



Planning Commission Agenda Item

Date: August 10, 2022

Item No: 9.

TO: Planning Commission

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

SUBJECT: SUP-34-2022 TERRIBLE HERBST (Public Hearing). Applicant: Herbst Development. Request: A special use permit in an M-2 (General Industrial District) to allow a convenience food store with gas pumps with an "off-sale" beer-wine-spirit based products license. Location: Northeast corner of Interstate 15 and Las Vegas Boulevard North. Ward 1 (For Possible Action)

RECOMMENDATION: APPROVE WITH CONDITIONS

PROJECT DESCRIPTION: (APN 122-09-210-002)

The applicant is requesting a special use permit to allow a convenience food store with gas pumps with an "off-sale" beer-wine-spirit based products license located at the northeast corner of Interstate 15 and Las Vegas Boulevard North. The subject site is on a 19.99 acre parcel and is zoned M-2, General Industrial District. The Comprehensive Master Plan Land Use designation is Heavy Industrial.

BACKGROUND INFORMATION:

Previous Action
Recorded annexation (# 136) Ordinance #2443 adopted on May 21, 2008.

RELATED APPLICATIONS:

Application #	Application Request
N/A	

GENERAL INFORMATION:

	Land Use	Zoning	Existing Use
Subject Property	Heavy Industrial	M-2, General Industrial District	Undeveloped
North	Clark County	Industrial Employment	Clark County Jurisdiction
South	Interstate 15 and Clark County	Industrial Employment	Clark County Jurisdiction and Interstate 15
East	Clark County	Industrial Employment	Clark County Jurisdiction
West	Heavy Industrial	M-2, General Industrial 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 approval of a special use permit to allow a convenience food store with gas pumps with an "off-sale" beer-wine-spirit based products license. The property is on a 19.99-acre parcel located at the northeast corner of Interstate 15 and Las Vegas Boulevard North. The proposed site is zoned M-2, General Industrial District and the Comprehensive Master Plan Land Use designation for the subject site is Heavy Industrial. The parcel became part of the City of North Las Vegas by a recorded annexation (# 136) Ordinance #2443 adopted on May 21, 2008. This site is located within the (I-A) Industrial - Apex Overlay District within the Transition Area (TA) sub area and is subject to occupancy limits per acre. In addition, this site is within of the Airport Environs Overlay District (AE-70).

The Apex Overlay District Transition Area is designed to mitigate risk associated with property under the flight path of military aircrafts carrying live ordinance. The Transition Area limits the occupancy to no more than 50 persons per acre at any time. Due to the size of the convenience food store the proposed site average persons per acre is 3.15

and is therefore in compliance with the required occupancy limits of no more than 50 persons per acre.

The proposed convenience food store is approximately 9,305 square feet in size and is located in the middle of the property between the gas canopy and diesel fueling stations. The gas canopy contains six (6) fueling stations and the diesel fueling area contains nine (9) fueling stations. Both fueling areas will have an overhead canopy. In addition, the proposed site plan indicates a truck scale, six (6) electric vehicle-charging stations and a picnic area/dog park. Access to the proposed convenience food store is from two (2) proposed entrances on Las Vegas Boulevard.

The proposed convenience food store building elevation indicate a combination of alumaboard metal siding, a stucco finish and stone veneer with a brick wainscot along the bottom portion of the building. The overall height of the building is 28.6 feet. The roof of the towers on the east and west elevations is a standing seam metal roof with a stucco parapet with a metal cap. The stucco portions of the building are painted a neutral beige except the recessed entrances at the east and west, which are a darker brown painted stucco. There are exterior lighting scones on all elevations and metal awnings on the east and west elevations. The building elevations for both gas canopies were not included in the submittal package, however the gas canopies are an accessory structure to the convenience food store and should match the materials, accents and color scheme of the convenience food store. The architecture design and colors appear to be in compliance with the industrial design standards however, any changes required can be addressed during the building permit approval process.

A landscape plan was not submitted, however, the proposed site plan does indicate a 20-foot landscape areas along Las Vegas Boulevard in addition to the north, east and south perimeter property boundaries. Projects located in the Apex Overlay on a more visible site are required to have ten (10) feet of landscaping adjacent to public or private rights-of-way. The parking lot landscaping can be reviewed at the building permit process. The required landscaping should provide 30% ground coverage but is not required to have an irrigation system.

The proposed site plan indicates 79 parking spaces designated for the convenience food store. In addition, the site plan indicates 95 (12' x 60') spaces for trucks. The convenience food store requires 42 parking spaces. The site is in compliance for parking spaces required. 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 indicates the required trash enclosure provided however, the elevation for the trash enclosure was not submitted. The trash enclosure is required to use similar materials and color palette as the principal building, include a roof and landscape islands are required on both sides of the trash enclosure. This can be addressed during the building permit process.

The applicant is requesting to allow a Beer-Wine-Spirit Based “Off-Sale” liquor license in conjunction with the convenience food store. This use is usually processed through a Conditional Use Permit, however to assist in saving the applicant and staff additional administrative processing time this request will be considered with this application and is subject to the special use permit conditions.

Staff has no objections to the proposed use for a convenience food store with gas pumps and the Beer-Wine-Spirit Based “Off-Sale” liquor license. The proposed use is consistent with the M-2, General Industrial District designation and the Heavy Industrial land use designation. The proposed use is compatible with 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 applicant can process a Beer-Wine-Spirit Based “Off-Sale” liquor license in conjunction with the convenience food store and must comply with all applicable requirements outlined within both Title 5 and Title 17 of the Municipal Code for the City of North Las Vegas.
3. The gas canopies shall match the materials, accents and color scheme of the convenience food store.
4. The applicant shall install 20 feet of landscaping adjacent to Las Vegas Boulevard and the north, east and south perimeter property boundary. The required landscape shall provide a 30% ground coverage within two (2) years of planting.

Public Works:

5. 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.
6. Approval of a drainage study is required prior to submittal of the civil improvement plans. Conformance may require modifications to the site plan.
7. 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 and Uniform Standard Drawings for Public Works’ Construction Off-Site Improvements Drawing Number 222.1. Conformance may require modifications to the site.
8. All driveway geometrics shall be in compliance with the applicable Uniform Standard Drawings for Public Works’ Construction Off-Site Improvements Drawing Numbers.
9. 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.
10. The property owner is required to grant a roadway easement for commercial driveway(s).

ATTACHMENTS:

Public Works Memorandum
Letter of Intent
Site Plan
Building Elevation

Floor Plan
Clark County Assessor's Map
Location and Zoning Map