

08/18/21 BCC AGENDA SHEET

COMMERCIAL RETAIL CENTER
(TITLE 30)

RUSSELL RD/BOULDER HWY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-21-0311-DRAKETAILE HOLDINGS II, LLC:

ZONE CHANGE to reclassify a 5.3 acre portion of a 10.2 acre site from an R-2 (Medium Density Residential) Zone, a C-2 (General Commercial) Zone, and an H-2 (General Highway) Zone to a C-2 (General Commercial) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce parking lot landscaping; and **2)** alternative driveway geometrics.

DESIGN REVIEW for a commercial center.

Generally located on the north side of Russell Road, 490 feet east of Boulder Highway within Whitney (description on file). JG/sd/jd (For possible action)

RELATED INFORMATION:

APN:

161-27-801-027; 161-27-896-002

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow alternative parking lot landscaping where landscaping is required per Figure 30.64-14.
2. Reduce the throat depth to 22 feet where 75 feet is the standard per Uniform Standard Drawing 222.1 (a 71% reduction).

LAND USE PLAN:

WHITNEY - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5.3
- Project Type: Commercial center
- Building Height (feet): 24 (vehicle wash)/26 (convenience store)
- Square Feet: 4,400 (convenience store/vehicle wash)/2,815 (vacuum station)/3,900 (fast food)/3,000 (fast food)/950 (fast food)
- Parking Required/Provided: 107/125

Site Plans

The plans depict a proposed retail/commercial center with vehicle wash, convenience store with gasoline pumps, and fast food restaurants with drive-thru windows. The proposed commercial/retail center is located on the northeastern corner of Boulder Highway and Russell Road. Access to the site is from Boulder Highway on the eastern portion of the site and Russell Road on the southern portion of the site. Most of the development will take place within the western section and southern section of the site, which is approximately 5.3 acres. Cross access is shown between all proposed buildings on-site. The vehicle wash tunnel is shielded from the right-of-way by landscaping along both Russell Road and Boulder Highway.

A total of 5 buildings and a gasoline canopy are depicted on the site. There are 2 fast food restaurants with drive-thru windows, convenience store, and vehicle wash are depicted along the Boulder Highway frontage. The convenience store and associated car wash will be located on the property near the corner of Russell Road and Boulder Highway with the gasoline canopy relocated to the north side of the convenience store. A third fast food restaurant is located along Russell Road. The convenience store, car wash, and gasoline canopy all have a separation of more than 200 feet from any residential use.

Landscaping

The proposed landscape area along Boulder Highway is a 15 foot to 38 foot wide area with an attached 5 foot sidewalk. The landscaping proposed along Russell Road is 15 foot up to 64 feet with an attached sidewalk. The landscape buffer along Russell Road is designed to include a 64 foot long finger for additional buffering of the landscape tunnel of the car wash and to reduce conflict at the driveway and provide an increase throat depth on the southern portion of the driveway.

Floor Plans & Elevations

The convenience store is 3,900 square feet and the car wash tunnel is 2,815 square feet. The height of the convenience store, car wash, and retail space building are at a height of up to 26 feet. A total of 5 vacuums are provided for the car wash. The gasoline canopy is up to 24 feet high.

The proposed 3 restaurants are as follows, 3,900 square feet, 950 square feet and 3,000 square feet and all include drive-thru lanes. Each building has a light sand stucco finish with contrasting colors with architectural features and enhancements that include a combination of the following features: parapets, architectural insets, pop-outs, reveals, decorative cladding, stone accents on the sides of the buildings, dual pane clear glazed glass doors and windows with aluminum frames. These buildings have varying heights up to a maximum of 27 feet to the top of the parapet walls.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the zone change request complies with the Whitney Land Use Plan and most Code requirements. This application will result in 1 zoning district for the project and allow

a myriad of uses in the area. The requested uses within the center are appropriate for and compatible with the existing and planned uses in the area. The plans generally comply with Code requirements except for the waivers that are required to address design items.

The waiver for reduced parking lot landscaping is necessary for a portion of the parking area located on the northern portion of the site APN 161-27-896-002. Parking in this area is located on top of an existing covered drainage channel. This area is also within a NV Energy utility easement where landscaping is discouraged. Since landscaping is being eliminated in this area additional landscaping is provided along the street frontages and the islands adjacent to the driveway to screen the site.

The applicant is requesting a waiver for the required throat depth proposed for the driveway on Russell Road to be 22 feet. This request is justified and will not create an impact on the adjacent streets because 2 driveways are provided to the site. The design of the site allows no parking stalls located along the entry drive which eliminates direct vehicular conflict at the entry. No vehicles will be backing out of the parking stalls to impede any vehicles that are entering the site from either entry drive. The area close to the driveway is extended to include additional landscaping to eliminate conflicts in the areas at the entry driveways.

The proposed commercial/retail development and accompanying waivers will not negatively impact the site or area; are appropriate for the area and is compatible with the existing and developed uses in the immediate vicinity and entire area. The center will serve the area which consists of existing residential developments, other businesses, as well as provide needed employment in the area especially after the Pandemic. This application as proposed generally meets the intent of the Code and the goals and policies of the Whitney Land Use Plan.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-21-0092	Reclassified 4.9 acres (northeastern portion of the site) from R-E & R-2 to R-5 zoning, use permit for senior housing, waiver for alternative street landscaping, design review for senior housing, and alternative parking lot landscaping	Approved by BCC	April 2021
WS-0715-16	Waiver for full off-sites	Approved by BCC	December 2016
ZC-0770-15	Reclassified 4.9 acres from R-E to C-2 zoning, use permit, and design review for senior housing	Approved by BCC	January 2016

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	R-3	Multiple family residential
South	Commercial Tourist	C-2	Convenience store
East	Commercial Tourist	C-2	Retail
West	Commercial General	C-2	Retail shopping center

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

This request is a conforming zone boundary amendment. This request is consistent to Urban Land Use Policy 10 which encourages site designs to be compatible with adjacent land uses and off-site circulation patterns. The plans depict a use that are compliant with all applicable goals and policies contained within the Land Use Plan, specifically Goal 9, which promotes in-fill development for vacant parcels that can be integrated with the surrounding development and provide opportunity for linking in-fill sites to existing or proposed transit systems. In addition, Urban Specific Policy 2, states that where infrastructure is available and transit is accessible, in-fill development is encouraged in the existing urban/suburban areas. In-fill development should be consistent with existing adjacent development. Staff can support this request.

Waivers 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.

Waiver of Development Standards #1

The applicant has provided a landscape plan that shows no trees in this location within the established drainage channel right-of-way. Within these utility easements NV Energy discourages any planting of trees. The plans depict numerous shrubs are being provided in this parking lot area. In addition, to off-set this waiver the applicant has provided additional landscaping throughout other areas of the parcel, especially along the street frontages. Due to the restrictive nature of planting of trees within an existing utility easement and providing additional landscaping along Boulder Highway and Russell Road, staff finds that elimination of requisite landscaping for the northern parking lot where an existing drainage and utility easement will not create a negative impact on the surrounding area. Staff can support this request.

Design Review

Staff finds that the current design does not cause an adverse effect on adjacent residential properties because most of the commercial activity and traffic flow are centered towards the western and middle portions of the parcel. The vehicle wash is more than 200 feet away from adjacent residential uses and along with the proposed drive-thru are screened with requisite landscaping to better provide screening measures. The applicant has also provided landscape buffers around the entire perimeter of the property per Title 30. Staff can support this design review for a retail/commercial center.

Public Works - Development Review

Waiver of Development Standards #2

Staff worked with the applicant on the throat depths for the Russell Road commercial driveway. The applicant removed parking spaces on the ingress side of the driveway to allow vehicles to safely exit the right-of-way avoiding immediate conflicts with those trying to access parking spaces. Therefore, staff has no objection to the reduction in the throat depths.

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

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- 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; 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 waivers of development standards and design review must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Nevada Department of Transportation approval;
- Coordinate with Public Works - Traffic Management for the Traffic Signal Systems project;
- Dedicate any right-of-way and easements necessary for the Traffic Signal Systems project.
- Applicant is advised that off-site improvement permits may be required.

Building Department - Fire Prevention

- 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 #0337-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Whitney - approval.

APPROVALS:

PROTESTS:

APPLICANT: DRAKETAILE HOLDINGS II, LLC

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