

06/01/21 PC AGENDA SHEET

LIQUOR STORE
(TITLE 30)

DURANGO DR/PATRICK LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0176-DURANGO 5, LLC:

USE PERMIT to allow alcohol sales, liquor – packaged only (a liquor store) in conjunction with a commercial complex and not a grocery store on 1.8 acres in a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone in the CMA Design Overlay District.

Generally located on the west side of Durango Drive, 308 feet north of Patrick Lane within Spring Valley. JJ/jor/jo (For possible action)

RELATED INFORMATION:

APN:

163-32-613-002

LAND USE PLAN:

SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 6045 S. Durango Drive
- Site Acreage: 1.8
- Project Type: Commercial center
- Number of Stories: 1
- Building Height (feet): 28
- Square Feet: 7,250 (Building A)/4,548 (Building B)/8,000 (Building C)
- Parking Required/Provided: 166/167

History & Request

ZC-1185-97 is a previously approved zone change which reclassified 10 acres on the northwest corner of Durango Drive and Patrick Lane from R-E zoning to C-1 zoning for an office complex consisting of 11 buildings with landscape conditions to include maximum buffering for the north property line based on Title 29 requirements. Subsequently, 5 acres (eastern half of the original 10 acres) went through a second zone change (ZC-0187-99) to reclassify the 5 acres from C-1 zoning to C-2 zoning. The Notice of Final Action for ZC-0187-99 stated that the C-2 zoning was restricted only to the northwest corner of the intersection of Durango Drive and Patrick Lane, approximately 2.7 acres as shown on the zoning map. Furthermore, UC-0716-03 was approved

for APN 163-32-613-003, south of the subject parcel, for a restaurant and was the first establishment to be constructed. The southernmost parcel is still undeveloped.

The subject parcel was previously approved for a commercial complex via WS-21-0070. The applicant is proposing a liquor store within a lease space of Building C, that is not in conjunction with a grocery store.

Site Plan

The submitted site plan depicts 3 rectangular buildings. The first building (Building A) is located along the north property line, the second (Building B) is located along the south property line, and both Buildings A and B are orientated east/west. The third building (Building C), oriented north/south, is adjacent to the west property line. Access to the site is provided via 2 existing driveways along the east property line adjacent to Durango Drive. Cross-access is also provided per the submitted plans spanning from the subject parcel heading south towards the existing restaurant and potentially connecting to the southernmost parcel once it is finally developed. Per the updated parking calculations, there are 166 required parking spaces where 167 are provided. Ninety-one parking spaces are provided on the subject parcel, and 76 parking spaces are located within the restaurant site to the south.

The applicant is proposing a liquor store (not in conjunction with a grocery store) within Building C. Building C is set back 13 feet from the north property line, 210 feet from the east property line (Durango Drive), 10 feet from the west property line, and 110 feet from the south property line.

Landscaping

The landscape plans depict an existing attached sidewalk along the east property line (adjacent to Durango Drive). Adjacent to the attached sidewalk is a landscape planter with a minimum width of 10 feet to a maximum width of 25 feet. Landscaping is also located along the north property line (now adjacent to an undeveloped C-2 parcel) and includes 24 inch box trees and shrubs. The proposed landscaping along the west property line (now adjacent to Mountains Edge Hospital) also includes 24 inch box trees and shrubs. In addition, the landscape plan also shows a 6 foot wide landscape planter that widens to 20 feet, which is parallel to the drive-thru lane south of Building B and is adjacent to the south property line. This landscape planter also includes 24 inch box trees and shrubs to help enhance the drive-aisle and buffer the drive-thru lane and trash enclosure. The landscape plan shows that there will be fifty-six, 24 inch box trees planted on this site, as well as 305 shrubs.

Elevations

Building A has an overall height of 26 feet, Building B has an overall height of 28 feet, and Building C has an overall height of 26 feet to the top of the parapet roofs. The rooflines vary in height with architectural stucco pop-outs, standing seam canopies, and metal coping. The exterior finishes include stucco walls, faux stone finishes, and aluminum storefront and window systems.

Floor Plans

The proposed liquor store is located within a 7,000 square foot lease space, which makes up a majority of Building C. The floor plan depicts the retail space area, storage, cashier stations, employee areas, and restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

Title 30 allows alcohol sales, beer and wine – packaged only for establishments within a C-1 zoning district when in conjunction with a grocery store. However, the applicant is proposing a new liquor store (stand-alone) on site that will sell packaged beer, packaged wine, and packaged liquor. Per Title 30, selling packaged liquor in a C-1 zoning district requires a use permit if it is not in conjunction with a grocery store.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-21-0070	Allowed a reduction in the required landscaping along an arterial street (Durango Drive), reduced driveway throat depth, with a design review for alternative parking lot landscaping (diamond shaped landscape planters), and for a proposed commercial complex	Approved by BCC	April 2021
DR-0157-08	Shopping center for northern most and southern most parcel - expired	Approved by BCC	March 2008
VS-0159-08	Vacated a portion of right-of-way being Durango Drive - expired	Approved by BCC	March 2008
WS-1679-04 (ET-0313-07)	Second extension of time to commence increased building height and a design review for a proposed office and retail center - expired	Approved by BCC	October 2004
WS-1679-04 (ET-0324-06)	First extension of time to commence increased building height and a design review for a proposed office and retail center - expired	Approved by BCC	December 2006
WS-1679-04	Increased building height and design review for an office and retail center - expired	Approved by BCC	October 2004

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0716-03	Outside dining and drinking with a proposed tavern; waived conditions for WC-0356-00 requiring a design review as a public hearing on final plans with landscaping to be addressed for the north property line per Figure 30.64-11 (without wall); and waived conditions for ZC-0187-99 requiring B-1 landscaping along street frontages; and design review for the site *APN: 163-32-613-003 (South of subject parcel)	Approved by BCC	June 2003
TM-0253-02	1 lot commercial subdivision	Approved by PC	August 2002
VS-0431-01	Vacated a portion of right-of-way being Ponderosa Way (30 feet), and 33 foot wide patent easements - recorded	Approved by PC	June 2001
ZC-1185-97 (WC-0136-01)	Waived a condition of a zone change requiring a 30 foot dedication on Ponderosa Way in conjunction with a proposed office complex	Approved by BCC	May 2001
ZC-0187-99 (WC-0356-00)	Waived conditions of a zone change for 1) design review as a public hearing for subject parcel and parcel to the west to be heard at one time; 2) recording reciprocal cross access and parking agreement with parcel to the west; 3) providing a 15 foot A-2 landscaped area long the north property line; 7) 30 foot dedication of Ponderosa Way - approved subject to design review as a public hearing on final plans with landscaping per Figure 30.64-11 (without wall) for north property line	Approved by BCC	November 2000
ZC-0187-99	Reclassified 5 acres (eastern half of the original 10 acres) from C-1 to C-2 zoning; C-2 zoning was restricted only to the northwest corner of Durango Drive and Patrick Lane, approximately 2.7 acres	Approved by BCC	May 1999
ZC-1185-97	Reclassified 10 acres from R-E to C-1 zoning for an office complex consisting of 11 buildings, with landscaping conditions to include maximum buffering for the north property line based on Title 29 requirements	Approved by BCC	August 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Undeveloped
South	Commercial General	C-1 & C-2	Restaurant & undeveloped
East	Office and Professional	C-P	Office complex
West	Commercial General	C-1	Mountains Edge Hospital

Related Applications

Application Number	Request
VS-21-0177	A vacation and abandonment of easements and right-of-way is a related 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**

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. Staff does not object to the applicant's proposed use permit. C-1 zoning allows alcohol sales for packaged beer and wine, and the request to sell packaged liquor does not negatively impact the surrounding area or the newly approved commercial complex. From an economic standpoint the proposed liquor store provides employment for the local community and has the potential to be a viable retail establishment to the commercial complex. Staff supports this request.

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**

- Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit, license, or approval; 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;
- Grant necessary easements, including pedestrian access easements at the exiting northern driveway;
- Applicant is advised that off-site improvement permits may be required.

Building Department - Fire Prevention

- Applicant is advised cross-access agreements will be required.

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 #0086-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTESTS:

APPLICANT: DURANGO 5 LLC

CONTACT: SUZANA RUTAR, SUZANA RUTAR ARCHITECTURE, 1950 EAST WARM SPRINGS ROAD, LAS VEGAS, NV 89119