

**AGENDA MEMO - PLANNING****CITY COUNCIL MEETING DATE: SEPTEMBER 21, 2022****DEPARTMENT: PLANNING****ITEM DESCRIPTION: APPLICANT/OWNER: DURANGO RETAIL, LLC****** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
22-0198-SUP1	Staff recommends APPROVAL, subject to conditions:	
22-0198-SDR1	Staff recommends APPROVAL, subject to conditions:	22-0198-SUP1

**** NOTIFICATION ******NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 62**NOTICES MAILED** 771 (by City Clerk)**PROTESTS** 1**APPROVALS** 2

**** CONDITIONS ****

22-0198-SUP1 CONDITIONS

Planning

1. A Special Use Permit is hereby approved for an Auto Repair Garage (Minor).
2. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
3. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (22-0198-SDR1) shall be required, if approved.
4. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
5. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

22-0198-SDR1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (22-0198-SUP1) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, date stamped 05/24/22, and landscape plan, date stamped 04/14/22, except as amended by conditions herein.
4. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan:
 - Where applicable, the landscape materials shall comply with the Town Center Development Standards Manual.
7. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
8. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

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Public Works

9. Coordinate with the Environmental Compliance & Enforcement staff of the Department of Public Works to locate any required grease interceptor and sand/oil interceptors in acceptable locations prior to submittal of sewer-related plans. Comply with the recommendations and requirements of the Environmental Compliance & Enforcement staff prior to issuance of permits. The team may be contacted at 702-229-2338 or emailed at ece@lasvegasnevada.gov.
10. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to submittal of any construction drawings or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage study update.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to construct a 4,042 square-foot Auto Repair Garage (Minor) on a vacant pad site at the northwest corner of Durango Drive and El Capitan Way within the regional shopping center known as 'Caroline's Court.'

ISSUES

- The Town Center Development Standards Manual requires the Auto Repair Garage (Minor) use to not be located within 330 feet of any single-family detached dwelling. A Waiver is requested to allow a zero-foot distance separation from single-family detached dwellings as the subject shopping center shares a property line with a single-family residential neighborhood to the north. Staff supports this request.
- The subject site is designated SC-TC (Service Commercial – Town Center).

ANALYSIS

The subject site is located within a shopping center known as 'Caroline's Court.' Caroline's Court is located within the Service Commercial District (SC-TC) of Town Center and is governed by the Town Center Development Standards Manual. This district allows low to medium intensity retail, office or other commercial uses that are intended to serve primarily the Centennial Hills area and do not include more intense general commercial characteristics.

Special Use Permit

The Town Center Development Standards Manual requires an approved Special Use Permit for the operation of a Auto Repair Garage (Minor) within the SC-TC (Service Commercial – Town Center) District. There are seven Minimum Special Use Permit Requirements for this use in the Town Center Development Standards Manual. Condition 'f' states that an Auto Repair Garage (Minor) "Shall not locate within 330 feet of any single-family detached dwelling". The subject pad site is located within a shopping center designed to accommodate a variety of land uses, including the proposed Auto Repair Garage (Minor). Therefore, staff supports the waiver request and recommends approval of the requested Special Use Permit.

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Site Development Plan Review

The proposed Auto Repair Garage (Minor) is a 4,042 square-foot single-story building. In addition to meeting building height and exterior materials requirements, the Town Center Development Standards Manual requires building design shall incorporate patterns and materials that are visually interesting, features of the facade that include changes in material, color and/or relief. In accordance with these requirements, the proposed building façade is modern in design and representative of the proposed facility “brand,” Jiffylube.

Analysis by the Traffic Engineering Division of Public Works indicates that this project will add approximately 1,653 trips per day of El Capitan Way and Durango Drive. Currently, El Capitan is at about 49 percent of capacity, and Durango Drive is at about 55 percent of capacity. With this project, El Capitan Way is expected to be at about 54 percent of capacity, and Durango Drive is expected to be at about 57 percent of capacity. Based on afternoon Peak Hour use, the proposed development will add into the area roughly 179 additional cars, or about three every minute.

Staff finds the proposed Auto Repair Garage (Minor) is compatible with the existing shopping center, which contains a variety of sales and services and is recommending approval with conditions.

FINDINGS (22-0198-SUP1)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

- 1. The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

The proposed Auto Repair Garage (Minor) use is compatible with the surrounding land uses within the shopping center and can be conducted in a manner that is harmonious with the existing surrounding land uses.

- 2. The subject site is physically suitable for the type and intensity of land use proposed.**

The subject site is located within a shopping center that is physically suitable and physically designed for the type and intensity of land use proposed.

- 3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

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Access to subject site will remain unchanged and is provided by Durango Drive and El Capitan Way. Both roadways are adequate in size to serve the proposed Auto Repair Garage (Minor) use.

- 4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

The proposed use will be subject to a variety of regular inspections by multiple Departments of City of Las Vegas to ensure the public health, safety, and welfare are not compromised.

- 5. The use meets all of the applicable conditions per the Town Center Development Standards Manual.**

The proposed Auto Repair Garage (Minor) meets all applicable conditions per the Town Center Development Standards Manual.

FINDINGS (22-0198-SDR1)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed Auto Repair Garage (Minor) is compatible with adjacent development as it is part of an overall shopping center that is designed to accommodate a variety of land uses including retail and services.

- 2. The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

This proposed Auto Repair Garage (Minor) is consistent with the development standards and the uses allowed in the SC-TC (Service Commercial - Town Center) Special Land Use Designation.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The proposed Auto Repair Garage (Minor) has been situated as to not negatively impact the parking lot circulation and site access will not negatively impact adjacent roadways or neighborhood traffic. Access to the subject site will remain unchanged and is provided by El Capitan Way, a 80-foot Town Center Primary Arterial; and Durango Drive, a 190-foot Town Center Parkway Arterial as defined by the Town Center Development Standards Manual. Both roadways are adequate in size to serve both proposed land uses.

4. Building and landscape materials are appropriate for the area and for the City;

The proposed building materials include stucco, metal and aluminum which are common and appropriate materials utilized within the City and Town Center.

Internal landscaped areas may have any tree type as specified on the approved landscape plan for the site provided they are consistent with the Southern Nevada Regional Planning Coalition Regional Plant List. The landscape materials proposed are on the Regional Plant List and are appropriate for the City's arid climate.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The submitted building elevations and design characteristics are not unsightly, or undesirable, and are harmonious and compatible with the existing regional shopping center and are consistent with the desert environment and surrounding land uses located within the Town Center Centennial Master Plan area.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a Rezoning (Z-0076-98) of these parcels and the surrounding area and thus created the Centennial Hills Town Center Special Plan area. The Planning Commission and staff recommended approval of this request.
07/11/07	The City Council approved a Site Development Plan Review (SDR-20496) for a proposed 269,860 square-foot Commercial Center with Waivers from the Town Center Development Standards to allow a six-foot wide landscape buffer on the south property line where eight feet is required and to allow zero feet of perimeter landscape buffer adjacent to the Multi-Use Transportation Trail along the north and west property lines where 15 feet is required, to allow zero feet of perimeter landscape buffer adjacent to a drive-through aisle where 10 additional feet are required and to allow a drive-through aisle on three sides of a Fast Food building where only two sides are allowed at the northwest corner of El Capitan Way and Durango Drive. The Planning Commission and staff recommended approval of these requests.
	The City Council approved a Special Use Permit (SUP-20497) for a Building and Landscape Material/Lumber Yard at the northwest corner of El Capitan Way and Durango Drive. The Planning Commission and staff recommended approval of these requests.
	The City Council approved a Special Use Permit (SUP-20498) for Outdoor Storage, Accessory at the northwest corner of El Capitan Way and Durango Drive. The Planning Commission and staff recommended approval of these requests.
	The City Council approved a Special Use Permit (SUP-20499) for a Restaurant with Drive-Through on 23.62 acres at the northwest corner of El Capitan Way and Durango Drive. The Planning Commission and staff recommended approval of these requests.
02/06/08	The City Council accepted a withdrawal without prejudice of a Variance (VAR-25403) to allow a retaining wall height of 15 feet where the maximum retaining wall height is six feet on the west property line, and to allow a total height of 23 feet where the maximum total height of retaining and screening walls is 12 feet. The Planning Commission and staff recommended approval of this request.
03/05/08	The City Council accepted a withdrawal without prejudice of a Tentative Map (TMP-25075) for a one-lot commercial subdivision on 23.62 acres at the northwest corner of El Capitan Way and Durango Drive. The Planning Commission and staff recommended approval of this request.

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<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
04/28/08	The Planning and Development Department administratively approved a request for a Final Map (FMP-27577) for a one-lot commercial subdivision on 23.62 acres adjacent to the southwest corner El Capitan Way and North Durango Drive.
04/23/09	The Planning Commission approved a request for a Waiver (WVR-33758) of Town Center Development Standards to allow no amenity zone along a 233-foot portion of Durango Drive where a 2.5-foot amenity zone is required adjacent to the northwest corner of Durango Drive and El Capitan Way. Staff recommended denial.
06/25/09	The Planning Commission approved Master Sign Plan (MSP-34174) for a commercial development with waivers of the Town Center sign standards to allow 2,609 square feet of freestanding signage where 1,506 square feet is permitted, a 100-foot pylon sign where 24 feet is permitted, three monument signs along the El Capitan Way street frontage where two are permitted, and to allow wall signs to face an existing residential development that is located outside the limits of the Centennial Hills Town Center where such is not permitted on 23.62 acres at the northwest corner of El Capitan Way and Durango Drive. Staff recommended denial of the request.
09/13/06	The Planning Commission approved a request for a Special Use Permit (SUP-65414) for a Beer/Wine/Cooler Off-Sale Establishment within a proposed 6,278 square-foot Convenience Store (with Fuel Pumps) on the southwest corner of Durango Drive and El Capitan Way.
	The Planning Commission approved a request for a Special Use Permit (SUP-65415) for a proposed 6,278 square-foot Convenience Store (with Fuel Pumps) on the southwest corner of Durango Drive and El Capitan Way.
	The Planning Commission approved a request for a Special Use Permit (SUP-65416) for a proposed Gaming Establishment, Restricted license in a proposed 6,278 square-foot Convenience Store (with Fuel Pumps) on the southwest corner of Durango Drive and El Capitan Way.
	The Planning Commission approved a request for a Special Use Permit (SUP-65417) for a proposed Car Wash, Full Service or Auto Detailing in conjunction with a proposed 6,278 square-foot Convenience Store (with Fuel Pumps) with a waiver to allow service bay doors to front a right-of-way where such is not allowed on the southwest corner of Durango Drive and El Capitan Way.

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<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
09/13/06	The Planning Commission approved a request for a Site Development Plan Review (SDR-65550) for a Major Amendment to a previously approved Site Plan (SDR-20496) for a proposed 6,278 square-foot Convenience Store (with fuel pumps) with a Car Wash, a waiver of the Town Center Development Standards Manual and Title 19.08 to allow a commercial building to be located away from public rights-of-way and a waiver for a reduction of perimeter landscaping on 3.71 acres at the northwest corner of Durango Drive and El Capitan Way.
02/08/22	The Planning Commission approved a request for a Special Use Permit (21-0750-SUP1) and Site Development Plan Review (21-0750-SDR1) for a Restaurant with Drive-Through. Staff recommended approval for both requests.
06/21/22	The Planning Commission voted (6-0) to HOLD IN ABEYANCE 22-0198 [SUP1 and SDR1] to the August 9, 2022 Planning Commission meeting.
08/09/22	<p>The Planning Commission (6-0 vote) recommends APPROVAL on the following Land Use Entitlement project requests on 3.17 acres located at the northwest corner of Durango Drive and El Capitan Way (APN 125-17-612-023) T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Fiore)</p> <ul style="list-style-type: none"> • 22-0198-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED AUTO REPAIR GARAGE (MINOR) USE WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A SINGLE-FAMILY DETACHED DWELLING WHERE 330 FEET IS REQUIRED • 22-0198-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 4,042 SQUARE-FOOT MINOR AUTO REPAIR GARAGE DEVELOPMENT
08/17/22	<p>The Office of the City Clerk received an Appeal of the Approval on the following Land Use Entitlement project requests on 3.17 acres located at the northwest corner of Durango Drive and El Capitan Way (APN 125-17-612-023) T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Fiore)</p> <ul style="list-style-type: none"> • • 22-0198-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED AUTO REPAIR GARAGE (MINOR) USE WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A SINGLE-FAMILY DETACHED DWELLING WHERE 330 FEET IS REQUIRED • • 22-0198-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 4,042 SQUARE-FOOT MINOR AUTO REPAIR GARAGE DEVELOPMENT

Most Recent Change of Ownership

03/28/22	A deed was recorded for a change in ownership.
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Related Building Permits/Business Licenses

There are no related building permits or business licenses for the subject pad site.

Pre-Application Meeting

04/06/22	Staff conducted a routine pre-application meeting where the submittal requirements for a Special Use Permit and Site Development Plan Review were discussed.
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Neighborhood Meeting

06/15/22	A neighborhood meeting is scheduled for the Centennial Hills Library on 06/15/22 at 6:15pm.
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Field Check

05/19/22	During a routine field check performed by staff, the subject site was observed to be an undeveloped pad site within an existing shopping center. Nothing of concern was noted by staff.
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Details of Application Request**Site Area**

Net Acres	0.69
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Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Shopping Center	SC-TC (Service Commercial – Town Center) Special Land Use designation	T-C (Town Center)
North	Single Family, Detached	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
South	Shopping Center	GC-TC (General Commercial – Town Center) Special Land Use designation	T-C (Town Center)

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
East	Shopping Center	SC-TC (Service Commercial – Town Center) Special Land Use designation	T-C (Town Center)
West	U.S. 95	ROW (Right-of-Way)	ROW (Right-of-Way)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Master Plan 2050 Area: Centennial Hills	Y
Centennial Hills Sector Plan	Y
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
T-C (Town Center) District	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails – Town Center Multi-Use	Y
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Town Center Development Standards, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Setbacks			
• Front	15 Feet	52 Feet	Y
• Side	10 Feet	45 Feet	Y
• Corner	15 Feet	147 Feet	Y
• Rear	20 Feet	39 Feet	Y
Max. Building Height	2 Stories	1 Story	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

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Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
El Capitan Drive	Town Center Arterial	Town Center Development Standards Manual	80	Y
Durango Drive	Town Center Parkway Arterial	Town Center Development Standards Manual	195	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	270,968 SF (existing) 2,015 SF+ (proposed) 4,042 SF (proposed)= 277,025 SF	One space per 250 square feet of GFA	1,108				
TOTAL SPACES REQUIRED			1,108		1,154		Y
Regular and Handicap Spaces Required			1,087	21	1,128	26	Y
Loading Spaces	277,025 SF	3 + 1 for each 100,000 SF over 50,000 SF	6 Spaces		7 Spaces		Y

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Proposed 2,015 square-foot Restaurant with Drive-Through				
Existing Use	Description	#Unit	Rate/#Unit	Total
Average Daily Traffic (ADT)	COFFEE/DOUGNUT SHOP W/ DRIVE THRU [1000SF]	2.015	820.38	1,653
AM Peak Hour			88.99	179
PM Peak Hour			43.38	87
Existing Traffic on Nearby Streets				
El Capitan Way				
Average Daily Traffic (ADT)			17,427	
PM Peak Hour (Heaviest 60 Minutes)			1,394	
Durango Drive				
Average Daily Traffic (ADT)			34,286	
PM Peak Hour (heaviest 60 minutes)			2,743	
Traffic Capacity of Adjacent Streets:				
Adjacent Street ADT Capacity				
El Capitan Way			35,490	
Durango Drive			62,895	
Summary				
This project will add an additional 1,653 trips per day on El Capitan Way and Durango Drive. Currently, El Capitan Way is at about 49 percent of capacity and Durango Drive is at about 55 percent of capacity. With this project, El Capitan is expected to be at about 54 percent of capacity and Durango to be at about 57 percent of capacity.				