

VEHICLE REPAIR  
(TITLE 30)

WARM SPRINGS RD/DURANGO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WC-22-400060 (ZC-0274-03)-DESERT PALM PLAZA, LLC:**

**WAIVER OF CONDITIONS** of a zone change requiring all future buildings shall incorporate a common design theme and incorporate like architectural features and materials in conjunction with a proposed vehicle maintenance and vehicle repair establishment on a 0.3 acre portion of 36.0 acres of an existing shopping and office center in a C-2 (General Commercial) and a C-P (Office and Professional) Zone in the CMA Design Overlay District.

Generally located on the south side of Warm Springs Road, 1,120 feet east of Durango Drive within Spring Valley. MN/jor/jo (For possible action)

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RELATED INFORMATION:

**APN:**

176-09-110-008; 176-09-110-009; 176-09-110-011; 176-09-110-016; 176-09-110-018 through 176-09-110-021 ptn

**LAND USE PLAN:**

SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 0.3 (portion) (subject parcel)/36 (existing overall shopping center)
- Project Type: Proposed vehicle maintenance and repair establishment - Meineke
- Number of Stories: 1
- Building Height: 24 feet, 5 inches (maximum)
- Square Feet: 3,794 (Meineke building)
- Parking Required/Provided: 1,122/1,722

Site Plan

The site plan depicts an existing shopping and office center previously approved by ZC-0274-03 on a total of 36 acres and includes uses such as retail establishments, restaurant pad sites, a gasoline station on the western portion of the shopping center, and offices on the eastern half of the center. The western portion is C-2 zoned and the eastern portion is C-P zoned. NZC-19-0672 approved a

multiple family residential development on the southern portion of the overall complex (not a part of this application).

The proposed building will include vehicle repair (companion item UC-22-0213) and vehicle maintenance services (Meineke) on 0.3 acre portion on APN 176-09-110-011 only. The remaining APN's are not a part of the applicant's request. The enlarged site plan depicts a 0.3 acre pad site that will include a 1 story vehicle maintenance/repair establishment. The front of the building and the roll-up bay doors will face south, interior to the shopping center. The applicant is including 7 parking spaces on-site, and a new trash enclosure on the southwest corner of the subject parcel. The site plan shows that the applicant will also extend the detached sidewalk along the north property line and extend the walkway along the east property line adjacent to the building. Access to the pad site will include an internal driveway on the southeast corner which leads vehicles to a second driveway on the southwest corner of the pad site. One thousand one hundred and twenty-two parking spaces are required throughout the shopping and office center, and 1,722 parking spaces are provided.

This waiver of conditions of a zone change request is in regard to the applicant's proposed color scheme and proposed exterior finishes for the proposed building and is a companion item to UC-22-0213.

#### Landscaping

There is an existing 20 foot wide landscape planter along the north property line with existing trees, shrubs, and groundcover. The applicant is proposing a 5 foot wide landscape planter along the south property line of the pad site and the finger islands adjacent to the parking spaces include trees and shrubs. Landscaping is also proposed at the southwest corner of the proposed building.

#### Elevations

The elevation plans include a proposed 1 story vehicle maintenance/repair establishment with an overall height of 24 feet 5 inches. The applicant is proposing stucco walls with white, tan, cream, and dark grey paint colors, which will match Meineke's required corporate color palette.

ZC-0274-03 was approved with a condition of approval that requires that "all future buildings shall incorporate a common design theme and incorporate like architectural features and materials." The existing buildings within the shopping center include faux stone facades, desert themed colors which include tan, cream, dark green, and terracotta colors. The applicant is proposing to allow the proposed color scheme (white, tan, cream, and dark grey paint) to be approved and not add any faux stone exterior materials.

#### Floor Plan

The proposed floor plan includes a customer waiting area, reception area, and office, restrooms, a compressor room, and the main work area. The proposed building has an overall area of 3,794 square feet.

#### Signage

Signage is not a part of this request.

### Previous Conditions of Approval

Listed below are the approved conditions for ZC-0274-03:

- Subject to expunging ZC-0734-02;
- No resolution of intent and staff preparing an ordinance to adopt the zoning;
- A design review as a public hearing for final plans;
- A minimum 20 foot wide landscape buffer to include a minimum five foot wide detached meandering sidewalk located within a pedestrian easement;
- Installation of site furnishings (ie, benches) along the meandering sidewalk;
- Undulating berms a minimum of three feet in height shall be placed in the landscape buffer;
- All signage shall be monument style and incorporate common design elements;
- Buildings shall be grouped to promote pedestrian activity;
- Buildings shall be arranged to screen parking adjacent to the public right-of-way;
- Landscape buffers measuring not less than 1,500 square feet shall be located at the intersections of Warm Springs Road/Durango Drive and Warm Springs Road/Cimarron Drive;
- An intense landscape buffer shall be located along the entire length of the property adjacent to the future golf course;
- Providing a 20 foot wide landscape buffer with two off-set rows of medium trees, 24 inch box in size, with shrubbery to cover 50% of the landscape area;
- No turf within the 20 foot landscape buffer area along exterior streets;
- All future buildings shall incorporate a common design theme and incorporate like architectural features and materials;
- Right-of-way dedication of 40 feet for Cimarron Drive together with a 54 foot spandrel area at the intersection of Cimarron Drive and Warm Springs Road, 40 feet for Robindale Road;
- Expunge VS-0856-01;
- Drainage and traffic studies and compliance;
- Traffic study to address dedication and construction of a bus turn-out, including passenger loading/shelter area in accordance with Regional Transportation Commission standards, and access points on Cimarron Drive;
- Full off-sites;
- If meandering sidewalk is approved, right-of-way to be back of curb which may require a vacation and executing a pedestrian access, utility, and streetlight easement within the landscaped/sidewalk area;
- And all applicable standard conditions for this application type.

### Applicant's Justification

Per the submitted justification letter, the applicant states the tenant/user for this building has a standard color palette that must be followed, also this color palette is aesthetically pleasing and compatible with the other buildings within the shopping center.

### Prior Land Use Requests

Application Number	Request	Action	Date
WC-22-400022 (WS-0715-06)	Waiver of conditions of a design review requiring no additional freestanding signs on-site in conjunction with an existing office building	Approved by BCC	April 2022
DR-21-0662	Comprehensive sign package for a freestanding sign and monument sign	Approved by BCC	April 2022
DR-18-0099	Gasoline station with a fuel canopy and attendant kiosk	Approved by BCC	March 2018
DR-0228-16	Use permit and design review for a communication tower	Approved by PC	June 2016
DR-0428-10	Drive-thru for a bank and freestanding sign and waiver of conditions (WS-0715-06) for no additional freestanding signs (WC was withdrawn)	Approved by BCC	October 2010
DR-0367-08	Fast food restaurant with a drive-thru	Approved by BCC	May 2008
ZC-0274-03 (WC-0187-07)	Waiver of conditions of a zone change requiring undulating berms a minimum of 3 feet in height shall be placed in the landscape buffer	Approved by BCC	July 2007
ADR-900740-07	Bank facility with a drive-thru	Approved by ZA	June 2007
WS-0715-06	Waivers for increased sign height and design review for a comprehensive sign package	Approved by BCC	June 2006
VS-1962-05	Vacated and abandoned portions of rights-of-way being Cimarron Road, Warm Springs Road, and Durango Drive - recorded	Approved by PC	February 2006
UC-1801-04	Allowed increased building height with several waivers of conditions and a design review for the proposed shopping and office center	Approved by BCC	December 2004
TM-0314-04	Commercial subdivision	Approved by PC	July 2004
ZC-0274-03	Reclassified the proposed 40 acre shopping and office center to C-P and C-2 zoning	Approved by BCC	March 2003

\*Additional land use applications have been approved throughout the shopping center but are not related to the applicant's request.

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment & Neighborhood Commercial	C-2 & C-P	Commercial complex & undeveloped
South	Corridor Mixed-Use & Neighborhood Commercial	C-2 & R-5	Shopping center & multiple family residential
East	Corridor Mixed-Use	C-2	Gasoline station (Smith's fuel center)

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
West	Corridor Mixed-Use	C-2	Shopping center & Burger King pad site

The site and the surrounding area are located in the Public Facilities Needs Assessment (PFNA) area.

**Related Applications**

<b>Application Number</b>	<b>Request</b>
UC-22-0213	A use permit to allow vehicle repair and a design review for a proposed vehicle repair/maintenance facility (Meineke) is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

**Analysis****Current Planning**

The applicant has not presented a warranted reason to not follow the common design theme and to not follow existing architectural features and materials that exist throughout the commercial complex. Staff can support the proposed paint color palette of white, tan, cream, and dark grey paint colors. However, staff is encouraging architectural consistency and architectural features and materials should be incorporated to the exterior walls of the proposed building. Staff finds that the existing business such as Chase Bank, Walgreens, Burger King, Smith's Fuel Center, and the larger retail buildings within the shopping center all have common architectural features while still keeping corporate themed color palettes. The applicant has not shown a sufficient reason as to why this request should warrant a recommendation of approval.

**Staff Recommendation**

Denial.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the condition will no longer fulfill its intended purpose.

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:****Public Works - Development Review**

If approved:

- No comment.

**Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:** Spring Valley - denial.

**APPROVALS:**

**PROTEST:**

**APPLICANT:** LUIS FLORES PAZ

**CONTACT:** LUIS FLORES PAZ, 10438 SKY GATE STREET, LAS VEGAS, NV 89178