

**AGENDA MEMO - PLANNING****CITY COUNCIL MEETING DATE: NOVEMBER 16, 2022****DEPARTMENT: COMMUNITY DEVELOPMENT****ITEM DESCRIPTION: APPLICANT: NEIL CAPIN - OWNER: SAHARA WEST
EXECUTIVE PARK, LLC****** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
22-0429-SUP1	Staff recommends DENIAL, if approved subject to conditions:	
22-0429-SDR1	Staff recommends DENIAL, if approved subject to conditions:	22-0429-SUP1

**** NOTIFICATION ******NEIGHBORHOOD ASSOCIATIONS NOTIFIED 24****NOTICES MAILED 344 (by City Clerk)****PROTESTS 5****APPROVALS 1**

**** CONDITIONS ****

22-0429-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Car Wash, Full Service use.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building & Safety.
4. These conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

22-0429-SDR1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (22-0429-SUP1).
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

Conditions Page Two
November 16, 2022 - City Council Meeting

3. All development shall be in conformance with the site plan date stamped 09/13/22; landscape plan date stamped 09/22/22 and building elevations date stamped 08/17/22, except as amended by conditions herein.
4. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structure.
8. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

9. Remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site. All adjacent sidewalks shall meet Public Right-of-Way Accessibility Guidelines (PROWAG) in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. Grant any Pedestrian Access Easement needed to complete this requirement.
10. Concurrent with the development of this site, the median in Spanish Oaks shall be modified to regulate left-turn movements into/out from this site to meet the approval of the City Traffic Engineer.
11. Coordinate with the Environmental Compliance & Enforcement staff of the Department of Public Works to locate any required grease interceptor and sand/oil interceptors in acceptable locations prior to submittal of sewer-related plans. Comply with the recommendations and requirements of the Environmental Compliance & Enforcement staff prior to issuance of permits. The team may be contacted at 702-229-2338 or emailed at ece@lasvegasnevada.gov.
12. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

Conditions Page Three
November 16, 2022 - City Council Meeting

13. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to submittal of any construction drawings or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways recommended in the approved drainage study update.

Staff Report Page One
November 16, 2022 - City Council Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting a Special Use Permit for a Car Wash, Full Service use and a Site Development Plan Review for the development of a 3,936 square-foot Car Wash structure located at 3200 West Sahara Avenue.

ISSUES

- A Car Wash, Full Service use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. Staff recommends denial of this request.
- A Site Development Plan Review is requested for a proposed 3,936 square-foot Car Wash, Full Service. Staff recommends denial of the request.

ANALYSIS

This project is located in the northeast corner of Sahara Avenue and Spanish Oaks Drive in the Master Plan 2050 Charleston Area with a Land Use Designation of TOC-2 (Transit Oriented Corridor - Low). The subject 1.03-acres is zoned C-1 (Limited Commercial), and is subject to Title 19.08 Development Standards. The applicant is proposing to redevelop the subject site with a 3,936 square-foot Car Wash, Full Service use. Pursuant to Title 19.12, approval of a Special Use Permit is required to allow a Car Wash, Full Service Use in the C-1 (Limited Commercial) zone. The proposed car wash structure is proposed to be located on the southeast portion of the subject site.

The applicant is proposing to demolish the existing structure and re-develop the subject site with a 3,936 square-foot Car Wash, Full Service development. The car wash structure provides stacking for 10 vehicles and a Condition of Approval has been added by staff to ensure the drive through screening complies with Title 19. As depicted on the submitted site plan, provided parking spaces will allow vacuum use and will be covered.

Although not a Special Use Permit requirement, staff notes that north of the subject site is an existing single-family residential neighborhood. Car Wash facilities have a tendency to produce more noise than typical commercial development, which includes noise from the car wash bay, multiple vehicle staging, 26 vacuums, and music that customers may play while using the Car Wash and its amenities. Staff finds the proposed car wash development is not able to be conducted in a manner that is harmonious and compatible with existing surrounding land uses and staff is recommending denial of both the Special Use Permit and companion Site Development Plan Review.

Staff Report Page Two
November 16, 2022 - City Council Meeting

The subject site is located within the Charleston area of the Las Vegas 2050 Master Plan. The Charleston area has specific goals that include land use and development implementation strategies. These land use and development goals include transit oriented development among major corridors such as Sahara Avenue, an increase of civic and green spaces, diverse housing options, mixed-use, place making through arts and culture, and adaptive reuse. Staff finds the proposed car wash development is not an adaptive reuse of the existing structure and not compatible with the existing surrounding land uses, which includes single-family residences.

With a Land Use Designation of TOC-2 (Transit Oriented Corridor - Low), lower intensity uses, linear corridor mixed use, and uses that are suitable for future bus rapid transit corridors are preferred. This Corridor encourages a walkable green streetscape with multi-modal emphasis, storefronts having direct sidewalk access and facing the street, surface parking substantially reduced and to the rear of a site with some drive through and auto-oriented uses acceptable. Staff supports the City's 2050 Master Plan and is recommending denial of the Special Use Permit and Site Development Plan Review request, as the Car Wash, Full service use does not meet the goals of the 2050 City Master Plan due to the use not being able to provide a storefront with direct sidewalk access and facing the street, the use being completely auto-oriented, which the Master Plan aims to reduce. Staff also recommends denial based on incompatibility to existing surrounding land uses, and noise that would disrupt the residential homes to the north.

The Minimum Special Use Permit Requirements for this use include:

1. Each wash bay shall have a stacking lane that will accommodate at least 6 cars.

The proposed use meets this requirement, as a 6 car stacking lane is provided in the proposed site plan.

FINDINGS (22-0429-SUP1)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

Staff Report Page Three
November 16, 2022 - City Council Meeting

The proposed land use cannot be conducted in a manner that is harmonious and compatible with the surrounding land uses, as residential homes are located to the north of the site and other surrounding uses include restaurants and office uses. The proposed use does not comply with the 2050 Master Plan Area of Charleston, as it is not able to provide a storefront with direct sidewalk access and facing the street, and the use being completely auto-oriented.

2. The subject site is physically suitable for the type and intensity of land use proposed.

The subject site is not physically suitable for the Car Wash, Full Service use and the intensity of the use, as the subject site is adjacent to residential homes, which would disrupt the residents with the noise that is caused by vacuums, music being played by customers, and customers who are coming in and out of the car wash.

3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.

Access to the property is proposed from Sahara Avenue, a 150-foot Primary Arterial and Red Rock Street, a 60-foot Local Street. While these roadways are adequate in size to meet the requirements of the proposed Car Wash Full Service or Auto Detailing use, Sahara Avenue has a dedicated bus lane and the proposed development does not support Transit Oriented Development as desired by the Master Plan and General Plan Designation.

4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.

The Car Wash, Full Service use is subject to license review and regular inspection for compliance with municipal codes to ensure public health, safety and welfare are not compromised.

5. The use meets all of the applicable conditions per Title 19.12.

The proposed use conforms to all Special Use Permit Requirements applicable to a Car Wash, Full Service or Auto Detailing use, but Staff recommends denial of the request due to incompatibility with the surrounding area and the use not meeting the 2050 Master Plan for the Charleston Area.

FINDINGS (22-0429-SDR1)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

The proposed 3,936 square-foot Car Wash, Full Service use development is not compatible with adjacent development, as the proposed subject site is surrounded by residential, offices and restaurants.

2. **The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

Although the proposed use meets the Special Use Permit requirement, the proposed use does not meet the goals or intentions of the 2050 Master Plan for the Charleston area, which aims to include transit oriented development among corridors, an increase of civic and green spaces, diverse housing options, mixed-use, place making through arts and culture, and adaptive reuse. The proposed use also does not meet the subject site's special land use designation (TOC-2 Transit Oriented Corridor - Low) goals, which include lower intensity uses, linear corridor mixed use, and uses that are suitable for future bus rapid transit corridors are preferred. This Corridor encourages a walkable green streetscape with multi-modal emphasis, storefronts having direct sidewalk access and facing the street, surface parking substantially reduced and to the rear of a site with some drive through and auto-oriented uses acceptable.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

A traffic study found that the proposed project is expected to add an additional 699 trips per day on Sahara Ave. and Spanish Oaks Dr. Currently, Sahara is at approximately 89 percent of capacity and Spanish Oaks is at approximately 12 percent of capacity. Based on Peak Hour use, this development will add into the area roughly 56 additional peak hour trips, or about one every minute. With this project, Sahara is expected to be at approximately 90 percent of capacity and Spanish Oaks to be at approximately 17 percent of capacity. The proposed development does not support Transit Oriented Development as desired by the Master Plan and General Plan Designation, and will only add additional vehicles to the area.

Staff Report Page Five
November 16, 2022 - City Council Meeting

4. Building and landscape materials are appropriate for the area and for the City;

Building and landscape materials are appropriate for the City and Southern Nevada climate.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The proposed building elevations and design are not unsightly, undesirable, or obnoxious. However the proposed use is not compatible with the existing surrounding land uses, which includes single-family residences, and does not meet the goals of the City for the 2050 Master Plan Area of Charleston or the special land use designation of Transit Oriented Corridor Low.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The proposed development is subject to building permit review and regular inspections during construction to ensure the public health, safety and general welfare are secure if approved.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
10/19/05	The City Council approved a Site Development Plan Review (8583-SDR) to allow a seven-story mixed-use development consisting of 325 residential units and 23,695 square feet of office space and waiver to permit a side yard setback of zero feet where 10 feet is required to the north side of Sahara Boulevard, between Spanish Oaks Drive and Richfield Boulevard. The Planning Commission and staff recommended approval.
06/06/07	The City Council approved a Site Development Plan Review (18693-SDR) to allow a four-story, 42,000 square-foot office building with a 2,450 square-foot restaurant with drive-through, a 14,550 square-foot general retail use with drive-through and waivers of landscape perimeter buffers at 3100-3190 West Sahara Avenue. The Planning Commission and staff recommended denial.

Staff Report Page Six
November 16, 2022 - City Council Meeting

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
05/19/10	The City Council approved a Special Use Permit (37068-SUP) to allow a Supper Club use within an existing 17,425 square-foot building at 3190 West Sahara Avenue. The Planning Commission and Staff recommended approval.
10/28/14	The City Council denied a Special Use Permit (55291-SUP) to allow a Cannabis Dispensary at 3190 West Sahara Avenue. The Planning Commission and staff recommended denial.
10/11/22	<p>The Planning Commission voted (7-0) to recommend APPROVAL of the following Land Use Entitlement project requests on 1.73 acres at the northeast corner of Sahara Avenue and Spanish Oaks Drive (APN 162-05-403-001), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen).</p> <p>22-0429-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED CAR WASH, FULL SERVICE OR AUTO DETAILING USE</p> <p>22-0429-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 3,936 SQUARE-FOOT CAR WASH DEVELOPMENT</p>

<i>Most Recent Change of Ownership</i>	
04/23/12	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
02/19/08	A building permit (L-25812) was issued for a four-story, 42,000 square-foot office building with a 2,450 square-foot restaurant and a 14,550 square-foot general retail establishment at 3190 West Sahara Avenue.
01/01/51	A business license was issued for a nightclub with a tavern at 3190 West Sahara Avenue. The license was last renewed 10/01/19.

<i>Pre-Application Meeting</i>	
08/02/22	A pre-application meeting was held to review the submittal process for a Special Use Permit and Site Development Plan Review for a Car Wash, Full Service use.

<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	

Staff Report Page Seven
November 16, 2022 - City Council Meeting

Field Check	
08/31/22	A routine field check was conducted by staff in which nothing of concern was noted. The site contains a vacant building that is free of debris.

Details of Application Request	
Site Area	
Net Acres	1.03

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Vacant Building	TOC-2 (Transit Oriented Corridor - Low)	C-1 (Limited Commercial)
North	Single Family Residential, Detached	L (Low Density Residential)	R-PD6 (Residential Planned Development District)
South	Restaurant	TOC-2 (Transit Oriented Corridor - Low)	C-1 (Limited Commercial)
East	Office, Other than Listed	TOC-2 (Transit Oriented Corridor - Low)	C-1 (Limited Commercial)
West	Office, Other than Listed	NMX-U (Neighborhood Mixed Use Center)	C-1 (Limited Commercial)

Master and Neighborhood Plan Areas	Compliance
2050 Master Plan Area: Charleston	N
Special Area and Overlay Districts	Compliance
A-O (Airport Overlay) District (200 Feet)	Y
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area (Area 2)	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to 19.08, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Width	100 Feet	325 Feet	Y
Min. Setbacks			
• Front	10 Feet	50 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	10 Feet	82 Feet	Y
• Rear	20 Feet	200 Feet	Y
Max. Lot Coverage	50 %	8.78%	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	7 Trees	10 Trees	Y
• South	1 Tree / 20 Linear Feet	7 Trees	13 Trees	Y
• East	1 Tree / 20 Linear Feet	14 Trees	30 Trees	Y
• West	1 Tree / 20 Linear Feet	16 Trees	30 Trees	Y
TOTAL PERIMETER TREES		44 Trees	83 Trees	Y
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	0 Trees due to parking spaces being covered	0 Trees due to parking spaces being covered	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet		23 Feet	Y
• South	15 Feet		15 Feet	Y
• East	8 Feet		16 Feet	Y
• West	15 Feet		15 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		By Condition	

Staff Report Page Nine
November 16, 2022 - City Council Meeting

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Sahara Avenue	Primary Arterial	Master Plan of Streets and Highways Map	150	Y
Spanish Oaks Drive	Parkway Arterial	Master Plan of Streets and Highways Map	75	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Car Wash, Full Service	289 SF Lobby (3,936 SF)	1 per 150 SF of lobby area	2				
TOTAL SPACES REQUIRED			2		28		Y
Regular and Handicap Spaces Required			1	1	26	2	Y

Traffic produced by proposed development:

Proposed Use	Description	#UNIT	RATE/#UNIT	TOTAL
Average Daily Traffic (ADT)	AUTOMATED CAR WASH [1000 SF]	3,936	177.50	699
AM Peak Hour			0.00	0
PM Peak Hour			14.20	56

Existing Traffic on all nearby streets:

Sahara Avenue

ADT	55,998
PM Peak Hour	4,480

(heaviest 60 minutes)

Staff Report Page Ten
November 16, 2022 - City Council Meeting

Spanish Oaks Drive

ADT	1,895
PM Peak Hour	152

(heaviest 60 minutes)

Traffic Capacity of adjacent streets:

	Adjacent street ADT Capacity
Sahara Avenue	62,895
Spanish Oaks Drive	15,600