

COMMERCIAL CENTER
(TITLE 30)

UPDATE
LAS VEGAS BLVD S/JONATHAN DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0708-TZORTZIS SURVIVOR'S TRUST A, ET AL:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow non-standard improvements in the right-of-way; and **2)** reduce throat depth.

DESIGN REVIEWS for the following: **1)** commercial center; **2)** alternative parking lot landscaping; and **3)** finished grade in conjunction with an existing tavern on 3.7 acres in a C-2 (General Commercial) Zone.

Generally located on the west side of Las Vegas Boulevard South, 350 feet south of Jonathan Drive within Enterprise. MN/gc/syp (For possible action)

RELATED INFORMATION:

APN:

191-05-801-012

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow non-standard improvements (landscaping) in the right-of-way (Las Vegas Boulevard South) where not permitted per Section 30.52.
2. Reduce throat depth for driveways along Las Vegas Boulevard South to 17 feet where a minimum of 100 feet is required per Uniform Standard Drawing 222.1 (an 83% reduction).

DESIGN REVIEWS:

1. Commercial center.
2. Allow alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.
3. Increase finished grade to 6.5 feet where a maximum of 3 feet is the standard per Section 30.32.040 (a 116.7% increase).

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 11997 Las Vegas Boulevard S.
- Site Acreage: 3.7

- Project Type: Commercial center
- Number of Stories: 1
- Building Height (feet): Up to 26 feet 8 inches
- Square Feet: 17,434
- Parking Required/Provided: 143/148

Site Plans

The plans show a proposed commercial center consisting of 3 retail/restaurant buildings along the west (rear) property line, and a convenience store/restaurant building with gas pumps located on the southeast portion of the site. A tavern exists on the northeast portion of the site along with an existing communication tower centrally located along the south property line. An existing billboard will also remain within a proposed landscape island east of the gas pumps, adjacent to the Las Vegas Boulevard South right-of-way. The proposed convenience store/restaurant building and the middle retail/restaurant building along the west property line will have drive-thru lanes, primarily located on the west side of the buildings. Additionally, 8 electric vehicle charging spaces are proposed in front of (east) the existing tavern. Future cross access is shown with the properties to the north and south. Access to the site is from an existing centrally located driveway off of Las Vegas Boulevard South. An egress only driveway is proposed near the south property line to Las Vegas Boulevard South. At full right-of-way dedication for Las Vegas Boulevard South, the future throat depth will be 17 feet where 100 feet is required. From where Las Vegas Boulevard South is currently paved, the throat depth is 50 feet. A total of 148 parking spaces are provided where 143 spaces are required. The finished grade of the site is being increased up to 6.5 feet with most of the increase occurring on the west portion of the site.

Landscaping

Street landscaping along Las Vegas Boulevard South consists of a minimum 12 foot wide landscape area on-site with an existing attached sidewalk in compliance with conditions of approval for ZC-0809-04. An additional 37 foot width of landscaping is proposed within the right-of-way for Las Vegas Boulevard South to landscape the area to where the sidewalk presently exists for Las Vegas Boulevard South. A 10 foot wide landscape area is also proposed along portions of the north and south property lines. Alternative parking lot landscaping is proposed where 8 parking spaces are located between landscape islands in front of the convenience store, where normally 6 parking spaces are allowed between islands.

Elevations

The 3 retail/restaurant buildings are 1 story, 26.8 feet high, and constructed of EIFS, stone veneer, aluminum storefront systems, decorative light fixtures, and EIFS pop-outs. The roof is predominantly flat at varying heights with decorative pitched roof towers constructed of concrete tile located at the far ends of the buildings. The convenience store/restaurant building is 1 story, 23.4 feet high, and constructed of the same materials as the retail/restaurant buildings. The roof is flat at varying heights. The fuel canopy is 19.5 feet high with a flat metal roof and stone columns. The typical electric vehicle charging station is 5.5 feet high by 3 feet wide.

Floor Plans

The plans show 3 retail/restaurant shell buildings totaling 13,114 square feet where a maximum total of 2,400 square feet of the 3 buildings will be used for restaurant purposes. The

convenience store/restaurant building is 4,320 square feet where 1,320 square feet will be used for restaurant purposes. The floor plans for the building show a sales floor, cashier area, storage rooms, coolers, freezers, gaming area, kitchen prep area, and dining area. The fuel canopy is 2,800 square feet. The overall commercial center including the existing tavern is 22,433 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that allowing landscaping within the right-of-way for Las Vegas Boulevard South will allow for a more attractive entry area for potential customers. The reduction in throat depth is justified since the overall site has been designed to enhance circulation efficiency. No potential conflicts due to parking spaces would arise from the first approximate 135 feet of ingress, drive-thru customers will have to travel beyond the gas station area and convenience store to queue, and the southern driveway will serve to further reduce conflicts by providing an additional egress location for convenience store/gas station customers. A tree will be planted north of the convenience store building adjacent to the bike racks to mitigate not having a landscape island every 6 parking spaces in front of the convenience store. The increase in fill is necessary for adequate conveyance of stormwater flow away from the proposed project. Furthermore, the applicant states that the proposed development will provide growing local residential communities with needed services and expanded employment opportunities.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-2214-04	Restaurant (tavern) in a C-2 zone	Approved by BCC	February 2005
ZC-0809-04	Reclassified the site from H-2 to C-2 zoning with a use permit to reduce the separation of a tavern from a residential use	Approved by BCC	July 2004
UC-1254-02	Off-premises sign (billboard)	Approved by BCC	November 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-2	Undeveloped
South	Open Lands	H-2	Undeveloped
East	Entertainment Mixed-Use & Compact Neighborhood (up to 18 du/ac)	H-2 & R-3	Undeveloped & single family residential
West	Entertainment Mixed-Use	H-2 & R-E	Undeveloped

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
VS-22-0709	A request to vacate and abandon government patent easements and right-of-way 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

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.

Design Reviews #1 & #2

Staff finds the proposed site and building design compatible with the surrounding area. All of the buildings will have 4 sided architecture and are compatible to one another, including the existing tavern, which will allow for a unified and cohesive commercial center. Furthermore, the entire commercial center is interconnected by pedestrian walkways between all the buildings allowing for ease of access. The request complies with Policy 1.3.3 of the Master Plan which encourages the integration of restaurants and daily need services adjacent to new neighborhoods to minimize the need for longer vehicle trips. Staff can also support the alternative parking lot landscaping request. The increase in the number of parking spaces in between landscape islands in front of the convenience store is mitigated by additional trees planted on the site and the addition of another tree in the immediate area north of the convenience store.

Public Works - Development Review

Waiver of Development Standards #1

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any landscaping placed in the right-of-way. Staff can support Waiver of Development Standards #1 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

Waiver of Development Standards #2

Staff has no objection to the reduction in the throat depth for the commercial driveway. The applicant is providing additional landscaping adjacent to the driveways which act as a buffer. The additional space will improve visibility and allow vehicles to safely exit the right-of-way, avoiding immediate conflicts with those trying to access parking stalls.

Design Review #3

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use 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

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- 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 service 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; 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;
- Dedication of Las Vegas Boulevard South per RS-22-500058;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised that off-site improvement permits may be required.

Fire Prevention Bureau

- No comment.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

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 #0190-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval.

APPROVALS: 1 card

PROTESTS: 2 cards

COUNTY COMMISSION ACTION: March 8, 2023 – HELD – To 03/22/23 – per the applicant.

APPLICANT: MARIA V. TZORTZIS BY VENETA SHAFFER AS AGENT

CONTACT: LEBENE OHENE, 520 S. FOURTH STREET, LAS VEGAS, NV 89101