



Planning Commission Agenda Item

Date: October 13, 2021

Item No: 8.

TO: Planning Commission

FROM: Marc Jordan, Director Land Development & Community Services
Prepared By: Sharianne Dotson

SUBJECT: SUP-52-2021 N. DECATUR / W. LONE MOUNTAIN RD (Public Hearing). Applicant: Mike Bonanni / CONTOUR. Request: A special use permit in a C-1 (Neighborhood Commercial District) to allow a convenience food store with gas pumps. Location: Northeast corner of Decatur Boulevard and Lone Mountain Road. Ward 3

RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT DESCRIPTION: (A portion of APN 124-31-401-003)

The applicant is requesting a special use permit to allow a convenience food store with gas pumps located at the northeast corner of Decatur Boulevard and Lone Mountain Road. The subject site is on a portion of a 7.22 acre parcel and is zoned C-1, Neighborhood Commercial District. The Comprehensive Master Plan Land Use designation is Neighborhood Commercial.

BACKGROUND INFORMATION:

Previous Action
On September 8, 2021 Planning Commission approved a special use permit (SUP-51-2021) to allow a mini-warehousing establishment.

RELATED APPLICATIONS:

Application #	Application Request
N/A	

GENERAL INFORMATION:

	Land Use	Zoning	Existing Use
Subject Property	Neighborhood Commercial	C-1, Neighborhood Commercial District	Undeveloped
North	Single Family Low	R-1, Single Family Low Density District	Existing Residential
South	Neighborhood Commercial and Ranch Estates	C-1, Neighborhood Commercial and R-E, Ranch Estates Districts	Existing Commercial and Existing Residential
East	Single Family Low and Single Family Medium	R-1, Single Family Low Density and R-2, Single Family Medium Density Districts	Existing Single Family and Multi Family Residential
West	City of Las Vegas	R-1, Single-Family Residential and C-1, Limited Commercial Districts	Existing Residential and Commercial Center

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:	See attached memorandum.
Economic Development:	No Comment.

ANALYSIS:

The applicant is requesting approval of a special use permit to allow a convenience food store with gas pumps. The property is on a portion of a 7.22 acre parcel at the northeast corner of Decatur Boulevard and Lone Mountain Road. The Comprehensive Master Plan Land Use designation for the subject site is Neighborhood Commercial. The proposed convenience food store is approximately 5,187 square feet and is located behind the gas canopy that is orientated to Decatur Boulevard. The gas canopy contains ten fueling stations with 20 fueling positions. In addition, the proposed site plan indicates three (3) fast food restaurant pads ranging in size between 2,500 and 3,500 square feet within the commercial center labeled as “*Not a Part*”. They are separate from this special use permit request and will not be considered with this application.

Access to the proposed convenience food store is from three (3) proposed entrances: one access is on Decatur Boulevard and two (2) proposed entrances on Lone Mountain Road. The applicant provided a conceptual landscape plan without dimensions. The required landscaping is fifteen (15) feet including a five (5) foot detached sidewalk adjacent to Decatur Boulevard and Lone Mountain Road. The proposed site plan shows 15 feet to 24 feet of landscaping with a five (5) foot sidewalk at back of curb adjacent to Decatur Boulevard and Lone Mountain Road. The five (5) foot sidewalk is required to be within the landscaping and not permitted to be adjacent to the street. This is minor and can be addressed during the building permit process. The site plan shows the required 20 foot landscape buffer from the adjacent residential property to the east. All landscaped areas should provide 50% ground coverage within two years of planting to comply with the municipal code. The site plan notes a CMU fence. This is the existing block wall for the residential development to the east which will remain in place. area to help mitigate the impact of the proposed use, the landscaping within the required buffer should contain a double row offset of trees planted 20 feet on center with shrubs that provide an 50% ground coverage within two (2) years of planting.

The proposed site plan indicates there are 31 parking spaces designated for the convenience food store and patio area. A convenience food store with gas pumps requires 24 parking spaces and the proposed outdoor patio area requires an additional 4 parking spaces for a total of 28 parking spaces. The 31 parking spaces provided meet the required parking spaces per code requirements. The required vehicle stacking for a gas pump island is a minimum of two (2) vehicles. The site plan appears to meet the required stacking space requirements. The proposed site plan does not contain the required bicycle parking spaces. The site requires two (2) bicycle parking spaces and the bicycle parking can be addressed during the building permit process.

The proposed convenience food store building is required to provide six (6) feet of foundation landscaping at the entrance to the building and at least three (3) feet of foundation landscaping where parking spaces are located at the sides of the building. The site plan provided does not indicate the required foundation landscaping. The red parking lot landscaping consist of landscaped islands be provided every four parking spaces and at the end of all parking rows within the parking lot. The site plan provided does not indicate the required parking lot landscaping is being provided. These are minor adjustments and may be addressed during building permit process.

The proposed convenience food store building elevation shows a 28-foot high stucco building with a 3-foot tower element at the roofline on all four (4) sides. The building is painted a light gray with darker gray fiber cement panels and exterior lights. The architectural accents consist of a wood paneling on the south and west elevations above the windows. The building elevations for the gas canopy indicate it will be 23 feet in height with a rust colored terra cotta paneling finish. There are metal louver accents between fueling stations with a wood panel accent trim on the north and south elevations. In addition, the columns are metal poles painted black with a metal wrap. The gas canopy is an accessory structure to the convenience food store and should

match the materials, accents and color scheme and provide a pole cover. The architecture design and colors appear to be in compliance with the commercial design standards. However, the proposed mini-warehousing building (SUP-51-2021) on the north portion of the parcel has an additional architectural accent feature that is not on the proposed elevations for the convenience food store. The applicant should add the rust colored terra cotta accent panels to the proposed convenience food store building to create a cohesive and coherent design for the overall commercial center that includes the mini-warehouse, convenience food store and gas pump canopy. This can be addressed during the building permit process.

The proposed site plan indicates the required trash enclosure being provided however, the elevations for the trash enclosure were not submitted. The enclosure is required to use similar materials and color palette as the principal building. Additionally, landscape islands are required on both sides of the trash enclosure. This can be addressed during the building permit process.

The site plan indicates a proposed pylon sign for future development within the landscaping. This is not part of this special use permit and will require a separate sign permit through the building department.

Staff has no objections to the proposed use. The proposed use is consistent with the C-1, Neighborhood Commercial District designation and the Neighborhood Commercial land use designation. The proposed use is compatible with the existing uses and the surrounding neighborhood. Staff 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. The gas canopy is an accessory structure to the convenience food store and shall match the materials, accents and color scheme.
3. All structures in a commercial zoning are required to be 30' from an existing residential property line.
4. The required landscape buffer adjacent to the eastern property line shall contain a double row of trees planted 20 feet on center with shrubs that provide a 50% ground coverage within two (2) years of planting.
5. Applicant shall provide the (2) bicycle parking stalls.
6. The applicant shall add the rust colored terra cotta accent panels to the proposed convenience food store building to create a cohesive overall site design.
7. The applicant shall provide the required foundational landscaping of six (6) feet and required parking lot landscaping.
8. The site plan shall be revised to provide the five (5) foot sidewalk detached and centered between perimeter landscaping along Decatur Boulevard and Lone Mountain Road.
9. Applicant shall provide a trash enclosure. The trash enclosure shall use similar materials and color palette as the principal building with six (6) feet landscape islands are required on both sides of the trash enclosure

Public Works:

10. 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.

11. Approval of a drainage study is required prior to submittal of the civil improvement plans.
12. 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, queuing analysis may be required.
13. 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 will require modifications to the site. The proposed driveways on Lone Mountain do not meet these criteria and shall not be permitted as shown.
14. All driveway geometrics shall be in compliance with the applicable *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Numbers 222.1 and 225.
15. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways and/or City of North Las Vegas Municipal Code* section 16.24.100:
 - a. La Madre Way (half street improvements)
 - b. Lone Mt. Way (sidewalk, street lights)
 - c. Decatur Blvd. (sidewalk, street lights)
16. The public street geometrics and thickness of the pavement sections will be determined by the Department of Public Works.
17. Right of way dedications and construction of a bus turn-out and right turn lane is required on Decatur Boulevard per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.4.
18. Additional ROW along Lone Mountain is required per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1.
19. ROW dedication and construction of a right turn lane along Lone Mountain Road is required.
20. A raised median shall be constructed along Lone Mountain to extend 50 feet east of the existing parcel line (approximately 525' from Decatur intersection).
21. Any proposed driveway on Lone Mountain Road shall be right in – right out only.

22. The proposed driveway on La Madre Way shall be gated and shall only be exit only.
23. No proposed driveway shall be permitted on the south side of Villa Madre Way.
24. A raised median shall be constructed on Decatur Boulevard south of Villa Madre Way.
25. The property owner is required to grant a public pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way. (Granted per separate document using a Sidewalk Easement).
26. The property owner is required to grant a roadway easement for commercial driveway(s).
27. When submitting the project's civil improvement plans to the Department of Public Works for review, the developer must provide a copy of the Covenants, Conditions, Restrictions and Easements that will establish the provisions for cross access, surface and/or underground drainage facilities and utilities crossing property lines, development and maintenance of the property and improvements. The document must be recorded prior to approval of the plans.
28. If the property is intended to be subdivided, appropriate subdivision or parcel mapping must comply with NRS Chapter 278 and the *City of North Las Vegas Municipal Code*.
29. Prior to submitting traffic and drainage studies for review, the applicant must acquire approval from the Traffic Division of an updated, conforming site plan that depicts the new driveway locations per the Traffic Division conditions listed herein.
30. All Nevada Energy easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground if impacted by the proposed development of the parcel or if the pole impedes upon the proper ADA clearances for sidewalk. Under no circumstances will new down guy wires be permitted.

ATTACHMENTS:

Public Works Memorandum

Letter of Intent

Site Plan

Building Elevation

Landscape Plan

Clark County Assessor's Map

Location and Zoning Map