

VEHICLE REPAIR
(TITLE 30)

MOAPA VALLEY BLVD/WHITMORE ST
(MOAPA VALLEY)

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ZC-21-0510-LEAVITT FAMILY TRUST:

ZONE CHANGE to reclassify 0.6 acres from a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone to a C-2 (General Commercial) Zone.

USE PERMITS for the following: **1)** vehicle (automobile) repair; **2)** recreational vehicle repair; and **3)** watercraft repair.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce the separation from a vehicle (automobile) repair, recreational vehicle repair, and watercraft repair facility to a residential use; **2)** reduce building setback; **3)** permit service bay doors to face a street; **4)** eliminate landscaping (including detached sidewalk); **5)** permit a freestanding sign to not be located within a curbed landscaped or rockscaped area; **6)** reduce setback for a freestanding sign; **7)** allow a roof sign; **8)** eliminate the sidewalk around the perimeter of the building; **9)** eliminate the pedestrian walkway from the adjacent public sidewalk to the principal building entrance; **10)** mechanical screening; and **11)** eliminate parking lot striping.

DESIGN REVIEWS for the following: **1)** vehicle (automobile), recreational vehicle, and watercraft repair facility; and **2)** signage in the Moapa Valley Overlay District.

Generally located on the south side of Moapa Valley Boulevard, 580 feet west of Whitmore Street within Moapa Valley (description on file). MK/md/jd (For possible action)

RELATED INFORMATION:

APN:
070-13-101-016

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the separation from a vehicle (automobile) repair, recreational vehicle repair; and watercraft repair facility to a residential use to zero feet where a minimum separation of 200 feet is required per Table 30.44-1 (a 100% reduction).
2. Reduce the building setback to zero feet for an existing building where a minimum setback of 10 feet is required per Table 30.40-4 (a 100% reduction).
3. Permit existing service bay doors to face the street (Moapa Valley Boulevard) where no service bay door shall face a street unless screened with landscaping or a building per Table 30.44-1.
4.
 - a. Eliminate street landscaping, including a detached sidewalk, where required per Section 30.64.030.
 - b. Eliminate interior parking lot landscaping where required per Section 30.64.030.

- c. Eliminate landscaping adjacent to a less intensive use (single family residence) where landscaping is required per Table 30.64-2 and Figure 30.64-11 with 1 tree per 20 feet.
5. Permit an existing freestanding sign to not be located within a curbed landscaped or rockscaped area where required per Table 30.72-1.
6. Reduce setback for an existing freestanding sign to 2 feet where 10 feet is required from a street (Moapa Valley Boulevard) per Table 30.72-1 (an 80% reduction).
7. Allow an existing roof sign where not permitted per Chapter 30.72.
8. Eliminate the sidewalk around the perimeter of an existing building where a 5 foot wide sidewalk is required to separate buildings from pavement for parking aisles and spaces per Section 30.60.050.
9. 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 per Section 30.60.050.
10. Waive mechanical equipment screening where required per Table 30.56-2.
11. Eliminate parking lot striping where all parking areas must be paved and striped per Section 30.60.020.

LAND USE PLAN:

NORTHEAST COUNTY (MOAPA VALLEY) - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 475 N. Moapa Valley Boulevard
- Site Acreage: 0.6
- Project Type: Vehicle repair facility
- Number of Stories: 1
- Building Height (feet): 14 (office)/13 (garage/repair facility)
- Sign Height (feet): 40
- Sign Area (square feet): 96 (freestanding sign)/48 (roof sign)
- Square Feet: 2,076 (garage/repair facility)/480 (office)
- Parking Required/Provided: 14/17

History & Request

The applicant is requesting a conforming zone boundary amendment from a C-1 zone and C-2 zone to a C-2 zoning district to permit the operation of a vehicle repair facility. UC-0407-16 was approved by the Board of County Commissioners in August 2016 to permit vehicle maintenance on the C-1 zoned portion of the site (west half of property) and vehicle repair on the C-2 zoned portion of the site (east half of the property). UC-0407-16 (AR-0137-17) was a first application for review of the vehicle maintenance and repair facility; however, the use permit expired in August 2021. The C-1 zoning district prohibits vehicle repair, and the request to a C-2 zoning district permits the applicant to request a use permit for a vehicle repair facility. The conforming zone boundary amendment request necessitates multiple waiver requests for the existing site conditions associated with this application, which are addressed in the forthcoming analysis. There are no active Code enforcement or zoning violations for the subject property.

Site Plans

The plans depict an existing single story vehicle repair facility and office building on a 0.6 acre site. The existing vehicle repair building, located on the west portion of the site, is set back 70 feet from the north property line, adjacent to Moapa Valley Boulevard, zero feet from the west property line, adjacent to an existing single family residence, 65 feet from the south property line, and 80 feet from the east property line. The existing office, located on the east portion of the site, is set back 70 feet from the north property line, 70 feet from the west property line, 95 feet from the south property line, and 30 feet from the east property line. The vehicle repair facility and office building require 14 parking spaces where 17 parking spaces are provided. Access to the site is granted via an existing commercial driveway located adjacent to Moapa Valley Boulevard.

Landscaping

Street and interior parking lot landscaping is not provided for the site.

Elevations

The plans depict an existing vehicle repair garage measuring 13 feet in height consisting of a metal exterior with a standing seam metal roof. The exterior of the building is painted in blue, while the 4 overhead bay doors on the south elevation are painted in yellow. The trim of the building is painted in yellow. The office building measuring 14 feet in height and consists of an exterior wood siding with a standing seam and asphalt shingled roof.

Floor Plans

The plans depict a vehicle repair facility consisting of 2,076 square feet with 4 service bays and a storage room. The plans also depict an office building measuring 480 square feet that includes a waiting room and restroom facilities.

Signage

The plans depict an existing freestanding sign with an overall height of 40 feet. The sign is set back 2 feet from the right-of-way, Moapa Valley Boulevard, and is not located within a landscaped area. The freestanding sign consists of 3 tenant panels and measures 96 square feet in area. The sign is set back a minimum of 80 feet and 185 feet from the west and south property lines, respectively. The pole of the freestanding sign is painted black. The roof sign is affixed to the office building with a height of 4 feet and measures 48 square feet in area. The roof sign is painted in blue, gold, and white representing the branding of the products sold at the vehicle repair center.

Applicant's Justification

The applicant states the vehicle repair business and associated buildings have been located on the site for several decades. The conforming zone change is necessary for the operation of the proposed vehicle repair facility. The single family residence to the west of the vehicle repair facility is currently owned by the operators of said repair facility. All site conditions and signage are existing, including the absence of street and parking lot landscaping. The parking lot striping is partially covered by mud from recent flooding and pressure washing the lot would remove the paint. Customers are not allowed in the vehicle repair garage for safety reasons.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0407-16 (AR-0137-17)	First application for review for vehicle maintenance and repair - expired	Approved by BCC	November 2017
UC-0407-16	Vehicle maintenance and repair with waivers to allow service bay doors to face the street, reduced the separation from vehicle maintenance to a residential use, reduced the separation from vehicle repair to a residential use, reduced landscaping, reduced parking, and modifications to an existing vehicle maintenance facility	Approved by BCC	August 2016
UC-0501-12 (ET-0021-13)	First extension of time to commence and review off-site improvements in conjunction with a vehicle maintenance facility - expired	Approved by BCC	April 2013
UC-0501-12 (WC-0020-13)	Waiver of conditions for street landscaping requirements for a use permit for vehicle maintenance - expired	Approved by BCC	April 2013
UC-0501-12	Vehicle maintenance with waivers for landscaping, separation from a residential use, trash enclosure, and allowed service bay doors to face a street - expired	Approved by BCC	October 2012

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential suburban (up to 8 du/ac) & Commercial General	C-1 & C-2	Right-of-way & undeveloped
South	Commercial General	R-T & C-2	Commercial buildings & undeveloped
East	Commercial General	C-2	Commercial buildings
West	Residential suburban (up to 8 du/ac)	C-1	Single family residential & manufactured home

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

The Commercial General land use category allows medium to high intensity retail and service commercial uses, and typically includes more intense general commercial characteristics. The requested conforming zone boundary amendment is within the range of non-residential intensities anticipated for the project site by the Northeast County Land Use Plan. General Commercial (C-2) zoning conforms to the Commercial General land use category, and C-2

zoning is consistent and compatible with the surrounding commercial related uses in the area; therefore, staff can support the conforming zone boundary amendment.

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 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.

The vehicle repair is consistent with the range of commercial buildings and uses that exist along this portion of Moapa Valley Boulevard. The use has been at this location for several decades and has provided a necessary and vital service for the community residents in the immediate area. The vehicle repair will occur inside the existing building, and staff does not anticipate any negative impacts from the continued repair use; therefore, staff 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 & #2

Staff typically does not support reductions to the separation requirement between repair facilities and residential uses. However, the existing vehicle repair facility is set back 240 feet away from the existing single family residence to the south. Furthermore, the existing single family residence immediately to the west of the project site is owned by the operator/owner of the repair facility. The vehicle repair facility has been in operation for several decades, and there are no active Code enforcement or zoning violations on the subject property; therefore, staff can support this request.

Staff typically does not support setback reductions for commercial buildings when adjacent to a residential use. However, aerial photographs and assessor's records indicate the commercial building has been located on the subject property for over 3 decades. The existing setbacks for the repair facility should have minimal to no impact on the surrounding land uses and properties; therefore, staff recommends approval.

Waiver of Development Standards #3

Staff does not object to the request to permit the existing overhead bay doors to face Moapa Valley Boulevard. The undeveloped tract of land, adjacent to the north side of Moapa Valley Boulevard, is zoned C-2 with a planned land use of Commercial General. Furthermore, the overhead bay doors are not oriented to any residential uses; therefore, staff recommends approval.

Waiver of Development Standards #4a

There is minimal to no street landscaping along this portion of Moapa Valley Boulevard, with the exception of the existing front yard landscaping in conjunction with the single family residence to the west of the project site. Furthermore, there are not any sidewalks, detached or attached, adjacent to this segment of Moapa Valley Boulevard, with the exception of the attached sidewalk in conjunction with the North Shore Inn, located 300 feet to the northeast of the repair facility. Staff typically does not support requests to waive street landscaping and detached sidewalk requirements; however, the lack of street landscaping and detached sidewalk is consistent with multiple surrounding properties and land uses in the immediate area; therefore, staff recommends approval.

Waiver of Development Standards #4b

The intent of parking lot landscaping is to provide climate adaptable plant materials that improve the visual appearance of the project site, enhance environment conditions by providing shade and reducing storm water run-off, and to provide buffer areas between land uses of varying intensity. Staff typically does not support requests to waive parking lot landscaping; however, aerial photographs indicate the lack of parking lot landscaping for the 2 existing commercial properties immediately to the east of the project site. The lack of parking lot landscaping is consistent with the majority of surrounding commercial properties; therefore, staff recommends approval.

Waiver of Development Standards #4c

The intent of landscaping adjacent to a less intensive use is to provide an appropriate landscape area to mitigate any impact a commercial use may have on an adjacent residential use. Staff typically does not support requests of this nature; however, the owner of the single family residence immediately to the west of the project site is also the operator/owner of the repair facility. Therefore, staff recommends approval.

Waivers of Development Standards #5 through #7 & Design Review #2

Staff would typically not support a request to waive the landscaping and setback standards for a freestanding sign. However, since this is an existing site condition, and the waiver requests will have minimal to no impact on the surrounding land uses and properties, staff can support these requests.

Staff finds the height and design of the existing freestanding sign is compatible with other freestanding signs in the immediate area. A recent photograph of the signs provided by the applicant indicates they are well maintained and remain in good condition. The roof sign should not impact any of the surrounding land uses and properties.

Waivers of Development Standards #8 & #9

The requested waivers will enable the continued use of the site as a vehicle repair facility. Based on the existing site conditions, it would not be practical to construct the required 5 foot wide pedestrian walkway around the perimeter of the building. Staff finds the waivers will have minimal to no impact on the subject property; therefore, recommends approval.

Waiver of Development Standards #10

Staff finds the lack of screening for the existing mechanical equipment will have minimal to no impact on the surrounding properties and land uses; therefore, staff can support this request.

Waiver of Development Standards #11

Staff typically would not support a request to waive parking lot striping; however, the site plan demonstrates there are more parking spaces available than what are required for the vehicle repair facility. Furthermore, the configuration of the parking lot is an existing condition. Therefore, staff recommends approval.

Design Review #1

Staff finds the existing vehicle repair facility is consistent with Goal 1 of the Comprehensive Master Plan, which in part promotes economic viability with developments that are compatible with adjacent land uses. The vehicle repair use has been in continued operation on the project site for several decades and is compatible with the surrounding properties and land uses; therefore, staff can support this request.

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

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- 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 the use permits, waivers of development standards, and design reviews must commence within 2 years of the approval date or they will expire.

Public Works - Development Review

- 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:
APPROVALS:
PROTESTS:

APPLICANT: CALVIN HALL

CONTACT: CALVIN HALL, CAL'S REPAIR CENTER, PO BOX 1161, OVERTON, NV
89040