

03/21/23 PC AGENDA SHEET

VEHICLE PAINT/BODY SHOP
(TITLE 30)

BOULDER HWY/MISSOURI AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0023-CHUNG, HONG KU:

USE PERMITS for the following: **1)** vehicle repair; and **2)** vehicle paint and body shop.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** a vehicle paint and body shop not in conjunction with vehicle sales; **2)** eliminate landscaping; **3)** reduce gate setback; and **4)** eliminate screening for service bay doors facing a street.

DESIGN REVIEW for a vehicle repair, paint and body shop on 0.2 acres in a C-2 Zone.

Generally located on the west side of Boulder Highway, 400 feet south of Missouri Avenue within Whitney. JG/bb/syp (For possible action)

RELATED INFORMATION:

APN:

161-27-203-005

WAIVERS OF DEVELOPMENT STANDARDS:

1. Permit a vehicle paint and body shop not accessory to vehicle sales where required per Table 30.44-1.
2.
 - a. Eliminate parking lot landscaping where landscaping is required per Figure 30.64-14.
 - b. Reduce street landscape width along Boulder Highway to 6 feet where 15 feet is required adjacent to an attached sidewalk per Section 30.64.030 (a 40% reduction).
3. Reduce gate (open during business hours) setback from Boulder Highway to 6 feet where 18 feet is required per Section 30.64.020 (a 33% reduction).
4. Allow service bay doors to face a street without screening where landscaping or screening is required per Table 30.44-1.

LAND USE PLAN:

WHITNEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 5852 Boulder Highway
- Site Acreage: 0.2
- Project Type: Vehicle repair, paint and body shop

- Number of Stories: 1
- Building Height (feet): 17
- Square Feet: 1,200
- Parking Required/Provided: 7/9

Site Plan

The plan depicts a 1,200 square foot metal building on the southeast portion of a 0.2 acre lot located on Boulder Highway approximately 400 feet south of Missouri Avenue. The site has 9 parking spaces, an access driveway from Boulder Highway with through access to the alley on the west side of the lot. The Boulder Highway access has a 6 foot high rolling gate attached to an existing 6 foot open metal fence. The gate is approximately 6 feet from the east property line and Boulder Highway right-of-way and, will remain open during business hours. The parking lot is a combination of asphalt and concrete surfaces. The existing trash storage is located on the northwest corner of the lot.

Landscaping

The applicant is requesting to waive landscaping along Boulder Highway and landscaping adjacent to the existing parking spaces. The existing landscape planter located along Boulder Highway has a 6 foot high, open metal fence centrally located in the planter area. The only evidence of landscaping on the property today is remnants of landscape rock in the planter along Boulder Highway. A metal fence is located along Boulder Highway with a chain-link security fence around the remaining perimeter of the lot. The chain-link fence is in various stages of disrepair.

Elevations

The elevation photograph depicts an approximately 17 foot high metal building with 2 bay doors facing north, and viewable from Boulder Highway.

Floor Plan

The plan depicts an open floor plan of 1,200 square feet, including an 80 square foot bathroom, and vehicle lifts in the bay area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is requesting special uses, waivers, and design review for vehicle paint/body and repair work at 5852 Boulder Highway. The operation will include a body repair, painting, and repair shop that includes dent pulling, frame correction, welding, and hydraulic pulling. A full size vehicle paint booth will be installed in the future. The site does not have current landscaping and a waiver to eliminate landscape requirements is requested.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Corridor Mixed-Use (less than 18 du/ac)	C-2	Undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Corridor Mixed-Use (less than 18 du/ac)	C-2	Restaurant
East	Corridor Mixed-Use (less than 18 du/ac)	R-2	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 Master Plan supports and encourages development and growth of commercial services in the Whitney area, but the site has deteriorated to a point where staff cannot support the use permits without the associated improvements to fencing and landscaping.

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

While the location and limited building size can accommodate the paint and body repair shop, the deteriorating conditions of the property fencing, and not meeting landscaping and access requirements, does not meet the intent of Title 30. Staff is unable to support this waiver request.

Waivers of Development Standards #2a, #2b, & #4

The elimination of landscaping will not add to the comfort of pedestrians using the Boulder Highway corridor for transit and sidewalk access as identified in Master Plan Policy WH-3.2, Boulder Highway Connectivity. The applicant has agreed to plant trees in the dirt area on the south side of the existing building. Parking lot landscaping and trees on the north and east sides of the lot would screen the bay doors from view and enhance the appearance of the property. Without some kind of landscaping on the site, staff cannot support these requests.

Waiver of Development Standards #3

The applicant is not proposing to sell vehicles from this property, so the additional 12 feet needed for the gate setback could be designed to fit this property. Staff is unable to support this waiver.

Design Review

The property appears to be in disrepair, with fences in a variety of stages of decay and collapse. While the property does have the required number of parking spaces and the building appears to only have cosmetic problems, staff cannot support the design review without appropriate screening of the bays from public view, new landscaping, and repaired fencing.

Staff Recommendation

Denial.

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:

- Plant 6 low water use medium size trees and ten 5 gallon shrubs along Boulder Highway and south of the building;
- Replace or repair the chain-link security fence;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; 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

- No comment.

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: Whitney - approval.

APPROVALS:

PROTESTS:

APPLICANT: ATECH AUTOMOTIVE GROUP

CONTACT: ATECH AUTOMOTIVE GROUP, 5852 BOULDER HWY, LAS VEGAS, NV
89122