

06/06/23 PC AGENDA SHEET

SWAP MEET
(TITLE 30)

SPRING MOUNTAIN RD/DUNEVILLE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0165-BRUCE-ROCHELLE APARTMENT, LLC:

USE PERMIT for a swap meet (outdoor).

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce parking; and **2)** landscaping.

DESIGN REVIEW for a swap meet in conjunction with a vehicle repair facility on 0.9 acres in a C-2 (General Commercial) Zone.

Generally located on the south side of Spring Mountain Road, 290 feet east of Duneville Street within Spring Valley. JJ/al/syp (For possible action)

RELATED INFORMATION:

APN:

163-13-203-003

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce parking to 38 spaces where a total of 54 spaces are required for a swap meet per Table 30.60.1 (a 29.6% reduction).
2.
 - a. Waive parking lot landscaping where required per Figure 30.64-14 (a 100% reduction).
 - b. Waive landscaping along a street where a minimum 15 foot wide landscape area is required behind an existing attached sidewalk per Section 30.64.030 (a 100% reduction).
 - c. Waive landscaping adjacent to a less intense use where landscaping per Figure 30.64-11 is required (a 100% reduction).

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 5701 Spring Mountain Road
- Site Acreage: 0.9
- Project Type: Outdoor swap meet in conjunction with an existing vehicle repair facility
- Number of Stories: 1
- Building Height (feet): 17 (vehicle repair facility)/9 (swap meet booths)

- Square Feet: 6,888 (vehicle repair facility)/3,800 (swap meet)
- Parking Required/Provided: 54/38

Site Plans

The site is developed as a vehicle repair facility that records indicate was originally constructed in 1971. Access to the site is provided by a driveway located on the northwestern portion of the site. The building for the repair facility is located on the northeastern portion of the site. Parking is located along the western property line, along the west side of the northern portion of the building adjacent to the office area, and to the south of the building. The southern portion of the building is the service bays for the repair facility, which are accessed by 2 roll-up doors on the west side of the building. The proposed swap meet will consist of 38 booths located along the west side of the service/repair portion of the building and to the south of the building. The plans show that 7 booths will block access to the service and repair area. The repair facility requires 38 parking spaces and the swap meet generates the need for an additional 16 spaces for a total of 54 spaces. The plan depicts a total of 38 spaces on the site when the swap meet is operating. To mitigate the reduced parking, the applicant states the swap meet will only operate on weekends and holidays when the repair facility is closed.

Landscaping

Over time landscaping on the site has died out and/or been removed to the point that the site is not in compliance with current requirements for landscaping; therefore, the applicant is requesting to waive the landscaping requirements. The plan is depicting a landscape area on the northwestern portion of the site consisting of groundcover and artificial (metal) Saguaro Cacti. There is an existing landscape area located along the west side of the northern portion of the building adjacent to the office area consisting of shrubs and groundcover.

Elevations

The existing building is 1 story with a maximum height of 17 feet. The building has a flat roof behind a parapet wall. The northern portion of the building (office area) is painted yellow, and the repair area is painted blue. The booths will consist of a 9 foot high fabric canopy supported by 4 posts with tables setup under the canopies. These booths will be set-up for the days the swap meet is in operation and removed at the end of each weekend/holiday operation.

Floor Plans

The existing building has an area of 6,888 square feet consisting of office area, repair bays, and storage areas. The booths for the swap meet will each have an area of 100 square feet and the plans depict 38 booths for a total of 3,800 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant owns and operates the existing vehicle repair facility on the property and would like to use the site for a swap meet on weekends and holidays when the repair business is closed. The proposed swap meet will provide vendors a safe and secure location to sell goods, which will provide residents in the area with an additional retail service. The swap meet and repair

facility will not be in operation at the same time so the site will have adequate parking for each use. This is an older developed site, and it would be very costly to bring the property up to current Code standards for landscaping.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0210-13	Vehicle repair and tire sales and installation in conjunction with vehicles sales	Approved by PC	July 2013
UC-1086-06	Tire sales and installation in conjunction with a minor auto body shop - expired	Approved by PC	October 2006
UC-0719-06	Minor auto body shop - expired	Approved by PC	June 2006

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North & West	Corridor Mixed-Use	C-2	Commercial center
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential
East	Corridor Mixed-Use	C-1	Commercial center

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Use Permit

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 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.

The site is located along a portion of Spring Mountain Road that is a busy commercial corridor. There is an existing single family residential development to the south of this site; however, the impacts of the proposed swap meet to the residential development can be mitigated by restricting the hours of operation for the swap meet. Staff finds the proposed use is compatible with existing uses in the area and that the location is appropriate for the use.

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.

Waiver of Development Standards #1

The applicant is proposing to establish a swap meet on this property on weekends and holidays when the existing vehicle repair business is closed. Code requires that parking be provided for all uses on the property as if all of the uses are in operation at the same time. Based on this standard the site would require an additional 16 parking spaces, which is the reason for the request to reduce parking for the property by 29.6%. With the 2 uses operating at different times, the site will have adequate parking for each use. Therefore, staff can support the request for a parking reduction with a condition that the uses not be in operation at the same time.

Waiver of Development Standards #2 and Design Review

Over time landscaping on the site has died out and/or been removed to the point that the site is not in compliance with Code for landscaping. Since the repair facility was approved, Code standards have been changed to require additional landscaping along streets and in parking areas. Because existing landscaping has been removed creating a noncompliance issue for the property, the site is required to be brought into conformance with current Code standards for landscaping and it is the request for the swap meet that has brought this situation to the attention of staff. The applicant is not proposing to provide additional landscaping with this project. Staff understands that it would be a costly endeavor to bring the site up to current Code standards, and that there are other existing commercial developments abutting this site that do not comply with the most current development standards for landscaping and screening. However, this site is located in an area that is at midlevel heat vulnerability and landscaping was removed and not replaced on the site. Staff could support a waiver request to provide some landscaping as an alternative to bringing the site up to current development standards. A review of the site plan and aerial photographs indicates that there are locations on the site where landscaping could be provided that would not interfere with the proposed site layout for the swap meet. Landscape areas for trees could be provided on the northwest, southwest, and southeast corners of the site. Additionally, landscaping areas could be provided along the east property line south of the building and to the north of the building along the street. Providing landscaping in these areas would help to improve the heat vulnerability of the area. Additionally, the adjacent developments to the east, west, and across the street to the north have provided landscaping along the street. Providing landscaping along the street would give the area a more uniform streetscape, which would improve the appearance of this site and the community. Therefore, staff does not support these waivers and since staff is not supporting these waivers staff cannot support the design review for the swap meet.

Staff Recommendation

Approval of the use permit and waiver of development standards #1; denial of waiver of development standards #2 and the design review.

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:

- The swap meet and repair facility are not to operate at the same times;
- Hours of operation for the swap meet are limited to weekends and holidays from 8:00 a.m. to 7:00 p.m.;
- No outside storage of the booths and related goods when the swap meet is not operating;
- Plant a minimum of 5, fifteen gallon medium trees per the Southern Nevada Regional Planning Coalition Regional Plant List on the northwestern portion of the site;
- 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

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Spring Mountain Road improvement project.
- Applicant is advised that off-site improvement permits may be required.

Fire Prevention Bureau

- No comment.

Southern Nevada Health District (SNHD) – Septic

- Applicant is advised to contact the SNHD Environmental Health Division at epitics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTESTS:

APPLICANT: MIN KIM

CONTACT: MIN KIM, LEE AUTO, 5701 SPRING MOUNTAIN ROAD, LAS VEGAS, NV 89146