

CONVENIENCE STORE/GASOLINE STATION TROPICANA AVE/GRAND CANYON DR
(TITLE 30)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0230-WPI-GRAND TROP LLC & UAP-GRAND TROP LLC:

AMENDED USE PERMITS for the following: **1)** reduce separation from a gas station to residential use; **2)** reduce separation from a convenience store to residential use; and **3)** reduce separation from outside dining to a residential use.

WAIVER OF DEVELOPMENT STANDARDS to allow modified driveway standards.

DESIGN REVIEWS for the following: **1)** convenience store; **2)** gasoline station; **3)** finished grade (no longer needed); and **4)** lighting plan on 1.7 acres in a C-2 (General Commercial) Zone.

Generally located on the southeast corner of Tropicana Avenue and Grand Canyon Drive within Spring Valley. JJ/bb/syp (For possible action)

RELATED INFORMATION:

APN:

163-30-518-002

USE PERMITS:

1. Reduce the separation from a gasoline station to a residential use to 64 feet where 200 feet is required per Table 30.44-1 (a 68% decrease).
2. Reduce the separation from a convenience store to a residential use to 67 feet where 200 feet is required per Table 30.44-1 (a 67% decrease).
3.
 - a. Permit outside dining in conjunction with a convenience store where outside dining is permitted in conjunction with a supper club, tourist club, mixed-use development, or restaurant.
 - b. Reduce the separation for outside dining to 53 feet where 200 feet is required per Table 30.44-1 (a 74% reduction).

WAIVER OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce throat depth for Grand Canyon Drive access to 15 feet where 25 feet is required per Uniform Standard Drawing 222.1 (a 40% decrease).
 - b. Reduce throat depth for Tropicana Avenue access to 5 feet where 25 feet is required per Uniform Standard Drawing 222.1 (an 80% decrease).

DESIGN REVIEWS:

1. Convenience store.
2. Gasoline station.

3. Increase finished grade to 4 feet where a maximum of 3 feet is the standard per Section 30.32.040 (a 33% increase) (no longer needed).
4. Lighting plan.

LAND USE PLAN:
SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:
Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.7
- Project Type: Convenience store with gasoline station
- Number of Stories: 1
- Building Height (feet): 29 (convenience store)/ 21 (gas canopy)
- Square Feet: 5,200 (convenience store)/3,936 (gas canopy)
- Parking Required/Provided: 21/34

Site Plan

The site plan depicts a 5,200 square foot convenience store building with a 500 square foot outside dining area, and a 3,936 square foot fuel canopy with 6 fuel islands. Access is located along Tropicana Avenue on the northeast corner of the property, which requires a waiver for departure distance from the intersection at Grand Canyon Drive, and at the southwest corner of the property at Grand Canyon Drive. The on-site traffic circulation is by way of drive aisles that are a minimum of 29 feet in width and circle the gas canopy and convenience store. The convenience store is located 70 feet from the east property line and 67 feet from the southern property line, both of which are adjacent to an approved multiple family residential development. A small 500 square foot outside dining area is located on the east side of the convenience store building, approximately 53 feet from the east property line residential property, and 71 feet from the residential property to the south. The gas canopy is 50 feet from Grand Canyon Drive and 60 feet from Tropicana Avenue, 64 feet from the east property line and 131 feet from the south property line. Trash enclosures and loading zones are provided on the west side of the building, more than 50 feet from the residential property line.

Landscaping

The landscape plan depicts existing attached sidewalks remaining along Grand Canyon Drive and Tropicana Avenue, with 15 feet of landscaping provided on the north and west sides of the property, behind the sidewalks. Landscaping adjacent to a less intense use per Figure 30.64-11 is provided along the east (5.5 foot wide) and south property (10 feet wide) lines. Trees are spaced at 20 feet and a 6 foot decorative wall will be built on the east and south property lines.

Elevations

The elevations depict a 29 foot high convenience store with dark bronzed anodized glass storefront with 2 doors on the north and 1 door on the east for pedestrian access. A service door is located on the west side of the building to access the trash enclosures and loading zones. An

aluminum awning covers the east side door and all 4 sides of the building have architectural design elements including overhangs, off-set roofline, pitched roof elements, varying roof height, stone façade, and tile roof. The gas canopy is 21 feet high with a mansard style tile roof.

Floor Plans

The floor plan depicts a 2,880 square foot sales area, 665 square foot back room area, 643 square foot walk in cooler, gaming area, large restrooms, and small accessory prep area for food preparation. The total floor area is 5,200 square feet, plus the approximately 500 square foot outdoor seating area. The gas canopy is 3,936 square feet covering 6 pumps.

Signage

Signage is not a part of this application.

Lighting plans

The lighting plans depict light poles on the perimeter of the property that are down shielded to direct light onto this site. The applicant has provided a photovoltaic plan showing light intensity and no significant impact to the adjacent residential property. The applicant states that lighting will comply with Clark County lighting standards and not impact adjacent property. All lights within the building façade and fuel canopy are flush mounted to avoid light spillage.

Applicant’s Justification

The applicant is proposing to develop a 5,200 square foot Circle K retail convenience store with 6 gasoline pump islands. Existing infrastructure will be demolished and replaced with new building, canopy, landscaping, and parking areas. The store will be operated 24 hours a day 7 days a week. A lighting plan has been provided that shows no significant impacts to the surrounding property. This area will benefit from the additional gas station and convenience store use. Landscaping will buffer the property from the adjacent future residential uses, if built. Both access driveways are existing and located as far from the intersection as possible. The proposed development will bring a new and aesthetically pleasing facility to this area. The fueling facility is designed with state of the art containment and vapor recovery systems to ensure protection of the environment.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0821-02 (ET-0179-05)	Extension of time for a commercial shopping center and waiver for landscaping	Approved by BCC	September 2005
VS-0664-03	Vacated and abandoned easements of interest to Clark County	Approved by PC	June 2003
WS-0821-02	Landscaping and design review for commercial shopping center	Approved by BCC	August 2002
TM-0221-02	One commercial lot	Approved by PC	July 2002
VS-0758-02	Vacated and abandoned easements of interest to Clark County	Approved by PC	July 2002

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0217-02	Reclassified from R-E to C-2 zoning	Approved by BCC	April 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-1	Commercial retail
South & East	Corridor Mixed-Use	R-5	Undeveloped & multiple family residential
West	Corridor Mixed-Use	C-2	Commercial retail

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Use Permit #1

The close proximity of the gasoline station component of this development to the residential uses is not compatible with the neighborhood and does not comply with the Title 30 and the 200 foot separation requirement. The Master Plan Goal 3.1 and Policy 3.1.2 supports the protection of public health, including negative environmental impacts from a gasoline station in close proximity to a gasoline station, through a variety of strategies including separation distances. Staff cannot support the use permit for a gasoline station at this location.

Use Permits #2 & #3

The close proximity of Tropicana Avenue and Grand Canyon Drive added to this being a corner parcel, supports the convenience store location. The building is located in a central position on the lot and oriented towards Tropicana Avenue. The adjacent residential R-5 zoned uses were approved but not yet constructed, with actual residential buildings 127 feet south of the convenience store, and 131 feet east of the convenience store. The facilities are a significant distance from residential buildings with buffers that meet landscaping standards. In addition, the adjacent multiple family development has a significant lower grade than this site. The outside dining area is a small seating area that intended for customers and pedestrians to use while on site. The traditional accessory food station inside the convenience store does not include a kitchen and no sit-down table service is provided. Additional landscaping is adjacent to the area to reduce negative impacts. The additional 11 parking spaces above required and accessible spaces, combined with available space, could be used for future electric charging. Master Plan

Policy 3.2.4 encourages facilities for future expanded use of electric charging stations. Staff can support these requests.

Waiver of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Design Reviews #1 & #4

This property was originally considered for a 15,475 square foot building and associated parking. The proposed use provides a smaller building footprint and increased landscaping beyond the original plan. Hardscape area will be smaller than the 2002 plan and is supported by Master Plan Policy 3.6.1 to reduce hardscape footprint areas. The 15 foot wide landscape area adjacent to existing sidewalks provide more natural surface coverage than 2 divided 5 foot strips of landscaping, and is supported by Master Plan Policy 3.6.1 by reducing the hardscape footprint area. Staff can support these requests.

Design Review #2

As mentioned above, the close proximity of the gasoline station component of this development to the residential uses is not compatible with the neighborhood and does not comply with the 200 foot separation as required by Title 30. Staff does not support the use permit to reduce the separation to the approved residential use and does not support this design review.

Public Works - Development Review

Waiver of Development Standards #1a & #1b

Staff has no objection to the reduction in the throat depth for the Tropicana Avenue and Grand Canyon Drive commercial driveways. The driveway on Tropicana Avenue has a dedicated right turn lane that will help mitigate potential collisions. The applicant is providing additional landscaping adjacent to the driveways which act as a buffer.

Staff Recommendation

Approval of use permits #2 and #3, waiver of development standards, and design reviews #1 and #4; denial of use permit #1 and design review #2.

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

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; 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; 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

- Comply with approved drainage study PW22-14002;
- Traffic study and compliance.

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 #0135-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTESTS:

APPLICANT: CIRCLE K STORES, INC.

CONTACT: LAND DEVELOPMENT CONSULTANTS, LLC, 11811 N. TATUM BLVD, SUITE 1051, PHOENIX, AZ 85028