



# Planning Commission Agenda Item

Date: September 14, 2022
Item No: 21.

**TO:** Planning Commission

**FROM:** Marc Jordan, Director Land Development & Community Services  
Prepared By: Johanna Murphy

**SUBJECT: FDP-16-2022 CIRCLE K AT ANN & 5TH.** Applicant: Circle K Stores, Inc.  
Request: A final development plan in a PUD (Planned Unit Development District) to develop a new 5,200-square-foot convenience food store with gas pumps. Location: Northeast corner of Ann Road & North 5<sup>th</sup> Street. Ward 4.

**RECOMMENDATION: APPROVE WITH CONDITIONS**

**PROJECT DESCRIPTION:** (APN 124-26-401-008)

The applicant is requesting Planning Commission approval for a Final Development Plan to develop a 5,200 square foot convenience food store with gas pumps in a PUD, Planned Unit Development. The subject site is 1.68 acres located at the northeast corner of Ann Road & North 5<sup>th</sup> Street. The Comprehensive Master Plan land use designation is Mixed-Use Neighborhood.

**RELATED APPLICATIONS:**

Application #	Application Request
N/A	

**BACKGROUND INFORMATION:**

Previous Action
On March 17, 2021, City Council approved Ordinance No. 3062 (ZN-22-17) amending the existing PUD, Planned Unit Development District to allow a convenience food store with gas pumps on Parcel 3.2.
On August 16, 2017, the City Council approved Ordinance No. 2824 (ZN-22-17) reclassifying approximately 158 acres from R-E, Ranch Estates District to a PUD, Planned Unit Development District.
On June 21, 2017, the City Council approved Ordinance No. 2792 extending the corporate limits of the City to annex and make the subject site part of the City.

**GENERAL INFORMATION:**

	Land Use	Zoning	Existing Use
<b>Subject Property</b>	Mixed-Use Neighborhood	PUD, Planned Unit Development District	Undeveloped
<b>North</b>	Mixed-Use Neighborhood	PUD, Planned Unit Development District	Undeveloped
<b>South</b>	Mixed-Use Neighborhood	C-2, General Commercial District	Undeveloped
<b>East</b>	Mixed-Use Neighborhood	R-1, Single-Family Low Residential District	Undeveloped
<b>West</b>	Mixed-Use Neighborhood	PUD, Planned Unit Development District	Undeveloped

**DEPARTMENT COMMENTS:**

Department	Comments
Public Works:	See attached memorandum.
Police:	No Comment.
Fire:	No Comment.
Clark County School District:	No Comment.
Clark County Department of Aviation:	No Comment.

**ANALYSIS:**

The applicant is requesting Planning Commission approval for a Final Development Plan to develop a 5,200 square foot convenience food store with gas pumps in a PUD, Planned Unit Development. The subject site is 1.68 acres located at northeast corner of Ann Road & North 5<sup>th</sup> Street. The gas canopy contains six (6) fueling stations with 12 fueling positions. The Comprehensive Master Plan land use designation is Mixed-Use Neighborhood. The subject site is named Parcel 3.2 of the Sedona Ranch development.

Access to the convenience food store is from both Ann Road and North 5<sup>th</sup> Street. The applicant's preliminary development plan shows a 5,200 square foot convenience food store and a 3,936 square foot fuel canopy. According to the submitted site plan the applicant is providing 34 parking spaces for the site. The 5,200 square foot convenience food store requires 24 parking spaces where one (1) parking space is

required per 200 square feet of GFA. The required amount of parking for a convenience food store with gas pumps has been provided. In addition, the proposed site plan contains the required bicycle parking spaces. The site requires two (2) bicycle parking spaces and therefore is in compliance for the required bicycle parking.

A landscape plan was submitted with the application. Perimeter landscaping along North 5<sup>th</sup> Street is thirty (30) feet in width, which includes a ten (10) foot sidewalk centered within the landscaped area. The North 5<sup>th</sup> Street Corridor has an approved corridor landscape plan that specifies the tree types to be planted within the median and perimeter landscape. The street trees and tree spacing proposed on the landscape plan should be modified to match the North 5<sup>th</sup> Street Landscape Corridor Exhibit (see attachments). The street trees to be planted along North 5<sup>th</sup> Street between the curb and the sidewalk should include *Sophora secundiflora* planted twenty (20) feet on center and *Chilopsis linearis* planted twenty-five (25) feet on center. The frequency of the trees should match the pattern established on the North 5<sup>th</sup> Street Landscape Corridor Exhibit. The proposed shrub species along North 5<sup>th</sup> Street do not need to be modified, however, they do need to provide a minimum of 50% ground coverage excluding the trees.

The perimeter landscaping along Ann Road should be a minimum of fifteen (15) feet including the five (5) foot sidewalk centered in the landscape area. The proposed site includes fifteen (15) of landscaping and a sidewalk along Ann Road located adjacent to the curb. The sidewalk should be relocated and centered within the perimeter landscaping. Ann Road does not have an approved landscape corridor plan. The specific tree varieties proposed along Ann Road do not need to be modified.

According to the letter of intent, the geotechnical report recommends that irrigation must be located a minimum of five (5) feet away from the building foundation line. In lieu of foundation landscaping, the applicant is proposing a modified landscape diamond spaced every three parking spaces long the west, north, and east elevations of the convenience food store. Each modified landscape diamond will be planted with one (1) live oak tree and two (2) red yucca plants. The proposed design, size and spacing of the modified landscape diamond meets the intent of the requirement for foundation landscaping.

Landscape islands are required at the ends of all parking rows and as screening around the trash enclosure. The landscaping has been provided at the end of the parking rows and on the east side of the trash enclosure. The trash enclosure will need to be shifted to the east in order to accommodate a landscape island on the west side of the trash enclosure. The proposed site plan also includes the required twenty (20) foot landscape buffer along the north and east property line from the residential development. Trees located within the Twenty (20) foot landscape buffer to the residential are spaced approximately eighteen (18) feet on center. All landscaped areas should provide 50% ground coverage excluding trees within two years of planting to comply with the municipal code. The site plan indicates a monument sign located within

the perimeter landscaping on both North 5<sup>th</sup> Street and Ann Road. The monument sign is not part of this application and will require a separate building permit.

The applicant provided building elevations for the convenience food store and the gas canopy. The building elevation for the proposed convenience food store has an overall building height of twenty feet-six inches (20'-6") with tower elements that are twenty-three (23) feet in height at both ends of the building. The applicant is proposing to use fiber cement panels painted with shades of brown and tan and a fiber cement panel wainscoting that simulates a stacked stone veneer along the base of the building on all four sides. There is also a cornice element along the varied rooflines painted dark brown. A red aluminum awning is located above the side door on the north elevation and a red horizontal accent line along the front of the building. The mix of colors, materials and varied rooflines are intended to help relieve the box-like form of the building.

Newly constructed Circle Ks within the City (Craig Road & Allen Lane and Craig Road & Craig Ranch View Court) appear to be built with a stucco exterior, concrete block wainscoting, stone columns and stone accents. The Commercial Design Standards for the City state that stone, stucco, colored or exposed aggregate or textured finish concrete, decorative block and brick are the preferred materials for building exteriors. Simulated materials and building systems that provide a look that is similar to the preferred materials may also be acceptable. The proposed fiber cement panels are acceptable, if textured, to replace the stucco portions of the building but the simulated stone wainscoting is inferior to stone veneer or split face concrete block. The proposed building design should be revised to provide a stone or block wainscoting and a stronger cornice element to comply with the Commercial Design Standards. Newly constructed Circle K's also do not include the red horizontal accent line along the front of the building. This red line should be removed from the front elevation. The corporate colors for Circle K are likely to be utilized in the signage.

The proposed building elevations for the gas canopy indicate the height of the canopy will be twenty feet-six inches (20'-6") with split face CMU block accenting the lower half of the support columns. The proposed metal canopy is painted with the Circle K red, white and orange corporate colors. The proposed gas canopy does not match the principal structure and therefore is not in compliance with the municipal code.

The gas canopy is an accessory structure to the convenience food store and should match the materials, accents and color scheme. In addition, corporate colors and embellishments shall not cover more than 50 percent of the total area of the canopy. Newly constructed Circle Ks within the City gas canopies include a cornice element along the roof line on the front, rear and side elevations to match the convenience food store roofline. The support columns also have stacked stone veneer that encases the entire column from base to the top. The proposed gas canopy design should be revised to match the principal structure incorporating the same building materials, accents and color scheme to comply with the Commercial Design Standards. These design

modifications to the principal structure and the gas canopy are relatively minor and can be addressed during the building permit process.

The proposed site plan indicates the required trash enclosure being provided at the south of the property. The elevations for the trash enclosure were not submitted. The enclosures are required to use similar materials and color palette as the principal building, include a roof and six (6) foot landscape planters on both sides of the trash enclosure. This modification to the site plan and the trash enclosure building elevations can be addressed during the building permit process.

The final development appears to be in generally in compliance with ZN-22-2017 (Ordinance No. 3062). Staff recommends approval of the final development plan subject to conditions.

## **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. The applicant shall comply with all applicable conditions of approval for ZN-22-2017 (Ordinance No. 3062).
3. A cornice element matching the roofline of the convenience food store shall be added to the gas canopy roofline on all elevations.
4. Trees shall be planted eighteen (18) feet on center within the landscape buffers along the north and east property lines.
5. Modified landscape diamonds shall be spaced every three parking spaces along the parking adjacent to the west, north and east elevations of the building. Each modified landscape island shall include a minimum of one 24"-box tree and two shrubs.
6. Street trees planted between the curb and sidewalk along North 5<sup>th</sup> Street shall match the North 5<sup>th</sup> Street Landscape Corridor Exhibit – trees types, spacing and pattern.

**ATTACHMENTS:**

Ordinance No. 3062

Public Works Memorandum

Letter of Intent

Final Development Plan

Landscape Plan

North 5<sup>th</sup> Street Landscape Corridor Exhibit

Building Elevations

Floor Plan

Clark County Assessor's Map

Location and Zoning Map