



Planning Commission Agenda Item

Date: March 13, 2024

Item No: 3

TO: Planning Commission

FROM: Alfredo Melesio, Jr., AICP, EDFP, Director of Land Development & Community Services
Prepared By: Bryan Saylor, Planner

SUBJECT: SUP-05-2024 LOSEE & DEER SPRINGS (Public Hearing). Applicant: Henry Moradi. 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 Losee Road and Deer Springs Way (APN 124-24-201-005) Ward 4. (For Possible Action)

RECOMMENDATION: APPROVE WITH CONDITIONS

PROJECT DESCRIPTION:

The applicant is requesting Planning Commission consideration of a Special Use Permit to allow a convenience store, with gas pumps, to be located in a C-1 (Neighborhood Commercial District).

BACKGROUND INFORMATION:

Previous Action
N/A

RELATED APPLICATIONS:

Application #	Application Request
SUP-06-2024	To allow a vehicle washing establishment attached to a convenience store
SUP-07-2024	To Allow a standalone vehicle washing establishment
SUP-08-2024	To allow a full "On-Sale" liquor license with restricted gaming and a waiver for the required 500-foot separation from developed residential
SUP-09-2024	To allow a mini-warehousing establishment

GENERAL INFORMATION:

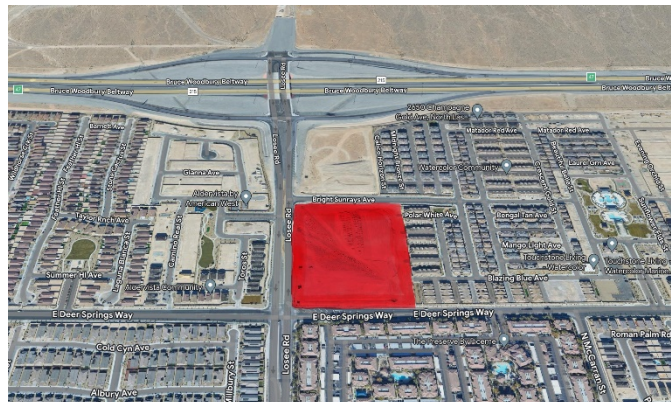
	Land Use	Zoning	Existing Use
Subject Property	Mixed-Use Neighborhood	C-1 Neighborhood Commercial	Undeveloped
North	Mixed-Use Neighborhood	C-1 Neighborhood Commercial	Undeveloped
South	High Density Residential	R-3 Multi-Family Residential	Existing Multi-Family Residential
East	Mixed-Use Neighborhood	PUD Planned Unit Development	Existing Residential
West	PUD Planned Unit Development	PUD Planned Unit Development	Existing Residential

DEPARTMENT COMMENTS:

Department	Comments
Public Works:	Please 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 proposing to allow a convenience store with gas pumps as part of a larger commercial development proposed for the northeast corner of Losee Road and Deer Springs Way. The proposed development will consist of a stand-alone car wash; convenience store with gas pumps and attached car wash; three (3) quick-serve restaurants; two (2) retail buildings; tavern; large footprint retail building and a mini-warehouse. This is the southern portion of a proposed two (2) part development. Another commercial portion is planned for the parcel to the north of Bright Sunrays Avenue, north of the proposed site.



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:

The proposed use is consistent with the Comprehensive Master Plan and all applicable provisions of this Code and applicable State and Federal regulations;

Convenience stores are principally permitted within the C-1, Neighborhood Commercial District. Gas pumps are a very common addition to convenience stores. The location is ideal, the northeast corner of Losee Road (150' right-of-way) and Deer Springs Way (80' right-of-way).

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;

The purpose of the Neighborhood Commercial (C-1) district is to provide goods and services for the convenience of the residents of the adjacent neighborhood and accessible by walking from the adjacent neighborhoods. The uses allowed in this district should provide goods and services on a neighborhood market scale that are compatible with the residential character of the surrounding neighborhood. A convenience store is precisely what is being described in that definition, it is an intended use and fit for this location and the surrounding neighborhood.

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);

The proposed convenience store is part of an overall commercial development that is being proposed for the subject site and the undeveloped site to the north. The proposed site is at a major intersection, an area that staff would expect to see 24 hour uses of this type.

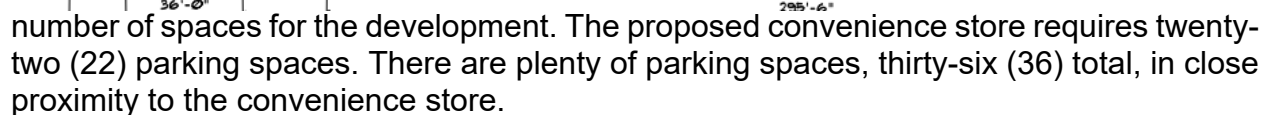
Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and

There are no significant adverse impacts anticipated from this use, it is located in an area that was designated as commercial in the Comprehensive Plan and is zoned Neighborhood Commercial.

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.

All vital services and utilities are available to the proposed site. Public works has a list of conditions of approval that has been attached to this staff report. Fire Prevention and the Police Department both have no comment or concern for the proposed

Access to the proposed site will be from one of four (4) points being proposed. One (1) access point from Bright Sunrays Avenue to the north of the site. One (1) access from Losee Road on the west side of the site. And two (2) access points from Deer Springs Way to the south. Parking provided for the site, 323 spaces, meets the 321 required



The applicant has not included a preliminary landscape plan, but in reviewing the site plan it appears that the areas being provided for landscaping meet the design requirements. Landscaping is being provided in the parking areas, foundation landscaping looks like it is being provided and landscaping is being provided around the proposed trash enclosure. The landscaping areas will need to meet or exceed the required tree counts and groundcover requirements. The tree wells in the walkway to the east of the convenience store running through the center of the site should be modified to provide a five (5) foot wide landscaping strip along the walkway as it will promote greater health for

the trees being installed and provide a better pedestrian separation from the adjacent drive lane.

The proposed convenience store will be 4,300 square feet in size and will be 24'-6" in total height. The elevations that were submitted do not meet the architectural design



guidelines and will need to be enhanced with more architectural features such as material changes, pop outs or color differentials. The design is too monolithic on some elevations and will need to be broken up more. The colors being presented, grey & white, are only permitted as accent colors and may not be the majority of coverage on a building. The colors will need to earth tone and neutral colors indigenous to the valley.

The proposed use is consistent with the current land use designation, the commercial nature of the center and the surrounding area. The proposed convenience store with gas pumps at this location should not pose a negative impact on the surrounding uses or properties. Staff has no objections to the proposed use and recommends approval with 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. An approved Unified Sign Plan will be required for this development prior to approval of any signage permits.

Public Works:

3. 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.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.

5. 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.
6. The size and number of driveways and their locations are subject to review and approval by the City Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.040 and *Clark County Area Uniform Standard Drawing* number 222.1, including throat depths. Conformance may require modifications to the site plan.
7. Commercial driveways are to be constructed in accordance with Clark County Area Uniform Standard Drawing numbers 222.1, including throat depths, and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
8. The developer is required to construct a raised median along Deer Springs Way to 50-feet east of the westernmost driveway. The median shall be constructed per Clark County Area Uniform Standard Drawing numbers 218 and 219 "A" type island curb. A thirteen (13) foot wide permanent travel lane with four-foot-wide Type II shoulder shall be constructed south of the median.
9. The property owner is required to grant a roadway easement for commercial driveway(s).
10. 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.
11. A revocable encroachment permit for landscaping within the public right of way is required if applicable.
12. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
13. The applicant is responsible for acquiring any easements needed to construct the project.
14. All off-site improvements must be completed prior to final inspection of the first building.
15. 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

Floor Plan

Building Elevations

Clark County Assessor's Map

Location and Zoning Map