

05/18/21 PC AGENDA SHEET

VEHICLE PAINT/BODY SHOP  
(TITLE 30)

BOULDER HWY/DESERT INN RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0134-PROGRESSIVE CASUALTY INS., CO.:**

**USE PERMITS** for the following: **1)** vehicle repair; and **2)** vehicle paint and body shop.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** a vehicle paint and body shop not in conjunction with vehicle sales; **2)** service bay doors facing the street; and **3)** reduced separation to a residential use on 2.6 acres in a C-2 (General Commercial) Zone.

Generally located on the west side of Boulder Highway, 750 feet north of Desert Inn Road within Winchester. TS/nr/jo (For possible action)

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RELATED INFORMATION:

**APN:**

161-07-801-021

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Permit a vehicle paint and body shop not accessory to vehicle sales where required per Table 30.44-1.
2. Permit service bay doors to face the street where prohibited per Table 30.44-1.
3. Reduce the separation between a vehicle paint and body shop to a residential use to 35 feet 6 inches where 200 feet is required per Table 30.44-1 (an 82.2% decrease).

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 4080 Boulder Highway
- Site Acreage: 2.6
- Project Type: Vehicle paint and body shop
- Number of Stories: 1
- Building Height (feet): 21
- Square Feet: 16,412
- Parking Required/Provided: 83/134

### Site Plans

The plans depict an existing 21 foot high, 16,412 square foot building with office space and vehicle maintenance shop. Parking is located on all sides of the building and on the perimeter of the property. The site has a 6 foot high wall which extends on the sides and rear of the site. An 8 foot high security fence encloses a portion of the north and west sides of the site with access gates located on the south side of the existing building. The second access gate to the secured area is located on the east side of the building north of the drive-thru canopy. Access is provided onto Boulder Highway near the south end of the site.

### Landscaping

The plan indicates that mature landscaping is located along the perimeter of the site and within the parking area. Since the original installation, it appears that the intensive landscaping needs to be reestablished on the site.

### Elevations

The plans show a 1 story 21 foot high existing building. There is an existing drive-thru canopy on the east side of the building and a parking canopy is located within the secured parking area on the east side of the building. Service bay doors are located on the northeast and the southwest sides of the building. The exterior of the building consists of textured masonry wall and aluminum storefronts. No changes are proposed to the exterior of the building.

### Floor Plans

The floor plans show a paint and body shop area, parts area, breakroom, offices, customer waiting area, storage, and restrooms.

### Signage

An existing 120 foot high billboard is located on the northeast side of the building.

### Applicant's Justification

The applicant indicates that the use is similar to uses that have been occurring on the site without complaint. The use will not have a negative effect on the surrounding area and will facilitate a new local business.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-0011-05	Reclassified 2.6 acres from C-2 and H-2 zoning to C-2 zoning for an insurance office	Approved by BCC	September 2005
VC-1588-94 (ET-0249-97)	Third extension of time to build a freestanding billboard sign	Approved by PC	January 1998
VC-1588-94	First and second extension of time to build a freestanding billboard sign	Approved by PC	December 1996
VC-1588-94	Variance to build a freestanding billboard sign	Approved by PC	December 1995

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial General	R-4	Multiple family residential
South	Commercial General	H-1	Undeveloped
East	Commercial Tourist	H-1	Boulder Station Casino
West	Commercial General	R-4 & H-1	Multiple family residential & undeveloped

### **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.

##### 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.

##### Use Permits & Waivers of Development Standards

The proposed vehicle repair and vehicle paint and body shop will be located within an existing commercial building with substantial parking and easy access. Although the specific use of the site is changing, the use is appropriate for the area. Staff finds that the proposed use will not result in a substantial or undue adverse effect on adjacent properties; therefore, supports the application with a condition that requires the reestablishment of the intense landscape buffer adjacent to residential development in order to mitigate any impacts to the neighboring property.

### **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**

- Applicant to reestablish intensive landscape buffer adjacent to residential development;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- 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 this application must commence within 2 years of approval date or it will expire.

### **Public Works - Development Review**

- No comment.

### **Building Department - Fire Prevention**

- Applicant is advised to contact the Building Department at (702) 455-3000 regarding a potential change in occupancy classification; any changes in occupancy classification may have impacts on both the site plan and construction; and that operational permits may 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:** Winchester - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** BARRY BARCUS

**CONTACT:** GREG BORGEL, 300 S. 4TH ST., SUITE 1400, LAS VEGAS, NV 89101