

06/21/23 BCC AGENDA SHEET

CONVENIENCE STORE
(TITLE 30)

DURANGO DR/PEBBLE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

AR-23-400068 (UC-20-0456)-DURANGO PEBBLE PLAZA, LLC:

USE PERMITS FIRST APPLICATION FOR REVIEW for the following: **1)** convenience store; **2)** gasoline station; **3)** packaged liquor sales; **4)** reduce the separation for a proposed convenience store to a residential use; and **5)** reduce separation for a proposed gasoline station to a residential use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce departure distance; and **2)** alternative driveway geometrics.

DESIGN REVIEWS for the following: **1)** convenience store with gasoline station; and **2)** retail/restaurant with drive-thru on 2.5 acres in a C-1 (Local Business) Zone.

Generally located on the northeast corner of Durango Drive and Pebble Road within Enterprise. JJ/rp/syp (For possible action)

RELATED INFORMATION:

APN:

176-16-414-002; 176-16-414-003

USE PERMITS:

1. Convenience store.
2. Gasoline station.
3. Permit packaged liquor sales in conjunction with a convenience store where allowed in conjunction with a grocery store per Table 30.44-1.
4.
 - a. Reduce the separation from a convenience store to a residential use (to the north) to 153 feet where 200 feet is required per Table 30.44-1 (a 23.5% decrease).
 - b. Reduce the separation from a convenience store to a residential use (to the east) to 42 feet where 200 feet is required per Table 30.44-1 (a 79% decrease).
 - c. Reduce the separation from a convenience store to a residential use (to the south) to 107 feet where 200 feet is required per Table 30.44-1 (a 47% decrease).
5.
 - a. Reduce the separation from a gasoline station to a residential use (to the north) to 145 feet where 200 feet is required per Table 30.44-1 (a 19 % decrease).
 - b. Reduce the separation from a gasoline station to a residential use (to the east) to 163 feet where 200 feet is required per Table 30.44-1 (an 18.5% decrease).
 - c. Reduce the separation from a convenience store to a residential use (to the south) to 155 feet where 200 feet is required per Table 30.44-1 (a 23% decrease).

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce departure distance from a driveway on Durango Drive to 115 feet where 190 feet is required per Uniform Standard Drawing 222.1 (a 39.5% reduction).
2.
 - a. Reduce throat depth on Durango Drive to 11 feet where 25 feet is required per Uniform Standard Drawing 222.1 (a 24% reduction).
 - b. Reduce throat depth on Pebble Road to 4 feet where 25 feet is required per Uniform Standard Drawing 222.1 (an 84% reduction).

DESIGN REVIEWS:

1. Convenience store with gasoline station.
2. Retail & restaurant building with drive-thru.

LAND USE PLAN:

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:**Project Description****General Summary**

- Site Address: N/A
- Site Acreage: 2.5
- Project Type: Convenience store with gasoline station, retail & restaurant
- Number of Stories: 1
- Building Height (feet): 28 (restaurant/retail)/26 feet, 4 inches (convenience store)/17 feet, 6 inches (gas canopy)
- Square Feet: 1,330 (restaurant)/3,280 (retail)/4,088 (convenience store)
- Parking Required/Provided: 45/47

Site Plans

The approved plans depict a 2.5 acre parcel to operate as a convenience store with gasoline station, retail space, and restaurant with drive-thru. An existing 6 foot high block wall extends east along the northern property line adjacent to the residential to the north. A 4,610 square foot retail and restaurant building is located on the northern portion of the site. A 12 foot wide drive-thru lane wraps around the east side of the building to the north side of the building. The drive-thru speaker box faces towards the southeast from the east side of the retail/restaurant building. Located south and east of the retail/restaurant building is a 4,088 square foot convenience store with associated gasoline station and canopy approximately 37 feet to the west of the convenience store. Parking on the site is located along the eastern boundary, on the north and west of the convenience store building, west of the gasoline canopy and to the south and west of the retail/restaurant building. Two loading spaces are proposed on the site, 1 is on the east side of the retail/restaurant building and the other is directly to the south of the gasoline canopy. The retail/restaurant building is set back from the north property line by 32 feet and 85 feet from the east property lines. The convenience store is set back 153 feet from the north property line, which is adjacent to a developed residential use, 42 feet from the east property line, which is adjacent to land planned for residential uses, and 57 feet from the south property line. There is also a developed residential subdivision to the south across Pebble Road. The gasoline station is set

back 145 feet from the north property line (adjacent residential development), 163 feet from the east property line (planned residential use), and 55 feet from the south property line (a residential development is located to the south of Pebble Road). There are two, 39 foot wide driveways proposed, 1 from Pebble Road and another from Durango Drive, both with reduced throat depth.

Landscaping

Previously approved plans show street landscaping with detached sidewalks, per Figure 30.64-17, along Durango Drive and Pebble Road. A landscape strip along the east property line ranges from 7 feet 5 inches to 10 feet wide with trees 20 feet on center per Figure 30.64-11. The landscape strip on the north side of the site is 18 feet 8 inches wide with trees 20 feet on center per Figure 30.64-11. Internal parking lot landscaping complies with Figure 30.64-14.

Elevations

The approved plans depict a 26 foot 4 inch high convenience store building at the top of the parapet walls with stucco and stone veneer exterior and an aluminum storefront system at the entrance. The roofline is broken-up by 3 parapet walls on opposite sides of the structure. The proposed retail/restaurant building is 28 feet high at the top of the parapets with varied rooflines. The exterior of the building consists of stucco and metal awnings over the entrances. An aluminum store front system will be at the entrance of each lease space. The proposed gas canopy will be 17 feet 6 inches high with colors to match the convenience store.

Floor Plans

The approved plans show a 4,088 square foot convenience store with an open floor plan with 2 restrooms and an electrical room. The plans also show a 4,610 square foot retail/restaurant building with 3 future open floor plan lease spaces, each with a restroom and 1 restaurant lease space which also includes a future restroom.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for UC-20-0456:

Current Planning

- 2 year review as a public hearing;
- Increase the wall height on the northern property line to 8 feet;
- Property owners abutting the northern property line shall approve the types of trees in the northern buffer;
- Lighting plan for the site shall be shared with the property owners abutting the northern property line;
- Per revised plans dated January 28, 2021;
- Drive-thru hours limited to 6:00 a.m. to 9:00 p.m.;
- Provide a partition wall between the call box and the north property line;
- 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 and application for review; 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; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Property owners abutting the northern property line shall approve proposed signage;
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 50 feet for Durango Drive, 50 feet for Pebble Road, and associated spandrel;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with RTC standards;
- Applicant is advised that the installation of detached sidewalks will require granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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 #0397-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

According to the applicant, the construction of the project was completed in February 2023; however, several delays and challenges occurred with the construction of off-site work. The project was paused after the civil plan required an extension of the main water line, which led to the project being over budget and months behind schedule. After much effort, the project was completed.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-21-0375	Finished grade for a proposed convenience store	Approved by BCC	August 2021
VS-21-0376	Vacated and abandoned easements	Approved by BCC	August 2021
TM-21-500016	1 commercial lot on 2.5 acres	Approved by BCC	August 2021
UC-20-0456	Use permits, waivers, and design reviews for convenience store with gasoline station and a retail/restaurant	Approved by BCC	February 2021

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0585-12	Reclassified from R-E to C-1 zoning for a shopping center	Approved by PC	December 2012
CP-1154-10	Transportation Element to reduce Pebble Road from 100 feet wide to 60 feet wide	Denied by BCC	April 2011
AG-1035-10	Transportation Element for Pebble Road as a 100 foot wide right-of-way	Approved by BCC	December 2010
UC-0957-06	Power transmission lines	Approved by PC	August 2006
MPC-0466-02	North Blue Diamond Neighborhood Plan	Approved by BCC	August 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-E	Undeveloped
West	Open Lands	R-E	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis**Comprehensive Planning**

Title 30 standards of approval for an application for review 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 since the original approval.

One of the tenants, Green Valley Grocery (GVG), was prepared to open for business. However, they could not obtain their business license due to the request of review with 2 years. Since approval, permits related to off-site improvements (PW-21-16168) have been issued. In addition, building permits for grading (BD-21-46073) and the shell building (BD-21-45736) have been issued. The restaurant with the drive-thru has not been built yet as the applicant continues with the permitting process. These developments indicate that the applicant has made and will continue to make efforts to complete the project in a timely manner. Therefore, staff recommends approval with a condition to review in another 2 years.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this application for review.

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**

- Until February 3, 2025 to review as a public hearing.
- 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 application for review; and that 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

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: DURANGO PLAZA HOLDINGS REVOCABLE LIVING TRUST &
DURANGO PLAZA HOLDINGS II REVOCABLE LIVING TRUST

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