

SHOPPING CENTER  
(TITLE 30)

**UPDATE**  
BLUE DIAMOND RD/TENAYA WY

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-21-400120 (ZC-17-1086)-BLUE RAIN PARTNERS, LLC:**

**HOLDOVER ZONE CHANGE FIRST EXTENSION OF TIME** to reclassify 24.4 acres from R-E (Rural Estates Residential) PC (Planned Community Overlay District) and H-2 (General Highway Frontage) P-C (Planned Community Overlay District) Zones to C-2 (General Commercial) P-C (Planned Community Overlay District) Zone and 5.6 acres from R-E (Rural Estates Residential) and H-2 (General Highway Frontage) Zones to C-2 (General Commercial) Zone.

**DESIGN REVIEW** for a proposed shopping center in the Mountain's Edge Master Planned Community.

Generally located on the south side of Blue Diamond Road and the east and west sides of Tenaya Way within Enterprise (description on file). JJ/bb/jo (For possible action)

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RELATED INFORMATION:

**APN:**

176-22-201-019; 176-22-201-020; 176-22-301-012; 176-22-301-013; 176-22-601-026; 176-22-601-031 through 176-22-601-032; 176-22-701-001; 176-22-701-002; 176-22-701-030

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL GENERAL

ENTERPRISE - MAJOR DEVELOPMENT PROJECT (MOUNTAIN'S EDGE)

ENTERPRISE - OFFICE PROFESSIONAL & GENERAL COMMERCIAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 30
- Project Type: Shopping center
- Number of Stories: 1
- Building Height (feet): Up to 44
- Square Feet: 225,000
- Parking Required/Provided: 1,051/1,250

### Site Plans

The approved plans submitted with the original request depict a shopping center consisting of multiple buildings. Most of the buildings are shown as future development with the exception of a convenience store with gasoline sales, an anchor store, and 6 retail pad buildings that are part of the initial development. The pad site buildings are located mainly on the west side of Tenaya Way. The in-line retail buildings are located along the southern property line, and the proposed anchor building is located on the east side of Tenaya Way. Additionally, there are 3 approximate 2 acre parcels internal to this development shown as “not a part”. The area behind the southerly buildings generally depicts loading and service areas for the commercial development. These service areas will be buffered by a wall and landscaping required by the Board of County Commissioners. In addition to the trees and screen wall, the buffer adjacent to the RNP neighborhood incorporates a 30 foot wide equestrian trail along the southern boundary in accordance with the Mountain’s Edge Master Plan. MP-0420-02 established a cross-section of what that trail would provide. The exhibit that was approved by the Board of County Commissioners in 2002 shows a 30 foot wide trail that consists of a perimeter screen wall, 5 feet of landscaping, 20 feet of decomposed granite/chat, and 5 feet of empty space which could be landscaped by a future property owner (this will match what was shown for the Walmart site directly to the east). Parking is equitably distributed throughout the site with a majority of the parking spaces shown in the middle of the development. The main access to this site will be from Tenaya Way which bisects the project. There are 2 additional driveways which provide access to Blue Diamond Road, one on the eastern portion of the development, and one from the western portion of the development.

### Landscaping

The plans depict 15 feet to 36 feet of street landscaping on Blue Diamond Road. Parking lot landscaping is equitably distributed throughout the site. The original plans show Evergreen trees spaced 20 feet on center along the south property line of the site, installed in front of a 6 foot high screen wall. Conditions of approval required an 8 foot decorative wall along the south property line with an additional row of Evergreen trees spaced 20 feet on center behind the wall.

### Elevations

The proposed building heights will vary from 25 feet to 44 feet to the top of the parapet walls. The proposed building materials include CMU walls, stone veneer accents, metal awnings, and multiple surface plane variations consisting of walls that are off-set with contrasting color schemes. The rear portion of the buildings adjacent to the RNP neighborhood show walls that are off-set. The gasoline canopy also utilizes the same colors and textures as the convenience store. A condition of approval for the zone change is to enhance the design elements of the rear elevation of the buildings to the south.

### Floor Plans

The plans depict a total building area of 225,000 square feet. The anchor building is shown at 90,000 square feet, the convenience store is shown at 3,800 square feet, and the 6 pad buildings are 4,400 square feet to 4,800 square feet. All other future buildings (the retail buildings, in-line shops, and pad sites) range in area from 3,000 square feet to 19,200 square feet.

### Previous Conditions of Approval

Listed below are the approved conditions for ZC-17-1086:

#### Current Planning

- Resolution of intent to complete in 3 years;
- Design review as a public hearing on future pad sites;
- Provide an 8 foot screen wall along the south property line with a decorative texture/finish on outside of the wall;
- Provide an additional row of evergreens spaced 20 feet on center behind the 8 foot screen wall;
- Enhanced design elements on the rear elevation of the buildings to the south;
- Low level lighting throughout the entire project with lighting to be addressed through a design review;
- Design review as a public hearing on lighting;
- No wall signs facing south;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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.

#### Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Off-site improvements along Blue Diamond Road to be coordinated with Nevada Department of Transportation (NDOT), and applicant to provide an approved NDOT encroachment permit to Public Works Development Review Division;
- Remove the driveway on Blue Diamond Road that is just west of Tenaya Way or if a driveway is permitted by NDOT then relocate the driveway farther west a minimum of 600 feet or greater from Tenaya Way from the back of curb radius (BCR) on Blue Diamond Road to the BCR of the driveway;
- Right of way dedication to include 60 feet for Tenaya Way, 60 feet for Montessouri Street, the portion of the cul-de-sac for Monte Cristo Way adjacent to APN 176-22-301-012, and associated spandrels;
- Grant an access easement to APN 176-22-601-015, if necessary to prevent land locking.
- Applicant is advised that a regional flood control facility is planned for the western portion of the project site that may result in the requirement to redesign the site, including but not limited to building and parking locations; that the plans submitted with this application do not contain enough information to determine if Public Works' standards are satisfied; and that portions of several driveways are proposed on property that is not a part of this project so if those driveways are permitted based on zoning and Public Works' requirements concurrence from those property owners will be required.

#### Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; show on-site fire lane, turning radius, and turnarounds; and to show fire hydrant locations on-site and within 750 feet.

#### Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0702-2017 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The original request for a shopping center and zoning was approved in March 2018 after the applicant worked diligently with the Commissioner to develop final conditions for approval. This request had support from the Mountain's Edge RNP, staff, Enterprise Town Board, Planning Commission, and Board of County Commissioners. The applicant is in the process of addressing unique site constraints and fully intends on moving forward, including the development of technical studies. One of the unique constraints related to this development is the drainage improvements along Blue Diamond Road and limited Blue Diamond Road frontage. The applicant is working to attract end users, including an anchor tenant, but shifting consumer habits, increased demand for online shopping, and pandemic impacts have slowed progress. Despite these concerns, the applicant is moving forward to develop the required technical studies. This request for an extension of time is appropriate considering there have been no significant changes in the surrounding area, no significant changes to the property, and no changes to laws or other requirements.

#### **Prior Land Use Requests**

| <b>Application Number</b> | <b>Request</b>                                                         | <b>Action</b>   | <b>Date</b> |
|---------------------------|------------------------------------------------------------------------|-----------------|-------------|
| ZC-17-1086                | Reclassified 30 acres to C-2 zoning for a shopping center              | Approved by BCC | March 2018  |
| UC-1833-02                | Allowed modified residential development standards for Mountain's edge | Approved by PC  | May 2003    |
| MP-1009-02                | Specific Plan for Mountain's Edge                                      | Approved by BCC | August 2002 |
| MP-0420-02                | Concept Plan for Mountain's Edge                                       | Approved by BCC | July 2002   |

#### **Surrounding Land Use**

|       | <b>Planned Land Use Category</b>                                                           | <b>Zoning District</b> | <b>Existing Land Use</b> |
|-------|--------------------------------------------------------------------------------------------|------------------------|--------------------------|
| North | Commercial General, Commercial Neighborhood, Office Professional, and Residential Suburban | H-2 & R-2              | Undeveloped              |

**Surrounding Land Use**

|       | <b>Planned Land Use Category</b>                                    | <b>Zoning District</b> | <b>Existing Land Use</b>                                      |
|-------|---------------------------------------------------------------------|------------------------|---------------------------------------------------------------|
| South | Rural Neighborhood Preservation                                     | R-E (RNP-I)            | Mix of developed & undeveloped parcels                        |
| East  | Commercial General & Major Development Project – General Commercial | H-2, R-E, &C-2         | Undeveloped parcel, existing single family residence, Walmart |
| West  | Major Development Project – Public Facilities                       | P-F                    | Exploration Peak Park                                         |

**STANDARDS FOR APPROVAL:**

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

**Analysis****Current Planning**

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

Staff does not object to an extension of time. The applicant is diligently working to resolve drainage issues in order to finalize the technical studies.

**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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:****Current Planning**

- Until March 7, 2024 to complete.
- Applicant is advised that 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; and that the extension of time may be denied if the project has been completed within the time specified.

**Public Works - Development Review**

- Compliance with previous conditions;

- Coordinate with Public Works - Design Division for the Blue Diamond Wash Railroad project;
- Dedicate any right-of-way and easements necessary for the Blue Diamond Wash Railroad project;
- 30 days to submit a Separate Document to the Map Team for any required right-of-way and easement dedications;
- 90 days to record required right-of-way and easement dedications.

**Clark County Water Reclamation District (CCWRD)**

- No comment.

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

**APPROVALS:**

**PROTEST:**

**COUNTY COMMISSION ACTION:** September 22, 2021 – HELD – To 10/06/21 – per the applicant.

**APPLICANT:** BLUE RAIN PARTNERS, LLC

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