

11/15/22 PC AGENDA SHEET

CONVENIENCE STORE
(TITLE 30)

FORT APACHE RD/FLAMINGO RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0522-4199 SOUTH FORT APACHE ROAD, LLC:

USE PERMITS for the following: **1)** reduce separation from residential use; and **2)** reduce setbacks on 1.0 acre in conjunction with a convenience store in a C-2 (General Commercial) Zone.

Generally located on the west side of Fort Apache Road and the south side of Flamingo Road within Spring Valley. JJ/bb/syp (For possible action)

RELATED INFORMATION:

APN:

163-19-510-008

USE PERMITS:

1. Reduce the separation between a convenience store and residential use to 123 feet where 200 feet is required per Table 30.44-1 (a 39% reduction).
2. Reduce the setback from a convenience store to a section line road to 15 feet where 30 feet is required per Table 30.44-1 (a 50% reduction).

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4199 Fort Apache Road
- Site Acreage: 1
- Project Type: Convenience store
- Number of Stories: 1
- Building Height (feet): 25
- Square Feet: 6,612 (building)/1,433 (tenant space)
- Parking Required/Provided: 27/59

Site Plan

The plan depicts an existing commercial retail building pad site with 4 tenant spaces adjacent to Fort Apache Road, south of Flamingo Road. A payday loan business occupies 2 of the 4 spaces

existing spaces and a restaurant (Fatburger) occupies another. The applicant is proposing to use unit C as a convenience store in the middle of the building. Existing parking is located on the north and west sides of the building.

Landscaping

Landscaping is currently existing and not a part of this application.

Elevations

The elevations depict an existing commercial retail building on a pad site of a larger shopping center. The existing building has entry doors facing west with retail storefront windows and a stucco exterior with flat roof and awnings over the entry doors.

Floor Plan

The plan depicts a 1,433 square foot open floor plan for the display of convenience store goods as required by Title 30, Table 30.44-1, with more than 1,200 square feet dedicated to floor display space.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is proposing to open a convenience store in an existing C-2 shopping center, within an existing commercial retail building that is located less than the minimum 200 feet from a residential use and closer than 30 feet to a section line roadway (Fort Apache Road). Fort Apache Road is an arterial roadway of 110 feet in width and the proposed convenience store will face west, away from the residential property located 123 feet to the southeast of this site. The residential homes located southeast of this site are existing and built lower than the grade of Fort Apache Road and are surrounded by a 6 foot block wall. The Planning Commission approved a check cashing store with similar separation issues back in 2006.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0487-06	Check cashing separation	Approved by PC	May 2006
TM-0256-00	1 lot commercial subdivision	Approved by PC	August 2000
ZC-0348-99	Reclassified to C-2 zoning	Approved by BCC	June 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & 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**Current Planning**

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. The proposed use will not result in a substantial or undue adverse effect on adjacent residential properties, character of the neighborhood, traffic conditions, parking, public improvements, or other matters affecting the public health, safety, and general welfare. The only entrance to the proposed convenience store is facing west on the opposite side of the building as the residential property nearest to this site. Any additional signs will require separate review in the future and the applicant is not proposing new signs at this time, that would be visible from the residential property. It is for these reasons staff can recommend approval.

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**

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

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTESTS:

APPLICANT: ACES C-STORE 1, LLC

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