

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-24-400027 (UC-18-0235)-BP DURANGO LP:

USE PERMITS THIRD EXTENSION OF TIME for the following: **1)** reduce the setback to a residential use; and **2)** allow a service bay door to face a street.

WAIVER OF DEVELOPMENT STANDARDS for modified street standards.

DESIGN REVIEW for a vehicle wash facility on a portion of 2.5 acres in a CG (Commercial General) Zone.

Generally located on the west side of Durango Drive, 427 feet north of Russell Road within Spring Valley. JJ/rp/ng (For possible action)

RELATED INFORMATION:

APN:

163-29-813-004

USE PERMITS:

1. Reduce the setback to a residential use to 85 feet 5 inches where 200 feet is the standard per Table 30.44-1 (a 57.3% reduction).
2. Allow a service bay door to face a street where not permitted unless screened with landscaping or a building per Table 30.44-1.

WAIVER OF DEVELOPMENT STANDARDS:

Reduce throat depth for a driveway on Durango Drive to 8 feet 5 inches where a minimum of 25 feet is the standard per Uniform Standard Drawing 222.1 (a 66.4% reduction).

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.3 (portion)/2.5 (overall)
- Project Type: Vehicle wash
- Number of Stories: 1
- Building Height (feet): Up to 29 (vehicle wash building)/10 feet, 6.5 inches (vacuum canopies)
- Square Feet: 3,596
- Parking Required/Provided: 4/4

Site Plans & History

The approved plans depict a proposed self-service automated vehicle wash on the northern portion of the subject site. The southern portion of the parcel is reserved for a future development. The vehicle wash is set back 69 feet 10 inches from Durango Drive, 67 feet 4 inches from the north property line, and 64 feet 11 inches from the west property line. Access to the site is from an existing commercial driveway on Durango Drive. There are 3 queuing lanes for access to the automated pay kiosks on the north side of the wash tunnel with 1 lane within the tunnel. Parking is provided on the south side of the building with 14 vehicle vacuum spaces provided along the south portion of the site. There are 2 future cross access driveways shown on the southeast and southwest corners of the site.

After the approval of the first extension of time ET-20-400057 (UC-18-0235) the property owners filed, and were approved for, an administrative design review (ADR-21-900034) to alter the design of the proposed vehicle wash. The approved administrative design review plans proposed to decrease the building area, add additional vacuum spaces, increase the parking lot light pole height, and relocate the trash enclosure on the site.

After the approval of the second extension of time ET-23-400087 (UC-18-0235), an administrative design review (ADR-23-900496) was approved for modifications to the vehicle wash. The approved administrative design review proposed further decrease in building size from 5,207 square feet to 3,596 square feet. The administrative design review also increased the setback to the property to the west which was approved for a residential development in August 2021. An exit lane was added before the tunnel entry. Cross-access to the property to the south has been widened. The proposed building and vacuum areas have moved slightly further away from an existing residential area to the northwest and a residential area under development to the west. Parking has been decreased from 8 standard spaces to 4 standard spaces.

Landscaping & Lighting

The approved plans with UC-18-0235 depict a 22 foot and 41 foot wide landscape area along Durango Drive, a 15 foot to 18 foot wide intense landscape buffer along the north property line, a 10 foot wide landscape area along the west property line, and a 10 foot wide landscape area south of the vehicle vacuum spaces. Parking lot landscape fingers are provided at edges of vehicle vacuum spaces and at edges and middle of required parking. Landscape materials include 24 inch box trees such as Acacia, African Sumac, and Mondell Pines with shrubbery, and groundcover. Site lighting is distributed throughout the site.

The most recent approved plans (ADR-23-900496) depict landscape areas along Durango Drive, which exceeds the Code requirement, along with a detached sidewalk, and also on the perimeter of the property. The overall amount of landscaping provided has increased. Compared to the previous landscape plan, the buffers along the north side of the property decreased from 19 feet to 14 feet in width and increased from 11 feet to 16 feet 10 inches in width along the west property line and increased from 8 feet to 11 feet 5 inches south of the vacuum spaces. Parking lot finger islands are provided at both ends of the parking spaces. Landscape materials include 24-inch box sized trees including at least 9 large trees as well as various shrubs and ground covers. Trees have been added on north side of the driveway entrance along Durango Drive to

screen the carwash tunnel/door from the right of way and satisfy the condition imposed by WS-18-0235.

Elevations

The approved plans with UC-18-0235 depict a proposed vehicle wash building with an overall height of 28 feet. The building has decorative facades on all elevations with a split-faced masonry, brick veneer, painted steel accents, polycarbonate roofing, roll-up door over tunnel exit, wall mounted lighting fixtures, and store front framing and glass. The point-of-sale (entrance) canopy is 18 feet 2 inches with painted steel.

The most recent approved plans (ADR-23-900496) depict a proposed vehicle wash building with an overall height of 29 feet which is increased by one foot from the previous building height. The building has decorative facades on all elevations with split-faced masonry which is painted with several muted colors in accordance with the conditions of UC-18-0235. The plans show roll-up doors over the tunnel entry and exit, and store front framing and glass. The vacuum canopies are 10 feet 6.5 inches in height and will be painted to match the building.

Floor Plans

The approved plans show a proposed 6,000 square foot self-service automated vehicle wash building with a wash tunnel, equipment room, office, and restroom areas.

The most recent approved plans (ADR-23-900496) show a proposed 3,596 square foot self-service automated vehicle wash building with a wash tunnel, equipment room, office, employee lounge, and restroom. The building is decreased in size from the previous approval.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for ET-23-400087 (UC-18-0235):

Comprehensive Planning

- Until May 16, 2024 to commence;
- Enter into a standard development agreement prior to any permits 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.
- Applicant is advised that the installation and use of cooling systems that consumptively use 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; 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

- Compliance with previous conditions.

Listed below are the approved conditions for ET-20-400057 (UC-18-0235):

Current Planning

- Until May 16, 2022 to commence.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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

- Compliance with previous conditions.
- Applicant is advised that changes to the plans may require new land use applications.

Listed below are the approved conditions for UC-18-0235:

Current Planning

- Hours to be from 7:00 a.m. to 8:00 p.m.;
- 2 additional trees to be planted on the north side of the driveway entrance along Durango Drive;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant has agreed to have muted color tones for the building; is advised that 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;
- Traffic study and compliance;
- Full off-site improvements.
- Applicant is advised 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.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to e-mail sewerlocation@cleanwaterteam.com and reference POC Tracking #0165-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant indicates ADR-23-900496, approved in November 2023 to modify the approved site plan for the vehicle wash is set to expire on November 16, 2025. The applicant would like to extend the application to align with the expiration for the building permits and construction start of ADR-23-900496.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-23-900496	Administrative design review for modification for approved vehicle wash	Approved by ZA	November 2023
ET-23-400087 (UC-18-0235)	Second extension of time for a vehicle wash	Approved BCC	August 2023
ADET-23-900275 (ADR-21-900034)	First extension of time for an administrative design review for modifications to plans	Approved by ZA	September 2023
ADR-21-900034	Modifications to plans for an approved vehicle wash	Approved by ZA	March 2021
ET-20-400057 (UC-18-0235)	First extension of time for a vehicle wash	Approved by BCC	August 2020
UC-18-0235	Vehicle wash	Approved by BCC	May 2018
VS-18-0150	Vacated and abandoned a drainage easement on the property	Approved by PC	April 2018
WS-0983-17	Waivers to reduce landscaping, eliminate pedestrian walkway, allowed horizontal roofline, modified street improvement standards with a design review for a proposed convenience store with gasoline station	Approved by BCC	December 2017
VS-0585-15	Vacated and abandoned 5 foot wide section of Durango Drive	Approved by PC	October 2015
TM-0012-15	Commercial Subdivision	Approved by PC	March 2015
DR-1161-08	Commercial buildings on the northwestern portion of this project site - expired	Approved by BCC	February 2009
VS-0373-07	Vacated and abandoned a 5 foot wide portion of right-of-way being on the west side of Durango Drive adjacent to the project site - expired	Approved by PC	May 2007
TM-0287-07	1 lot commercial subdivision - expired	Approved by PC	November 2007
DR-1074-07	Smog check facility in conjunction with a convenience store and retail development - expired	Approved by BCC	November 2007
DR-1091-06	Convenience store with gasoline pumps and a car wash - expired	Approved by BCC	November 2006
ZC-0784-05	Reclassified from R-E to C-2 zoning for a future development	Approved by BCC	June 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Neighborhood Commercial	CG	Office
South	Corridor Mixed-Use	CG	Undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
East	Public Use	P-F	Drainage detention basin
West	Corridor Mixed-Use	RM18	Single family residential

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

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Title 30 standards of approval for an extension of time state an application may be denied if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Since the original approval of the project in 2018, the site plans have changed (ADR-23-900496) to have less of an impact on the surrounding area. Staff believes since the approval of ADR-23-900496, the applicant had enough time to start the construction and commence the project. Although there are building permits in process; these permits were applied for as early as January 2024. Also a rewrite to Title 30 has been adopted and the applicant was advised before, that a rewrite to Title 30 was in process and applications for extensions of time will be reviewed for conformance with the regulations in place at the time of application, that a substantial change in circumstances or regulations may warrant denial to an extension of time, and that the extension of time may be denied if the project has not commenced. Since 6 years have passed from approval of the original application, staff believes the project needs to be reviewed with the recently adopted Title 30 standards. Also, a residential development to the west was approved (NZC-21-0295) which is considered a change in the areas surrounding the subject property. For these reasons, staff cannot support this extension of time request.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

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:

Comprehensive Planning

If approved:

- Until November 16, 2025 to commence to match the expiration date of ADR-23-900496;
- 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.
- Applicant is advised 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTEST:

APPLICANT: BP DURANGO LP

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