

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-24-400024 (UC-21-0434)-GILL EXPRESS, INC.:**

**HOLDOVER USE PERMIT FIRST EXTENSION OF TIME** to allow a vehicle wash establishment.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce the setback; **2)** allow an unscreened service bay door; **3)** cross access; **4)** landscaping (required trees); and **5)** reduced throat depth.

**DESIGN REVIEW** for a proposed vehicle wash establishment on 1.2 acres in a CG (Commercial General) Zone.

Generally located on the north side of Flamingo Road, 155 feet east of Mountain Vista Street within Paradise. TS/mh/ng (For possible action)

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RELATED INFORMATION:

**APN:**

161-17-801-008

**USE PERMIT:**

Allow a vehicle wash establishment per Table 30.44-1.

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the setback of a proposed vehicle wash establishment to 147 feet where 200 feet is required from a residential use per Table 30.44-1 (a 27% decrease).
2. Allow a service bay door to be unscreened without landscaping or a building.
3. Eliminate the cross access requirement between the subject parcel and the existing properties to the east and west where required per Table 30.56-2.
4.
  - a. Eliminate the required trees within a landscape strip adjacent to Flamingo Road where required per Figure 30.64-17.
  - b. Allow alternative landscaping within a landscape strip adjacent to a less intense use (residential use to the north) where required per Figure 30.64-11.
5. Reduce the driveway throat depth to 5 feet 6 inches where 25 feet is required per Uniform Standard Drawing 222.1 (a 78% decrease).

**LAND USE PLAN:**

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A

- Site Acreage: 1.2
- Project Type: Vehicle wash
- Number of Stories: 1
- Building Height (feet): 30
- Square Feet: 3,897
- Parking Required/Provided: 3/3

### Site Plan

The approved plan depicts a proposed vehicle wash establishment on the north side of Flamingo Road, 155 feet east of Mountain Vista Street. Access to the site is provided via 1 driveway on the southeast corner of the parcel, adjacent to Flamingo Road. The site design includes 1 vehicular loop which flows in a counterclockwise direction. Vehicles entering the establishment will drive along the east property line heading north towards the 3 pay station queuing areas. The patrons may head south toward the vehicle wash building or they can head east toward the 26 vacuum stall stations centrally located on the site.

In addition, the site was designed to encompass existing utility easements, which shape the overall design of this establishment. First, along the south property line (adjacent to Flamingo Road), there is an existing 39 foot, 6 inch wide Las Vegas Valley Water District (LVVWD) easement. Secondly, there is an existing 40 foot wide Southern Nevada Water Authority (SNWA) utility easement on the northern half of the parcel, which runs from the northeastern corner of the subject parcel and travels in a southwestern direction. Lastly, there is an existing 10 foot wide NV Energy easement along the entire length of the north property line.

There is an existing 6 foot high CMU block wall along the north property line adjacent to a multiple family residential building. The east property line includes an existing 3 foot high CMU block wall with a 3 foot high chain-link fence on top. The west property line includes an existing 6 foot high CMU block wall adjacent to an existing convenience store and gasoline station. The applicant is proposing an additional 6 foot high screen wall on the subject property adjacent to the existing screen wall along the east property line. All existing screening will remain on-site.

With the original application, the applicant requested to allow a vehicle wash establishment, to reduce the proposed vehicle wash establishment setback to 147 feet where a 200 foot setback is required from a residential use to the north as required per Title 30, and to allow service bay doors to not be screened by landscaping (eliminating trees). Furthermore, the applicant also requested waivers for required trees within landscape planters adjacent to Flamingo Road and adjacent to the residential use to the north. Lastly, the applicant requested to waive cross access from the parcels to the east and west and a waiver to reduce the driveway throat depth.

### Landscaping

With the original application, the applicant proposed shrubs only in areas that have designated easements. For example, the landscape plan depicts a 10 foot wide landscape strip that is within an existing 10 foot wide NV energy easement along the north property line. Per submitted correspondence between the applicant and NV Energy, only shrubs are permitted within this landscape strip; therefore, the applicant requested an additional 10 foot wide landscape buffer south of the NV Energy easement. This additional landscape buffer includes 24 inch box trees

spaced 10 feet apart. This additional landscape buffer included trees for the majority of the landscape buffer except for when the landscape buffer encroaches into the Southern Nevada Water Authority (SNWA) easement (northeast corner of the parcel).

The applicant also submitted correspondence from SNWA stating that the 40 foot wide utility easement from the northeast corner which runs in a southwestern direction can be utilized but limiting the applicant to only having shrubs in this area as well.

Along the south property line (adjacent to Flamingo Road), there is an existing 39 foot, 6 inch wide Las Vegas Valley Water District (LVVWD) easement. The applicant also submitted correspondence from LVVWD that only shrubs are permitted within this landscape strip; therefore, the applicant requested to waive required trees within a landscape strip that is adjacent to a collector street, Flamingo Road, per Figure 30.64-17.

Furthermore, the applicant requested a landscape strip along the west property line that is a minimum of 15 feet wide and expands to 30 feet wide, and the majority of this landscape strip includes 24 inch box trees spaced 20 feet apart. Along the east property line, the applicant requested a 6 foot wide landscape planter which will include 5 gallon shrubs. Lastly, landscaping is located around the vacuum stall areas and on the north and south sides of the vehicle wash building.

#### Elevations

The approved plans depict a vehicle wash building with an overall height of 30 feet. The design of the building features varying roof heights and decorative exterior finishes such as stucco reveals, parapet caps, awning and tie rods, painted CMU block walls, and storefront window and door systems. The north facing elevation features the vehicle wash tunnel entrance, and the south facing elevation features the vehicle wash exit. The east facing elevation faces the commercial use to the west, this elevation features a CMU block wall and 2 windows. The west facing elevation features 3 sets of windows where customers can view their vehicles in the wash tunnel.

#### Floor Plan

The approved plan depicts a mechanical room, restrooms, office, lobby area, and vehicle wash tunnel.

#### Signage

Signage is not a part of this request.

#### Previous Conditions of Approval

Listed below are the approved conditions for UC-21-0434:

#### Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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;
- Traffic study and compliance;
- Nevada Department of Transportation approval.

**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 #0240-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**Applicant's Justification**

The applicant states that plans have been submitted to the Building Department for permitting and are under review. The applicant has been coordinating with the Fire Department and the Public Works Department for additional permits, which has delayed the commencement of the project. No changes to the site plan are proposed at this time.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-21-0434	Vehicle wash establishment with waivers for setbacks, screening, cross access, landscaping, and throat depth	Approved by PC	October 2021
UC-18-0433	Mini-warehouse establishment with waivers to reduce landscaping, waived exterior siding design standards, and driveway geometrics - expired	Approved by BCC	August 2018
ZC-0045-94	Reclassified the project site to C-1 zoning	Approved by BCC	February 1994

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Corridor Mixed-Use	RM18	Multiple family residential
South	Corridor Mixed-Use	CG	Retail & convenience store with gasoline station
East	Corridor Mixed-Use	CG	Shopping center
West	Corridor Mixed-Use	CG	Convenience store & gasoline station with vehicle wash

**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.

Staff finds that since approval of the original application, the applicant has made diligent progress toward commencement. A drainage study (PW21-18566) and traffic study (PW22-12638) have been approved by Public Works, and a permit for off-site improvements (PW23-14316) is in process. The applicant also has several permits in process with the Building Department and the Fire Prevention Division. Therefore, staff can support this request for a 2 year extension of time.

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

The applicant has complied with all of Public Works conditions. Therefore, staff has no objection to this extension of time.

### **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**

- Until October 5, 2025 to commence or the application will expire unless extended with approval of an extension of time.
- 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**

- No comment.

### **Fire Prevention Bureau**

- No comment.

### **Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:**

**APPROVALS: 3 cards**

**PROTEST:**

**PLANNING COMMISSION ACTION:** May 21, 2024 – HELD – To 06/18/24 – per the applicant.

**APPLICANT:** GILL EXPRESS, INC.

**CONTACT:** SUZANA RUTAR, SUZANA RUTAR ARCHITECTURE, 1950 E. WARM SPRINGS ROAD, LAS VEGAS, NV 89119