

10/20/21 BCC AGENDA SHEET

VEHICLE SALES & RENTAL
(TITLE 30)

RAINBOW BLVD/CC 215

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0481-DONG KUO & MO CHUN FAMILY TRUST & DONG KUO & MO CHUN TRS:

WAIVER OF DEVELOPMENT STANDARDS for modified driveway geometrics.

DESIGN REVIEWS for the following: **1)** finished grade; **2)** vehicle sales and rental facility; and **3)** accessory vehicle wash on a 3.3 acre portion of 5.0 acres in a C-2 (Commercial General) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the north side of CC 215, 1,600 feet east of Rainbow Boulevard within Enterprise. MN/bb/jd (For possible action)

RELATED INFORMATION:

APN:

176-02-101-010 ptn

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the throat depth for a driveway on Rafael Rivera Way to 28 feet where a minimum of 75 feet is required per Uniform Standard Drawing 222.1 (a 62% reduction).

DESIGN REVIEWS:

1. Increase the finished grade to 30 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 67% increase).
2. Vehicle sales and rental building.
3. Accessory vehicle wash building.

LAND USE PLAN:

ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 3.3 (portion)
- Project Type: Vehicle sales & rental with accessory vehicle wash
- Number of Stories: 1
- Building Height (feet): 22
- Square Feet: 8,660 (sales and rental)/1,172 (vehicle wash)

- Parking Required/Provided: 44/134

Site Plan

The site plan depicts a 3.3 acre portion of a 5 acre lot proposed for a vehicle sales and rental facility. A majority of the western portion of the site is not a part of this application. The sales and rental building is centrally located on the site, with an accessory vehicle wash building and canopy on the north east portion of the property. The vehicle wash will only be used by the vehicle sales and rental facility, not the general public. The sales and rental building is set back 20 feet from the undeveloped portion of the property to the west and over 65 feet from the eastern property line. The canopy is set back 33 feet from the eastern property line. Access is located on the south side of the property from Rafael Rivera Way which requires a waiver of development standards to reduce the throat depth of the driveway. Vehicle sales/display and parking will be located on the south side of the property, with rental vehicle pick-up and return staging area on the north side of the property, to the west of the vehicle wash. Forty-four parking spaces are required for the vehicle sales, wash, and rental facility, and 134 parking spaces are provided. The applicant is proposing to increase the finished grade by a maximum of 6 feet at the north central portion of the lot. A billboard exists on the southwestern portion of the parcel, which is not part of this application.

Landscaping

The plan depicts 9 large trees along the frontage of the property on the south property line. Twenty-three additional large trees are shown in the vehicle sales area on the south half of the property. Two large trees and 28 medium trees are shown on the northern half along the perimeter of the property.

Elevations

The elevations depict a 22 foot high vehicle sales and rental building with stucco siding, cultured stone base façade, and primary entryway on the east side of the building. Aluminum storefront glass entry windows and entry doors are located on the east side of the building. A small overhead roll-up door is located on the south side of the building and is screened by landscaping in the south parking lot. Another larger overhead roll-up door is located on the west side of the building, along with another access door. The building has a flat roof with off-set parapet design to break-up the roof plane. The vehicle wash building is located north of the sales building and will be screened from view to the south by the building and trees. The vehicle wash building includes an overhead roll-up door and canopy covered space for washing and detailing vehicles. The vehicle wash building is 17 feet high and has a flat roof surface.

Floor Plans

The floor plans depict a, 8,660 square foot rental and sales building with offices, a showroom, celebration canopy covered area, truck rental office, restrooms, and daily rental office. The vehicle wash building includes an automated wash bay with entrance and exit oriented north and south, a restroom, and equipment room.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is requesting to operate a vehicle sales, rental, and private wash facility Monday through Friday 7:30 a.m. to 6:00 p.m., and Saturday 9:00 a.m. to 12:00 p.m. This business will have up to 25 employees with a rental fleet of up to 350 passenger vehicles at 90% peak occupancy. Fifty-three vehicles will be available on the sales lot located on the south half of the property. Up to 200 trucks will be available for rental at 90% occupancy. On the west side of the vehicle wash building, the applicant is proposing a striped area for vehicle staging that will allow clean and dirty vehicles a place to park during the rental process. The applicant is requesting a waiver to reduce the throat depth to 28 feet where 75 feet is required and the southern entrance to the property. The rental return facility is located on the north side of the property, so there is no threat of this development creating enough traffic to back into the street. The site contains an existing drainage area that will require diversion resulting in up to 6 feet of increased finished grade in the area near the vehicle wash building.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1177-02	Reclassified from R-E to C-2 zoning and allowed an off-premises sign, application was denied but staff was subsequently direct to ordinance the zoning per the agreement of a lawsuit	Approved by Ordinance 3246	May 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Industrial	M-1	Warehouse & outside storage
South	Business and Design/Research Park	C-2	CC 215 & vehicle sales & repair
East	Business and Design/Research Park	M-D	Undeveloped

The site and the surrounding area are located in the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
VS-21-0480	A vacation of patent easements 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

Waiver 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.

Design Reviews #2 & #3

The proposed development is compatible with adjacent developments in the area, and includes appropriate building and landscape materials. Elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance, and creates an orderly and aesthetically pleasing environment, harmonious and compatible with development in the area. The proposed development is consistent with the applicable land use plan, this Title, and other regulations, plans and policies of the County.

Public Works - Development Review

Waiver of Development Standards

Staff has no objection to the reduced throat depth for the Rafael Rivera Way commercial driveway. The applicant is providing landscape buffers adjacent to the driveway allowing vehicles to safely enter the site and to prevent stacking in the right-of-way, avoiding potential collisions.

Design Review #1

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;
- 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;
- Full off-site improvements;
- Right-of-way dedication to include a portion of Rafael Rivera Way as required by Public Works;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- Coordinate with Public Works - Director's 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.

Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTESTS:

APPLICANT: ZACH BROYLES

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