

VEHICLE REPAIR FACILITY  
(TITLE 30)

TORREY PINES DR/MAULE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0261-JONES 215, LLC:**

**USE PERMIT** for a vehicle repair facility.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate parking lot landscaping; **2)** eliminate cross access; **3)** modified CMA Design Overlay District Standards; **4)** eliminate the requirement for pedestrian walkways; **5)** increase wall height; and **6)** allow modified driveway design standards.

**DESIGN REVIEWS** for the following: **1)** vehicle maintenance facility; **2)** parking lot; and **3)** finished grade on 4.5 acres of a 14.1 acre site in a C-2 (General Commercial) Zone and a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the south side of Roy Horn Way, 460 feet east of Torrey Pines Drive within Enterprise. MN/md/jo (For possible action)

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RELATED INFORMATION:

**APN:**

176-02-601-022 ptn

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate parking lot landscaping where required per Figure 30.64-14.
2. Eliminate the requirement for cross access and shared parking with the properties to the east and west per Table 30.56-2.
3. Permit parking areas with 100 or more spaces where large parking areas of 100 spaces or more shall be designed as a series of smaller, connected parking courts or lots that are dispersed throughout the site per Section 30.48.660.
4.
  - a. Eliminate the pedestrian walkway from the adjacent public sidewalk to the principal building entrance where a 5 foot wide walkway is required to connect the adjacent public sidewalk to the principal building entrance where required per Section 30.60.050.
  - b. Eliminate the 5 foot wide sidewalk requirement to separate buildings from pavement for parking aisles or spaces where required per Section 30.60.050.
5. Increase wall height to 8 feet where a maximum height of 6 feet is permitted per Section 30.64.020 (a 33% increase).
6. Reduce throat depth to 30 feet where a minimum depth of 100 feet is required per Uniform Standard Drawing 222.1 (a 70% reduction).

**DESIGN REVIEWS:**

1. Vehicle maintenance facility.
2. Parking lot.
3. Increase finished grade to 48 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 167% increase).

**LAND USE PLAN:**

ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK

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

- Site Address: 6425 Roy Horn Way
- Site Acreage: 4.5 (project site)/14.1 (overall)
- Project Type: Vehicle repair facility & parking lot
- Number of Stories: 2
- Building Height (feet): 32
- Square Feet: 24,742
- Parking Required/Provided: 136/449

**Site History & Request**

ZC-0606-01 was previously approved by the Board of County Commissioners in June 2001 for 2 vehicle sales facilities located on the east and west sides of Torrey Pines Drive. The larger site was located on the east side of Torrey Pines Drive and consisted of 17.3 acres while the smaller site was located on the west side of Torrey Pines Drive that consisted of 7.4 acres. The current project site is located on a portion of the original site approval, necessitating the waiver of conditions request for cross access which is a companion item associated with this application. A vehicle sales (automobile) facility was approved on the northern 4 acre portion of this project site via WS-20-0079 by the Zoning Administrator in March 2020 due to the state of emergency related to the COVID-19 pandemic. The applicant is now requesting a use permit for a vehicle repair facility located on the 4.5 acre southern portion of the project site.

**Site Plans**

The plans depict a vehicle repair facility, including a parking lot for excess vehicle inventory. The repair facility is located at the southwest portion of the site and set back as follows: 1) 39 feet from the south property line adjacent to Maule Avenue; 2) 59 feet from the southwest (future) property line; 3) 43 feet from the north (future) property line; and 4) 370 feet from the east (future) property line. Employee parking is located to the north and west of the building. A waiver of development standards is required as a pedestrian sidewalk will not be provided along the north, south, and west sides of the building adjacent to parking spaces and drive aisles. Furthermore, a pedestrian walkway connecting the principal entrance to the building to the future sidewalk along Maule Avenue is not provided, necessitating a waiver of development standards request. Two standard size loading zones are located at the southwest corner of the repair facility. An enclosed trash compactor is located to the northeast of the building. To the east and northeast of the building are 42 staging spaces for vehicles awaiting repair. The eastern portion

of the project site features a parking lot consisting of 289 parking spaces for excess vehicle inventory. Code requires the parking spaces located within the parking lot to be separated into clusters; therefore, a waiver of development standards is necessary to eliminate the cluster design. A waiver of development standards is required for cross access to the parcels located to the east and west of the subject property. Cross access will be provided along the north (future) property line to the previously approved vehicle sales facility; however, a 6 foot tall rolling gate will separate the 2 sites. An 8 foot high decorative CMU block wall is proposed along the east and west property lines of the site, and will be located behind the 10.5 foot wide landscape area along Maule Avenue. The height of the block wall requires a waiver of development standards. A 5 foot wide attached sidewalk is required and provided along Maule Avenue. A new commercial driveway will be constructed along Maule Avenue, and features a 6 foot high rolling gate that will be set back 51 feet from the property line. However, a waiver of development standards is required to reduce the throat depth of the commercial driveway to 50 feet where a minimum depth of 100 feet is required. The vehicle repair facility requires 136 parking spaces where 449 parking spaces are provided. A design review to increase finished grade is requested and is primarily concentrated at the northern portion of the building.

#### Landscaping

The plans depict a street landscape area measuring 10.5 feet in width adjacent to Maule Avenue, including a 5 foot wide attached sidewalk. Large, 24 inch box trees are planted 20 feet on center within the street landscape area, including shrubs and groundcover. An 8 foot high decorative block wall is located behind the landscape area adjacent to Maule Avenue. No parking lot landscaping is provided within the interior of the project site, necessitating a waiver of development standards.

#### Elevations

The plans depict a vehicle repair facility with a maximum height of 32 feet to the top of the parapet roof. All rooftop mounted equipment will be screened from public view and the right-of-way by the parapet wall system. The exterior materials of the building consist of tilt-up concrete paneling, decorative reveals in the tilt-up paneling, and aluminum framed windows. An 18 foot high steel canopy measuring 220 feet in length extends 16 feet from the east side of the building. Four overhead roll-up doors are located on the west side of the building while 12 overhead doors are featured on the east side of the building. All doors are oriented towards the interior of the site and do not face the public street, Maule Avenue. The building will be painted with an off-white neutral color.

#### Floor Plans

The plans depict a vehicle repair facility measuring 24,742 square feet consisting of 2 stories. The first floor consists of 12 vehicle repair bay areas, restroom facilities, breakroom, men's locker area, offices, special tools area, electrical room, parts counter, parts warehouse, and miscellaneous other rooms. The second floor features a parts warehouse which includes an IT server room.

#### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant states this project is compatible with the adjacent businesses and meets the purpose of the CMA Overlay by providing high quality, non-residential development while fostering a positive physical image and identity. This area has become the new car dealership corridor which strengthens the economic viability and stability of the area in conformance with the goals of the CMA.

The applicant requests a reduced throat depth for the commercial driveway as unlike restaurant, retail, office and other commercial uses, car dealerships have very low traffic counts and have very few employees on staff at any one time. Additionally, traffic flows in and out of the site are consistent throughout business hours and there are no spikes in traffic flows for lunch traffic or morning and evening shift changes. Employees at car dealerships typically have schedules that are flexible; therefore, there is not an in or out rush of employees at shift changes. The request to eliminate parking lot landscaping is for the parking lot that will be concealed from public view by perimeter site walls. Therefore, any landscape provided in this area of the site will not be visible from any right-of-way or adjacent property. The request to waive the required cross access will allow the facility to be consistent with the other dealerships in the surrounding area. The waiver request to eliminate the parking space cluster requirement to a single field of parking is similar to what has been approved for the surrounding vehicle dealerships.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-20-0079	Vehicle (automobile) dealership with waivers to the CMA Design Overlay District, parking lot landscaping, cross access, and throat depth	Approved by ZA	March 2020
WC-20-400014 (ZC-0606-01)	Waiver of conditions for recording a reciprocal, perpetual cross access, ingress/egress, and parking agreements if dealerships are individually owned and operated	Approved by ZA	March 2020
ADR-19-900634	Storage building in conjunction with an existing vehicle sales facility	Approved by ZA	October 2019
WS-18-0519	Increased height of a proposed freestanding sign and design review for a freestanding sign in conjunction with an existing vehicle sales on the western portion of the site	Approved by BCC	September 2018
VS-1073-17	Vacated and abandoned various easements on this site - recorded	Approved by PC	February 2018
ZC-0215-17	Reclassified a portion of this site to M-D zoning for a vehicle sales facility on the western portion of this site	Approved by BCC	May 2017
VS-0237-16	Vacated and abandoned right-of-way on a portion of the overall development site for a detached sidewalk - recorded	Approved by PC	June 2016
ZC-0606-01	Reclassified a portion of this site to C-2 zoning for 2 vehicle sales facilities	Approved by BCC	June 2001

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Business and Design/Research Park	M-D	Office building with a production studio (UFC)
East	Business and Design/Research Park	M-D	Undeveloped
South	Business and Design/Research Park	C-2	Surface overflow parking lot
West	Business and Design/Research Park	M-D & C-2	Vehicle sales facility (Findlay Subaru)

**Related Applications**

<b>Application Number</b>	<b>Request</b>
WC-21-400091 (ZC-0606-01)	A waiver of conditions for recording a reciprocal, perpetual cross access, ingress/egress, and parking agreements if dealerships are individually owned and operated is a companion item on this agenda.

**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.

Staff finds the vehicle repair facility is an appropriate and compatible use with the surrounding vehicle sales facilities and parking lots. The nearest residential development is located 750 feet to the south of the facility, separated by an existing vehicle dealership parking lot and a collector street, Badura Avenue. The purpose of the vehicle repair facility is to service dealership and customer vehicles; however, the facility will not be open to the general public. Staff does not anticipate the facility will have a negative impact on the surrounding land uses and properties; therefore, recommends approval.

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 & #3

The intent of parking lot landscaping is to provide climate adaptable plant materials that improve the visual appearance of the project site, enhance environmental conditions by providing shade and reducing storm water run-off, and to provide buffer areas between land uses of varying intensity. While staff typically does not support requests to parking lot landscaping, the vehicle repair facility and parking lot will not be open to the general public. Furthermore, the facility and parking lot will be screened from the public right-of-way, Maule Avenue, by a decorative 7.5 foot high block wall. Similar vehicle sales facilities and parking lots abutting the subject property have been designed with the absence of parking lot clusters. The lack of individual parking lot clusters within the interior of the project site will not impact the surrounding land uses and properties. Therefore, staff can support these requests.

#### Waiver of Development Standards #2

The project site and adjacent properties are large, consisting of multiple acres; therefore, do not necessitate the shared parking and access to the properties to the east and west. Typically, staff does not support requests to waive cross access to adjacent properties with similar land uses and parking requirements. However, several requests to waive the cross access requirement have previously been approved for the existing sites to the west and northwest. The request to waive cross access should not have any impact on the surrounding land uses and properties. Therefore, staff recommends approval.

#### Waiver of Development Standards #4

Staff typically does not support requests to eliminate the pedestrian connection from a sidewalk to the principal entrance to a building. However, since the vehicle repair facility will not be open to the general public, and will not generate any pedestrian traffic from outside of the facility, staff can support this request. The 5 foot wide sidewalk requirement separating the facility from paving for parking aisles or spaces is required along the north, south, and west portions of the repair facility. The west side of the building features 4 overhead roll-up doors, and the installation of a pedestrian sidewalk along the west side of the building would not be practical and conflicts with safe pedestrian travel (i.e. staff does not want to encourage pedestrians to walk directly in front of the entrances and exits to the repair bays). Staff finds the sidewalk requirement along the north and south sides of the building is impractical and should not impact pedestrian travel within the interior of the site. Therefore, staff recommends approval.

#### Waiver of Development Standards #5

The increased wall height is necessary to provide security for the inventory of dealership vehicles within the parking lot and for the vehicle repair facility. A 10.5 foot wide street landscape area is provided, where a minimum landscape area of 6 feet is required along Maule Avenue. Staff finds the decorative block wall, in conjunction with the increased street landscape area, provides mitigation to the increased block wall height. Furthermore, staff finds the increased block wall height along the east and west property lines should not impact the adjacent properties and land uses; therefore, recommends approval.

#### Design Reviews #1 & #2

The CMA Design Overlay District was established to encourage and promote a high level of quality development that will produce a stable environment in harmony with existing and future

development and protect the use of neighboring properties. The plans depict a use, design, and geographic location that are compliant with Urban Land Use Policy 10 of the Comprehensive Master Plan which encourages site designs that are compatible with adjacent land uses and off-site circulation patterns. Finally, staff finds the intended use is consistent with the purpose and intent of the Business and Design/Research Park land use designation which applies to areas where commercial, professional or manufacturing developments are designed to assure minimal impact on surrounding areas. The proposed vehicle repair facility is a functional extension for the existing developments to the adjacent properties and integrated as a seamless automobile sales corridor. Therefore, staff recommends approval of these requests.

### **Public Works - Development Review**

#### **Waiver of Development Standards #6**

Staff has no objection to the reduction in the throat depth for the commercial driveway on Maule Avenue. Staff does not anticipate any traffic related issues since the majority of the parking stalls adjacent to the commercial entrance will be occupied by display cars.

#### **Design Review #3**

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

### **Department of Aviation**

The development will penetrate the 100:1 notification airspace surface for McCarran International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or 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**

- Drainage study and compliance;
- Traffic study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Coordinate with Public Works - Directors office for the Beltway, Frontage Road improvement project;
- Dedicate any right-of-way and easements necessary for the Beltway, Frontage Road improvement project.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

#### **Department of Aviation**

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

**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:** Enterprise - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ROGER CAMPERI

**CONTACT:** ROGER CAMPERI, 310 N. GIBSON ROAD, HENDERSON, NV 89014