

VEHICLE MAINTENANCE  
(TITLE 30)

**UPDATE**  
ST. ROSE PKWY/BERMUDA RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-20-0539-HKM NEVADA PROPERTIES, LLC:**

**HOLDOVER USE PERMIT** to reduce the separation from a vehicle maintenance facility to a residential use (single family).

**DESIGN REVIEWS** for the following: **1)** vehicle maintenance facility; and **2)** lighting on a portion of 1.6 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of St. Rose Parkway, 270 feet west of Bermuda Road within Enterprise. MN/md/jd (For possible action)

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RELATED INFORMATION:

**APN:**  
191-04-615-002 ptn

**USE PERMIT:**  
Reduce the separation from a vehicle maintenance facility to a residential use to 72 feet where 200 feet is required per Table 30.44-1 (a 64% reduction).

**DESIGN REVIEWS:**  
1. Proposed vehicle maintenance facility.  
2. Lighting in conjunction with a vehicle maintenance facility.

**LAND USE PLAN:**  
ENTERPRISE - COMMERCIAL GENERAL

**BACKGROUND:**  
**Project Description**  
General Summary

- Site Address: N/A
- Site Acreage: 1.6 (portion)
- Project Type: Vehicle maintenance facility
- Number of Stories: 1
- Building Height (feet): 24.5
- Square Feet: 3,800
- Parking Required/Provided: 20 (vehicle maintenance facility)/17 (convenience store)/42

### History & Request

The C-2 zoning was approved via ZC-0018-95 by the Board of County Commissioners in March 1995 for future commercial development on a larger 11.7 acre site which includes the subject parcel consisting of 1.6 acres. A convenience store and a gasoline station, consisting of a fuel canopy, were approved to the east of the project site located on the same parcel via ADR-20-900388 in September 2020.

### Site Plans

The plans depict a proposed 3,800 square foot vehicle maintenance facility located on a portion of a 1.6 acre site. The vehicle maintenance facility is set back a minimum of 10 feet from west property line, adjacent to Fairfield Avenue, and a minimum of 295 feet from the south property line adjacent to St. Rose Parkway. The facility is set back zero feet from the north property line, adjacent to an undeveloped 3 acre parcel zoned C-2, and 272 feet from the east property line along Bermuda Road. Furthermore, the maintenance bays associated with the facility are set back a minimum of 295 feet from St. Rose Parkway. Twenty parking spaces are required for the maintenance facility and 17 parking spaces are required for the previously approved convenience store where 42 parking spaces are provided for the entire site. Vehicles will enter through the 6 bay doors located on the south side of the building. Trash enclosures are located 30 feet to the east of the building. Four bicycle spaces are located at the southwest corner of the facility. Access to the project site is granted via an existing commercial driveway located along St. Rose Parkway.

### Landscaping

The plans depict a 10 foot wide street landscape area, consisting of 24 inch box evergreen trees planted 15 feet on center behind an existing attached sidewalk along Fairfield Avenue. A 6 foot high decorative block wall will be provided behind the street landscape area. A 5 foot wide landscape area consisting of existing trees planted 20 feet on center, located 42 feet south of the building, screens the overhead bay doors from St. Rose Parkway. Parking lot landscaping is equitably distributed throughout the interior of the project site. Existing street landscaping is located along St. Rose Parkway and no additional street landscaping is required.

### Elevations

The proposed building will be constructed of a painted, stucco exterior with decorative split-face CMU columns evenly dispersed on all 4 sides of the building. The building measures 24.5 feet to the top of the parapet wall, which screens all rooftop mounted mechanical equipment from public view. The 6 vehicle maintenance bays, including the entrance to the facility, are featured on the south elevation. The building will be painted in neutral, earth tone colors.

### Floor Plans

The plans depict a proposed vehicle maintenance facility, consisting of 6 bays, measuring 3,300 square feet. A customer waiting area, restroom, and office area consists of 500 square feet.

### Signage

Signage is not a part of this request.

### Lighting

The plans depict the type of lighting (wall pack), approximate height of light fixtures (13 feet), and a photometric plan demonstrating compliance with the Development Code. The proposed freestanding luminaries (light poles) are a maximum of 25 feet in height, complying with the Code. All exterior building lighting fixtures and freestanding luminaries are full cut-off and similar in terms of design, materials, finish, color, and color of light.

### Applicant's Justification

The applicant states the proposed vehicle maintenance use is entirely consistent with the intent of the C-2 zoning district and Commercial General (CG) planned land use designation and in compliance with several Goals and Policies contained within the Comprehensive Master Plan regarding opportunities for additional commercial developments to serve residential areas.

In this particular instance, the applicant has designed a facility on the site in a manner that not only buffers the use from the residential use but eliminates any potential impacts. The building is oriented so that it faces away from the residential use. Other existing, site, building design, and operational elements that will ameliorate and mitigate possible negative impacts include the following: 1) the proposed building is not adjacent to the residential use but rather separated by a 60 foot wide public street (Fairfield Avenue); 2) the proposed building is set back 15 feet from Fairfield Avenue with the area consisting of existing shrubs and groundcover, an existing 4 foot high block wall that is proposed to be a 6 foot to 8 foot high decorative wall (retaining and screen), and 6 new, 24 inch box evergreen trees on the street side of the proposed wall; 3) on the west side of Fairfield Avenue, the residential development has existing 10 feet of mature street landscaping on the street side of a solid 6 foot high perimeter wall; 4) the existing home that is closest to the proposed facility is oriented away from the site; and 5) the standard hours of operation for this facility are Monday through Saturday 7:30 a.m. to 6:00 p.m. and closed on Sundays. Therefore, the combination of the above referenced elements provides for a mitigation of the required separation or building buffer and provides for a proposed facility that is a compatible use that can harmoniously coexist abutting the residential use with minimal impacts.

The site is located at the northwest corner of St. Rose Parkway and Bermuda Road which are both arterial streets. The proposed development plan provides for cross access with the existing drive-thru restaurant, approved convenience store and gasoline station, and existing commercial driveway to the north that provides for an alternate driveway access to Bermuda Road. The site has an existing shared driveway along St. Rose Parkway and an alternate driveway along Bermuda Road to the north. Therefore, the site design furthers Urban Specific Policy 65 which encourages commercial development design that will provide opportunities for cross access with adjoining sites to reduce or limit points of ingress and egress on arterial or collector streets to reduce on-site and off-site traffic congestion and hazards. Since access to the site is from 2 arterial streets, there will be no negative impacts to the surrounding properties.

The project furthers Land Use Goal 2 which encourages providing opportunities for a mix of uses such as commercial, office, recreational, entertainment, public facilities, multiple family residential and other activities within close proximity to each other, both vertically and horizontally, which are connected and integrated (nodes). This development site exemplifies nodal commercial development. The proposed project also complies with Land Use Goal 9

which encourages providing for commercial development integrated in appropriate locations throughout the community.

The proposed development with corresponding architectural elements and site design elements complies and furthers Urban Specific Policy 67 which ensures through site planning and building design, that commercial developments are compatible with abutting uses through such design methods as appropriate buffers, setbacks, landscaping, building height, and materials. The proposed building complies with Urban Specific Policy 78 which encourages architectural treatments on all facades to eliminate blank building elevations along public rights-of-way.

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ADR-20-900388	Convenience store with gasoline station (fuel canopy)	Approved by ZA	September 2020
TM-0212-15	1 lot commercial subdivision	Approved by PC	January 2016
WS-0311-12	Comprehensive sign plan consisting of wall signs and a freestanding sign for a restaurant	Approved by PC	August 2012
DR-0303-11	Modified a previously approved parking lot for an approved restaurant, lighting, and signage	Approved by PC	August 2011
DR-0390-09	Restaurant	Approved by PC	August 2009

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial General	C-2	Undeveloped
South	Commercial General	C-2	Restaurant with drive-thru
East	Commercial General	C-2	Tavern
West	Residential Suburban (up to 8 du/ac)	R-2	Single family residential

#### **STANDARDS FOR APPROVAL:**

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

#### **Analysis**

##### **Current 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 Comprehensive 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.

Commercial Policy 67 of the Comprehensive Master Plan states that through site planning and building design, ensure that commercial developments are compatible with abutting uses.

Appropriate buffers, setbacks, drought tolerant landscaping, building height and materials should be considered and integrated into commercial developments. Staff finds the landscape area and 6 foot high block wall, along the west property line adjacent to Fairfield Avenue, provides some mitigation between the proposed vehicle maintenance facility and the single family residential development to the west. Although there is 105 feet of separation between the nearest single family residence and the maintenance facility, staff is concerned with the overall reduction to the separation distance between the building and the residential use. Staff finds the noises associated with the vehicle maintenance use may potentially impact the adjacent residential use.

The purpose and intent of the residential separation requirement is to ensure residential uses are not negatively affected or impacted by vehicle maintenance facilities. While several mitigating measures have been provided to lessen the impact the maintenance facility may potentially have on the existing single family residential development to the west, staff cannot support such a drastic reduction to the minimum separation requirement of 200 feet.

#### Design Review #1

Staff finds the proposed vehicle maintenance facility expansion complies with Commercial Policy 68, which states overhead doors and service areas should be screened from public streets and residential uses. The proposed vehicle bay doors are screened from St. Rose Parkway by the existing drive-thru restaurant to the south, a 5 foot wide landscape area located 45 feet to the south of the facility, and the existing street landscaping. The bay doors are oriented away from the single family residential development to the west of the project site, across Fairfield Avenue, and are set back a minimum of 295 feet from St. Rose Parkway. However, staff is concerned the close proximity of the maintenance facility, and the noises associated with the use, may impact the residential use to the west. The design review cannot function independently of the use permit request, which staff is not supporting. Therefore, staff cannot support the design review.

#### Design Review #2

The plans indicate that all of the lighting fixtures will be shielded and/or directed away from the abutting residential uses. The photometric calculations submitted for the lighting indicate the on-site lighting will not have a negative impact on the abutting developments. Staff finds the lighting plan complies with Urban Specific Policy 15 of the Comprehensive Master Plan which states that lighting design should be sensitive to off-site residential uses. This policy also encourages all light sources to be shielded to direct light away from residential uses. However, since staff is not in support of the use permit request and design review #1, staff cannot support this request.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Current Planning**

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised 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**

- Drainage study and compliance;
- Traffic study and compliance.

### **Building Department - Fire Prevention**

- No comment.

### **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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0335-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS: 1 letter**

**PLANNING COMMISSION ACTION:** January 19, 2021 – HELD – To 02/02/21 – per the applicant.

**APPLICANT:** ACTIVE COMMERCIAL, LLC

**CONTACT:** DIONICIO GORDILLO, 204 BELLE ISLE CT., HENDERSON, NV 89012