

09/07/22 BCC AGENDA SHEET

VEHICLE WASH
(TITLE 30)

RAINBOW BLVD/MOUNTAINS EDGE PKWY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0414-ABS MOUNTAINS EDGE ENTERPRISE, LLC:

USE PERMIT to reduce setbacks from a residential use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce height from grade for hanging signs; **2)** increase the number of hanging signs; **3)** permit wall signs to face a residential development; and **4)** permit an animated sign.

DESIGN REVIEWS for the following: **1)** vehicle (automobile) wash; **2)** signage; **3)** lighting; and **4)** finished grade on 1.9 acres in an M-D (Designed Manufacturing) Zone.

Generally located on the east side of Rainbow Boulevard, 295 feet south of Mountains Edge Parkway within Enterprise. JJ/md/syp (For possible action)

RELATED INFORMATION:

APN:

176-26-312-004

USE PERMIT:

1. a. Reduce the setback from a vehicle (automobile) wash from a residential use (single family to the east) to 53 feet where a minimum of 200 feet is required per Table 30.44-1 (a 73.5% reduction).
- b. Reduce the setback from a vehicle (automobile) wash from a residential use (single family to the south) to 76 feet where a minimum setback of 200 feet is required per Table 30.44-1 (a 62% reduction).

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce height from grade for a hanging sign to 9 feet where a minimum height of 14 feet is required from grade when subject to vehicular traffic per Table 30.72-1 (a 35.8% reduction).
2. Increase the number of hanging signs to 3 where a maximum of 1 hanging sign per tenant is permitted per Table 30.72-1 (a 200% increase).
3. Permit wall signs to face a residential development (single family) where signs shall not face adjacent residential development unless separated by a street per Table 30.72-1.
4. Permit an animated sign (electronic message unit) in conjunction with a monument sign where an electronic message unit is permitted only in conjunction with a freestanding or wall sign per Table 30.72-1.

DESIGN REVIEWS:

1. Vehicle (automobile) wash.
2. Signage.
3. Lighting.
4. Increase finished grade to 41 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 13.9% increase).

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:**Project Description****General Summary**

- Site Address: N/A
- Site Acreage: 1.9
- Project Type: Vehicle (automobile) wash with lighting and signage
- Number of Stories: 2
- Building Height (feet): 32 (vehicle wash)/12 (vacuum canopies)
- Square Feet: 5,957
- Parking Required/Provided: 71/88

History & Request

ZC-0009-06 was approved by the Board of County Commissioners (BCC) in February 2006 to reclassify the project site to M-D zoning for a shopping center with various uses, including a 1,200 square foot vehicle (automobile) wash located at the northeast corner of the site, adjacent to a proposed convenience store. The vehicle wash approved with the zone change request was never constructed. UC-0479-17 was approved by the Planning Commission (PC) in July 2017 for a convenience store, gasoline station, vehicle (automobile) wash, on-premises consumption of alcohol (tavern), and various commercial uses. The convenience store, gasoline station, and vehicle wash approved with the use permit were located at the north portion of the site, adjacent to Mountain's Edge Parkway. The 1,200 square foot vehicle wash was located immediately to the northeast of the convenience store; however, was never constructed. WS-18-0653 was subsequently approved by the PC in October 2018 for revisions to a proposed convenience store with gasoline sales, vehicle (automobile) wash, and tavern in conjunction with an approved shopping center. The convenience store, gasoline station, and vehicle wash approved with the design review were located at the north portion of the site. However, the 1,100 square foot vehicle wash was never constructed. DR-19-0851 was approved by the PC in February 2020 for revisions to a previously approved convenience store, which was constructed on the north portion of the site in conjunction with a gasoline station (fuel canopy). The approved design review did not include a vehicle wash with the entitlement request. The applicant is now proposing to construct a 5,957 square foot vehicle (automobile) wash located at the southeast portion of the project site, adjacent to an existing single family residential development.

Site Plans

The plans depict a 4 acre commercial development, located at the southeast corner of Rainbow Boulevard and Mountain's Edge Parkway, consisting of an existing convenience store and

gasoline station (fuel canopy), located on APN 176-26-312-002, and an existing tavern located on APN 176-26-312-003. The convenience store and gasoline station are located at the north portion of the site, adjacent to Mountain's Edge Parkway. The tavern is centrally located within the site, along the west property line of the development adjacent to Rainbow Boulevard. APNs 176-26-312-002 (convenience store and gasoline station) and 176-26-312-003 (tavern) are not a part of this application as no improvements and/or site modifications are proposed for these parcels.

The proposed vehicle (automobile) wash is located on a 1.9 acre portion (APN 176-26-312-004) of the overall development, immediately to the southeast of the tavern and 257 feet south of the convenience store. The proposed vehicle wash facility has the following setbacks: 1) 53 feet from the east property line, adjacent to an existing single family residential development; 2) 94 feet from the south property line, adjacent to the existing single family residential development; 3) 393 feet from the north property line, adjacent to Mountain's Edge Parkway; and 4) 145 feet from the west property line along Rainbow Boulevard. Immediately to the west of the vehicle wash building are 2 partially covered rows of vacuum stations, separated by a 30 foot wide vehicle drive aisle. The proposed vacuum station canopies are set back 76 feet and 65 feet from the south and west property lines, respectively. Each vacuum station row contains 10 spaces (20 total), with each space measuring 20 feet in depth and 12 feet in width. The 20 spaces designated for vacuum stations are not counted as part of the overall parking requirement for the proposed development.

The vehicle queuing lane, measuring 26 feet in width, begins along the south portion of the vehicle wash facility. The vehicle queuing lane transitions into a 3 lane stacking area, with each lane measuring a minimum of 10 feet in width, along the east side of the facility. Per the site plan, the stacking area can accommodate up to 18 automobiles at any given time. Three covered pay kiosks are located at the end of the stacking area, with a setback of 53 feet from the east property line. The 3 lane stacking area transitions into a single drive aisle measuring 15 feet in width, located north of the building, where automobiles enter the vehicle wash and exit the facility on the south side via a 15 foot wide drive aisle.

A trash enclosure is proposed 60 feet away from the northwest corner of the vehicle wash facility. The overall commercial development, including the proposed vehicle wash, requires 71 parking spaces where 88 parking spaces are provided. Two accessible parking spaces are proposed adjacent to the northwest portion of the vehicle wash. An existing 5 foot wide detached sidewalk is located adjacent to Rainbow Boulevard and an existing 5 foot wide attached sidewalk is located along Mountain's Edge Parkway. Access to the project site is granted via existing commercial driveways along Rainbow Boulevard and Mountain's Edge Parkway. A design review to increase finished grade up to a maximum of 41 inches is requested for the project site.

Landscaping

The plans depict an existing 15 foot wide landscape area, including a 5 foot wide detached sidewalk, located adjacent to Rainbow Boulevard. An existing landscape area, measuring between 9 feet to 19 feet in width, is located behind an attached 5 foot wide sidewalk along Mountain's Edge Parkway. The street landscape areas consist of trees, shrubs, and groundcover.

Existing 10 foot to 12 foot wide intense landscape buffers are located along the east and south property lines of the project site, adjacent to the existing single family residential development. An additional landscape area, measuring 37.5 feet in width, is provided along the east property line for a total width of 49.5 feet. An additional landscape area, measuring 15 feet in width, is provided along the south property line for a total width of 27 feet. Twenty-four inch box trees planted 30 feet on center, in addition to shrubs and groundcover, are planted within these supplemental landscape areas adjacent to the single family residential development. Landscape areas with multiple trees are proposed immediately to the north and south of the vehicle wash facility. Furthermore, a proposed landscape strip measuring a minimum of 7 feet in width containing 24 inch box trees with shrubs and groundcover, are located immediately adjacent to the western most row of vacuum station spaces.

Elevations

The plans depict a 2 story proposed vehicle (automobile) wash facility with a height ranging between 21 feet to 32 feet, as measured to the top of the parapet wall. The vehicle wash features a decorative standing seam metal roof, decorative metal clad fascia (north and south elevations), an aluminum storefront window system, and stone veneer incorporated into all 4 building elevations. The stacking lane canopy, located along the east, north, and south elevations of the building, measures 14 feet in height and features a decorative standing seam metal roof. The stacking lane canopy will be supported by painted steel columns. All rooftop mounted equipment will be screened from public view and the right-of-way by the parapet walls. The vacuum station canopies measure 12 feet in height consisting of a pre-finished metal standing seam roof and trim with painted steel beams and columns.

Floor Plans

The plans depict a vehicle wash consisting of 5,957 square feet featuring a carwash tunnel, equipment room, office and restroom facility located on the first floor. A second office and restroom facility are located on the second floor of the building.

Signage

The plans depict a monument sign measuring 10 feet in height located at the northwest corner of the project site, located along Rainbow Boulevard and 50 feet south of the existing tavern. The monument sign is set back a minimum of 12 feet from the right-of-way and 2 feet from the back of the detached sidewalk. Furthermore, the monument sign is set back 210 feet from the south property line, adjacent to the existing single family residential development. The monument sign measures 61 square feet in area, including 20 square feet of animation (electronic message unit). The animated sign necessitates a waiver of development standards as animated signs are only permitted in conjunction with freestanding or wall signs.

A directional sign measuring 7 feet in height, with an area of 12 square feet, is located at the southwest corner of the site adjacent to Rainbow Boulevard. The directional sign is set back a minimum of 12 feet from the right-of-way and 2 feet from the back of the detached sidewalk.

Wall signs are depicted on the north, west, and south building elevations. The wall signs (illuminated) depicted on the north and west are oriented towards Mountain's Edge Parkway and Rainbow Boulevard, respectively. Four wall signs (3 are illuminated), in addition to 3 hanging

signs, are depicted on the south elevation of the building that is oriented towards a single family residential development. A waiver of development standards is required to permit the 4 wall signs to face the single family residential development.

Three hanging signs, each measuring 2.25 square feet, are located below the stacking canopy soffit 9 feet above finished grade, requiring a waiver of development standards. The 3 hanging signs function as illuminated, directional hanging signs for the 3 stacking lanes associated with the vehicle wash.

The following table is a summary of the proposed signage:

Type of sign	Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	# of Existing Signs	# of Proposed Signs	Total # of Signs
Monument	0	61	61	70	0	1	1
Animated (electronic message unit)	0	20	20	-	0	1	1
Directional	0	12	12	12	0	1	1
Wall	0	232	232	474	0	6	6
Hanging	0	6.75	6.75	32	0	3	3
Overall Total	0	331.75	331.75	-	0	12	12

Lighting

The plans depict the type of lighting (freestanding luminaries (light poles), approximate heights of light poles, and a photometric plan demonstrating compliance with the Development Code. The proposed freestanding luminaries (light poles) measure 25 feet in height, from the base of the pole, where a maximum height of 25 feet is permitted by Code. A total of 13 light poles are dispersed throughout the site, with all light fixtures being full cut-off. No light fixtures are proposed on the exterior of the vehicle wash facility and tunnel.

Applicant's Justification

The proposed vehicle wash is an appropriate and compatible use for the site. A carwash was approved by 2 previous applications on the site. First by action on ZC-0009-06, and on the northeastern portion of the site in conjunction with the convenience store and gasoline station per action on UC-0479-17. The approved carwash was not constructed with the existing convenience store and gasoline station. This is a request to re-establish the previously approved use which is an appropriate and compatible use for the site and area.

No building lights are provided on the façade of the building/wash tunnel. The photometric plan complies with Code requirements.

A total of 7 wall signs are proposed for the use. Three of the signs are located on the north side of the building near the entry into the wash tunnel. Three of the signs are hanging signs located at the pay points for the queuing lanes. One sign is located on the south side at the exit of the wash tunnel. The signs are illuminated channel letters and comply with Code requirements. The sign plan complements the use and the existing signage on the site. The proposed reduction to the residential development to the east is mitigated by the existing intense landscaping along the

east property line. This request is a few feet shorter than the previous approval which allowed a 60 foot separation from the east property line.

To mitigate any impacts to residential development to the east the carwash building/tunnel is located 89.5 feet from the east property line and the vacuums are located west of the building which will mitigate any impact to the residential development. The proposed reduction is mitigated by the existing intense landscaping along the south property line and the additional 17 feet of landscaping provided along the property line. Additionally, to mitigate any impacts to the residential development to the south, the carwash building/tunnel is located 97 feet from the south property line and the vacuums are located 76 feet 7 inches from the south property line buffered with landscape islands to mitigate any impact to the residential use.

The 3 hanging signs proposed provide information and direction to customers prior to their approach to the designated lanes for the cashier, and the 2 different pay points located underneath the canopy. The height of the bottom of the canopy is 10 feet; therefore, the use of hanging signs makes the signs more visible to customer and also prevents vehicles higher than 9 feet from accessing the area and car wash.

Code allows 1 hanging sign up to 32 square feet. Although 3 signs are proposed, each sign is 2.25 square feet resulting in a total square footage of 6.75 square feet which is 21.1% of the 32 square feet allowed for a single hanging sign. This request is minimal and will not impact the site and the adjacent residential development.

The size of the monument sign is minimal and is low as compared to a freestanding sign or a wall and sign less visible because of its profile. The monument sign is more appropriate for the use and area. Additionally, allowing the EMU on the monument sign instead of a freestanding or wall sign in this area is more appropriate and compatible with the residential uses in the area.

The proposed wall (exit) sign is square in the design and is typical for an exit sign with LED illumination with low lumens. The illumination is necessary for visibility for the customers and is a safety sign to prevent a wrong way entry into the wash tunnel. The exit sign is small and located approximately 150 feet from the residential development to the south and will not impact the residences because it is minimal in size but is necessary as a safety device at the exit for the wash tunnel both during business hours and after business hours.

On the south property line, the proposed finished grade of the building will be at the same height as the existing grade of the residences. This increase in the finished grade will not impact the residences because the building and vacuums are more than 76 feet from the south property line. The proposed application is appropriate and compatible with the existing uses in the area and complies with the general goals and policies outlined in the Master Plan to complete the development of an existing commercial site. The use is designed to enhance and complement existing uses on the site.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-19-0851	Revisions to a previously approved convenience store, lighting, and signage	Approved by PC	February 2020
DR-19-0775	Lighting for a tavern	Approved by PC	November 2019
ET-19-400121 (UC-0479-17)	First extension of time for a shopping center	Approved by PC	November 2019
WS-18-0653	Modifications to the convenience store with gasoline sales, car wash, and tavern within an approved shopping center (waiver of development standards was withdrawn)	Approved by PC	October 2018
WC-18-400195 (UC-0479-17)	Waived the condition of a use permit requiring development per revised plans submitted July 18, 2017	Approved by PC	October 2018
VS-18-0345	Vacated and abandoned easements	Approved by PC	May 2018
TM-18-500056	1 lot commercial subdivision on 5 acres	Approved by PC	May 2018
UC-0479-17	Shopping center with various uses in M-D zoning (tavern, convenience store, gasoline sales, vehicle wash, personal services, offices, retail, and restaurant), waivers for reduced separation for a convenience store to a residential use, reduced separation for a vehicle wash to a residential use, allowed a vehicle wash bay to face a public street, and allowed modified commercial driveway geometrics	Approved by PC	July 2017
ZC-0009-06	Reclassified the site to M-D zoning for a shopping center with various uses (retail, office, restaurant, and tavern), reduced the separation from a tavern to a residential use, and a car wash bay to face a public street	Approved by BCC	February 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Open Lands	R-E	Public facilities building for Clark County
South & East	Business Employment	R-2	Single family residential
West	Neighborhood Commercial	C-1	Undeveloped

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit

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 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.

Use Permit & Design Review #1

Staff cannot support the requests to reduce the separation between the proposed vehicle (automobile) wash and the existing single family residential development located immediately to the east and south of the project site. Goal 3.1 of the Master Plan states the following: “Maintain air quality at a level that protects public health and improves visual clarity.” Staff is concerned the 3 lanes utilized for automobile stacking, immediately adjacent to the east side of the vehicle wash, and 53 feet away from the single family residential development to the east, may potentially reduce the level of air quality within the immediate area through exhaust emissions of idling vehicles. Idling vehicles within the stacking area may also potentially increase noise pollution within the immediate area, negatively affecting the surrounding single family residential development. The previously approved vehicle wash facilities measured between 1,100 square feet and 1,200 square feet in area. The proposed facility is more intense, with an increased area of 4,757 square feet, or 496% greater than the previous approval. Staff finds the area and intensity of the proposed vehicle wash facility is not consistent with the previously approved vehicle wash facilities, nor is the facility compatible with the adjacent single family residential development. Therefore, staff recommends denial of the reduced separation requests and the design review.

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 through #4 & Design Review #2

The intent of requiring a minimum above grade height of 14 feet for hanging signs is to ensure adequate overhead clearance is provided for vehicles traveling below the signs. Code limits the number of hanging signs to prevent an abundance of hanging signs within a single development. The intent of not permitting wall signs to face towards a residential development is to ensure the signs, in addition to any illumination, will not have an adverse or negative impact on the single family residences. Staff finds sufficient justification has not been provided to permit the animated sign. Furthermore, the animated portion of the monument sign is not compatible with

the single family residential development to the east and south. Staff finds the requested waivers of development standards associated with the design review are a self-imposed hardship; therefore, recommends denial.

Design Review #3

The plans indicate that all of the lighting fixtures will be shielded and/or directed away from the adjacent single family residential development to the east and south. The photometric calculations submitted for the lighting indicate the on-site lighting should not have a negative impact on the surrounding development. However, since staff is not supporting the use permits, waivers of development standards, and the design reviews, staff cannot support this request.

Public Works - Development Review

Design Review #4

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval. However, since Planning is recommending denial of this application, staff cannot support this design review.

Staff Recommendation

Denial.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively uses water will be prohibited; 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 this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0274-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - denial.

APPROVALS:

PROTESTS:

APPLICANT: ELI APPLEBAUM

CONTACT: CASSANDRA WORRELL, 520 S. FOURTH STREET, LAS VEGAS, NV 89101