of-way cannot be modified with this expansion and the applicant wants to maintain the same grade for the floor of the building with this expansion. Therefore, the topographic conditions necessitate the need for the variance while providing adequate screening and security.
- **Is the variance materially detrimental to the public safety and welfare, or does it damage property values?**
  - The requested variance should not cause any detriment to public safety and may actually increase property values as the design and aesthetics are far above what is generally required in a heavy industrial area.

The subject wall has been proposed to match the design of the existing wall and will be required to match the design. The proposed site plan and application meet the requirements for a variance and should not pose any complications or issues to the subject property, the surrounding properties or the general public. Staff recommends

approval of this application subject to the conditions listed.

**CONDITIONS:**

***Planning and Zoning:***

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.

**ATTACHMENTS:**

Public Works Memorandum  
Letter of Intent  
Site Plan  
Wall Elevations  
Clark County Assessor's Map  
Location and Zoning Map