

BUILDING MATERIALS/  
LANDSCAPING  
(TITLE 30)

HACIENDA AVE/FORT APACHE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WC-21-400147 (ZC-1208-00)-5335 SFA PROPCO, LLC:**

**WAIVERS OF CONDITIONS** of a zone change requiring the following: **1)** landscaping consistent with plans with a 20 foot maximum distance between trees along street frontages; **2)** building elevations consistent with plans submitted (concrete, stone, stucco, tiled roofs, etc.); and **3)** landscaping along Fort Apache Road to exceed Title 29 requirements for A-2 landscaping in conjunction with a commercial building on 0.4 acres in a C-2 (General Commercial) Zone.

Generally located on the west side of Fort Apache Road, 175 feet south of Hacienda Avenue within Spring Valley. JJ/jt/jo (For possible action)

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RELATED INFORMATION:

**APN:**

163-30-718-007

**LAND USE PLAN:**

SPRING VALLEY - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 5335 S. Fort Apache Road
- Site Acreage: 0.4
- Project Type: Cannabis retail store
- Number of Stories: 1
- Building Height (feet): 20
- Square Feet: 3,120
- Parking Required/Provided: 159/184 (entire shopping center)

Overview

These conditions were imposed on the shopping center when it was approved in 2000. This application is a request to waive 3 conditions of approval to allow for a commercial building for a proposed cannabis establishment (cannabis retail store) to be constructed within the parking lot of the shopping center.

### Site Plan

The site plan for the original shopping center included 2 in-line commercial buildings on the west side, 3 pad buildings on the east side along Fort Apache Road, and a gasoline canopy on the northeast portion of the site. Two of the 3 pad sites were not built on the east side of the site near Fort Apache Road, and the companion application proposes a commercial building on the northern pad site. Access to the shopping center includes a driveway from Hacienda Avenue to the north, 2 driveways from Fort Apache Road to the east, and a driveway from Mesa Vista Avenue to the south. Parking spaces are located on certain sides of each building and along portions of the perimeter.

### Landscaping

Existing landscaping includes landscaping to a less intense use along the west property line as well as street landscaping along Hacienda Avenue on the north side, Fort Apache Road on the east side, and Mesa Vista Avenue on the south side. Landscaping is also located within the parking lot.

The proposed commercial building will reduce the street landscaping for a portion of Fort Apache Road to a minimum of 12 feet in width. Previous conditions of approval for the shopping center included the following: A) landscaping consistent with plans with a 20 foot maximum distance between trees along street frontages; and B) landscaping along Fort Apache Road to exceed Title 29 requirements for A-2 landscaping. Both conditions would need to be waived to allow the reduced street landscaping proposed along Fort Apache Road with the companion application.

### Elevations

Buildings within the existing shopping center were approved with painted stucco, stone veneer accents, pitched tile roof accents, and parapet walls along the roofline. A condition of approval required all building elevations in the shopping center to be consistent with plans submitted (concrete, stone, stucco, tiled roofs, etc.) Since the elevations for the proposed commercial building include dark gray vertical steel paneling with concrete base accents, this condition for consistent building elevations will need to be waived.

### Floor Plans

The approved plans for the shopping center included 33,488 square feet consisting of 5 separate 1 story buildings. The proposed 3,120 square feet commercial building will replace a previously approved 2,170 square foot building.

### Previous Conditions of Approval

Listed below are the approved conditions for ZC-1208-00:

Subject to landscaping consistent with plans with a 20 foot maximum distance between trees along street frontages; building elevations consistent with plans submitted (concrete, stone, stucco, tiled roofs, etc); monument signage only; screen any roof mounted mechanical equipment; full off-sites; drainage and traffic studies and compliance; project may qualify for an exception to the traffic analysis with Public Works approval; paved legal access; six foot wall on Mesa Vista Avenue with landscaping outside of the wall; no fluorescent lighting; landscaping

along Fort Apache Road to exceed Title 29 requirements for A-2 landscaping; and all applicable standard conditions for this application type.

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant indicates that although the building elevations for the proposed commercial building are different than existing buildings in the shopping center, the proposed building will create a fresh modern look. Prefinished metal and cement are more contemporary in appearance than the painted stucco buildings, which were developed approximately 20 years ago.

Regarding the request to waive the conditions of approval related to landscaping, the applicant indicates that additional landscaping will be provided on the south side of the new building to compensate for the reduction in street landscaping along Fort Apache Road.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ADR-19-900846	Smog check	Approved by ZA	December 2019
DR-0556-17	Restaurant/retail building with drive-thru - expired	Approved by BCC	August 2017
ADR-0916-08	Drive-thru coffee shop	Approved by ZA	July 2008
UC-0644-01	Reduced separation between a tavern and a residential use	Approved by PC	July 2001
TM-0056-01	1 lot commercial subdivision	Approved by PC	March 2001
ZC-1208-00	Reclassified 3.9 acres from C-1 to C-2 zoning for a shopping center, use permit for a convenience store with gasoline pumps, reduced setback between a convenience store & residential use, and condition of approval included subject to building elevations consistent with plans submitted (concrete, stone, stucco, tiled roofs, etc)	Approved by BCC	October 2000

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North, South, & West	Commercial General	C-2	Shopping center including a tavern & gasoline sales
East	Residential Suburban (up to 8 du/ac)	R-2	Single family residential

### **Related Applications**

<b>Application Number</b>	<b>Request</b>
UC-21-0495	A use permit for a cannabis retail store with a waiver of development standards for a commercial building and design review 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**

Staff finds that the request to waive conditions of approval related to landscaping and building materials is appropriate to allow the commercial building with the companion application. The proposed development will provide additional parking lot landscaping, and the contemporary building materials will be aesthetically pleasing. Also, any future development will need to meet the development standards for landscaping and architectural compatibility in place at that time. As a result, these conditions are no longer applicable, and staff can support the request.

### **Staff Recommendation**

Approval.

Approval of the waivers of conditions request constitutes a finding by the Commission/Board that the condition will no longer fulfill its intended purpose.

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:**

#### **Public Works - Development Review**

- No comment.

#### **Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:** Spring Valley - approval.

**APPROVALS:**

**PROTEST:**

**APPLICANT:** NATUREX, LLC

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