

07/02/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-24-400054 (WS-20-0080)-KULAR GULZAR SINGH:

WAIVER OF DEVELOPMENT STANDARDS SECOND EXTENSION OF TIME for alternative driveway geometrics.

DESIGN REVIEW for a convenience store with gasoline pumps, vehicle wash, smog check kiosk, and a restaurant with a drive-thru on 2.22 acres in a CG (Commercial General) Zone.

Generally located on the north side of Blue Diamond Road and the east side of Rainbow Boulevard within Enterprise. JJ/jm/ng (For possible action)

RELATED INFORMATION:

APN:

176-23-201-016; 176-23-201-017

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the driveway throat depth to 8 feet, 6 inches where 25 feet is the standard per Uniform Standard Drawing 222.1 (a 66% decrease).

LAND USE PLAN:

ENTERPRISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.22
- Project Type: Convenience store with gasoline pumps, vehicle wash, smog check kiosk, and restaurant with drive-thru
- Number of Stories: 1
- Building Height (feet): 24 (maximum)
- Square Feet: 5,210 (convenience store)/2,500 (restaurant)/2,400 (vehicle wash)/5,117 (gasoline pump fuel canopy)/80 (smog check kiosk)
- Parking Required/Provided: 46/48

Site Plan

The approved site plan depicts a commercial development on the northeast corner of Rainbow Boulevard and Blue Diamond Road, consisting of the following structures on the site: a convenience store with gasoline pumps, a vehicle wash, a smog check kiosk, and a restaurant lease space with a drive-thru. Access to the site is via commercial driveways along Blue

Diamond Road (southeast corner of the site) and along Rainbow Boulevard on the northwest corner of the site. The proposed vehicle wash building is located along the north property line. The vehicle wash building is rectangular in shape and is oriented east to west. Vehicles will enter the vehicle wash building on the east side and exit on the west side of the building. Parking spaces are available for customers on the south side of the vehicle wash building.

The proposed convenience store is centrally located on the site. The design of the convenience store includes restaurant lease space on the west side of the building, and the drive-thru is on the north side of the rectangular shaped convenience store structure. The gasoline pumps are south of the convenience store, and a smog check kiosk is located on the southwest corner of the site. Parking spaces are located on the south side of the convenience store and along the west property line. The site also includes a trash enclosure along the east property line, pedestrian walkways, and 48 parking spaces where 46 parking spaces are required.

Landscaping

The originally approved landscaping plan shows 24 inch box trees and 5 gallon shrubs will be planted along the east, south, and north property lines. The applicant provided landscape finger islands within the parking areas and south of the vehicle wash building. The vehicle wash building is screened from Rainbow Boulevard by the landscape planter.

Elevations

The previously approved plans illustrates the design of the buildings includes the following: stucco finish, stucco reveals and pop-outs, decorative foam trim with a stucco finish, a parapet roof, and aluminum door and window systems. The convenience store building has an overall height of 24 feet. The smog check kiosk has an overall height of 14 feet, and the vehicle wash building has an overall height of 20 feet. The fuel canopy has an overall height of 21 feet and is constructed of an aluminum composite material. The applicant is proposing subdued neutral tones for the exterior paint selection as well as stone veneer to add some architectural interest.

Floor Plans

The approved floor plans for the vehicle wash building includes the vehicle wash tunnel and an equipment room and has an overall area of 2,400 square feet. The convenience store portion of the building includes the retail area, storage rooms, cooler areas, restrooms, gaming area, and a cashier station. The convenience store has an overall area of 5,210 square feet. The restaurant lease space has an area of 2,500 square feet and is an open space to be finished by the future tenants. The smog check building has an overall area of 80 square feet.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for ET-22-400086 (WS-20-0080):

Current Planning

- Until May 19, 2024 to commence.

- Applicant is advised that the installation and use of cooling systems that consumptively use water are 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;
- 30 days to coordinate with Public Works - Kaizad Yazdani and to dedicate any necessary right-of-way and easements for the Rainbow Boulevard improvement project.

Listed below are the approved conditions for WS-20-0080:

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 services in the area;
- All smog related activities, including vehicles waiting for services, shall only take place within designated parking spaces.
- 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;
- Right-of-way dedication to include a minimum of 55 feet to the back of curb for Rainbow Boulevard and the associated spandrel;
- Applicant shall coordinate with Public Works - Traffic Management to clarify the extent of the vacation and the necessary dedication for Rainbow Boulevard;
- 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;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with RTC standards.
- 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 #0063-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant’s Justification

The applicant states that they have a completed Public Works review (PW21-18625) and have a second drainage study (PW24-12950) underway due to development changes off-site that caused them to redo their first study. They further state all NDOT approvals have been received and their architect and civil engineers are working toward producing construction documents. The applicant is requesting an extension of time for an additional 2 years.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|------------------------------|---|-----------------|---------------|
| ET-22-400086 (WS-20-0080) | Extension of time for a waiver for driveway geometrics and design review for convenience store with gas pumps, car wash, smog check, and a restaurant with a drive-thru | Approved by PC | August 2022 |
| ET-22-400085 (VS-20-0081) | Extension of time for vacation and abandonment for a drainage easement | Approved by PC | August 2022 |
| VS-20-0081 | Vacated and abandoned a drainage easement | Approved by PC | May 2020 |
| WS-20-0080 | Waiver for driveway geometrics and design review for convenience store with gas pumps, car wash, smog check, and a restaurant with a drive-thru | Approved by PC | May 2020 |
| VS-18-0877 | Vacated and abandoned patent easements | Approved by BCC | December 2018 |
| WC-18-400241 (ZC-0532-04) | Waived conditions requiring cross access and parking easements | Approved by BCC | December 2018 |
| ZC-0532-04 | Reclassified from H-2 and C-1 to C-2 zoning | Approved by BCC | May 2004 |
| MP-0466-02 | Neighborhood plan for mixed-use | Approved by BCC | August 2002 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District (Overlay) | Existing Land Use |
|-------|---------------------------|---------------------------|-------------------------------|
| North | Corridor Mixed-Use | CG | Commercial development |
| South | Business Employment | CG | Developing commercial complex |
| East | Corridor Mixed-Use | H-2 | Undeveloped |
| West | Corridor Mixed-Use | CG | Gas station & undeveloped |

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

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Title 30 standards of approval for an extension of time state an application may be denied 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, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

The applicant is still in the process of creating construction documents and is currently working with Public Works for a new drainage study (PW24-12950) and has completed a structural study with Public Works (PW21-18625). They have also received approvals from NDOT for their project. Since the applicant has made progress and has a current application with Public Works, staff can support this request. However, staff may not be able to support future extensions if little progress is made and building permits have not been issued.

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:

Comprehensive Planning

- Until May 19, 2026 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: GURPAUL KULAR

CONTACT: GURPAUL KULAR, 955 TEMPLE VIEW DRIVE, LAS VEGAS, NV 89110