

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-24-0760-SANDBAGGERS, LLC:

USE PERMIT for vehicle maintenance and repair.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce buffering and screening; **2)** modify residential adjacency standards; and **3)** allow modified driveway design standards.

DESIGN REVIEWS for the following: **1)** an alternative landscape plan; and **2)** vehicles sales, repair, maintenance, and outdoor storage facility on 4.52 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay.

Generally located on the north side of Rafael Rivera Way and the east side of Montessori Street (alignment) within Spring Valley. MN/hw/kh (For possible action)

RELATED INFORMATION:

APN:

176-03-502-001; 176-03-502-003

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce the landscape buffer width to 6 feet where a 15 foot landscaping buffer is required per Section 30.04.02C (a 60% reduction).
 - b. Eliminate the required decorative screen wall where an 8 foot decorative screen wall is required per Section 30.04.02C.
 - c. Allow a single row of shrubs where buffers require a double row of evergreen trees with each row planted off-set per Section 30.04.02C.
2.
 - a. Allow outdoor storage as an accessory use adjacent to a residential use where not permitted per Section 30.04.06E.
 - b. Allow parking and other high activity areas adjacent to a residential use without screening where not permitted per Section 30.04.06G and Section 30.04.06L.
 - c. Allow roll-up overhead doors to face a residential district while not screened by another building where not permitted per Section 30.04.06N.
 - d. Allow a service area to not be screened from an adjacent residential property where not permitted per Section 30.04.06N.
3.
 - a. Reduce the throat depth for the driveway along Rafael Rivera Way to 25 feet where 75 feet is the standard per Uniform Standard Drawing 222.1 and Section 30.04.08 (a 66% reduction).
 - b. Reduce the throat depth for the driveway along Wagon Trail Avenue to 27 feet where 75 feet is the standard per Uniform Standard Drawing 222.1 and Section 30.04.08 (a 64% reduction).

LAND USE PLAN:
SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 7090 Rafael Rivera Way
- Site Acreage: 4.52
- Project Type: Vehicle sales, repair, and outdoor storage facility
- Number of Stories: 1
- Building Height (feet): 23
- Square Feet: 32,692
- Parking Required/Provided: 66/80
- Sustainability Required/Provided: 7/7

Site Plan

The plan depicts an undeveloped site located on the north side of Rafael Rivera Way and the east side of the Montessouri Street alignment. The plans show a proposed luxury vehicle sales dealership building with accessory vehicle repair and maintenance spaces within the rectangular shaped building. The proposed 32,692 square foot vehicle sales and maintenance building is generally located in the southern portion of the site and is set back 80 feet from the closet point to Rafael Rivera Way in the south, 55 feet from the eastern property line, 66 feet from the western property line, and 314 feet from the northern property line along Wagon Trail Avenue. The plan also depicts a 6,478 square foot outdoor storage area for the delivery of new inventory located in the northwest corner of the building. This outdoor storage area will be fenced in with a 6 foot high chain-link fence. The outdoor storage area will be screened from the east and south by the vehicle sales building and will be set back 66 feet from the western property line and 314 feet from the northern property line. The plans also show most of the northern half of the site will remain undeveloped for future development. The rear portion of the site will also be secured and enclosed with a 6 foot high wrought iron fence. Two gates will be completely internal and are located in the northwest and northeast corners of the building. A third gate is located along the driveway to Wagon Trail Avenue and will be set back 18 feet from the right-of-way while remaining open during business hours. Several rows of parking are shown along the southern, western, and eastern perimeters of the site. These parking spaces are a combination of display spaces and dedicated parking spaces. A total of 66 spaces are required with 80 spaces being provided specifically for parking with an additional 12 spaces being provided for display spaces. The site will be accessed through 2 driveways with one 39 foot wide driveway along Rafael Rivera Way and another 33 foot wide driveway in the northeast corner of the site connecting with Wagon Trail Avenue.

Landscaping

The plans show street landscaping will be provided along both Rafael Rivera Way and Wagon Trail Avenue. Along Rafael Rivera Way, a 17 foot to 60 foot wide variable street landscape area is provided. This variable landscape area consists of a 5 foot wide landscape strip along Rafael Rivera Way followed by a 5 foot wide detached sidewalk, followed by a 7 foot wide to 50 foot wide landscape strip. Within this landscape strip is a single row of 8 Blue Palo Verde

(Parkinsonia Florida) trees and 4 Desert Oak (Acacia Coricea) trees spaced every 10 feet to 30 feet on center; however, the provided landscaping is setback 26 feet along the western portion of the frontage and tapers down to zero feet at the southernmost end. North of the driveway from Rafael Rivera Way, the area between the sidewalk and landscaping consists of granite groundcover without shrubs or trees. Along Wagon Trail Avenue, a 17 foot to 25 foot wide landscaping strip is provided. This variable landscape area consists of a 5 foot wide landscape strip along Wagon Trail Avenue followed by a 5 foot wide detached sidewalk, followed by a 7 foot wide to 15 foot wide landscape strip. Within this landscape strip is a single row of 13 Indian Rosewood (Dalbergia sissoo) trees spaced every 20 feet on center. The applicant is requesting an alternative street landscaping plan in order to allow the street trees along both Rafael Rivera Way and Wagon Trail Avenue to be in a single row instead of staggered on both sides of the sidewalk were possible. The alternative landscape plan is also be requested to allow the landscaping to be setback along the Rafael Rivera Way frontage.

Within the parking lot area, landscaping is also being provided. The plans show 6 foot wide landscape finger islands provided every 8 to 12 parking spaces with each island containing either shrubs or an Indian Rosewood tree with shrubs. A total of 9 trees are dedicated to the parking area.

Along the western property line, a modified landscape buffer is being provided. This buffering landscape area varies between 6 feet to 30 feet wide, does not include a screen wall and only shrubs are provided within the buffering area.

Elevations

The elevations depict a 23 foot high vehicle sales, repair, and maintenance building with painted CMU block and EIFS panel siding. The color scheme of the building varies between black, white, grey, and other neutral colors. Metal accent panels are provided along the eastern and western facades. The primary entryways are located on the south and west sides of the building. Aluminum storefront glass entry windows and entry doors are located on the west and south sides of the building. Overhead roll-up doors are located on the western and eastern sides of the south facade of the building and are generally screened by landscaping along Rafael Rivera Way. Another larger overhead roll-up door is located on the west side of the building within a service yard area, but the doors and service area are generally screened from view by a 10 foot high decorative metal wall. The building has a flat roof with off-set parapet design to break-up the roof plane.

Floor Plans

The plans depict a 32,692 square foot vehicle sales, repair, and maintenance building with offices, multiple showrooms for different manufacturers, a maintenance and repair area with work bays and parts storage area, and an outdoor storage area for new inventory in the northwest corner of the building.

Applicant's Justification

The applicant states the proposed request for a vehicle sales facility is compatible with the commercial and industrial nature of the surrounding area. The applicant also indicates there will be no fabrication, servicing, or maintenance of vehicles except within interior or screened areas

on the site. The applicant also states there is sufficient parking on site and the design of the building is attractive and compatible. The applicant indicates the need for a reduced landscape buffer, alternative residential adjacency standards, and an alternative landscape plan is due to an existing Las Vegas Valley Water District waterline easement that runs along the western side of the property. They state this easement prevents the planting of anything more than shrubs and prevents the construction of walls. The applicant has provided written correspondence from Las Vegas Valley Water District relating to this.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-16-0421	Vacated and abandoned patent easements and a 30 foot wide, 576 foot long portion of Montessouri Street - recorded	Approved by PC	August 2016
VS-0610-05	Vacated and abandoned patent easements - expired	Approved by PC	June 2005
ZC-1490-04	Reclassified the site from R-E to M-D zoning for a truck maintenance, repair, rental, and sales facility - expired except for zoning	Approved by BCC	December 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	IP (AE-60)	Undeveloped
South	Business Employment	CG (AE-60)	Shopping center
East	Business Employment	IP & RS20 (AE-60)	Undeveloped
West	Business Employment	RM50 & CG (AE-60)	Multi-family residential & office building

*The CC 215 right-of-way is directly south of the subject site.

** The subject site is within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
VS-24-0761	A vacation and abandonment of easements and portions of rights-of-way is a companion item on this agenda.
TM-24-500165	A tentative map for a 1 lot commercial map is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Overall, the purpose of requiring special use permits for vehicle repair and maintenance uses within the IP zone is to assure higher intensity vehicle related uses fit within the neighborhood and will not negatively impact the surrounding area. Staff finds the surrounding area has similar facilities in the area that also conduct both repair and maintenance activities on a variety of vehicles. Additionally, the surrounding area along the CC 215 right-of-way is planned for Business Employment, indicating a vision for low intensity industrial uses, which vehicle sales and repair would be compatible with. It does not appear that there have been any significant complaints regarding the operation of a similar facilities in the area. In addition, staff finds the design and operation of the proposed vehicle sales and service facility will be an improvement on previous facilities in the area and should enhance the neighborhood with its design and street landscaping. The proposed vehicle sales and repair facilities will also cater to higher end, luxury car manufacturers so many of the negative impacts typically associated with facilities open to the general public for all makes of vehicles will be reduced. Furthermore, there should be less deliveries of cars to the site and the services should be much more specific and personalized resulting in less overall concentration of cars and people. The proposed use should promote Policy 5.5.1 of the Master Plan, which encourages the development of Business Employment areas, particularly along major freeways, with compatible uses. Additionally, Spring Valley Specific Policy SV-1.4, encourages compatible in-fill development. For these reasons, staff can support this use permit.

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waivers of Development Standards #1 & #2

The purpose of requiring landscape buffers along shared property lines with residential uses and enforcing certain residential adjacency standards when such buffers are not present is to assure that the potential negative effects from more intense uses will not greatly impact the residential uses. Staff find in this case, the lack of a landscape buffer along the southern portion of the site should not greatly impact the uses to the west since the adjacent use is an office development and the vehicles sales portion of the facility will primarily function like a retail or office use. In

addition, there will be no visible or audible vehicle work since all work will be conducted indoors and the storage areas will be lightly used and well screened. In the northern portion of the site, however, the buffer is more necessary as this is the portion of the site that will be adjacent to the future multi-family residential development. Staff finds, without knowing how this portion of the site will be used with this project or any future development, the buffer is much needed here and would help to reduce the line of sight into the vehicle maintenance and storage areas. Staff can appreciate there are some trees and shrubs planted in this area and Las Vegas Valley Water District is discouraging the planting or building of any screening within an easement along the western property line. Staff, however, still finds the buffer could have been designed around this easement or setback and located closer to the proposed wrought iron fence and accommodate a more robust landscape buffer, which would effectively eliminate or justify the need for the waivers to the residential adjacency standards. For these reasons, staff cannot support these requests.

Design Reviews

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Overall, the development as proposed provides for a vehicle sales and repair facility in the higher end and luxury sector that is compatible with the surrounding development and contributes to an area that has developed around a mix of industrial, commercial, and residential uses. In addition, the exterior of the building is attractive and would be an enhancement to the neighborhood. Landscaping provided within the interior of the site should help to provide the necessary shading and reduce the heat caused by large swaths of pavement, while considering the constraints of such a use. The building is sited appropriately, and the scale of the building is similar to other buildings in the area. With that said, the site overall lacks a necessary and important landscape buffer along the western portion of the site, which would help to screen the use and any future development from the planned multi-family development to the west. Additionally, staff finds the request for an alternative landscape plan along Wagon Trail Avenue could be justified due to the overall number of trees being provided and the spacing provided should maintain sufficient shading even accounting for no trees in the water utility easement. However, staff is not able to support the alternative landscape plan along Rafael Rivera Way. The request is for the placement of the trees setback over 26 feet from the right-of-way, and staff finds the trees could be staggered and placed closer to the right-of-way. Additionally, the placement of only rock in the space between the trees and sidewalk could result in unnecessary heating which defeats the purpose of the street landscaping, and staff finds at least some shrubs should be placed in this negative space. For these reasons, staff cannot support the request along Rafael Rivera Way.

Public Works - Development Review

Waiver of Development Standards #3a

Staff has no objection to the reduction in the throat depth for the commercial driveway on Rafael Rivera Way. Rafael Rivera Way is a one-way road which reduces movement conflicts with vehicles accessing the site.

Waiver of Development Standards #3b

Staff has no objection to the reduction in throat depth for the Wagon Trail Avenue commercial driveway. Wagon Trail Avenue will see low volume of traffic as it ends to the east of this site and is not accessed by the public.

Staff Recommendation

Approval of the use permit, waiver of development standards #3, and the portion of the design review for Wagon Trail Avenue; denial of waivers of development standards #1 and #2 and the portion of the design review for Rafael Rivera Way.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Provide three, 5 gallon shrubs spaced a minimum of 30 feet apart within the space between the current and future property lines along Rafael Rivera Way;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include a portion of Rafael Rivera Way;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Beltway - CC 215, Frontage Road, Decatur Boulevard to Sunset Road (Phase 2) improvement project;
- 90 days to record said separate document for the Beltway - CC 215, Frontage Road, Decatur Boulevard to Sunset Road (Phase 2) improvement project;

- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0289-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTESTS:

APPLICANT: PAUL LARSEN

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