

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0889-SILVERADO PROMENADE II, LLC:**

**USE PERMIT** to reduce the setback of a proposed vehicle wash from a residential use.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** waive cross access; **2)** allow access to a local street; **3)** reduce throat depth; and **4)** reduce driveway departure distance.

**DESIGN REVIEWS** for the following: **1)** commercial center; **2)** vehicle wash; **3)** restaurant with a drive-thru; **4)** lighting; and **5)** alternative parking lot landscaping on 1.9 acres in a C-2 (General Commercial) Zone.

Generally located on the south side of Silverado Ranch Boulevard and the east side of Giles Street within Enterprise. MN/jor/syp (For possible action)

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RELATED INFORMATION:

**APN:**

177-28-101-003; 177-28-101-004

**USE PERMIT:**

Reduce the setback of a proposed vehicle wash from an existing residential use to the north to 142 feet where 200 feet is the minimum required per Table 30.44-1 (a 29% reduction).

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Waive cross access where cross access to the east (a non-residential land use) is required per Table 30.56-2.
2. Allow access to a local street (Giles Street) where not permitted per Table 30.56-2.
3. Reduce the proposed driveway throat depth to 11 feet where 25 feet is the standard per Uniform Standard Drawing 222.1 (a 56% reduction).
4. Reduce the proposed driveway departure distance to 82 feet where 190 feet is the standard per Uniform Standard Drawing 222.1 (a 57% reduction).

**LAND USE PLAN:**

ENTERPRISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: None
- Site Acreage: 1.9
- Project Type: Commercial center featuring a restaurant with a drive-thru and a vehicle wash
- Number of Stories: 1

- Building Height (feet): Restaurant (18 feet, 2 inches)/vehicle wash (31 feet, 1 inch)
- Square Feet: 2,980 (restaurant)/4,859 (vehicle wash)
- Parking Required/Provided: 35/41

### History, Site Plan, & Request

The site was reclassified to C-2 zoning via ZC-0661-17 as a part of a commercial expansion from the existing shopping center west of Giles Street. Today the applicant is proposing 2 parcels (total of 1.9 acres) to be developed as a smaller commercial center which will feature a restaurant with a drive-thru on the western parcel (177-28-101-003) and a vehicle wash on the eastern parcel (177-28-101-004). Access to the site is via 1 proposed driveway along Silverado Ranch Boulevard (north property line), and the southwest corner of the site adjacent to Giles Street.

The restaurant building is oriented north to south with the drive-thru lane on the north and west side of the building. The vehicle wash building is also oriented north to south and will be constructed along the eastern property line. The queuing lane for the vehicle wash is in the center of the complex, vehicles will head south through the queuing lane and pay station areas and head east and north towards the vehicle wash building. The site plan depicts 41 parking spaces are provided where 35 spaces are required.

The applicant is requesting a use permit to reduce the setback of the vehicle wash building from a residential use to the north to 142 feet where 200 feet is required per Code. Waivers of development standards include to not provide cross access to the non-residential use to the east, allow access to a local street (Giles Street), reduced driveway throat depth and departure distance. The design review is for the entire site design, both the restaurant with a drive-thru and vehicle wash buildings, and proposed lighting.

### Landscaping

The existing attached sidewalk along Silverado Ranch Boulevard will remain, and a landscape strip ranging from 15.5 feet to 25 feet (featuring large trees and shrubs) will be installed adjacent to the attached sidewalk. The east property line includes a landscape area ranging from 6 feet to 11.5 feet wide which features trees, shrubs, and xeriscape. The south property line includes a 6 foot wide landscape strip also with trees and shrubs. Along Giles Street, the applicant is proposing to install a detached sidewalk with landscaping (trees and shrubs).

### Elevations

The restaurant building includes an overall height of 18 feet, 2 inches. Exterior finishes include aluminum composite decorative metal panels, brick veneer, stucco walls, textured panels and neutral toned paint colors. The vehicle wash building has an overall height of 31 feet, 1 inch. The EIFS (Exterior Insulation and Finish Systems) include popouts over the CMU walls, decorative metal paneling, brick finishes and fabric awnings.

### Floor Plans

The restaurant building has an overall area of 2,980 square feet which includes a dining room, kitchen, office, restrooms, customer ordering area, and back of house areas. The vehicle wash building includes a customer area, an office, restrooms, breakroom, equipment room, and the vehicle wash tunnel. The overall area of the vehicle wash building is 4,859 square feet.

### Lighting Plan

The plan shows 20 foot high LED light poles. Light poles with full cut-off shields are located around the perimeter of the site. The light poles that are not shielded are within the center of the site within the parking spaces. In addition, there will be wall pack LED lamps mounted 10 feet high on the exterior of the building as well as wall pack LED lamps mounted at 8 feet high with full cut-off shields.

### Applicant's Justification

The proposed restaurant is permitted by right in the C-2 zoning district while the vehicle wash facility is a conditional use. Based on the attached site plan with corresponding setbacks and separations, the proposed uses comply with prescribed conditions except the minimum separation of 200 feet from a residential use for the vehicle car wash; therefore, a special use permit is required to modify the listed condition. The request is entirely consistent with the intent of the C-2 zoning district and Entertainment Mixed Use (EM) planned land use designation and in compliance with several goals and policies contained within the Master Plan. The EM category lists primary land uses, in part, as a mix of retail, restaurants, offices, service commercial, and other professional services. The proposed project is adjacent to an existing commercial development to the west.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-0661-17	Reclassified 7.5 acres from C-P and H-1 to C-2 zoning for a shopping center expansion, with waivers to allow commercial to access a local street and off-sites, and design reviews for the shopping center expansion, and increased finished grade	Approved by BCC	November 2017
VS-0663-17	Vacated rights-of-way and easements - expired	Approved by BCC	November 2017
TM-0131-17	1 lot commercial subdivision, a recorded final map was processed for the shopping center on Las Vegas Boulevard and Silverado Ranch Boulevard, subject parcels east of Giles Street were not included	Approved by BCC	November 2017

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Compact Neighborhood (up to 18 du/ac)	R-3	Multiple family development
South	Entertainment Mixed-Use	C-2	Undeveloped
East	Entertainment Mixed-Use	H-1 & R-E	Undeveloped
West	Entertainment Mixed-Use	C-2	Shopping center

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

## Related Applications

Application Number	Request
VS-23-0890	A request to vacate and abandon patent easements and a portion of right-of-way being Giles Street is a companion item on this agenda.

### 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. Staff finds that reducing the vehicle wash building setback to 142 feet is mitigated by the fact that Silverado Ranch Boulevard is an arterial street and provides an adequate physical buffer from the proposed vehicle wash building from the multiple family residential use to the north. In addition, the applicant provided a significant amount of landscaping to provide additional screening from the vehicle wash tunnel. Staff recommends approval.

##### 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 #1

The applicant is requesting to not provide cross access to the east where cross access is required between non-residential land uses per Table 30.56-2. Cross access is not provided to the east due to the site design of the proposed vehicle wash. The plans show that the proposed vehicle wash building is located along the entire east property line, and a landscape area with future cross access will be installed along the south property line only. Staff finds that parcel to the east is undeveloped but currently has an existing driveway along the north property line. Integrating cross access to the east where the proposed vehicle wash lanes would be implemented would cause potential points of conflicts. Staff supports the design review for the site; therefore, staff supports this request.

### Waiver of Development Standards #2

Staff can support this waiver since the nearest existing residences are 651 feet to the south, and the surrounding planned land use is Entertainment Mixed-Use. Access to Giles Street from the proposed southwestern driveway allows for better on-site vehicular flow from customers exiting the restaurant drive-thru. Staff supports this request.

### Design Reviews

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. Staff finds that the overall design of the site lends itself to pedestrian and vehicle safety since it is a standalone commercial site. The architectural design of the buildings are aesthetically harmonious, and since staff supports all of the waivers of development standards, staff also supports this request.

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

#### Waiver of Development Standards #3

Staff has no objection to the reduction in throat depth for both commercial driveways, as the applicant has reduced potential conflicts by providing extra landscape planters on the drive aisles to provide drivers more distance before they encounter any conflicting parking spaces. Additionally, the 2 driveways should see equal use, further mitigating potential impacts from the reduced throat depths.

#### Waiver of Development Standards #4

Staff has no objection to the reduced departure distance for the Silverado Ranch Boulevard commercial driveway. The applicant has provided a shared driveway for access to both parcels reducing the potential conflict that multiple driveways on Silverado Ranch Boulevard would cause.

### **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**

- 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;
- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.

- 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; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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; 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;
- Full off-site improvements.

**Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; to show fire hydrant locations on-site and within 750 feet; that fire protection may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

**Southern Nevada Health District (SNHD) - Engineering**

- Applicant is advised that there are active septic permits on APN 177-28-101-003 and 177-28-101-004; to connect to municipal sewer and remove the septic systems in accordance with Section 17 of the SNHD *Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management*; and to submit documentation to SNHD showing that the systems have been properly removed.

**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 #0163-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** SILVERADO PROMENADE II, LLC

**CONTACT:** DIONICIO GORDILLO, 204 BELLE ISLE COURT, HENDERSON, NV 89012