

LIQUOR STORE & CONVENIENCE STORE
(TITLE 30)

BLUE DIAMOND RD/DURANGO DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-22-400055 (UC-20-0240)-MEQ-BD & D II, LLC:

USE PERMITS FIRST EXTENSION OF TIME for the following: **1)** alcohol sales, liquor - packaged only (liquor store) not in conjunction with grocery store; **2)** convenience store; and **3)** gasoline station.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setback for a convenience store; **2)** reduce setback for a gasoline station; and **3)** alternative driveway geometrics.

DESIGN REVIEW for modifications to an approved shopping center on 3.8 acres in a C-1 (Limited Commercial) Zone.

Generally located on the north side of Blue Diamond Road, 610 feet east of Durango Drive within Enterprise. JJ/jgh/syp (For possible action)

RELATED INFORMATION:

APN:

176-21-201-021 through 176-21-201-023

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the setback for a convenience store from a residential use to 17 feet where 200 feet is the minimum setback per Table 30.44-1 (a 92% reduction).
2. Reduce the setback for a gasoline station from a residential use to 40 feet where 200 feet is the minimum setback per Table 30.44-1 (an 80% reduction).
3. Reduce throat depth for a driveway to 32 feet where 100 feet is required per Uniform Standard Drawing 222.1 (a 68% reduction).

LAND USE PLAN:

ENTERPRISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 3.8
- Project Type: Changes to an approved shopping center, including a liquor store, convenience store, and gasoline station
- Number of Stories: 1
- Building Height (feet): Up to 28

- Square Feet: 33,162
- Parking Required/Provided: 166/166

Site Plan

The previously approved site plan depicts modifications to a previously approved shopping center (ZC-18-0118). The modified shopping center consists of 5 buildings on a linear site with frontage along Blue Diamond Road. Access to the site is provided via cross access with an existing shopping center to the west (consistent with a condition of approval on ZC-18-0118). Also, a new driveway on the east side of the site connects to Blue Diamond Road with a throat depth of 32 feet. Buildings along the north property line are set back a minimum of 12 feet from the adjacent single family residences, and the buildings consist of a liquor store, 2 commercial buildings, and a convenience store. The convenience store is set back 17 feet from the north property line where 200 feet is required and 58 feet from the east property line also where 200 feet is required. Gasoline pumps and a canopy are located south of the convenience store, set back 39 feet from Blue Diamond Road to the south and 40 feet from the single family residences to the east where 200 feet is required from a residential use. A fast food restaurant is located on the southwest portion of the site, set back 27 feet from Blue Diamond Road to the south and 85 feet from the north property line. The drive-thru window is located on the south side of the building, directed away from the adjacent single family residences to the north.

Parking spaces are located throughout the site and between the buildings. Two loading zones are located on the east side of the easternmost commercial building (Pad D), set back 17 feet from the property line to the north. However, the property line wall, an intense landscape buffer, and a second wall separate the loading zones from the single family residences to the north. Two trash enclosures are located at least 50 feet from the north property line as well.

Landscaping

The previously approved plan shows a 15 foot wide landscape buffer is provided on the south side of the site along the Blue Diamond Road right-of-way, which is set back approximately 45 feet from the existing pavement on Blue Diamond Road. A 12 foot to 17 foot wide intense landscape buffer with 2 rows of off-set large Evergreen trees is provided along the north and east property lines, between the site and the adjacent single family residences. Landscaping is also provided within the parking lot and around the base of the buildings.

Elevations & Floor Plan

Pad A, located in the northwest portion of the site, is the proposed liquor store. The 6,000 square foot building has an open floor plan, and the elevations extend up to a height of 28 feet at the top of a parapet wall above the entrance. Parapet walls along the roofline vary in height from 20 feet up to 28 feet. Materials include stucco finish, cultured stone veneer, metal awnings, and aluminum storefront windows.

Pad B, located in the southwestern portion of the site, is the proposed fast food restaurant. The 2,612 square foot restaurant includes a dining room, order counter, kitchen, drive-thru service area, kitchen storage, office, restrooms, and an exterior cooler/freezer. Overall elevations extend up to 23 feet high at the top of several parapet walls with cornice decorative treatment. However, most of the building is 20 feet high. Exterior materials include painted stucco, stone

veneer, metal canopies, and fabric awnings. The exterior cooler/freezer is located on the west side of the fast food restaurant, and the cooler/freezer will be pre-manufactured to match the exterior of the building. The building utilizes franchise architecture, but still maintains some similar design elements to the shopping center such as parapet walls along the roofline at various heights, painted stucco, and stone veneer.

Pad C is 11,550 square feet, and Pad D is 10,000 square feet. Both Pad C and Pad D consist of open floor plans for future tenants, and the elevations are similar to Pad A. Parapet walls contain variation along the roofline, with the highest portions at 28 feet. Materials include stucco finish, cultured stone veneer, metal awnings, and aluminum storefront windows.

Pad E is the convenience store, which is 3,000 square feet, and consists of a sales floor, cashier, office, storage room, cooler, freezer, and restrooms. An arched entryway with a 28 foot high standing seam metal roof emphasizes the entrance to the convenience store. Most of the building is approximately 23 feet high to the top of the parapet walls along the roofline. Exterior materials include painted stucco with stone veneer along a portion of the base. Lastly, the gasoline canopy is 20 feet high and includes a metal canopy, painted stucco finish, and a stone veneer base.

As required by the previous land use application (ZC-18-0118), this proposed shopping center will include low level lighting throughout the entire project.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for UC-20-0240:

Current Planning

- 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; and that this application must commence within 2 years of approval date or it will expire.

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;
- Applicant shall reconstruct the deceleration lane with any future improvements to Blue Diamond Road.

- 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 #0245-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant indicates this is the first extension of time, but more time is needed to continue progressing on the project. The applicant needs more time to finalize development plans and to obtain building and grading permits.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-20-0557	Vacated and abandoned easements located between Durango Drive and Cimarron Road	Approved by PC	February 2021
TM-20-500157	1 lot commercial subdivision on 3.7 acres in a C-1 zone	Approved by PC	December 2020
UC-20-0240	Alcohol sales in conjunction with a grocery store	Approved by BCC	August 2020
ET-20-400034 (ZC-18-0118)	Reclassified 3.8 acres from H-2 to C-1 zoning for a shopping center	Approved by BCC	June 2020
ZC-18-0640	Reclassified 3.8 acres from C-1 to C-2 zoning	Withdrawn	November 2018
ZC-18-0118	Reclassified 3.8 acres from H-2 to C-1 zoning for a shopping center	Approved by BCC	April 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Compact Neighborhood (up to 18 du/ac)	R-3	Compact lot & single family residential
South	Compact Neighborhood (up to 18 du/ac)	H-2 & R-3	Undeveloped & partially constructed condominium development
West	Corridor Mixed-Use	C-2	Shopping center

The site and the surrounding area are located in the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
ET-22-400056 (ZC-18-0118)	A second extension of time for a proposed shopping center and finished grade 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**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 finds that since the approval of ZC-18-0118, the applicant has made progress toward commencing development of the project, the traffic study (PW19-16151) has been approved and the drainage study (PW19-16541) has been submitted to staff. With progress being made toward commencement, staff can support this request for an extension of time.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

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:**Current Planning**

- Until April 4, 2024 to commence;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- 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; 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.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTEST:

APPLICANT: MEQ-BD & D II, LLC

CONTACT: LINDSAY KAEMPFER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA
DRIVE, SUITE 650, LAS VEGAS, NV 89135