

12/07/21 PC AGENDA SHEET

VEHICLE WASH/VEHICLE MAINTENANCE/
RESTAURANT
(TITLE 30)

DECATUR BLVD/DESERT INN RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0597-TRANS-AERO LAND & DEVELOPMENT:

USE PERMIT to allow a service bay door for a vehicle (automobile) wash to face a street.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce parking lot landscaping; **2)** reduce the side street (corner) setback for a proposed trash enclosure and vacuums; and **3)** eliminate the required loading space.

DESIGN REVIEWS for the following: **1)** vehicle wash; **2)** restaurant; **3)** outside dining and drinking; and **4)** vehicle maintenance (smog check) in conjunction with an existing convenience store and gasoline station on 1.0 acre in a C-2 (General Commercial) Zone.

Generally located on the east side of Decatur Boulevard and the north side of Desert Inn Road within Winchester. JJ/md/jo (For possible action)

RELATED INFORMATION:

APN:

162-07-401-011

USE PERMIT:

Allow a service bay door for a vehicle (automobile) wash to face a street (Decatur Boulevard) where no service bay door shall face a street unless screened with landscaping or a building per Table 30.44-1.

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce parking lot landscaping where required per Figure 30.64-14.
2.
 - a. Reduce the side street (corner) setback for a proposed trash enclosure to 7 feet where a minimum of 10 feet is required per Table 30.40-4 and Section 30.56.040 (a 30% reduction).
 - b. Reduce the side street (corner) setback for vacuum stations to 3 feet where a minimum of 10 feet is required per Table 30.40-4 and Section 30.56.040 (a 70% reduction).
3. Eliminate the required loading space where 1 loading space is required per Table 30.60-6 (a 100% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 3280 S. Decatur Blvd
- Site Acreage: 1
- Project Type: Vehicle wash, vehicle maintenance (smog check), and restaurant
- Number of Stories: 1
- Building Height (feet): Up to 23 (existing and proposed)/11 (smog check)
- Square Feet: 3,550 (existing convenience store)/700 (restaurant)/150 (outside dining area)/1,417 (vehicle wash)/80 (vehicle maintenance – smog check)
- Parking Required/Provided: 27/29

Site Plans

The plans depict an existing convenience store with gasoline station (fuel canopy) located at the northeast corner of Decatur Boulevard and Desert Inn Road. The convenience store is set back as follows: 1) 155 feet from the west property line, adjacent to Decatur Boulevard; 2) 8 feet from the north property line of the pad site; and 3) 6 feet from the east property line of the pad site. The fuel canopy is set back as follows: 1) 30 feet from the west and south property lines, adjacent to Decatur Boulevard and Desert Inn Road, respectively; 2) 55 feet from the north property line; and 3) 105 feet from the east property line. A restaurant and vehicle wash addition are proposed immediately to the south of the existing convenience store. The restaurant and vehicle wash are set back a minimum of 180 feet from the west property line along Decatur Boulevard. A proposed outside dining area is located immediately to the west of the restaurant. Both the restaurant and vehicle wash have a 6 foot setback from the east property line. The vehicle wash is set back a minimum of 40 feet from the south property line adjacent to Desert Inn Road. The service bay door associated with the vehicle wash is oriented to Decatur Boulevard, and is partially screened from the right-of-way; thereby, necessitating a waiver of development standards. Vehicles enter the wash bay through the west side of the building and exit the wash bay through the east side, where cross-access is provided along the east property line to the adjacent commercial development. Two spaces for the queuing of automobiles entering the vehicle wash are located underneath the fueling canopy. A smog check structure is located at the northwest corner of the project site. A proposed trash enclosure is located at the southeast corner of the site, with a minimum setback of 7 feet from the south property line (Desert Inn Road). Three vacuum stations are located within the existing street landscape area along Desert Inn Road, and set back 3 feet from the south property line. The locations for the trash enclosure and vacuum stations require a waiver of development standards to reduce the side street (corner) setback from the right-of-way. Access to the project site is granted via an existing 40 foot wide commercial driveway along Desert Inn Road. The existing and proposed development requires a total of 27 parking spaces where 29 spaces are provided. Cross access is provided to the existing commercial development located to the north and east of the project site. A waiver of development standards is also required to eliminate the loading space for the proposed restaurant.

Landscaping

The plans depict an existing 6 foot wide landscape area located behind an existing 5 foot wide attached sidewalk adjacent to Decatur Boulevard and Desert Inn Road. Medium, twenty-four inch box trees will be planted 20 feet on center within the street landscape area adjacent to Decatur Boulevard and Desert Inn Road. Two landscape finger islands will be planted on the north and south sides of the entrance to the vehicle wash; however, a waiver of development standards is necessary to reduce the required number of landscape finger islands within the interior of the parking lot.

Elevations

The plans depict a proposed restaurant and vehicle wash addition to an existing convenience store with a height ranging from 18 feet to 23 feet to the top of the parapet wall. An aluminum storefront window system is featured on the west elevation of the restaurant. Contrasting building materials including tile veneer and stucco with a consistent color scheme are visible along Desert Inn Road and Decatur Boulevard. A concrete tile roof is proposed over the vehicle wash, matching the roof material of the convenience store. Immediately to the west of the vehicle wash entrance is a metal canopy measuring 9 feet in height. All rooftop mounted equipment will be screened by parapet walls. The smog check building measures 11 feet in height and consists of tile veneer and stucco to match the existing convenience store and proposed additions. The 3 vacuum stations, as proposed within the landscape area along Desert Inn Road, measure 11.5 feet in height (metal pole). The vacuum equipment, consisting of a vacuum hose and trash receptacle, are affixed to the metal pole.

Floor Plans

The plans depict an existing convenience store measuring 3,550 square feet in area. The restaurant consists of 700 square feet and features an open floor plan that will be modified when a final tenant is selected. The vehicle wash area and equipment room areas measure 1,109 and 308 square feet, respectively, with an overall area of 1,417 square feet. The smog check measures 80 square feet in area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the service bay door associated with the vehicle wash is set back away from the street and is partially screened by the existing fuel canopies and proposed trees. The applicant proposes to add landscape finger islands in front of the vehicle wash bay to mitigate the reduction to the parking lot landscaping. The proposed trees within the street landscape area, adjacent to Desert Inn Road, will help mitigate the reduced setback for the trash enclosure and vacuums. The proposed expansion to the convenience store, including the smog check, will create employment opportunities for the area.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-1078-97	Convenience store with gasoline station	Approved by BCC	August 1997
ZC-0213-90	Reclassified the project site to C-2 zoning	Approved by BCC	September 1990

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Commercial General	C-2	Shopping center
South	Commercial General	C-1 & C-2	Retail buildings
West	Residential High (8 du/ac to 18 du/ac)	R-3	Single family residential

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 Comprehensive 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 service bay door associated with the vehicle wash is set back 180 feet from Decatur Boulevard, in addition to being partially screened by the proposed street landscaping along the right-of-way. Staff finds the proposed request should have minimal to no impact on the surrounding land uses and properties; therefore, recommends approval.

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 intent of parking lot landscaping is to provide climate adaptable plant materials that improve the visual appearance of the project site, enhance environmental conditions by providing shade and reducing storm water run-off, and to provide buffer areas between land uses of varying

intensity. The request to waive the required landscaping is a self-imposed burden; therefore, staff cannot support this request.

Waiver of Development Standards #2

Staff cannot support the request to reduce the side street setback for the proposed trash enclosure located along Desert Inn Road. Staff finds there are alternative locations where the trash enclosure can be constructed within the interior of the project site where it will not be immediately visible from the right-of-way. The location of the trash enclosure is a self-imposed hardship; therefore, staff cannot support this request.

Waiver of Development Standards #3

Staff finds there is adequate parking located immediately adjacent to the convenience store for delivery vehicles to utilize when resupplying the restaurant. Eliminating the required loading space should have no impact on the operations of the convenience store and restaurant, or the surrounding land uses; therefore, staff recommends approval.

Design Reviews

The proposed restaurant and vehicle wash addition to the existing convenience store features varying rooflines up to 23 feet in height, contrasting building materials including tile veneer and stucco with a consistent color scheme, which are visible along Desert Inn Road and Decatur Boulevard. The proposed additions comply with Commercial Policy 78, which encourages design variations to a building's mass including varying rooflines and building height, and to eliminate blank building elevations along public rights-of-way and areas visible to the general public. The layout of the proposed vehicle wash drive-thru lane is functional and provides immediate cross-access to the adjacent commercial site upon vehicles exiting the wash bay. Staff finds the building additions to the site, including the smog check, are consistent and compatible with the commercial uses in the surrounding area; therefore, staff recommends approval.

Staff Recommendation

Approval of use permit, waiver of development standards #3, and the design reviews; denial of waivers of development standards #1 and #2.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- 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

- Traffic study and compliance.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Winchester - approval of the use permit, waivers of development standards #1 and #3, and the design reviews; denial of waivers of development standards #2a and #2b.

APPROVALS:

PROTESTS:

APPLICANT: TRANS-AERO LAND & DEVELOPMENT

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