

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-24-0436-MANNA INVESTMENT GROUP, LLC:**

**HOLDOVER USE PERMIT** for a vehicle wash.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** modify residential adjacency standards; **2)** alternative buffering and screening; and **3)** allow attached sidewalks.

**DESIGN REVIEW** for a vehicle wash in conjunction with an existing shopping center on a portion of 4.09 acres in a CG (Commercial General) Zone.

Generally located on the west side of Sandhill Road and the south side of Desert Inn Road within Paradise. TS/sd/kh (For possible action)

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RELATED INFORMATION:

**APN:**

161-18-123-002 through 161-18-123-004 ptn

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Allow roll-up overhead doors to face a lot subject to residential residency standards where not permitted per Section 30.04.06N.
- b. Reduce the setback for a trash enclosure to a lot subject to residential residency standards to 36 feet where 50 feet is required per Section 30.04.06K (an 82% reduction).
2. a. Eliminate the required landscape buffer adjacent to a residential district where 15 feet of landscaping with double rows of evergreen trees is required along the west property line per Section 30.04.02 (a 100% reduction).
- b. Allow an existing 6 foot block wall as a buffer where an 8 feet high decorative wall is required along the west property line per Section 30.04.02.
3. Allow an attached sidewalk to remain on Desert Inn Road where a detached sidewalk is required per Section 30.04.08C.

**LAND USE PLAN:**

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3745 E. Desert Inn Road
- Site Acreage: 4.09 (entire shopping center)
- Project Type: Vehicle wash
- Building Height (feet): 35
- Square Feet: 24,476 (Building A)/8,695 (Building B)/5,827 (vehicle wash)

- Parking Required/Provided: 100/133
- Sustainability Required/Provided:7/8.5

### Site Plans

The plans depict an existing shopping center consisting of 2 buildings with restaurant and retail uses on the south (Building A) and northeast (Building B) of the site, and a vehicle sale building on the northwest side of the site. The vehicle sale building will be demolished to accommodate a new vehicle wash facility. The shopping center, including the proposed vehicle wash, will have access from Desert Inn Road and Sandhill Road via existing driveways.

The plans depict customers accessing the vehicle wash tunnel from either the west or the east driveways from Desert Inn Road. They then head north to the pay station. Customers will then turn west and enter into the tunnel and egress at the western edge of the tunnel and turn south to enter the vacuum stations drive aisle and/or exit out west to the shopping center or Desert Inn Road. The proposed vehicle wash facility building will have 15 vacuum stations located on the south side of the tunnel. The vacuum stations are shielded from the right-of-way being Desert Inn Road by the tunnel.

No changes are being proposed to both Buildings A and B. Pedestrian pathways have been provided both from the right-of-way and within the shopping center to better connect each building on-site.

### Landscaping

The plan depicts areas of new landscaping for the proposed vehicle wash and the whole shopping center. The proposed landscaping includes perimeter landscaping along Desert Inn Road with 15 feet of landscaping behind an attached sidewalk with trees being spaced at 20 feet on center. This landscaping will also screen the vehicle wash tunnel from the right-of-way. The plans depict landscaping within a median in the queuing lanes and along the landscape planters at the western end of the exit lane that will partially screen this area from residential uses to the west.

Landscaping is provided at the ends of the vacuum stations. No landscaping is being proposed or is required for those parking areas not part of or being redesigned and remain in current conditions. Additional landscaping is being provided along a portion of Desert Inn Road in front of the parking spaces of Building B.

### Elevations

The plans depict a 35 foot high vehicle wash facility with a tunnel and vacuum station along with associated equipment incorporate architectural measures to break-up the building mass with varied rooflines, recessing of windows, doorways, change in surface colors and materials. A pair of roll-up doors are located at each end of the tunnel away from the right-of-way with the building oriented in an east to west direction.

### Floor Plans

The plans depict a floor plan for the vehicle wash facility with customer service, data room, restroom, vending, breakroom, and utility room.

### Signage

Signage is not a part of this application.

### Applicant's Justification

The applicant states the existing building at 3745 E. Desert Inn Road, which is Building C, will be demolished for a new vehicle wash facility. Both Buildings A and B will remain. The proposed use will serve the neighborhood within the immediate proximity. There are multiple residential communities to the west and south of this location to benefit from this service. For the convenience of immediate residents, this carwash is 252 feet away and will be screened by an existing 6 foot high CMU wall.

A waiver of development standards for detached sidewalk is being requested as there is an existing attached sidewalk and the affected area is less than 300 feet in length. The existing attached sidewalk will have between 10 feet to 15 feet of landscaping berm behind the sidewalk and end at the edge of the car wash building. Trees have been added every 30 feet on center and alternating off-sets every 15 feet.

Currently there is an existing 6 foot high CMU block wall along the west property line adjacent to Garden Parkway, which is the ingress/egress to the residences to the west. Another waiver of development standards request is for the setback for both the trash enclosure and the roll-up overhead doors on the west side of the car wash. The applicant has attempted on multiple occasions to contact the HOA for their support or address their concerns. The proposed hours of operation are Monday through Friday 10:00 a.m. to 5:00 p.m., Saturday from 9:00 a.m. to 6:00 p.m. and Sundays from 10:00 a.m. to 5:00 p.m.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-18-0004	Increased the number of vehicles (automobiles) displayed outside	Approved by BCC	March 2018
DR-0076-17	Exterior remodel/modifications to façade within the existing shopping center	Approved by PC	March 2017
UC-0172-16	Established a supper club with a portion of the retail building	Approved by PC	May 2016
ADR-1218-07	Established a 12,000 square foot retail building	Approved by ZA	September 2007
DR-0443-03	Established a 9,600 square foot retail building	Approved by PC	April 2003
UC-166-80	Established live entertainment (disco floor) in a restaurant within the existing shopping center	Approved by PC	September 1980

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North & East	Corridor Mixed-Use	CG	Retail shopping center

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
South & West	Compact Neighborhood (up to 18 du/ac)	RM18	Single-family residential

### **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**

##### Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

The special use permit is required due to the distance from the proposed vehicle wash facility to the residential zoning district to the west. While the setback to the adjacent residential use is 40 feet, that area consists of common lots and private right-of-way, and the actual distance to the residential lots is approximately 200 feet. The private right-of-way of Garden Avenue and the common elements of the residential property to the south and west, serve as an additional buffer due to their width. The common element consists of existing landscape strips. For this reason, staff can support the use.

##### Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

##### Waiver of Development Standards #1a

Staff cannot support the requested waivers of development standards to allow for the overhead roll-up doors to face residential uses. If the required buffering had been provided, considering the fact that there is a private right-of-way between the proposed facility and the houses, staff could support this request. While the plans do show some landscaping along the drive aisle of the vehicle wash tunnel, the Code stipulates that roll-up overhead doors must be screened. The application and plans show a non-intense landscape buffer that does not meet the intent of the Code; therefore, staff cannot support this request.

#### Waiver of Development Standards #1b

Code stipulates any trash enclosure must be set back a minimum of 50 feet to any residential use. The applicant has placed the trash enclosure in the western exterior of the vehicle wash area and is 36 feet away from the property line. The adjacent residential parcel to the west is over 200 feet to the actual residential buildings. Due to the distance between the trash enclosure and residences to the west, staff can support the request.

#### Waiver of Development Standards #2a

The applicant is proposing to demolish a commercial building and construct a vehicle wash facility, which is a more intense use, and due to the proximity of the residential zoning district to the west, Code requires a 15 foot wide landscape buffer consisting of a double row of evergreen trees. The adjacent residential parcel to the west is over 200 feet and the private driveway of Garden Parkway provides 128 feet of separation from the nearest residence consisting of 2 drive aisles and landscape strips on the west side of the existing block wall. The landscape plan shows a single row of trees planted in the landscape planter along the western edge of the drive aisle of the exit side of vehicle wash tunnel. For these reasons, staff can support this request.

#### Waiver of Development Standards #2b

Staff has no issue with the request as there is an existing block wall along the west property line. Staff finds the existing condition of the wall along with the private driveway width will serve to minimize impacts to the residences to the west.

#### Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The partial redevelopment of the retail center will overall enhance the immediate area with new and expanded landscaping both internally and along the streetscape. Pedestrian pathways are now required, and the applicant is installing these to improve upon pedestrian safety and reduce internal traffic circulation. The proposed vehicle wash development will be oriented to limit the impact of visual effects on the right-of-way for Desert Inn Road with new landscaping and architectural measure to reduce unsightly blank walls. Included with this new development are sustainability measures to reduce environmental impacts. The applicant is providing for 8.5 points where 7 points is required. For these reasons, staff can support this request.

#### **Public Works - Development Review**

##### Waiver of Development Standards #3

Staff cannot support the request to not install detached sidewalks along Desert Inn Road. Detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic and with the redevelopment, staff finds that it is imperative to provide the detached sidewalks.

**Staff Recommendation**

Approval of the use permit, waivers of development standards **#1b** and **#2**, and the design review; denial of waivers of development standards **#1a** and **#3**.

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:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Dedicate spandrel on northeast corner of site at Desert Inn Road and Sandhill Road intersection as determined by Public Works - Traffic Division;
- Reconstruct any unused driveways with full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements. 90 days to record said separate document for the Sandhill Road and Desert Inn Road improvement project.
- Applicant is advised that off-site improvement permits may be required.

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0414-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Paradise - approval.

**APPROVALS:** 3 cards

**PROTESTS:** 13 cards, 3 letters

**COUNTY COMMISSION ACTION:** November 6, 2024 – HELD – To 11/20/24 – per Commissioner Segerblom.

**COUNTY COMMISSION ACTION:** November 20, 2024 – HELD – To 12/18/24 – per the applicant.

**COUNTY COMMISSION ACTION:** December 18, 2024 – HELD – To 02/05/25 – per the applicant.

**COUNTY COMMISSION ACTION:** February 5, 2025 – HELD – To 04/02/25 – per the applicant.

**APPLICANT:** DESERT INN PARTNERS, LLC

**CONTACT:** CHRIS HART, 294 WALNUT VILLAGE LANE, HENDERSON, NV 89012