

11/08/23 BCC AGENDA SHEET

VEHICLE WASH
(TITLE 30)

WIGWAM AVE/ARVILLE STREET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0639-SAMERTHAI, RANEE & GONZALES, TANYA SAMERTHAI:

ZONE CHANGE to reclassify 1.3 acres from an H-2 (General Highway Frontage) Zone and an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.

USE PERMIT for a vehicle wash.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow service bay doors to face a street; **2)** increase wall height; and **3)** reduce driveway throat depth.

DESIGN REVIEWS for the following: **1)** a vehicle wash; and **2)** finished grade.

Generally located on the southeast corner of Wigwam Avenue and Arville Street within Enterprise (description on file). JJ/al/syp (For possible action)

RELATED INFORMATION:

APN:

177-18-701-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow the service bay door of a vehicle wash to face a street where not permitted per Table 30.44-1.
2. Increase retaining wall height to 4 feet where a maximum of 3 feet is permitted per Section 30.64.050 (a 33.3% increase).
3. Reduce driveway throat depth to 20 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 20% reduction).

DESIGN REVIEWS:

1. A vehicle wash.
2. Increase finished grade up to 48 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 33.3% increase).

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.3

- Project Type: Vehicle wash
- Number of Stories: 1
- Building Height (feet): 18
- Square Feet: 2,877
- Parking Required/Provided: 3/3

Site Plan

The request is for an automated vehicle wash facility. The site is located at the southeast corner of Wigwam Avenue and Arville Street with ingress and egress to the site being provided by a driveway located at the southwest corner of the site from Arville Street. The plan depicts an emergency crash gate located on the northeast corner of the site from Wigwam Avenue. The facility will consist of 2 buildings, the vehicle wash building and a smaller equipment building with 17 vacuum bays. The vehicle wash building is located in the central portion of the eastern half of the parcel and will have 2 wash bays. Queuing for the facility is on the south side of the vehicle wash building. Vehicles will queue into 2 lines entering the building from the south and exiting from the north side facing the emergency crash gate onto Wigwam Avenue. The vehicle wash building is set back 17 feet from the east property line, 128 feet from the south property line, 82 feet from Arville Street (west property line), and 99 feet from Wigwam Avenue (north property line). The equipment building, vacuum bays and parking are located on the western half of the site. The equipment building is located to the west and northwest of the vehicle wash building with an approximate 8 foot separation between the buildings. The parking spaces are located on the northwestern portion of the site and the vacuum bays are to the west of the vehicle wash building. The plan depicts the trash enclosure on the southeastern portion of the site.

Landscaping

The plans depict a minimum 15 foot wide landscape area located adjacent to the public streets with detached sidewalks with landscaping materials consisting of trees, shrubs, and groundcover. A minimum 17 foot wide landscape area is depicted along the east property line and a minimum 10 foot wide landscape area is depicted along the south property line. Plant material in both landscape areas will consist of trees, shrubs, and groundcover.

Elevations

Both buildings are 1 story and have pitched roofs consisting of standing seam metal roofing material. The vehicle building has a maximum height of 18 feet and the equipment building has a height of 11 feet. The exterior of the equipment building consists of stone veneer, smooth face concrete blocks, and accent tiles. The north and south sides of the vehicle wash building will consist of a stone veneer with accent tiles, the wash bay openings, and an aluminum and glass access door. The east and west sides of the vehicle wash building will consist of stone veneer with accent tiles and aluminum and glass windows.

Floor Plans

The buildings have a total area of 2,877 square feet. The vehicle wash building has an area of 2,429 square feet and consisting of 2 automated wash bays for vehicles to drive through. The equipment building has an area of 448 square feet with equipment for the vehicle wash facility and storage space.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates the proposed zoning is in conformance with the Master Plan. The majority of the property is zoned H-2 which is an antiquated zoning district that the County is in the process of eliminating. Reclassifying the site to C-1 will further the County's goal of eliminating the H-2 zoning district. The proposed use of the site is consistent and compatible with the existing and planned land uses in this area. The closest existing single family residences are located a minimum of 500 feet to the southeast of the proposed vehicle wash facility which will be further mitigated with trees located along the east and south property lines of the site. The requests for the increase finished grade and increased retaining wall height are needed due to the existing topography of the site. Drainage through the central portion of the site has caused erosion and the increased finished grade and increased retaining wall height are needed to level the site to provide property drainage. The proposed reduction in the driveway throat depth is minimal and will not have a negative impact on traffic safety.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	C-2	Convenience store with gasoline station & undeveloped
South	Neighborhood Commercial	R-E	Undeveloped
East & West	Neighborhood Commercial	H-2 & R-E	Undeveloped

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

Related Applications

Application Number	Request
VS-23-0640	A vacation and abandonment of easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Zone Change

Reclassifying the site to a C-1 zone is in conformance with the Master Plan and is consistent and compatible with existing and planned land uses in the area. Reclassifying the site from an H-2 zone to a C-1 zone will also further the County's goal to eliminate the H-2 zoning district. Therefore, staff supports this request.

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.

The proposed vehicle wash facility will be located more than 500 feet away from any existing single family residence, which will limit the impact of the facility on the residences. To help mitigate the impacts of the proposed use landscaping will be provided along the south and east property lines which will provide an additional buffer to the existing residences to the southeast. The proposed facility will help to discourage people living in the surrounding area from washing their vehicles in their driveways, which causes water run-off which can lead to contaminants getting into Lake Mead. Staff finds the proposed facility will not result in a substantial or undue adverse effect on adjacent properties and is appropriate at the proposed location; therefore, staff supports this request.

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.

Waiver of Development Standards #1

The service bay doors on the north side of the vehicle wash building will be visible from Wigwam Avenue. These bay doors are set back approximately 99 feet from the street. The parcel to the north across the Wigwam Avenue is a commercial development which includes a convenience store and gasoline station. Given the existing commercial development facing the proposed building and the distance of the bay doors to the street; staff finds the location of the bay doors will have limited impacts on the adjacent properties and does not object to the waiver; therefore, staff can support this request.

Waiver of Development Standards #2

The existing topography of the site may be a special or unique circumstance to warrant the increase in the height of the retaining wall. The applicant is requesting to increase the height of a portion of a retaining wall by approximately 1 foot which they state is needed to level the site and provide proper drainage. This is a minor increase which will have limited impacts on the adjacent properties; therefore, staff can support this request.

Design Review #1

The proposed development is oriented to limit the impact of the facility on the existing single family residential developments to the southeast. Additionally, landscape areas along the south and east property lines of the site will help to screen the facility from these residential developments helping to mitigate the impacts of the development. The building is designed with

architectural enhancements which will provide an appealing visual appearance. Therefore, staff can support this request.

Public Works - Development Review

Waiver of Development Standards #3

Staff has no objection to the reduced throat depth for the Arville Street commercial driveway, the two driveways should see equal use, further mitigating potential impacts from the reduced throat.

Design Review #2

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.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- 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 use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of curb Wigwam Avenue, 35 feet to the back of curb for Arville Street and associated spandrel.
- 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; and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

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 #0334-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval (design review as a public hearing for lighting and signage; add screening to the gate on Windmill Lane).

APPROVALS:

PROTESTS:

APPLICANT: SCOTTY'S CAR WASH 2, LLC

CONTACT: G.C. GARCIA, INC C/O ANDREA COLE, 1055 WHITNEY RANCH DRIVE,
SUITE 210, LAS VEGAS, NV 89014