PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-0621-17 – KG REAL ESTATE, LLC:

USE PERMITS for the following: 1) vehicle maintenance facility (automobile) with no separation to a residential use; 2) vehicle repair facility (automobile) with no separation to a residential use; 3) tire sales and installation facility with no separation to a residential use; and 4) permit overhead doors to face a public street.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) waive landscaping; 2) reduced parking and loading areas; and 3) nonstandard improvements (landscaping) within a right-of-way.

DESIGN REVIEW for a vehicle maintenance and repair facility including tire sales and installation on 1.3 acres in an M-D (Designed Manufacturing) (AE-70) Zone.

Generally located on the south side of Las Vegas Boulevard North, 500 feet east of Pecos Road within Sunrise Manor. LW/al/ml (For possible action)

RELATED INFORMATION:

APN:
140-18-102-029

USE PERMITS:
1. Reduce the separation between a vehicle maintenance facility (automobile) and a residential use (south and east) to zero feet where 200 feet is required per Table 30.44-1 (a 100% reduction).
2. Reduce the separation between a vehicle repair facility (automobile) and a residential use (south and east) to zero feet where 200 feet is required per Table 30.44-1 (a 100% reduction).
3. Reduce the separation between tire sales and installation facility and a residential use (south and east) to zero feet where 200 feet is required per Table 30.44-1 (a 100% reduction).
4. Permit overhead doors in conjunction with a vehicle maintenance facility, vehicle repair facility, and tire sales and installation facility to face a public street where not permitted per Table 30.44-1.

WAIVERS OF DEVELOPMENT STANDARDS:
1. a. Waive on-site landscaping adjacent to an arterial street (Las Vegas Boulevard North) where landscaping per Figure 30.64-17 is required.
   b. Waive all landscaping adjacent to a residential use where landscaping per Figure 30.64-11 is required.
c. Waive parking lot landscaping where landscaping per Figure 30.64-14 is required.

2. a. Reduce parking to 31 spaces where 103 spaces are required per Table 30.60-1 (a 69.9% reduction).
   b. Reduce loading areas to zero where 2 loading areas are required per Table 30.60-5 (a 100% reduction).

3. Allow nonstandard improvements (landscaping) within a right-of-way (Las Vegas Boulevard North) where not permitted per Section 30.52.050.

LAND USE PLAN:
SUNRISE MANOR - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:
Project Description
General Summary
- Site Address: 3162 N. Las Vegas Boulevard
- Site Acreage: 1.3
- Project Type: Re-establish an existing vehicle maintenance, repair (automobile) facility, and tire sales and installation facility
- Number of Stories: 2
- Building Height: 22 feet
- Square Feet: 18,915
- Parking Required/Provided: 105/31

Site Plans
The request is to re-establish an existing vehicle maintenance, repair (automobile), and tire sales and installation facility. The plans depict 2 existing buildings being an L-shaped structure located along the west and south sides of the site and a small freestanding building located on the northeastern portion of the site. The planned outside storage area is located on the south side of the L-shaped building. A 25 foot wide private access easement runs along the east property line. A fence is shown adjacent to the western boundary of that easement. Parking for the facility is located between the buildings and on the northeast corner of the site. Access to the site is from Las Vegas Boulevard North. There are existing residential developments adjacent to the east and south sides of the site. Records indicate that the site was originally constructed in 1970 and no changes are proposed to the existing site layout.

Landscaping
There is no existing on-site landscaping provided for the site. There is an existing landscape area within the right-of-way for Las Vegas Boulevard North located on the northeast corner of the site consisting of a shrub and rock for groundcover.

Elevations
No changes are proposed to the exterior of the existing structures with this request. Photographs of the 2 existing buildings indicate that the structures are constructed with concrete block walls and flat roofs behind parapet walls. The L-shaped building is 2 stories and 22 feet in height with roll-up doors on the north and east sides of the building. The freestanding building is 1 story and approximately 15 feet in height.
Floor Plans
No changes are proposed to the floor plans of the existing buildings with this request. The plans depict 2 existing buildings. The first building is an L-shaped, 16,810 square foot building divided into 5 units with a total of 14 service bays. The second building is 2,105 square feet consisting of 1 unit.

Signage
Signage is not a part of this application.

Applicant’s Justification
The applicant indicates that the current owners purchased the property in October 2014 and the facility was operating under the approval of a prior land use application (UC-0212-12) at that time. Unfortunately, UC-0212-12 expired, which required the submittal of this request to re-establish the uses and allow the facility to continue to operate. Since the center was built in 1970, it has had an intended occupancy for automotive repair and servicing and has operated as such. The existing residential properties adjacent to the site were existing prior to the construction of the facility in 1970. The current facility has been in operation since 2012 with no adverse effect on the adjacent properties and no changes are proposed to existing buildings or site layout by this request.

Prior Land Use Requests

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>UC-0212-12 (ET-0110-14)</td>
<td>First extension time for an automobile repair, maintenance, and tire sales and installation facility – expired</td>
<td>Approved by BCC</td>
<td>November 2014</td>
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<tr>
<td>UC-0212-12</td>
<td>Automobile repair, maintenance, and tire sales and installation facility – approved subject to 3 years for review</td>
<td>Approved by BCC</td>
<td>June 2012</td>
</tr>
<tr>
<td>ZC-1006-08</td>
<td>Reclassified the subject parcel and the adjacent parcel to the southwest from H-2 to M-D zoning (similar use permits, waivers of development standards, and a design review were withdrawn without prejudice, a condition of approval was design review as a public hearing for future development of the property)</td>
<td>Approved by BCC</td>
<td>November 2009</td>
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Surrounding Land Use

<table>
<thead>
<tr>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
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<tbody>
<tr>
<td>North</td>
<td>Business and Design/Research Park</td>
<td>H-2</td>
</tr>
<tr>
<td>South</td>
<td>Business and Design/Research Park</td>
<td>H-2</td>
</tr>
<tr>
<td>East</td>
<td>Business and Design/Research Park</td>
<td>H-2 &amp; M-D</td>
</tr>
<tr>
<td>West</td>
<td>Business and Design/Research Park</td>
<td>M-D</td>
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</table>
Clark County Public Response Office (CCPRO)
There have been a total of 12 complaints filed with CCPRO for this site from November 2011 to May 2016. The complaints included no commercial trash dumpster on-site, work being done without proper building permits, creating a fire hazard by having too many used tires stacked on the premises and operating a mobile car wash on-site. All of the violations; however, are currently closed.

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

Analysis
Current 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 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 facility was originally constructed in 1970 and has been used for automobile maintenance and repair services since the facility was constructed. The existing residential uses that are adjacent to this site have been in existence since the 1950’s, predating the facility. The current facility has been in operation since 2012, operating under the approval of similar uses permits (UC-0212-12) which were inadvertently allowed to expire. There has been no indication that the current facility has had an adverse effect on the adjacent properties and uses, and the approval of this request will allow the existing businesses to continue to operate. The request complies in part with Goal 1 of the Comprehensive Master Plan to promote economic viability and employment opportunities. Since the current facility has been in operation since 2012 with no adverse effect on the adjacent properties staff can support the use permits. However, staff recommends that a time limit for review be placed on the application to ensure that there are no adverse effects on the adjacent properties in the future.

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 and value 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
Typically staff would not support the elimination of landscaping adjacent to a street, less intense uses, or within parking areas. However, similar waivers for landscaping have been approved for this site, which were inadvertently allowed to expire. The existing facility has been operating since 2012 with no indication that a lack of landscaping has had an adverse effect on the adjacent parcels. Given the past history of the site, staff can support the request with a time limit for review to ensure that there are no adverse effects on the adjacent properties in the future.
Waiver of Development Standards #2
Typically staff would not support such extreme reductions in parking and loading spaces due to the impacts a parking deficiency could have on adjacent developments. However, similar waivers to reduce parking and eliminate the required loading spaces were previously approved for this site, which were inadvertently allowed to expire. The existing facility has been operating since 2012 with no indication that a lack of loading spaces or a reduction in parking has had an adverse effect on the adjacent parcels. Given the past history of the site, staff can support the request with a time limit for review to ensure that there are no adverse effects on the adjacent properties in the future.

Design Review
This request is to re-establish approval for an existing vehicle maintenance, repair, and tire sales and installation facility. No changes are proposed to the existing building or site layout. Since this is a request to re-establish approval of an existing facility, which will allow existing businesses to continue to operate, and there has been no indicated that the existing facility has had an adverse effect on the adjacent properties and uses; staff can support the design review.

Public Works – Development Review
Waiver of Development Standards #3
This location, Las Vegas Boulevard North, is under the Nevada Department of Transportation jurisdiction. Staff has no objection to waiver of development standards #3, if the applicant obtains approval from Nevada Department of Transportation.

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
• 2 years for review as a public hearing;
• Hours of operation limited to 7:00 a.m. to 7:00 p.m.
• Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that 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.

Public Works – Development Review
• Nevada Department of Transportation approval.

Building/Fire Prevention
• No comment.
TAB/CAC: Sunrise Manor – approval.
APPROVALS:
PROTESTS:

APPLICANT: Kazbek Kurbanov
CONTACT: Kazbek Kurbanov, 801 N. Doheny Drive, Beverly Hills, CA 90210