PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-0647-17 – CRITELLI FAMILY TRUST, ET AL:

USE PERMITS for the following: 1) tire sales and installation facility in the APZ-1 Zone; 2) reduce the setback of a tire sales and installation facility from a residential use; 3) allow overhead doors to face a public right-of-way (Cheyenne Avenue); 4) allow accessory structures (storage containers) not architecturally compatible with the principal building; and 5) allow alternative design standards.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative landscaping and screening along streets; 2) eliminate parking lot landscaping; and 3) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) an existing tire sales and installation facility; and 2) accessory structures (storage containers) in conjunction with a tire sales and installation facility on a portion of 0.8 acres in an M-D (Designed Manufacturing) (AE-80) (APZ-1) Zone.

Generally located on the east side of Nellis Boulevard and the south side of Cheyenne Avenue within Sunrise Manor. MK/dg/ml (For possible action)

RELATED INFORMATION:

APN:
140-16-101-013 ptn

USE PERMITS:
1. Allow tire sales and installation facility in the APZ-1 Zone.
2. Reduce the setback from a tire sales and installation facility to a residential use to 117 feet where a minimum of 200 feet per Table 30.44-1 is required (a 42% reduction).
3. Allow overhead doors to face a public right-of-way (Cheyenne Avenue) where not permitted per Table 30.44-1.
4. Allow accessory structures (storage containers) within the side yard and rear yard and visible from a street to not be architecturally compatible with the principal building as required per Table 30.44-1.
5. a. Allow non-decorative metal building materials where not permitted per Table 30.56-2.
   b. Allow flat roofs not screened by parapet walls where not permitted per Table 30.56-2.

WAIVERS OF DEVELOPMENT STANDARDS:
1. a. Permit alternative screening and buffering adjacent to Cheyenne Avenue where landscaping per Figure 30.64-17 is required.
b. Permit alternative screening and buffering adjacent to Nellis Boulevard where landscaping per Figure 30.64-17 is required.

2. Waive required parking lot landscaping where landscaping per Figure 30.64-14 is required.

3. Allow a 125 foot driveway departure distance (driveway off-set) from Nellis Boulevard, for a driveway along Cheyenne Avenue, where a 190 foot departure distance is required per Uniform Standard Drawings.

LAND USE PLAN:
SUNRISE MANOR – INDUSTRIAL

BACKGROUND:
Project Description
General Summary
- Site Address: 3188 N. Nellis Boulevard
- Site Acreage: 0.8 (portion)
- Project Type: Tire sales & installation facility
- Number of Stories: 2
- Square Feet: 2,400 (main building)/1,008 (3 storage containers total)
- Parking Required/Provided: 7/12

Site Plans
This is a request is to allow an existing 2,400 square foot tire sales and installation facility on a portion of a 0.8 acre parcel. The request is on the approximate west half of the overall parcel for a total project site of approximately 0.5 acres. This business is currently in operation and has been in operation at this location since 2006. The building is located near the southeast corner of the overall site with parking to the north and west of the building. The plans depict 3 proposed metal storage containers to the west of the building which will be used to store wheels and tires. The proposed storage containers are set back 10 feet from the south property line and have a 10 foot separation between containers with the closest container approximately 27 feet from Nellis Boulevard. The existing building has service bay doors that are approximately 70 feet from Cheyenne Avenue and will be visible from the street. Although the applicant will be providing new street landscaping along Cheyenne Avenue and Nellis Boulevard, the trees do not sufficiently screen the doors from the road to meet Title 30 requirements. The site has access from Cheyenne Avenue with gates that are set back 28 feet from the street and will be open during business hours.

Landscaping
Street landscaping is 7 feet in width along Cheyenne Avenue and Nellis Boulevard and the site is enclosed with a decorative wrought iron fence.

Elevations
The plans depict an existing 2 story, 24 foot high building. The building is constructed of stucco finish with a flat roof. The north elevation has 2 bay doors facing Cheyenne Avenue. The proposed storage containers are 8 feet high and constructed of metal.
Floor Plans
The plans show an existing 2,400 square foot building consisting of 2 service bays within the northern portion of the building; and a customer waiting area, retail sales area, tire repair area, storage areas, and restrooms within the remaining portion of the building. The proposed 3 storage containers are 336 square feet each, and will be used to store wheels and tires.

Signage
Signage is not a part of this request.

Applicant’s Justification
The applicant states that the business has been at this location for over 10 years. The applicant states that by allowing the storage containers, the tires will be within water and fireproof containers instead of being stored in a pile outdoors, which will result in storage that is more aesthetically pleasing.

Prior Land Use Requests

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>UC-1393-06</td>
<td>Tire sales and installation establishment – expired</td>
<td>Approved by PC</td>
<td>November 2006</td>
</tr>
<tr>
<td>WT-0734-98</td>
<td>Waiver to extend time limits on off-site improvements</td>
<td>Approved by BCC</td>
<td>June 1998</td>
</tr>
<tr>
<td>VC-0622-97</td>
<td>Variance to reduce the separation for an automobile sales lot with new a 2 story, 2,400 square foot building from a residential use</td>
<td>Approved by PC</td>
<td>May 1997</td>
</tr>
<tr>
<td>ZC-114-73</td>
<td>Reclassified the parcel to M-D zoning for a repair shop</td>
<td>Approved by BCC</td>
<td>October 1973</td>
</tr>
</tbody>
</table>

Surrounding Land Use

<table>
<thead>
<tr>
<th></th>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Nellis AFB</td>
<td>P-F</td>
<td>Portions of Nellis AFB</td>
</tr>
<tr>
<td>East</td>
<td>Industrial</td>
<td>M-D</td>
<td>Commercial building - portion of the overall parcel that is not a part of this request</td>
</tr>
<tr>
<td>South</td>
<td>Industrial</td>
<td>M-1</td>
<td>Industrial development</td>
</tr>
<tr>
<td>West</td>
<td>Industrial</td>
<td>C-2</td>
<td>Convenience store &amp; gasoline station</td>
</tr>
</tbody>
</table>

Clark County Public Response Office (CCPRO)
The property has the following active complaints/cases: 1) Case #17-434 is an active complaint on file for operating the establishment with an expired special use permit and the outside storage of wheels and tires; 2) Case #17-8524 is a complaint on file for storage of items that may be a fire hazard; and 3) Case #17-8525 is a complaint on file for required fire protection with no visible fire protection found. Case #16-9853 was filed in August 2016 for not being in compliance with zoning and the special use permit for tire sales and installation which was subsequently closed. Case #15-14659 was filed in December 2015 for using semi-truck trailers for tire storage which was subsequently 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 & Design Reviews
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 demonstrates the use shall not result in a substantial or undue adverse effect on adjacent properties.

Staff recognizes that individual sites may present unique characteristics including location, use, and the design of the on-site improvements. While the site may require relief from multiple Code provisions, staff understands the applicant is making an effort to beautify the site. Staff can support the tire sales and installation facility use since the property is surrounded by industrial uses and has operated at this site for over 10 years. The residential use is separated from this portion of the overall site by an existing commercial building. Staff can also support the overhead doors facing Cheyenne Avenue since the building is existing and has been used for automobile related uses since 1997.

Staff can also support the use of the storage containers for storage of the tires. Although outside storage appears to be an ongoing problem at this location as evidenced by the CCPRO violations, the applicant is making an effort to bring the site into compliance. The storage containers will allow all the tires currently stored outside to be stored in the containers out of sight. The use of the containers will result in a site that is more organized and aesthetically pleasing than the site’s current state. The storage containers will be partially screened by the proposed landscaping. However, staff recommends that the storage containers be painted to match the principal building and ensure all the containers are the same color. Therefore, this request complies with Urban Specific Policy 10 of the Comprehensive Master Plan which encourages site designs to be compatible with adjacent land uses.

Due to the history of ongoing complaints at this site, staff recommends a short review period as a public hearing to ensure there are no future issues and that the site stays in compliance with Code.

Waivers of Development Standards #1 & #2
The applicant shall have the burden of proof to establish that the waivers of development standards are appropriate for this location. 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.

Due to the size and location of the existing building and no other alternatives to increase the size of the site, staff can support the alternative street landscaping. Staff can support the waiver for parking lot landscaping since the existing paving would have to be torn up to provide the landscaping.
Public Works – Development Review
Waiver of Development Standards #3
Staff can support the waiver of development standards to reduce the driveway departure distance from the intersection along Cheyenne Avenue. The lot is not large enough to accommodate the Clark County standards.

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
• 1 year to commence and review as a public hearing to ensure the site stays in compliance with Code;
• Surveillance is required to be installed so that it can be used by public safety;
• Windows cannot be encumbered by more than 50% and shall incorporate some safety lighting features;
• Any outside display of wheels and tires be limited to business hours only and must be put away daily;
• Landscaping and parking as proposed on plans;
• Design review as a public hearing for all signage;
• Storage containers to be painted gray to match the main building;
• Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
• Applicant is advised that storage of tires must be in compliance with Clark County Fire Code; 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
• Drainage study and compliance;
• Full off-site improvements.

TAB/CAC: Sunrise Manor – approval.
APPROVALS:
PROTESTS:

APPLICANT: Llantera Juarez
CONTACT: Sabas Pena, 3188 N. Nellis Boulevard, Las Vegas, NV 89115