

RETAIL CENTER
(TITLE 30)

UPDATE
BLUE DIAMOND RD/FORT APACHE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-23-400092 (ZC-18-0621)-VACCARO, LOUIS & LINDA REV TR & VACCARO, LOUIS C. & LINDA L. TRS:

HOLDOVER WAIVER OF CONDITIONS of a zone change requiring to relocate the convenience store so it is a minimum of 100 feet from the existing residential development in conjunction with a retail center on 2.4 acres in a C-1 (Local Business) Zone.

Generally located on the east side of Fort Apache Road and the south side of Blue Diamond Road within Enterprise. JJ/lm/syp (For possible action)

RELATED INFORMATION:

APN:

176-20-201-008

LAND USE PLAN:

ENTERPRISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.4

History & Request

The subject parcel was originally reclassified to C-1 zoning (ZC-18-0621) for a retail center with a convenience store, gasoline station, and retail building. A revised site layout is proposed with 1 single story retail building located on the site. This application and its companion item are to establish the use and necessary site design standards.

Site Plans

The plans depict a retail center consisting of a convenience store with an attached retail suite and a gasoline station. The retail suite with convenience store building is located on the southern portion of the site, approximately 88.4 feet from the south property line and 72 feet from the east property line, and the gasoline service pumps and canopy are located on the northern portion of the site, approximately 207 feet from the south property line and 100 feet from the east property line. The retail portion of the building is located on the west side of the convenience store, 87 feet from the south property line. The building and canopy structure are located at least 52 feet

from the public streets to the north and 73 feet to the west. The site has access to Fort Apache Road and Blue Diamond Road.

Landscaping & Site Lighting

An 11 foot wide landscape area with a detached sidewalk is located along the north property line adjacent to the Blue Diamond Road right-of-way and a 28 foot wide landscape area with a attached sidewalk is located along the west property line adjacent to Fort Apache Road. The landscape areas adjacent to the south and east property lines adjacent to existing residential uses are a minimum of 15 feet with intense landscaping, per Figure 30.64-12. Interior parking lot trees are located adjacent to the convenience store and retail buildings. The landscape materials include trees, shrubs, and groundcover. Due to the future dedication of Fort Apache Road, the street landscape design includes trees set back behind the future right-of-way line so that if Blue Diamond Road is constructed at full width, a turning lane would be constructed on Fort Apache Road and mature trees would not be destroyed or relocated. Shielded light poles are located around the boundary of the site, with an overall height of 20 feet.

Elevations

The buildings have flat roofs with parapet walls and a varied roofline ranging in height from 20 feet to 29 feet. The building has a typical modern architectural façade that includes stucco siding with architectural features and enhancements such as architectural insets, reveals, stone and brick veneer, fenestration, pop-outs, and awnings. The proposed gasoline canopy has an overall height of 19 feet and includes painted columns and stone veneer to match the retail convenience store building.

Floor Plans

The plans depict a 3,735 square foot convenience store with a gasoline service canopy and an attached 1,222 square foot retail suite.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-18-0621:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Relocate the convenience store so it is a minimum of 100 feet from the existing residential development;
- Provide a 15 foot wide landscape area with landscaping per Figure 30.64-12 along the south and east property lines;
- 12 foot Evergreen trees to be planted on the south and east property lines;
- Mechanical equipment on roof to be screened;
- Color schemes shall be complementary to the adjacent residential properties;
- Design review as a public hearing for significant changes to the plans, including significant changes to the landscape plan;
- Design review as a public hearing for lighting and signage;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.

- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; 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; and that the use permits and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Right-of-way dedication to include 45 feet to the back of curb for Fort Apache Road together with a right turn lane per the Uniform Standard Drawings;
- Full off-site improvements;
- Construction of the dedicated right turn lane to be coordinated with Public Works;
- 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;
- 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.
- Applicant is advised that driveways must be a minimum of 32 feet wide measured from the lip of gutter to the lip of gutter; that radii at the corners and driveways must comply with Uniform Standard Drawings 201, 222.1, and 225; and that the installation of detached sidewalks will require dedication to back of curb and 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 #0496-2018 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 applicant indicates that the reduction in the requirement for separation from the adjacent residential parcels is needed for the proposed development.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-18-0621	Reclassified 2.4 acres to C-1 zoning with convenience store, gasoline station, and vehicle wash in a retail center	Approved by BCC	December 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	H-2	Undeveloped
South & East	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	RUD	Single family residential
West	Corridor Mixed-Use	C-2	Undeveloped

This site is located within a Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
UC-23-0323	A use permit for a convenience store and gasoline station in a retail center is a companion item on this agenda.
VS-23-0324	A request to vacate patent easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis**Comprehensive Planning**

Staff cannot support the request to waive the condition for separation from the residential development. The request does not comply with Policy 6.2.1 of the Master Plan, which promotes ensuring that the design and intensity of new developments are compatible with established neighborhoods and uses; therefore, staff does not support this request.

Staff Recommendation

Denial.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the condition will no longer fulfill its intended purpose.

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:**Public Works - Development Review**

If approved:

- No comment.

Fire Prevention Bureau

- No comment.

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 #0216-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - denial.

APPROVALS:

PROTEST: 4 cards, 7 letters

COUNTY COMMISSION ACTION: August 2, 2023 – HELD – To 08/16/23 – per the Board of County Commissioners.

COUNTY COMMISSION ACTION: August 16, 2023 – HELD – To 09/20/23 – per the applicant.

APPLICANT: SPEEDEE MART

CONTACT: CIVIL 360 PLANNING & ENGINEERING, 6490 W. DESERT INN ROAD,
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