

RETAIL
(TITLE 30)

WARM SPRINGS RD/CIMARRON RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-20-0525-WALTERS GROUP:

USE PERMITS for the following: **1)** retail sales (coffee stand) that does not primarily service customers/employees of a business park; **2)** allow exterior advertising for a retail business; and **3)** increase floor area for a retail business.

DESIGN REVIEW for a retail building (coffee stand) with drive-thru service on 0.5 acres in a C-P (Office and Professional) Zone in the CMA Design Overlay District.

Generally located on the south side of Warm Springs Road, 560 feet west of Cimarron Road within Spring Valley. MN/al/jd (For possible action)

RELATED INFORMATION:

APN:

176-09-110-009

USE PERMITS:

1. Permit retail sales (coffee stand) in a C-P zone that provides service to the general public and not primarily for customers/employees of a business park per Table 30.44-1.
2. Allow a retail business in a C-P zone to have exterior advertising where not permitted per Table 30.44-1.
3. Increase the floor area of a retail business to 100% of the building in which it is located (871 square feet) where a maximum of 20% of the building area (174.2 square feet) is permitted per Table 30.44-1 (an 80% increase).

LAND USE PLAN:

SPRING VALLEY - OFFICE PROFESSIONAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 0.5
- Project Type: Coffee stand with drive-thru service
- Number of Stories: 1
- Building Height (feet): 24
- Square Feet: 871

- Parking Required/Provided: 9/10 pad site

Request

The applicant is proposing to development this pad site as a Dutch Bros coffee stand. The plans submitted for the project do not depict an inside seating area for customers. Per Section 30.08 the use is not considered as a restaurant since there is not an area on the premises for the consumption of food or beverages. The sale of coffee without an on-premises location to consume it would comply with the definition of retail sales per Section 30.08.

Site Plan

The request is to construct a Dutch Bros coffee stand on a pad site within an existing commercial center. The center is located on the south side of Warm Springs Road between Durango Drive and Cimarron Road, with access provided from each of these streets. The center has split zoning with the eastern approximately 1,000 feet of the commercial center being in a C-P zone and the western portion in a C-2 zone. The pad site for the proposed retail building is located on the eastern portion of the center on the south side of Warm Springs Road, 560 feet west of Cimarron Road, and along the west side of the easternmost driveway to the center from Warm Springs Road.

The proposed building is located on the northwest corner of the pad site with parking located to the south of the building. Along the east and north sides of the pad site is a drive-thru service for ordering coffee. The drive-thru service starts with 2 lanes that merge at the pickup window located at the northwest corner of the building. The building is set back approximately 33 feet from Warm Springs Road.

Landscaping

There are existing landscape areas adjacent to Warm Springs Road and the commercial center entrance that is along the east side of the pad site that are not being altered by this request. The landscape plan depicts landscaping areas within the parking lot, adjacent to the building, and along the north, west, and east boundaries of the pad site. All these landscape areas will consist of trees, shrubs, and groundcover.

Elevations

The plans depict a 1 story building with a maximum height of 24 feet. The building has a flat roof behind parapet walls and the building varies in height between 12 feet to 24 feet. The exterior of the building is a combination of stucco finish painted in earth tone colors, stone veneer, and siding in a horizontal lap pattern.

Floor Plans

The plans depict an 871 square foot building for the proposed coffee stand. The entire building will be used for the perpetration of beverages. There is no inside seating area for the customers.

Signage

The building plans are depicting signage and the application includes a request to allow exterior signage for the restaurant. However, detailed plans for signage were not submitted with this request. Therefore, this request does not include a sign plan.

Applicant's Justification

The applicant indicates that the proposed use is appropriate and compatible with this location because the site has developed as a shopping center with a variety of commercial uses.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0274-13	Reclassified 64.1 acres to C-2, C-P, and P-F zones for future commercial and recreational development	Approved by BCC	March 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities	C-P	St. Rose Dominican Hospital
South	Office Professional	R-5	Undeveloped parcel
East	Office Professional	C-P	Commercial development
West	Office Professional & Commercial General	C-P & C-2	Commercial development

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

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

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 Comprehensive 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 be located within a C-P zoned district. Typically, the C-P zone consists of office uses and is not intended for more intense commercial uses. This site, however, is located within a commercial center with split zoning in the C-P and C-2 zoning district. The street view of this center has the appearance of a commercial shopping center with a variety of commercial uses and not the appearance of a professional office complex. The proposed use is compatible with other uses within the commercial center and with developments abutting this site; therefore, staff finds the use is appropriate at this location and supports the use permits.

Design Review

The architecture of the building is consistent and compatible with other buildings within this center and for other commercial developments in this area. The design of the building also complies with the standards of the CMA Design Overlay District; therefore, staff recommends approval of the design review.

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**

- 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 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.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0306-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: BP HOLDINGS, INC.

CONTACT: ARMET DAVIS, NEWLOVE ARCHITECTS, 1330 OLYMPIC BLVD, SANTA MONICA, CA 90404