

VEHICLE WASH  
(TITLE 30)

**UPDATE**  
WARM SPRINGS RD/EASTERN AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-23-0005-WOW BUILD CO ONE, LLC:**

**HOLDOVER USE PERMIT** for vehicle wash (automobile).

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce the setback of a vehicle wash (automobile) from a residential use; **2)** allow alternative landscaping and screening adjacent to a less intensive use; **3)** reduce street landscape width; and **4)** reduce throat depth.

**DESIGN REVIEW** for a vehicle wash facility (automobile) on 1.5 acres in a C-1 (Local Business) Zone.

Generally located on the north side of Warm Springs Road, 800 feet west of Eastern Avenue within Paradise. MN/gc/syp (For possible action)

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RELATED INFORMATION:

**APN:**  
177-02-802-003

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the setback of a vehicle wash (automobile) from a residential use to 20 feet where a minimum of 200 feet is required per Table 30.44-1 (a 90% reduction).
2. Allow alternative landscaping and screening adjacent to a less intensive use where landscaping and screening per Figure 30.64-11 is required.
3. Reduce street landscape width along Warm Springs Road to 9.5 feet where 15 feet is required per Section 30.64.030 (a 36.7% reduction).
4. Reduce throat depth for a driveway along Warm Springs Road to 17 feet 11 inches where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 28.3% reduction).

**LAND USE PLAN:**  
WINCHESTER/PARADISE - CORRIDOR MIXED-USE

**BACKGROUND:**  
**Project Description**

General Summary

- Site Address: 2200 E. Warm Springs Road
- Site Acreage: 1.5
- Project Type: Vehicle wash facility (automobile)
- Number of Stories: 1

- Building Height (feet): 31
- Square Feet: 4,814
- Parking Required/Provided: 5/12

#### Site Plans

The plans show a vehicle wash building (automobile) oriented in an east/west direction and located 20 feet from the north (rear) property line, 204 feet from the south (front) property line, and 54 feet from the west property line. Vehicles entering the vehicle wash will stack within 3 lanes in front of a separate pay canopy along the east property line. Vacuum canopies with 32 bays are located to the south of the vehicle wash building. A trash enclosure is located 50 feet from the west property line and 133 feet from the north property line. Primary access to the site is from Warm Springs Road, although secondary access is possible from a private access drive along the west property line. A total of 12 parking spaces are provided where a minimum of 5 parking spaces are required.

#### Landscaping

Street landscaping consists of a 9.5 foot wide landscape area with 24 inch box Mulga and Chaste trees every 30 feet and an existing attached sidewalk along Warm Springs Road. The applicant proposes to keep the existing landscaping along the west property line where landscaping per Figure 30.64-11 would normally be required adjacent to a less intensive use which would necessitate a 6 foot high block wall and the use of 24 inch box large Evergreen trees instead. An intense landscape buffer per Figure 30.64-12 utilizing 24 inch box Shoestring Acacia trees is proposed along the north property line. However, the applicant is proposing to keep the existing 5.5 foot high block wall instead of the required 6 foot high block wall.

#### Elevations

The plans depict a 1 story, 31 foot high vehicle wash building constructed of EIFS walls, decorative metal panels, and brick. The roof is flat and consists of parapet walls at varying heights. Overhead doors are located at the tunnel entrance and exit at the east and west sides of the building. The pay canopy is 12 feet high and constructed of metal paneling and steel columns. The east side of the pay canopy will have an approximately 15 foot high, split-faced, CMU wall for fire separation purposes. The vacuum canopies are 11 feet high with a fabric awning covering.

#### Floor Plans

The plans show a 4,814 square foot vehicle wash building consisting of a wash tunnel, equipment room, electrical room, breakroom, restroom, and office area. The pay canopy is 1,272 square feet and the vacuum canopies total square footage is 7,659.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant states that the site was a former Bank of America building that has been subject to vandalism for quite some time, and that the proposed vehicle wash will alleviate such issues. Furthermore, the applicant states that the proposed 20 foot wide intense landscape buffer along

the north property line combined with the existing landscaping on the adjacent apartment complex property to the north will provide an adequate buffer between the vehicle wash facility and the residential development to the north. Additionally, the applicant states similar reductions in setback from residential uses have been approved before (UC-0043-15 and UC-17-1078). The waiver for alternative landscaping along the west property line adjacent to a less intensive use is justified since the residentially zoned property to the west is only an access driveway for the apartment complex to the north. The proposed street landscape width along Warm Springs Road is similar to what is found in the area. The reduced throat depth is mitigated by the 3 queueing lanes provided at the pay canopy which will prevent vehicles blocking the public right-of-way.

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North & South	Compact Neighborhood (up to 18 du/ac)	R-3	Apartment complex
East	Corridor Mixed-Use	C-2	Shopping center
West	Corridor Mixed-Use	R-3	Apartment complex (access drive)

#### **STANDARDS FOR APPROVAL:**

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

#### **Analysis**

##### **Comprehensive Planning**

##### Use Permit & Design Review

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.

Staff cannot support the use permit and design review request for a vehicle wash due to the negative impacts created by the reduction in setback between the vehicle wash and the residential development to the north. The request does not comply with Policy 6.2.1 of the Master Plan which promotes ensuring that the design and intensity of new development is compatible with established neighborhoods and uses.

##### 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

Staff finds the request to reduce the setback of a vehicle wash from a residential use to 20 feet to be excessive, especially since the residential buildings to the north are also within 20 feet of the shared property line. Having the vehicle wash so close to a residential development can cause negative impacts to the residential development including, but not limited to, noise, odors, air quality, and quality of life. The applicant states that reductions in setback for vehicle wash facilities have been granted in the past. However, the examples given were at a set back distance of 105 feet with conditions for limited hours of operation (UC-0043-15) and 159 feet (UC-17-1078).

#### Waiver of Development Standards #2

Staff does not have any practical issue with the request for alternative landscaping adjacent to a less intensive use along the west property line. Although the adjacent property to the west is zoned R-3, it consists of only a private drive that leads to the apartment complex buildings to the north. Therefore, the request will not result in any negative impacts to the residential buildings. However, since staff cannot support the use permit, design review, and waiver to reduce the setback of the vehicle wash from a residential use, staff cannot support the waiver along the west property line. Furthermore, considering the large reduction in setback of the vehicle wash from the residential development to the north, the buffer wall along the north property line should at least meet the minimum 6 foot required height. Therefore, staff cannot support the request along the north property line.

#### Waiver of Development Standards #3

Staff does not have an issue with the proposed 9.5 foot wide street landscape area along Warm Springs Road as similar landscape widths are located along the street in this area. The C-1 zoned property to the west on the other side of the private drive has a landscape width of 6 feet along Warm Springs Road and the adjacent shopping center to the east has a street landscape width of 10 feet. However, since staff cannot support the use permit, design review, and waiver to reduce the setback of the vehicle wash from a residential use, staff cannot support this request.

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

#### Waiver of Development Standards #4

Staff has no objection to the reduction in throat depth from the commercial driveway on Warm Springs Road. The applicant has provided an additional landscape buffer that will help mitigate potential conflicts. Additionally, with 3 queuing lanes, staff does not anticipate vehicles stacking to the driveway. However, since Current Planning is recommending denial of the application, staff cannot support this waiver.

### **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:

- Hours of operation limited to 7:00 a.m. to 9:00 p.m.;
- Provide an intense landscape buffer per Figure 30.64-12 along the north property line (with allowance of the existing 5.5 foot high block wall to serve as buffer);
- 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 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.
- 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 the property is already connected to the CCWRD sewer system; and if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

**TAB/CAC:** Paradise - approval (1 year to review as a public hearing; hours of operation to be from 7:00 a.m. to 7:00 p.m.; and back wall to be 6 feet high).

**APPROVALS:** 1 card

**PROTESTS:**

**PLANNING COMMISSION ACTION:** March 7, 2023 – HELD – To 03/21/23 – per the applicant.

**APPLICANT:** S.T. ENTERPRISES, LLC

**CONTACT:** LIZ OLSON, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135