



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JANUARY 20, 2016

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: RAINBOW ANN (I), LLC

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
GPA-60977	Staff recommends APPROVAL.	
ZON-60978	Staff recommends APPROVAL.	GPA-60977
SUP-60980	Staff recommends DENIAL, if approved subject to conditions:	GPA-60977 ZON-60978
SUP-60982	Staff recommends DENIAL, if approved subject to conditions:	GPA-60977 ZON-60978 SUP-60980
SDR-60983	Staff recommends DENIAL, if approved subject to conditions:	GPA-60977 ZON-60978 SUP-60980 SUP-60982

**** CONDITIONS ****

SUP-60980 CONDITIONS

Planning

1. The car wash shall be limited to the hours of operation from 7AM to 7PM.
2. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Car Wash, Full Service or Auto Detailing use.
3. All signage shall be permitted and meet minimum code requirements within 30 days of final approval.
4. Approval of and conformance to General Plan Amendment (GPA-60977), Rezoning (ZON-60978) and Site Development Plan Review (SDR-60983) shall be required.
5. 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.

YK

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6. 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.
7. 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.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-60982 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Beer/Wine/Cooler Off-Sale Establishment.
2. All signage shall be permitted and meet minimum code requirements within 30 days of final approval.
3. Approval of and conformance to General Plan Amendment (GPA-60977), Rezoning (ZON-60978) and Site Development Plan Review (SDR-60983) shall be required.
4. 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.
5. 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.
6. 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.
7. Approval of this Special Use Permit does not constitute approval of a liquor license.
8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
9. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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SDR-60983 CONDITIONS

Planning

1. The gas fuel tanks shall be relocated as far west as possible from the eastern portion of the site.
2. The eastern perimeter wall shall be raised to eight feet in height if structurally sound and permissible; if not applicable, an eight-foot wall shall be constructed adjacent to the existing wall, or if agreed upon with the adjacent property owners, the existing wall shall be removed and a new eight-foot block wall shall be constructed.
3. The carwash tunnel shall be extended to mitigate noise pollution and the opening shall not face Ann Road.
4. All lighting shall be fixed in a downward position so as no light pollution shall impact the residents to the east.
5. A one year administrative Required Review shall be conducted from date of issuance of a C of O.
6. Approval of and conformance to the Conditions of Approval for General Plan Amendment (GPA-60977) and Rezoning (ZON-60978) shall be required, if approved.
7. 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.
8. All development shall be in conformance with the site plan and landscape plans and building elevations, date stamped 11/12/15, except as amended by conditions herein.
9. A Waiver is hereby approved, to allow a service or wash bay to face a public right-of-way, where such is not permitted.
10. An Exception from Title 19.08.110 is hereby approved, to allow seven uncovered parking spaces before a landscaped island are installed, where only six uncovered parking spaces is the maximum required.
11. 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.

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12. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
13. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.
14. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.
15. 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 structures.
16. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

17. Grant a 5-foot Pedestrian Access Easement on Ann Road and Rainbow Boulevard adjacent to this site prior to the issuance of permits for this site.
18. 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 existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
19. Landscape and maintain all unimproved rights-of-way adjacent to this site. 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.
20. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.

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21. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
22. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
23. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The 1.64-acre site is located at the southeast corner of Rainbow Boulevard and Ann Road and is currently undeveloped. The applicant is requesting to construct two commercial buildings totally 6,100 square feet, 1,905 square-foot self-service car wash, and a 3,972 square-foot fuel pump canopy. As proposed, the proposed car wash requires a Waiver to allow a service or wash bay to face a public right-of-way. Included with this proposal is a General Plan Amendment (GPA-60977) from the DR (Desert Rural Density Residential) Land Use designation to the SC (Service Commercial) Land Use designation and a Rezoning (ZON-60978) to the C-1 (Limited Commercial) zoning district.

Due to the recent build-out of both Ann Road and Rainbow Boulevards, staff believes commercial development on this corner is appropriate and recommends approval of the General Plan Amendment and the Rezoning applications. The Las Vegas 2020 Master Plan's Newly Developing Areas chapter supports this position. Specifically, policy 3.1.5 states: "That urban hubs at the intersections of primary roads, containing a mix of high density residential, commercial and office uses, and containing pedestrian linkages, be supported." Policy 3.1.2, which states: "That new residential neighborhoods emphasize pedestrian linkages within the neighborhood, ready access to transit routes, linkages to schools, integration of local service commercial activities within a neighborhood center that is within walking distance of homes in the neighborhood" also supports this position.

If denied, the subject site would retain the General Plan Land Use designation of DR (Desert Rural Density Residential) and the zoning designation would remain R-E (Residence Estates). However, staff does not recommend approval of the Site Development Plan Review due to the required Waiver and Exceptions and the non-compatibility of an automated car wash and drive aisle, as well as a fast food restaurant drive-through, adjacent to a single-family residential neighborhood.

Staff does not support the two Special Use Permits associated with this project. The denial recommendations are due to the overall non-compatible design of the site plan as well as the negative impact the proposed automated car wash will have on the adjacent residential properties.

In summary, staff recommends approval of the General Plan Amendment and the Rezoning application, but recommends denial of the two Special Use Permits and the Site Development Plan Review applications.

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ISSUES

- A General Plan Amendment is requested to change the land use designation on the subject site from DR (Desert Rural Density Residential) to SC (Service Commercial). Staff supports this request.
- A Rezoning is requested to change the zoning designation on the subject site from R-E (Residence Estates) to C-1 (Limited Commercial). Staff supports this request.
- A Special Use Permit (SUP-60980) is required to allow a Car Wash, Full Service or Auto Detailing use. Staff does not support this request.
- A Special Use Permit (SUP-60982) is required to allow a Beer/Wine/Cooler Off-Sale Establishment. Staff does not support this request.
- A Waiver is required to allow a service or wash bay to face a public right-of-way. Staff does not support this request.
- An Exception is required to allow seven uncovered parking spaces before a landscaped island are installed, where only six uncovered parking spaces is the maximum required. Staff does not support this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
05/12/64	The City Council approved annexation (A-0003-64) that included this site as part of a larger request.
10/13/15	The Planning Commission approved a request by the applicant to hold GPA-60977, ZON-60978, SUP-60980, SUP-60982 and SDR-60983 in abeyance until the December 08, 2015 agenda. Staff supported the request.
12/08/15	The Planning Commission unanimously voted to recommend APPROVAL of request for a General Plan Amendment (GPA-60977) FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL), a Rezoning (ZON-60978) FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL), a Special Use Permit (SUP-60980) FOR A PROPOSED CAR WASH, FULL SERVICE OR AUTO DETAILING USE, Special Use Permit (SUP-60982) FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT and Site Development Plan Review (SDR-60983) FOR A PROPOSED 2,600 SQUARE-FOOT RESTAURANT WITH DRIVE THROUGH, A 3,500 SQUARE-FOOT GENERAL RETAIL AND A 1,905 SQUARE-FOOT CAR WASH, FULL SERVICE OR AUTO DETAILING USE DEVELOPMENT WITH A WAIVER OF THE CORNER LOT BUILDING ORIENTATION AND TO ALLOW A SERVICE OR WASH BAY TO FACE A PUBLIC RIGHT-OF-WAY on 1.64 acres on the southeast corner of Ann Road and Rainbow Boulevard (APNs 125-35-101-001 and 002), R-E (Residence Estates) [PROPOSED: C-1 (Service Commercial)] Zone, Ward 4 (Anthony) [PRJ-60825].

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<i>Most Recent Change of Ownership</i>	
07/06/15	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>
No records on file at this time.

<i>Pre-Application Meeting</i>	
08/10/15	Staff met with the applicant and reviewed the applications required for the proposed development. Several issues were raised with the intensity of the proposed commercial development, site ingress and egress, site circulation, compatibility of proposed uses. The applicant was informed that the proposal appears to be an over development of the site.

<i>Neighborhood Meeting</i>	
09/10/15	Meeting Start Date: 5:30 pm Meeting End Date: 6:30 pm
	Attendance: 10 Members of the Public 2 Applicants 2 CLV Staff
	Major issues raised included: • Over-saturation of car wash, alcohol and fast food in the area; • Homeless problem within nearby Albertsons shopping center could spread to the subject site; • Noise and smells associated with gasoline sales, car wash and fast food not compatible with adjacent residential; • Site should drain to Ann Road, and not through the subdivision to the east; • Egress from this site could be difficult, due to high-speed traffic on east-bound Ann Road.

<i>Field Check</i>	
09/03/15	Staff visited the site and found it to be undeveloped and vacant. No issues were noted.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.64

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Undeveloped	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Vacant Single-Family, Detached	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single-Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single-Family, Detached	L (Low Density Residential)	R-PD4 (Planned Development – Four Units Per Acre)
West	Single-Family, Detached	ML (Medium-Low Density Residential)	R-1 (Single-Family Residential)

<i>Master Plan Areas</i>	<i>Compliance</i>
No Applicable Master Plan Area	N/A
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
Rural Preservation Overlay District	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	Y*
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	Y
Project of Regional Significance	Y

*The Planning Director approved a deviation from standards.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.070, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	230 Feet	Y
Min. Setbacks			
• Front	10 Feet	15 Feet	Y
• Side	10 Feet	65 Feet	Y
• Corner	10 Feet	15 Feet	Y
• Rear	20 Feet	20 Feet	Y
Min. Distance Between Buildings	N/A	98 Feet	Y
Max. Lot Coverage	50 %	16.7 %	Y
Max. Building Height	N/A	23 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

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<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	15 Feet	15 Feet	Y
Trash Enclosure	50 Feet	55 Feet	Y

Pursuant to Title 19.08, the following standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	9 Trees	10 Trees	Y
• South	1 Tree / 20 Linear Feet	14 Trees	24 Trees	Y
• East	1 Tree / 20 Linear Feet	14 Trees	26 Trees	Y
• West	1 Tree / 20 Linear Feet	11 Trees	13 Trees	Y
TOTAL PERIMETER TREES		48 Trees	73 Trees	Y
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	15 Trees	17 Trees	N*
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		15 Feet	Y
• South	8 Feet		10 Feet	Y
• East	8 Feet		15 Feet	Y
• West	15 Feet		15 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		6 Feet	Y

*An Exception has been requested as the distribution and spacing are not to code.

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Ann Road	Primary Arterial	Planned Streets and Highways Map	100	Y
Rainbow Boulevard	Primary Arterial	Planned Streets and Highways Map	100	Y

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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	
General Retail, Other Than Listed	3,500 SF	1 Per 175 SF	20				
Restaurant	1,100 SF	1 per 50 SF	22				
	1,500 SF	1 per 200 SF	8				
TOTAL SPACES REQUIRED			50		51		Y
Regular and Handicap Spaces Required			46	4	47	4	Y
Loading Spaces	6,100 SF	1 Per 10,000 SF	1		1		Y

Waivers		
Requirement	Request	Staff Recommendation
To face service or wash bays away from public rights-of-way.	To allow a service or wash bay to face a public right-of-way.	Denial

Exceptions		
Requirement	Request	Staff Recommendation
To provide six uncovered parking spaces before a landscaped island is installed with 24-inch box trees	To allow seven uncovered parking spaces before a landscaped island is installed with 24-inch box trees	Denial

ANALYSIS

The proposed C-1 (Limited Commercial) zoning district will provide congruent development standards with the existing and proposed commercial developments on the northeast and northwest corners of Ann Road and Rainbow Boulevard that will function well within the proposed SC (Service Commercial) land use designation. The proposed development adheres to the minimum requirements as outlined by Title 19 in regards to lot coverage, setbacks, parking, perimeter trees, and residential adjacency. The proposed land use and zoning are appropriate for this location and will be complimentary to the commercial development located on the northwest

YK

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corner of Ann Road and Rainbow Boulevard. The General Plan Amendment and the Rezoning requests are in alignment with the Las Vegas 2020 Master Plan policies 3.1.2 and 3.1.5 that encourages commercial development at intersections of primary arterial roads and the location of commercial offerings within walking distance of residential areas.

This commercial project consists of two buildings. The building on the south side is designed for a restaurant with a drive-through use and the building on the north side is designed for a standard general retail business with a drive-through car wash and fuel pumps. The drives-through are designed to code standards and include stacking for six vehicles. However, a Waiver is requested to allow a service or wash bay to face a public right-of-way, where such is not allowed. Staff does not support this request.

The buildings have a modern design aesthetic with three feature elements of cultured stone around and over the entry points to the building. These features continue up and past the roofline culminating into parapets that screen the mechanical equipment located on the roof. Pursuant to Title 19.08.040(E)(4)© Mechanical and Electrical Equipment, such parapets are appropriate screening. At fifteen feet high, each building meets the residential adjacency standards of code.

There are two ingress/egress driveways, one each adjacent to the primary arterial roads on the west and north side of the site. This allows for congestion-free traffic movement throughout the site. The project meets the minimum parking and loading zone requirements.

This project is expected to add about 7,801 trips per day on Ann Road and Rainbow Boulevard. Currently, Ann Road is at 93 percent of capacity and Rainbow Boulevard is at 17 percent of capacity. With completion of this project, Ann Road is expected to be over capacity and Rainbow Boulevard will be 29 percent of capacity. Based on peak hour use, this project will add about 327 trips, or about 11 every two minutes.

The City of Las Vegas has completed the build out of both Ann Road and Rainbow Boulevards. There is a Multi-Use, Non-Equestrian Trail that is designated along the west perimeter of this site and was not installed when Rainbow Boulevard was completed. As allowed by the Las Vegas 2020 Master Plan, a request for an exemption from the design standards for technical or physical barriers that produce an undue hardship on the entity developing the trail may be submitted for review to the Director of Planning for consideration. The Director concurred with the existing hardship and has approved a five-foot amenity area and a five-foot wide sidewalk design for this section of the trail.

Although the applicant is providing an intense landscape buffer in addition to the existing six-foot high screening wall on the east perimeter, staff does not believe that will negate the negative impact the commercial uses will create on the adjacent residential neighborhood. The location of the proposed car wash on the site is not compatible with the adjacent residential properties. The applicant is also requesting a Waiver to allow the exit bay opening to face a public right-of-way. For these reasons, staff does not support the use or requested Waiver.

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The Car Wash, Full Service or Auto Detailing use is defined as “an establishment that provides for the washing, cleaning, waxing or detailing of passenger vehicles, either by means of employees or by means of automated or semi-automated methods of cleaning, or by a combination thereof.” The proposed use meets the definition as it is shown on the site plan as an automated cleaning car wash.

The Minimum Special Use Permit Requirements for this use include:

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

The proposed use meets this requirement as stacking for six cars is shown on the site plan.

The Beer/Wine/Cooler Off-Sale Establishment is defined as “an establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where business is conducted, and is operated in connection with a grocery store, drug store, convenience store, restaurant or general retail store.” The proposed use meets the definition as it is shown on the site plan as a convenience store.

The Minimum Special Use Permit Requirements for this use include:

1. Shall not be located with 400 feet of any church/house of worship, school, individual care center licensed for more than 12 children, or a City park.

The proposed use meets this requirement as no protected uses are within 400 feet of the site.

6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 650.

The proposed business will be required to obtain a business license and will be subject to inspections for conformance to LVMC Chapter 650 provisions.

Minimum Special Use Permit requirements 2 through 5, 7 and 8 do not apply to this case.

The project was submitted to outside agencies for comment. The Las Vegas Valley Water District responded as follows: “The parcels are not currently served by LVVWD. Civil and plumbing plans will need to be submitted to LVVWD and proof of parcel lot consolidation will be required prior to LVVWD approval.” No other comments were received.

As reflected in the Waiver and Exceptions associated with this proposed development and the inclusion of the Car Wash, Full Service or Auto Detailing use on the site, staff recommends denial of the Site Development Plan Review application and two related Special Use Permit requests. The requested General Plan Amendment and Rezoning application to allow for limited commercial development of the site is supported by staff.

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FINDINGS (GPA-60977)

Section 19.16.030(I) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1.The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,

The proposed amendment is compatible with the existing adjacent residential land uses and the PCD (Planned Community Development) land use across the street on the west for low to medium intensity commercial development. The Las Vegas 2020 Master Plan’s Newly Developing Areas chapter supports this position. Specifically, policy 3.1.5 states: “That urban hubs at the intersections of primary roads, containing a mix of high density residential, commercial and office uses, and containing pedestrian linkages, be supported.” Policy 3.1.2, which states: “That new residential neighborhoods emphasize pedestrian linkages within the neighborhood, ready access to transit routes, linkages to schools, integration of local service commercial activities within a neighborhood center that is within walking distance of homes in the neighborhood” also supports this position.

2.The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,

The zoning designations allowed by the proposed amendment are compatible with the existing land use and zoning designations on the northwest and northeast corners of Rainbow Boulevard and Ann Road.

3.There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

The site is accessed by Rainbow Boulevard and Ann Road both are 100-foot Primary Arterial, as designated by the Master Plan of Streets and Highways and are adequate for the proposed development.

4.The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

All applicable plans and policies are met with the proposed amendment.

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FINDINGS (ZON-60978)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

1.The proposal conforms to the General Plan.

The proposed C-1 (Limited Commercial) zoning district is consistent with the proposed SC (Service Commercial) General Plan designation on this site.

2.The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.

The uses allowed by the C-1 (Limited Commercial) zoning district are compatible with the surrounding land uses and zoning district.

3.Growth and development factors in the community indicate the need for or appropriateness of the rezoning.

The subject site is underdeveloped and located on the corner of two major arterial roadways and is appropriate for commercial development. The Las Vegas 2020 Master Plan's Newly Developing Areas chapter supports this position. Specifically, policy 3.1.5 states: "That urban hubs at the intersections of primary roads, containing a mix of high density residential, commercial and office uses, and containing pedestrian linkages, be supported."

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

The site is accessed by Rainbow Boulevard and Ann Road both are 100-foot Primary Arterial, as designated by the Master Plan of Streets and Highways and are adequate for the proposed development.

FINDINGS (SUP-60980)

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.

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Staff has determined that the inclusion of the car wash use and the proposed Waiver is not compatible and will have a negative impact to the surrounding commercial and residential developments in the area.

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

The proposed commercial development is consistent with the General Plan and complies with all Title 19 development standards; with the exception of the requested Waiver and Exception. Staff has determined the proposed Waiver is not compatible and with the surrounding commercial and residential development in the area. Therefore, the site is not suitable for the proposed Car Wash, Full Service or Auto Detailing use.

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.

The site is accessed by Rainbow Boulevard and Ann Road both are 100-foot Primary Arterial, as designated by the Master Plan of Streets and Highways and are adequate for the proposed development.

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 proposed commercial development will be subject to inspections in order to protect the public health, safety and general welfare by City staff.

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

The condition requiring stacking for six vehicles is being met. However, the design standard to orient wash bays away from rights-of-way is not being met.

FINDINGS (SUP-60982)

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.

The proposed Beer/Wine/Cooler Off-Sale Establishment can be conducted in a harmonious and compatible manner with the surrounding residential neighborhoods.

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

The use is suitable for the location; however, the Site Plan for the site reflects an over-developed site that would have a negative impact on the surrounding area.

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.

The site is accessed by Rainbow Boulevard and Ann Road both are 100-foot Primary Arterial, as designated by the Master Plan of Streets and Highways and are adequate for the proposed development.

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 proposed Beer/Wine/Cooler Off-Sale Establishment will be subject to regular inspections by regulatory agencies for business licensing and will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

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

The proposed use meets all the minimum Special Use Permit requirements detailed in Title 19.12.

FINDINGS (SDR-60983)

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;

This proposed development reflects an over-development of the site as reflected in the Waiver and Exceptions that accompany the application. The car wash also is designed to allow the wash bay to front onto the right-of-way and this location is not compatible with the adjacent single-family dwellings.

2.The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;

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This project requires a Waiver and an Exception for approval. These are inconsistent with Title 19 design standards for commercial development in a C-1 (Limited Commercial) zone.

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

The site is accessed by Rainbow Boulevard and Ann Road both are 100-foot Primary Arterial, as designated by the Master Plan of Streets and Highways and are adequate for the proposed development.

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

The modern building materials and desert landscaping are appropriate for the location.

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 Waiver creates an undesirable and unsightly appearance from the street making the entire project non-compatible with the adjacent residential areas.

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

The proposed commercial development will be subject to inspections in order to protect the public health, safety and general welfare by City staff.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 30

NOTICES MAILED 622 - GPA-60977 and ZON-60978 (By City Clerk)
622 - SUP-60980 and SUP-60982 (BY City Clerk)
622 - SDR-60983 (By City Clerk)

APPROVALS 20 - GPA-60977 and ZON-60978
17 - SUP-60980 and SUP-60982
17 - SDR-60983

PROTESTS 18 - GPA-60977 and ZON-60978
20 - SUP-60980 and SUP-60982
17 - SDR-60983