



# Planning Commission Agenda Item

Date: February 14,  
2024

Item No: 10

**TO:** Planning Commission

**FROM:** Alfredo Melesio, Jr., AICP, EDFP, Director of Land Development &  
Community Services  
Prepared By: Bryan Saylor, Planner

**SUBJECT: SUP-61-2023 USA AUTO SERVICE (Public Hearing).** Applicant: Diversified Partners LLC. Request: A Special Use Permit in a C-1 (Neighborhood Commercial District) to allow a Vehicle, Boat, and Recreational Vehicle Service Facility. Location: 2024 West Ann Road. (APN 124-29-802-013). Ward 3. (For Possible Action) **(Continued from January 10, 2024)**

## RECOMMENDATION: APPROVE WITH CONDITIONS

### PROJECT DESCRIPTION:

The applicant is requesting Planning Commission consideration of a special use permit to allow a Vehicle Service Facility in a C-1 (Neighborhood Commercial District). The applicant is proposing two buildings totaling 7,500 SF on the 0.84 acre site that is designated as Community Commercial in the Comprehensive Master Plan. One will be a vehicle service facility and the other will be a commercial / retail building. The proposed site is located approximately 200 feet west of Clayton Street on the north side of Ann Road.

### BACKGROUND INFORMATION: .

Previous Action
On December 6, 1995 the Planning Commission approved a Resolution of Intent No. 1842 (ZN-27-95) to rezone the subject property to C-1 Neighborhood Commercial District.
On November 19 1997, the Planning Commission approved an extension of time (ZN-27-95) to rezone the subject property to C-1 Neighborhood Commercial District.
On August 12 1998, the Planning Commission approved an extension of time (ZN-27-95) to rezone the subject property to C-1 Neighborhood Commercial District.
On September 10, 2023 the Planning Commission approved Zone Change (ZC-59-03) from R-E, Ranch Estates to C-1, Neighborhood Commercial

On September 10, 2023 the Planning Commission approved Special Use Permit (UN-70-03) to allow an automotive service facility in a C-1 Neighborhood Commercial District

#### RELATED APPLICATIONS:

Application #	Application Request
N/A	N/A

#### GENERAL INFORMATION:

	Land Use	Zoning	Existing Use
<b>Subject Property</b>	Community Commercial	C-1, Neighborhood Commercial District	Undeveloped
<b>North</b>	Single Family Medium	R-CL, Single Family Compact lot Residential District	Existing Residential
<b>South</b>	Single Family Low	R-1, Single Family Low Density District	Existing Residential
<b>East</b>	Community Commercial	C-1, Neighborhood Commercial District	Existing Convenience food store with gas pumps
<b>West</b>	Single Family Medium	R-CL, Single Family Compact lot Residential District	Existing Residential

#### DEPARTMENT COMMENTS:

Department	Comments
Public Works:	See Attached Memorandum
Police:	No Comment.
Fire:	No Comment.
Clark County School District:	No Comment.
Clark County Department of Aviation:	No Comment.
Economic Development:	No Comment.

#### ANALYSIS:

The applicant is proposing new construction on an infill parcel adjacent to an existing convenience store with gas pumps. They are proposing two (2) buildings at the location including a vehicle service facility and a future commercial / retail building. The proposed vehicle service facility is listed as being 4,750 square feet in the applicants' letter of intent,

but the site plan shows it as being 4,664 square feet in size. The letter of intent also states the commercial building will be 2,750 square feet in size but the site plan states that the building will be 2,616 square feet in size. These discrepancies will need to be addressed and the same building sizes will need to be listed throughout the building permit application. The vehicle service building will feature five (5) service bays with a customer reception area, while the proposed commercial building shows an open floor plan to be improved by a future tenant.

The surrounding area is all currently residential, however since the area began to develop this corner has been designated as commercial. Adjacent to the subject property to the east is a convenience food store with gas pumps and a vehicle washing establishment. The subject parcel and the existing convenience store were originally intended to be developed as part of a larger commercial center, but have since been reduced to these two (2) parcels. The original submission for an automotive service facility presented a building placed along the eastern property line with the service bays facing the residential to the west of the site. The proposed site plan has the service bay doors facing the convenience store and the intersection of Clayton Street and Ann Road to the east. This is a much more suitable design to help mitigate the shop noise from the surrounding neighborhoods. Access to the site is through two (2) access points, one (1) from Clayton Street and a shared access point from Ann Road, both are 100-foot rights-of-way per the Master Plan of Streets and Highways. As there is a shared access point the applicant will need to provide copies of the recorded shared access agreement prior to moving forward with building permits.

The parking requirements for the proposed site is twenty-six (26) parking spots and the applicants are providing the required twenty-six (26) parking spots. A vehicle service facility under 5,000 square feet requires one (1) space per 300 square feet of gross floor area. A retail sales establishment requires one (1) per 250 square feet. Based on the floor plans provided the vehicle service facility will require fifteen (15) parking spaces and the proposed retail sales building would require another eleven (11) parking spaces for a total of twenty-six (26) parking spaces required for the site.

Landscaping plans were provided for the site and since this is a new construction the landscaping will need to meet the current landscaping requirements. The five (5) foot required sidewalk is already pre-existing on the site but the applicant shows the required ten (10) feet of perimeter landscaping. The applicant also shows the required twenty (20) feet of buffer landscaping along the west side of the site, but does not provide the required twenty (20) feet of buffer landscaping along the north boarder of the property. However, adjacent to the northern property line is an existing residential development that has landscaping and a road before you reach the nearest residence, about eighty (80) feet from the parking lot of the proposed development. Staff feels that, in this instance, the intent of the residential buffer has been addressed, but installation of an offset, double row of trees will be a condition of approval on this application. This will help to reduce more of the sounds being generated from the service facility during business hours from affecting the nearby residences. Foundation landscaping is lacking on the east side of the

retail building and will need to be addressed through use of a landscaping strip, planters or landscape diamonds. This is a minor issue and can be addressed during the building permit process.

This is a new construction project and will need to be in compliance with the commercial design standards. The included elevations show a brick building with metal accents in dark colors. While the brick is acceptable, there is a lot of black and very little contrasting colors, this will need to be addressed prior to the building permit process. The elevations are also showing a mechanical unit on top of the buildings, the screening of mechanical equipment will need to be addressed per the design standards once the specific units and sizing have been confirmed. This may also be addressed as part of the building permit process.

### **Requirements for Approval of a Special Use Permit**

In accordance with the Zoning Ordinance, the Planning Commission may, by motion, grant a special use permit if the Planning Commission finds, from the evidence presented, that all of the following facts exist:

1. The proposed use is consistent with the Comprehensive Master Plan and all applicable provisions of this Code and applicable State and Federal regulations;
2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located and any applicable use-specific standards and criteria in Chapter 17.20 of this Code;
3. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (such as, but not limited to, hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
4. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and
5. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development.

Staff has no objections to the proposed vehicle service center or the commercial / retail building. This is a well thought out addition to the neighborhood on an infill piece of land. The use is compatible with the area and is the original intent for this property. Staff recommends approval subject to the conditions listed below.

### **CONDITIONS:**

### ***Planning and Zoning:***

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. All repairs shall be performed within a building.
3. Trash enclosures are required to use similar materials and color palette as the principal building, and must include a roof
4. An offset, double row of trees planted every twenty (20) foot on center will be installed along the northern property line instead of the required single row of trees. The rest of the landscaping will need to comply with our normal landscaping design standards.
5. Foundation landscaping for the east elevation of the retail building needs to be added.
6. Any overnight storage of vehicles under repair must be inside. No exterior overnight storage of vehicles under repair.

### ***Public Works***

7. All known geologic hazards shall be shown on any preliminary development plans and civil improvement plans submitted to the City. Subsequent identification of additional hazards may substantially alter development plans.
8. Approval of a drainage study is required prior to submittal of the civil improvement plans. Conformance may require modifications to the site plan.
9. Approval of a traffic study is required prior to submittal of the civil improvement plans. Please contact Traffic Engineering at 633-1951 to request a scope. A queuing analysis may be required.
10. A revocable encroachment permit for landscaping within the public right-of-way is required.
11. The developer must provide a copy of the Covenants, Conditions, Restrictions and Easements that will establish the provisions for cross access, surface and/or underground drainage facilities, utilities crossing property lines, and the development and maintenance of the property improvements.

12. All Nevada Energy easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground if impacted by the proposed development of the parcel or if the pole impedes upon the proper ADA clearances for sidewalk. Under no circumstances will new down guy wires be permitted.

### ***Real Property Services***

13. A revocable encroachment permit for landscaping within the public right-of-way is required.

### **ATTACHMENTS:**

Letter of Intent

Site Plan

Landscaping Plan

Building Elevations

Clark County Assessor's Map

Location and Zoning Map