



City of Las Vegas

Agenda Item No.: 61.

**AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF DECEMBER 5, 2018**

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD

Consent Discussion

SUBJECT: SUP-74306 ABEYANGETTEY SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: OWNER CLUBBANK NEVADA NATIONAL ASSOCIATION - For possible action on an application for a Special Use Permit FOR A CAR WASH, FULL SERVICE OR AUTO DETAILING located on the south side of Sahara Avenue approximately 413 feet west of Lake Sahara Drive (APN: 8-513-002), C-1 (Limited Commercial) Zone, Ward 2 (Seroka) [PRJ-74253]. The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	7	Planning Commission Mtg.	0
City Council Meeting	18	City Council Meeting	1

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:

1. Location and Aerial Maps - SUP-74305 and SDR-74306 [PRJ-74253]
2. Conditions and Staff Report - SUP-74305 and SDR-74306 [PRJ-74253]
3. Supporting Documentation - SUP-74305 and SDR-74306 [PRJ-74253]
4. Photo(s) - SUP-74305 and SDR-74306 [PRJ-74253]
5. Justification Letter - SUP-74305 and SDR-74306 [PRJ-74253]
6. Protest/Support Postcards - SUP-74305 and SDR-74306 [PRJ-74253]
7. Backup Submitted from the November 21, 2018 City Council Meeting
8. Submitted after Final Agenda Executed One Motion One Vote Documentation and Protest Documentation Not Vetted Emails (2) for SUP-74305 and SDR-74306 [PRJ-74253]
9. Backup Submitted at the October 9, 2018 Planning Commission Meeting

Motion made by STEVEN G. SEROKA to Approve subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

CEDRIC CREAR, MICHELE FIORE, BOB COFFIN, CAROLYN G. GOODMAN, LOIS TARKANIAN, STAVROS S. ANTHONY, STEVEN G. SEROKA; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILMAN SEROKA declared the Public Hearing open.

ATTORNEY JAY BROWN appeared representing the applicant along with JOHN CARROLL, the applicant's architect. MR. BROWN stated that the property is zoned C-1 (Limited Commercial), and they are requesting a Site Development Plan Review and a Special Use Permit

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for a full-service car wash. The residential area to the north is separated by a 150-foot right-of-way and a golf course fairway, and there is 420 feet between property lines, so any light or noise from proposed development would be mitigated by traffic on the primary arterial street. The coffee shop and car wash require 37 parking spaces, and the site plan proposes 60 spaces, and the design and landscaping is appropriate for the area. The proposed development meets all Title 19 requirements and is appropriate for the area as it is located along Sahara Avenue and is adjacent to similar commercial development.

MR. CARROLL explained that they were proposing a left-hand turn into the property from Sahara Avenue to access the coffee shop and car wash. He showed the floor plans for the car wash and coffee shop, noting that the car wash can stack approximately 18 cars before the call box, and the walk-up/drive-through coffee shop can stack approximately 21 cars. He showed the architecture of the coffee shop and the elevations of the car wash noting that the tunnels would be parallel with Sahara Avenue and would not face the residential area.

For MAYOR GOODMAN, MR. CARROLL confirmed there would be no gas tanks, and this is a one-story project.

MR. BROWN pointed out that staff and the Planning Commission recommended approval of this application.

PETER LOWENSTEIN, Deputy Director of Planning, reported that the applicant is proposing to develop a car wash facility and a kiosk with drive-through on an irregularly shaped lot that is a remnant from a commercial subdivision. The proposed development meets Title 19 requirements with the exception of a requested landscape waiver along the perimeter and for parking lot landscaping. These requests have been offset by the provision of additional landscape materials within the perimeter landscape buffer and additional landscaping throughout the interior of the site; therefore, staff recommended approval.

LORRAINE KUSUHARA appeared on behalf of the Canyon Gate's HOA (Homeowners Association) Board. She said she was asked by the entire board to object to this project as a car wash is never quiet and is across from the main entrance of Canyon Gate. She stated that almost everyone in the area is opposed to this project, but they did not receive the notification of the meeting because they were sent to Prime Management, and they were not distributed properly.

MARY FIKE stated that she lives across the fairway from the car wash and can hear all of the noise. She has lived in her home for nearly 29 years and said that the first assault on her home was new flight path out of McCarran Airport. She understood that progress is inevitable, but she was concerned about the aesthetics, property values, litter and additional noise and traffic congestion between two quiet, family-oriented neighborhoods. MS. FIKE said she lives within the notification area; she received notice for the Planning Commission meeting but not for this City Council meeting. She felt the process was being rushed.

N. F. HUDSON, resident, stated that the CEO of the YMCA wished to attend this meeting, but he was out of the country. MAYOR GOODMAN indicated that she was assured that he had

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been in touch with COUNCILMAN SEROKA'S staff. MR. HUDSON stated that in 1986, when the City Council approved the Citibank Credit Card Complex, they required that Citibank put more than two acres aside for landscaping; the subject property is what was set aside as Citibank's front yard, and their Certificate of Occupancy and building permit were conditioned upon that. That property with the required landscaping is now being sold for a car wash. He felt that two acres should still be set aside somewhere on Citibank's 60-acre campus if they want to sell the subject property. Additionally, MR. HUDSON stated that in 2011, Citibank received about a quarter-million dollars to give the Southern Nevada Water District an easement, and he felt there should be a condition that the easement be paid for by the applicant or Citibank.

MR. HUDSON said that Citibank leased the property to Sutherland with an option to purchase; however, Sutherland did not receive a notification card, and the car wash will be six feet from their windows.

COUNCILMAN SEROKA asked MR. LOWENSTEIN to address the two-acre set aside that MR. HUDSON was referring to. MR. LOWENSTEIN explained that all of the condition approvals for the plot plan reviews and the original rezoning of the property in 1984 did not call out a requirement for open space. He had nothing to do with it as ever an open space requirement for the City property at the northern portion of the site.

COUNCILWOMAN TARKANIAN asked if open space meant landscaping and if the two acres was supposed to be for landscaping for aesthetic purposes. MR. LOWENSTEIN replied that there were no conditions of approval regarding landscaping of a certain acreage or square-footage. He did not see anything in the minutes he reviewed, and the subsequent plot plan reviews did not address it either.

COUNCILWOMAN TARKANIAN asked MR. HUDSON where he got his information, and he replied that his father spoke at the City Council meeting, and the City Council set aside two acres, which is why it is there. MR. HUDSON added that he spoke to an executive at Sutherland who stated they did not know anything about a car wash being outside their windows.

MR. LOWENSTEIN confirmed for COUNCILMAN SEROKA that he could not find anything that said two acres was set aside for open space. COUNCILMAN SEROKA asked about the quarter-million dollars Citibank received from the Southern Nevada Water Authority for grass removal, and water-saving trees and plants on the property. COUNCILMAN COFFIN asked how long ago Citibank was granted that incentive, and MR. HUDSON stated that they signed an easement in 2011, which is recorded on the title of the property. COUNCILMAN COFFIN asked if Citibank planted xeriscape or drought resistant plants, and MR. HUDSON said they did.

ASSISTANT CITY ATTORNEY BRYAN SCOTT stated that as part of the Southern Nevada Water Authority's turf removal system, they allow the water-intensive landscaping to be replaced with xeriscaping, and they record a deed on the property or covenant that runs with the land that

says water-intensive landscaping will not be put on the property again. The City Council has no authority regarding that particular agreement the Water Authority and property owner entered

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into.

COUNCILMAN SEROKA asked MR. SCOTT to address notification of projects, and MR. SCOTT explained that when an item will be heard by the Planning Commission, everyone within a 1,000 foot radius receives a notice of the Planning Commission meeting. If the item is voted on during that meeting, the Director of Planning announces when it will be heard by the City Council, and that is the only notice that is given.

COUNCILMAN SEROKA asked MR. BROWN to address the distance between the car wash and the Sutherland building previously discussed. MR. CARROLL showed the project on a map noting that there is about 250 feet from the car wash entrance to the building. He also confirmed for COUNCILMAN SEROKA that they held a neighborhood meeting. MR. BROWN noted that the three people who spoke at this meeting also expressed their concerns at the neighborhood meeting. They tried to address those concerns the best they could and also explained what the alternatives might be.

MR. BROWN pointed out that if this application was denied they could put three small Dutch Brothers at the location without going to the Planning Commission. COUNCILMAN SEROKA understood that MR. BROWN was saying that based on zoning certain types of businesses could be placed there without getting Planning Commission or City Council approval. MR. LOWENSTEIN explained that the existing Title 19 sections for Site Development Reviews have the ability for proposed projects that conform to all development standards to be handled administratively. There is also authority for a Council member to request a review of a project, which would bring it before the Planning Commission and/or City Council.

MS. FIKE commented that there is a 40-acre parking lot at Sutherlands, and she wondered why the car wash was being placed in front by the only nice looking landscaping.

MR. HUDSON stated that MR. CARROLL said the driveway is 250 feet away from window but not the car wash facility, which is just a few feet away. He thought Sutherland should be involved as they have an option to purchase the property from Citibank.

MR. HUDSON said that there is a median cut in the middle of Sahara Avenue which starts near where five people have been killed at the traffic light at the entrance to Canyon Gate. The applicant said they would be willing to eliminate that. MR. BROWN said they did not agree to that.

BART ANDERSON, Engineering Project Manager, indicated that he had heard of questions regarding the proposed left turn median cut, but he was not aware of a proposal to eliminate an existing median cut. MR. HUDSON showed on a diagram the proposed left turn-in going west on West Sahara Avenue, and stated that the applicant said they were willing to eliminate that as a concession. MR. BROWN said that was not correct. He added that they are required to file a traffic impact analysis, and MR. ANDERSON confirmed for COUNCILMAN SEROKA that there was a condition of approval requiring a traffic study and a condition that stipulates a median modification allowing a left turn in; however, a left turn out of the property would not be

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allowed.

MR. CARROLL stated that they had an initial traffic study done to locate the left turn. MR. ANDERSON confirmed that a small study was done to determine if left turns could be supported; the determination was that left turns in could be supported but not left turns out. MAYOR GOODMAN asked if there was currently a light at the left turn, and MR. CARROLL replied that there was a light at the Canon Gate intersection, but there would not be a light at the left turn at the median.

COUNCILMAN CREAR confirmed this project was on Sahara Avenue, which is the most commercialized street in the city and goes from Summerlin to Boulder Highway. MR. CARROLL clarified that the property will be accessed by a left turn from westbound Sahara Avenue and a right in and right out from the eastbound direction. There is existing access to the call center from Lake Sahara. COUNCILMAN CREAR did not understand the consternation between residents behind the Lakes and the commercial development on Sahara Avenue since it is zoned commercial. He thought that the light, sound, positioning of dryers, flow of traffic and hours of operation needed to be considered but thought this was a nice project.

COUNCILMAN SEROKA stated that he received many calls and emails regarding a convenience store being at the location; however, there will not be a convenience store on the site. He and his staff visited the other car washes in the area, and he found that the noise did not go beyond the street. He also had concerns about cleanliness, but noted that all of the locations were extremely clean. The structure they put in place were aesthetically pleasing.

MAYOR GOODMAN asked if the traffic study would come before the Council, and MR. ANDERSON explained that a traffic study is not usually presented to the Council; however, if the Council wanted to see it, staff could provide the information. He confirmed if there were significant issues he would make the Council aware of them.

COUNCILWOMAN TARKENTON asked if the building would be as noise proof as possible, and COUNCILMAN SEROKA reiterated that when he visited the other site, it was quiet and the way it is being oriented on the site, the noise will go to the Sahara Avenue roadway.

See Item 62 for related backup.

COUNCILMAN SEROKA declared the Public Hearing closed.