

05/16/23 PC AGENDA SHEET

AUTOMOBILE MAINTENANCE & REPAIR
TIRE SALES & INSTALLATION
(TITLE 30)

LAS VEGAS BLVD N/PECOS RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0137-KG REAL ESTATE, LLC:

USE PERMITS for the following: **1)** waive the separation from a vehicle maintenance facility (automobile and smog check) to a residential use; **2)** waive the separation from a vehicle repair facility to a residential use; **3)** waive the separation from a tire sales and installation facility to a residential use; and **4)** permit overhead doors to face a public street.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** waive landscaping; **2)** reduced parking and loading areas; **3)** waive design and layout of parking; **4)** waive trash enclosure; and **5)** waive setback from the street.

DESIGN REVIEW for a vehicle maintenance (automobile and smog check) and vehicle repair facility with tire sales and installation on 1.2 acres in an M-D (Designed Manufacturing) (AE-70) Zone.

Generally located on the south side of Las Vegas Boulevard North, 500 feet east of Pecos Road within Sunrise Manor. WM/lm/syp (For possible action)

RELATED INFORMATION:

APN:

140-18-102-029

USE PERMITS:

1. Waive the separation between a vehicle maintenance facility (automobile and smog check) and a residential use (south and east) where 200 feet is required per Table 30.44-1 (a 100% reduction).
2. Waive the separation between a vehicle repair facility (automobile) and a residential use (south and east) where 200 feet is required per Table 30.44-1 (a 100% reduction).
3. Waive the separation between a tire sales and installation facility (automobile) and a residential use (south and east) where 200 feet is required per Table 30.44-1 (a 100% reduction).
4. Permit overhead doors in conjunction with vehicle maintenance facility, vehicle repair facility, and tire sales and installation facility to face a public street where not permitted per Table 30.44-1.

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Waive landscaping adjacent to an arterial street (Las Vegas Boulevard North) where landscaping per Figure 30.64-17 is required.
- b. Waive landscaping adjacent to a residential use where landscaping per Figure 30.64-11 is required.
- c. Waive parking lot landscaping where landscaping per Figure 30.64-14 is required.
2. a. Reduce parking to 38 spaces where 98 spaces are required per Table 30.60-1 (a 60% reduction).
- b. Waive loading areas where 2 loading areas are required per Table 30.60-5 (a 100% reduction).
- c. Waive bicycle parking where 4 spaces per Chapter 30.60 is required (a 100% reduction).
3. a. Reduce the minimum dimensions for a parking stall to 8 feet by 15 feet where 9 feet by 18 feet is required per Section 30.60.050.
- b. Waive pedestrian walkways throughout the parking lots where required per Section 30.60.050.
- c. Reduce drive aisle width to 21 feet where 24 feet is required per Table 30.60-4 (a 12.5% reduction).
4. Waive trash enclosure where required per Section 30.56.120.
5. a. Waive the minimum front setback where 20 feet is required per Table 30.40-5 (a 100% reduction).
- b. Waive the minimum setback from a street where 10 feet is required per Section 30.56.040 (a 100% reduction).

LAND USE PLAN:

SUNRISE MANOR - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 3162 Las Vegas Boulevard North
- Site Acreage: 1.2
- Project Type: Vehicle maintenance (automobile and smog check), vehicle repair facility, tire sales and installation
- Height (feet): 22 (maximum)
- Square Feet: 16,460 (L-shaped)/2,110 (east)/49 (smog hut)
- Parking Required/Provided: 98/38

Request

The request is to re-establish an existing vehicle maintenance (automobile) with the addition of a new smog hut, repair (automobile), and tire sales and installation facility. Records indicate the site was originally constructed in 1970.

Site Plans

The plans depict 2 existing buildings placed in an L-shape located along the west and south sides of the site, a freestanding building located on the northeastern portion of the site, an existing shipping container located south of the freestanding building, and a proposed smog check hut located to the east of the driveway entrance adjacent to Las Vegas Boulevard North, with no setback from the street. Access to the site is from Las Vegas Boulevard North. Outside storage area is located on the south side of the L-shaped building. A 25 foot wide private access easement runs along the east property line. A fence is shown adjacent to the western boundary of that easement. Parking for the facility is located between the buildings and on the northeast corner of the site and access is from Las Vegas Boulevard North. Two parking spaces to the east of the smog hut are not part of the parking calculation. There are existing residential developments adjacent to the east and south sides of the subject parcel.

Landscaping

There is no existing on-site landscaping provided. There is an existing landscape area within the right-of-way for Las Vegas Boulevard North located on the northeast corner of the site consisting of a shrub and rock for groundcover. The south property line is enclosed with a concrete block wall and gates to secure the rear storage areas.

Elevations

There are no proposed changes to the exterior of the existing structures with this request. Photographs of the existing structures indicate the main buildings are constructed with concrete block walls and flat roofs behind parapet walls. The L-shaped building is 22 feet high and consists of roll-up doors on the north and east sides of the building. The freestanding building is 14 feet and includes a roll-up door on the south elevation of the building and store front entry on the north elevation. The smog hut is less than 14 feet high.

Floor Plan

There are no proposed changes to the plans of the existing buildings with this request. The plans depict 2 existing buildings. The first building is an L-shape, 16,460 square foot building divided into 4 units with a total of 14 service bays. The second building is 2,110 square feet consisting of 1 unit. The smog hut consists of 49 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the existing and proposed uses operate daily from 7:00 a.m. to 7:00 p.m. and add to the economic viability while providing the community with employment opportunities. The existing parking area does not have the space to accommodate the required parking but is designed to optimize its space for the best possible parking layout without sacrificing the ease of access and site maneuverability. Additionally, the site has been operating without any issues related to loading areas, pedestrian walkways, bicycle parking area, and trash enclosure area.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-21-0213	Food truck - expired	Approved by PC	June 2021
UC-0621-17	Auto repair - expired	Approved by BCC	September 2017
UC-0212-12 (ET-0110-14)	Extension of time for a use permit to allow for an auto repair/maintenance/tire repair - expired	Approved by BCC	November 2014
UC-0212-12	Auto repair, maintenance, and tire repair - expired	Approved by BCC	November 2012

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D & H-2	Retail & undeveloped
South	Business Employment	H-2	Single family residential
East	Business Employment	H-2 & M-D	Automobile maintenance, single family residential, & vehicle repair
West	Business Employment	M-D	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive 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 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 current facility has continued to operate since 2012, under similar use permits (UC-0212-12 and UC-0621-17) which have expired after there was no review of the uses. The existing residential uses to the south and east that are adjacent to this site have been in place since the 1950's. There has been no indication that the current facility has had an adverse effect on the adjacent properties and uses, and once again, the approval of this request will allow the existing businesses to continue to operate and allow for the center to be fully occupied; therefore, staff can support the use permits. However, staff recommends that a time limit for review be placed on the application to ensure that the parking areas have been striped to match the plans provided, permits have been issued for the shipping container, the storage of vehicles in the parking areas have been removed, and that mesh screening has been installed on the fence along the east access easement, so that there are no adverse effects on the adjacent properties in the future.

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.

Waivers of Development Standards #1 through #4

Staff would not typically support the elimination of landscaping adjacent to a street or within parking areas, or reduced parking spaces and stall sizes, loading spaces, or elimination of walkways, or trash enclosure. However, this site has been previously approved for similar waivers that inadvertently expired. The site has been in continuous operation since 2012 with no indication that a lack of landscaping or parking and other design standards has had an adverse effect on the adjacent parcels.

Waiver of Development Standards #5

The smog hut is an addition since the previous use permits. Staff typically does not support a complete waiver of setbacks to the street. In this case, landscaping exists between the property line and the sidewalk; therefore, the smog hut is over 20 feet from the sidewalk. If the street is widened in the future, being the building is less than 50 square feet, it could be removed relatively easily. In addition, 2 parking spaces to the east of the smog hut can be designated for maneuvering the automobiles for the smog hut, minimizing any circulation issues.

Design Review

Given the history of the site, staff can support the request with a time limit to review to ensure that the appropriate permits and proposed site design are completed in a timely manner and to ensure there are no adverse effects on the adjacent properties in the future.

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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- 6 months to review as a public hearing the removal of all vehicles stored in the parking area and compliance with Comprehensive Planning conditions #2 through #4;
- 1 year to complete the building permit and inspection process for the storage container with any extension of time to be a public hearing;
- Re-stripe the parking lot to match plans;
- Provide mesh screening on the east fence along the access easement;

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection for re-striping of the parking lot, installation of the mesh screening, final inspection of the storage container and any other conditions of approval.
- 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 and application for review; and that 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.

Public Works - Development Review

- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- No comment.

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: Sunrise Manor - approval.

APPROVALS:

PROTESTS:

APPLICANT: STOP AND SMOG

CONTACT: STOP AND SMOG, 2099 LOST MAPLE ST., LAS VEGAS, NV 89115