

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-24-0098-ANNIE OAKLEY INVESTORS, LLC:

USE PERMITS for the following: **1)** vehicle rental; and **2)** outdoor storage and display.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce landscape area; **2)** eliminate significant trees; **3)** reduce throat depth; **4)** reduce driveway departure; and **5)** reduce driveway approach distance.

DESIGN REVIEW for a proposed electric vehicle (automobile), maintenance, and repair/paint and body shop on 5.4 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-65) Overlay.

Generally located on the northwest corner of Annie Oakley Drive and Post Road within Paradise. JG/jor/ng (For possible action)

RELATED INFORMATION:

APN:

161-31-712-002; 161-31-712-003

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce street landscaping.
2. Eliminate existing significant street trees.
3. Reduce the driveway throat depth to 13 feet, 6 inches where 25 feet is the minimum required per Uniform Standard Drawing 222.1 (a 46% reduction).
4. Reduce the driveway departure distance to 106 feet at the intersection of Annie Oakley Drive and Silvestri Lane where 190 feet is the minimum required per Uniform Standard Drawing 222.1 (a 45% reduction).
5. Reduce the driveway approach distance to 126 feet at the intersection of Annie Oakley Drive and Silvestri Lane where 150 feet is the minimum required per Uniform Standard Drawing 222.1 (a 16% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: None
- Site Acreage: 5.4
- Project Type: Proposed electric vehicle (automobile) maintenance and repair/paint and body shop with outdoor storage and display
- Number of Stories: 1

- Building Height (feet): 25 (top of building)/31 (top of paint booth exhaust ducts)
- Square Feet: 41,027
- Parking Required/Provided: 225/320
- Sustainability Required/Provided: 7/7

History and Request

The subject parcels were part of a previously approved industrial subdivision complex in 1989 via ZC-314-89. The design proposed under ZC-314-89 is different from what is proposed today. DR-1663-94 was also previously approved for an office warehouse building on the southern portion of the western parcel 161-31-712-002 and the northern portion would be for future expansion. The eastern parcel 161-31-712-003 was developed as a parking lot only. UC-0097-95 was approved for a building redesign for a larger office/warehouse building with a height increase to 36 feet where 35 feet is allowed. WS-22-0489 was previously approved for building and site modifications on the western parcel only, and the parking lot to the east remains the same.

Today, the applicant is requesting to redesign the eastern parcel 161-31-712-003 as a proposed electric vehicle (automobile) maintenance and repair/paint and body shop facility (collision center). This application includes a use permit to allow vehicle rental and outdoor storage and display. The northern portion of the site will be dedicated to outdoor storage and display of vehicles that are undergoing repair/maintenance or paint and body services. The proposed building has an overall area of 41,027 square feet and the accessory outdoor storage and display will be 71,150 square feet in overall area, thus necessitating a use permit since the outdoor storage and display area is larger than the building. Waivers of development standards for this project include reducing portions of landscape areas to accommodate future easements for utilities and infrastructure, reduce the driveway throat depth, and driveway approach/departure distances. A design review is also a part of this application for the overall site. Furthermore, any proposed overhead doors are screened from the right-of-way and additional landscaping is provided throughout the site, thus mitigating any previous conditions of approval.

Site Plan

The site plan depicts a proposed electric vehicle (EV) maintenance and repair/paint and body shop facility (collision center). The proposed building is centrally located on the subject parcel 161-31-712-003. South of the proposed building includes customer parking. West of the building will include additional customer parking, vehicle rental parking spaces, and a swinging gate which restricts access to the back parking lot to the north. Southeast of the proposed building will include a swing gate which will secure additional parking spaces east of the building and an entryway which leads to a roll-up door/opening into the southeast corner of the proposed building. North of the proposed building is a dedicated outdoor storage and display area of vehicles which are currently in service for repair. This area will be screened via a chain-link fence with vinyl slats. EV charging parking stalls will be provided along the north side of the building along with 2 additional roll-up door/openings. Thirty foot wide sliding gates are located on a portion of the northeast and northwest corners of the site. The northeast sliding gate is set back 30 feet from the east property line adjacent to Annie Oakley Drive and will be open during business hours. The northwestern sliding gate is open during business hours as well and will be set back 37 feet, 2 inches from the west property line. The site plan also includes distinguished stamped cross walks on the southeast and southwest sides of the proposed building.

There are 320 parking spaces provided where 225 are required. Although the applicant is providing 15% more parking spaces than required, a waiver of development standards is not required since the applicant provided a parking study and is proposing sufficient parking lot landscaping for all additional parking spaces which supports exceeding the overall maximum parking count.

Landscaping

The landscape plan depicts an existing attached sidewalk to remain. Fifteen feet of street landscaping will be provided by the applicant which consists of large trees spaced approximately 27 feet on center with shrubs in between each tree. The plan also shows a sufficient amount of landscape finger islands throughout the parking lot surrounding the proposed building in addition to on-site landscaping along the west property line. The applicant is requesting to reduce portions of the street landscape areas to accommodate future easements for utilities and additional infrastructure. Furthermore, since the applicant is providing new trees throughout the site, all existing significant trees as defined per Title 30 will be replaced. Lastly, the plans depict that 133 trees and 378 shrubs will be planted throughout the site. There will be 58 large trees planted along Post Road, Annie Oakley Drive, and Silvestri Lane where 41 large trees are required per Title 30.

Elevations

The elevation plans depict an overall building height of 25 feet to the top of the parapet. The paint booth exhaust ducts add additional height, but at a very minimal impact to the overall exterior of the building. The overall height to the top of the paint booth exhaust duct is 31 feet. The exterior architectural details include varied rooflines, metal awnings, aluminum storefront window systems, red and grey paint colors, and decorative aluminum composite panels. Roll-up doors which consist of anodized aluminum single row vision with a frosted window film are located on the north and east facing elevations only.

Floor Plans

The overall area of the proposed building is 41,027 square feet. The following areas will be a part of the overall floor plan: service areas, paint booth, paint mixing room, wash bays, prep booths, breakrooms, lounge area, restrooms, office, conference room, parts and storage area, and an IT/electrical area.

Applicant's Justification

The applicant is proposing a vehicle maintenance and repair/paint and body (collision center) for an Electric Vehicle (EV) company. The site will provide high quality vehicle maintenance and repair services and will not house a showroom or sales facility. Vehicle maintenance and repair are permitted in the IP zoning district with conditions which the applicant meets. Along with minor to significant collision damage repair services, the site will include advanced painting booths in compliance with Environmental Protection Agency (EPA) guidelines. The standard customer service hours will be Monday through Friday from 8:00 a.m. to 5:00 p.m. Repairs will occur on-site between 7:00 a.m. to 11:00 p.m. within the collision center building to minimize any noise or light issues. Furthermore, the lack of exhaust systems and fuel tanks for EVs further eliminate the concerns of excessive noise or emissions as expected with gasoline vehicles. The applicant averages repairs to 6 vehicles per day. The target repair time for an EV on-site is 10 days. The applicant is requesting approval of this application since the applicant's site is appropriate for the proposed uses and compatible with the surrounding area.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-22-0489	Reduced throat depth with a design review for building and site modifications to an existing distribution center	Approved by PC	October 2022
UC-0097-95	Allowed an office/warehouse building with an overall area of 169,264 square feet, with a building height to exceed 35 feet within 600 feet of a residential zone	Approved by PC	February 1995
DR-1663-94	For an office/warehouse building with an overall area of 149,528 square feet	Approved by PC	November 1994
ZC-314-89	Reclassified the site from RS20 to IP zoning for an industrial complex	Approved by BCC	December 1989

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, East, & West	Business Employment	IP (AE-65)	Office/warehouses & industrial buildings
South	Business Employment & Compact Neighborhood (up to 18 du/ac)	IP & RM18 (AE-65)	Office/warehouses & multiple family residential

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 Permits

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. Staff finds that to the west, north, and east of the project site are existing commercial and industrial uses. To the south across Post Road (60 foot wide right-of-way), is an existing multiple family complex screened with a decorative block wall with wrought iron on top adjacent to an attached sidewalk with mature street trees. The proposed uses should have a minimal negative impact to the surrounding neighborhood since repairs will be handled inside the proposed building and any outdoor storage and display occurs in a screened area behind the building. Staff recommends approval of the proposed uses.

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.

Waiver of Development Standards #1

The applicant is proposing to install 58 large street trees and maintain any existing significant trees within the 15 foot wide landscape strip adjacent to attached sidewalk which will remain on-site. Title 30 requires 41 street trees for this location in addition to the required landscape finger islands. The applicant is requesting to reduce some landscaping in the event that future utilities or infrastructure are required on-site. Staff finds that this is request appropriate since development of the site may need additional mechanical equipment, public infrastructure, and public utilities. Staff can support this request since the applicant provided a substantial amount of landscaping throughout the site. To ensure landscaping that cannot be planted in certain areas of the site is planted elsewhere on the subject parcel, staff will require a zoning compliance application in the future.

Waiver of Development Standards #2

Title 30 defines significant trees as an existing tree greater than 6 inches in caliper measured at 4.5 feet above ground level, rated by the Regional Plant List as having low, very low, or moderate water needs. The applicant has not provided sufficient justification as to why the existing trees on-site will not be preserved and incorporated into the new landscape design. Staff does not support this request and a tree fee in lieu will be required.

Design Review

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. Based on the submitted plans, the proposed EV collision center is a positive addition to the area. The proposed design upgrades the site from an otherwise underutilized parking lot with minimal landscaping. Overall, the design supports Goal 5.5 from the Master Plan which fosters a business-friendly environment.

Public Works - Development Review

Waiver of Development Standards #3

Staff has no objection to the reduced throat depth for the commercial driveways on Annie Oakley Drive as the applicant has worked with staff to minimize the conflict caused by the reduced throat depth.

Waivers of Development Standards #4 and #5

Staff has no objection to the reduction in approach or departure distance for the commercial driveways on Annie Oakley Drive. Although the departure and approach distances do not comply with the minimum standards, staff finds the location allows vehicles to safely access the site.

Department of Aviation

The property lies within the AE- 65 (65 - 70 DNL) noise contour for Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade Harry Reid International Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval of the use permits, waivers of development standards #1, #3 through #5, and the design review; denial of waiver of development standards #2.

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:

- Applicant shall submit a zoning compliance to ensure landscaping that cannot be planted due to utilities is planted elsewhere on the site;
- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised a tree-fee in lieu shall be paid to the County for each street tree waived; within 2 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;
- Gate at the northern driveway on Annie Oakley Drive to remain egress only;
- Internal gate adjacent to the southern driveway on Annie Oakley Drive to remain egress only.
- Applicant is advised that off-site improvement permits may be required.

Department of Aviation

- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

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 #0119-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:**APPROVALS:****PROTESTS:****APPLICANT:** ANNIE OAKLEY INVESTORS, LLC**CONTACT:** KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., SUITE 650, LAS VEGAS, NV 89135