



Planning Commission Agenda Item

Date: June 08, 2022

Item No: 12.

TO: Planning Commission

FROM: Marc Jordan, Director Land Development & Community Services
Prepared By: Robert Eastman

SUBJECT: SUP-14-2020 MLK & ALEXANDER (Public Hearing). Applicant: Majed Khater / MK Architecture LLC. Request: An extension of time for a special use permit in a C-1 (Neighborhood Commercial District) to allow a convenience food store with gas pumps. Location: Northeast corner of Martin L King Boulevard and Alexander Road. Ward 4. (For Possible Action)

RECOMMENDATION: APPROVE WITH CONDITIONS

PROJECT DESCRIPTION: (APN 139-04-818-003)

The applicant is requesting an extension of time for an existing special use permit allowing a convenience food store with gas pumps on approximately 1.24 acres located within a C-1, Neighborhood Commercial District, at the northeast corner of Martin L King Boulevard and Alexander Road.

BACKGROUND INFORMATION:

| Previous Action |
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| The Planning Commission approved SUP-14-2020 on June 10, 2020 to allow a convenience food store with gas pumps. |
| The Planning Commission approved UN-47-06 on June 14, 2006 to allow a convenience food store with gas pumps. |
| The Planning Commission approved UN-48-06 on June 14, 2006 to allow an automatic car wash. |

RELATED APPLICATIONS:

| Application # | Application Request |
|---------------|---------------------|
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| N/A | |
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GENERAL INFORMATION:

| | Land Use | Zoning | Existing Use |
|-------------------------|--------------------------|---|-------------------|
| Subject Property | Community Commercial | C-1, Neighborhood Commercial District | Undeveloped |
| North | Community Commercial | C-1, Neighborhood Commercial District | Commercial Office |
| South | Community Commercial | PUD, Planned Unit Development District | Commercial Retail |
| East | Multi-Family Residential | R-1, Single-Family Residential District | Single-family |
| West | Employment | PUD, Planned Unit Development District | Undeveloped |

DEPARTMENT COMMENTS:

| Department | Comments |
|---------------|--------------------------|
| Public Works: | See attached memorandum. |
| Police: | No Comment. |
| Fire: | No Comment. |

ANALYSIS:

The applicant is requesting Planning Commission approval for an extension of time for a previously approved special use permit to allow a convenience food store with gas pumps on the northeast corner of Martin L King Boulevard and Alexander Road. The site will be developed with a 5,000 square foot convenience food store with six (6) fueling stations.

Staff has no objections to the proposed use. The neighborhood has not substantially changed since the special use permit was previously approved in 2020. The proposed use is consistent with the C-1, Neighborhood Commercial District zoning designation and the use is compatible with the surrounding area.

The Planning Commission originally approved a special use permit (UN-47-06) to allow a 3,700 square foot convenience food store with six (6) gas pumps and a special use permit (UN-48-06) to allow an automatic car wash on June 14, 2006. Those special use permits have since expired for those uses.

The proposed elevations of the convenience food store demonstrate the elevation materials as stucco and stone veneer. The exterior stucco colors are called out as sandstone and baked clay and the stone veneer is called out as terracotta. The rear building façade needs to have more articulation as it is plain. The applicant should use stone veneer on the rear façade to provide more articulation as shown on the front of the building. The building design incorporates a parapet which is required to screen all roof-top mechanical equipment for rights-of-way. The proposed site plan has a trash enclosure; however, elevations were not provided. Trash enclosures are required to use similar materials and color palette as the principal building. The trash enclosure can be reviewed at the time of building permit.

The proposed site plan indicates the perimeter landscaping adjacent to Alexander Road and Martin L King Boulevard is 15 feet and the sidewalks are existing and adjacent to the curb. The applicant is proposing thirty-five (35) of landscaping along the eastern property line to buffer the proposed use from the existing residential. Code requires a twenty (20) foot landscape buffer adjacent to residential, the proposed buffer is in compliance with code. The building is required to provide six (6) feet of foundation landscaping at the entrance of the building and at least three (3) feet of foundation landscaping where parking spaces are located on the sides of the building. The proposed site plan provided foundation landscaping, however the foundation landscaping is not adequate. The applicant will need to provide adequate foundation landscaping per code which can be reviewed at the time of building permit.

The code requires one (1) parking space per 200 square feet of gross floor area. The convenience food store is 5,000 square feet which would require twenty-three (23) parking spaces. The proposed site plan shows twenty-seven (27) parking spaces which meets the code requirements. The proposed site plan shows two (2) driveways to the site. One (1) driveway is located off Martin L King Boulevard and one (1) driveway is located off Alexander Road. The driveway on Alexander Road may need to be adjusted per the Public Works memorandum and will be reviewed at the time of the submittal of the civil improvement plans.

The elevations provided by the applicant shows signage locations on the building façade. All signage will need to comply with code and will be reviewed at the time of building permits. Staff has no objections to this special use permit request, it is compatible with the surrounding zoning and land use and recommends approval subject to conditions.

Requirements for Approval of a Special Use Permit

In accordance with the Zoning Ordinance, the Planning Commission may, by motion, grant a special use permit if the Planning Commission finds, from the evidence presented, that all of the following facts exist:

1. The proposed use is consistent with the Comprehensive Master Plan and all applicable provisions of this Code and applicable State and Federal regulations;
2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located and any applicable use-specific standards and criteria in Chapter 17.20 of this Code;
3. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (such as, but not limited to, hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
4. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and
5. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development.

CONDITIONS:

Planning and Zoning:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. Trash enclosure exterior finish shall match the convenience food store building.
3. Signage for the site shall be in compliance with Title 17 requirements.
4. The landscape buffer along the eastern property line adjacent to the residential shall be thirty-five (35) feet in width.

Public Works:

1. All known geologic hazards shall be shown on any preliminary development plans and civil improvement plans submitted to the City. Subsequent identification of additional hazards may substantially alter development plans.
2. Approval of a drainage study is required prior to submittal of the civil improvement plans. Conformance may require modifications to the site plan.
3. The size and number of access points and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.040. Conformance may require modifications to the site plan.
4. All driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.1 and 225, including throat depth requirements as listed on Uniform Standard Drawings for Public Works Construction Off-Site Improvements Drawing Number 222.1.
5. The property owner is required to grant a roadway easement for commercial driveways.
6. Approval of a traffic study is required prior to submittal of the civil improvement plans. Please contact Traffic Engineering at 633-2676 to request a scope. A queuing analysis may be required.

ATTACHMENTS:

Public Works Memorandum
Letter of Intent
Site Plan
Building Elevation
Clark County Assessor's Map
Location and Zoning Map