



# Planning Commission Agenda Item

Date: April 10, 2024

Item No: 5

**TO:** Planning Commission

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

**SUBJECT: SUP-18-2024 ALIANTE MED LLC COMMERCIAL (Public Hearing).** Applicant: Aliante Med LLC. Request: A Special Use Permit in an MPC C-1 (Master Plan Community Neighborhood Commercial) to allow a Convenience Food Restaurant (Drive-Thru). Location: West of Aliante Parkway and Approximately 272 Feet Northwest of Elkhorn Road. (APN 124-17-415-004). Ward 3. (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 food restaurant with a drive-thru for a standalone building in a new commercial development.

### BACKGROUND INFORMATION:

Previous Action
On October 13, 2004, Planning Commission approved a site plan review (SPR-48-04) for a four (4) building, 6.08 acre commercial center.
On May 26, 2004, Planning Commission approved a tentative map (T-1093) to allow a one (1) lot commercial subdivision on 6.08 acres

### RELATED APPLICATIONS:

Application #	Application Request
<b>SUP-16-2024</b>	A special use permit in a MPC C-1 (Master Plan Community Neighborhood Commercial) to allow a convenience food restaurant (drive-thru).
<b>SUP-20-2024</b>	A special use permit in a MPC C-1 (Master Plan Community Neighborhood Commercial) to allow a tavern.

**GENERAL INFORMATION:**

	Land Use	Zoning	Existing Use
<b>Subject Property</b>	Neighborhood Commercial	C-1 MPC Master Plan Community Neighborhood Commercial	Undeveloped
<b>North</b>	Single Family Medium	R-1 MPC Master Plan Community Single-Family Residential	Existing Residential
<b>South</b>	Neighborhood Commercial	C-1 MPC Master Plan Community Neighborhood Commercial	Existing Commercial
<b>East</b>	Single Family Medium	R-1 MPC Master Plan Community Single-Family Residential	Existing Golfing Facility
<b>West</b>	Multi-Family Residential	R-1 MPC Master Plan Community Single-Family Residential	Existing Residential

**DEPARTMENT COMMENTS:**

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

**ANALYSIS:**

The subject site is located across from both Aliante Casino Hotel and the Aliante Golf Club. This development will complete the existing commercial area where CVS and the Aliante Animal Hospital are currently located. It is one of the last undeveloped parcels of land left in the Aliante Master Planned Community and the only one on the north side of the CC-215 beltway.



The proposed commercial development will consist of 3 buildings, this Special Use Permit is for a proposed coffee shop with a drive-thru. One (1) is a full retail building and the third building is proposing a fast-food restaurant with drive-thru under a companion Special Use Permit (SUP-16-2024), a café and a tavern that is under another companion Special Use Permit (SUP-20-2024). Possible tenants for these spaces have not been listed at this time.

### **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;***

The proposed convenience food restaurant with drive-thru is permitted in a C-1 Neighborhood Commercial district. There are no other special separation requirements for the proposed use.

***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 restaurant with a drive-thru should be a welcome component as part of a commercial center catering to the nearby residents and 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 restaurant establishment is part of an overall commercial development that is being proposed for the subject site. The proposed site is at a major intersection, an area that staff would expect to see 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***

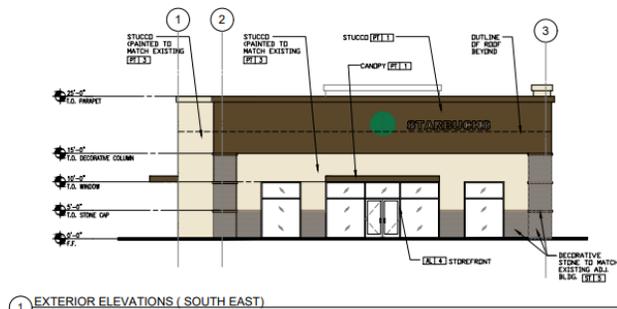
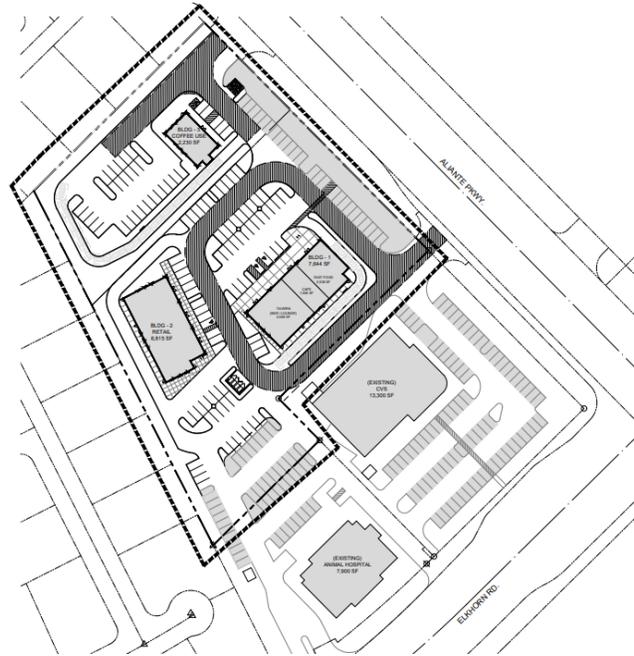
There are no significant adverse impacts anticipated from this use. It is located in an area that was designated as commercial in the Comprehensive Plan and is zoned Neighborhood Commercial.

***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.**

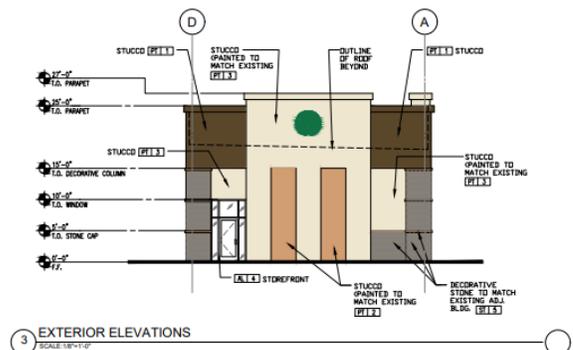
All vital services and utilities are available to the proposed site. Public Works, Fire Prevention, and the Police Department have no comment or concern for the proposed development.

Access to the proposed site will be from two (2) access points from Aliante Parkway, one (1) being shared with the existing development to the south. There will also be access from two (2) existing entries from Elkhorn Road located on each side of the Animal Hospital. The proposed restaurant with drive-thru requires nine (9) parking spaces. Parking in the commercial center exceeds the required number of 150 parking spaces by providing 159 parking spaces. Parking is adequate and conveniently adjacent to all buildings. The speaker box and menu display are currently shown as approximately ninety-five (95) feet from the nearest neighbor, which is greater than the minimum requirement of fifty (50) feet. A landscape plan has been entered as part of this submittal. The required foundation landscaping is currently not being shown and the landscaping overall seems to be short of the required 60% ground coverage required in Aliante. Perimeter trees are also required along the north and west portions of the site, planted twenty (20) feet on center. These are minor issues and can be addressed during the building permit process.



overall design of the buildings meets the Aliante design standards. The color palette and design of the building is pleasing and provides architectural interest. Basic floor plans have

The applicant provided building elevations as a part of the submittal package. The



been included in the submittal. Detailed floor plans will be required to be provided and can be provided as part of the building permit process.

The proposed use is consistent with the current land use designation, the commercial nature of the center and the surrounding area. The proposed restaurant with drive-thru 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. Menu board and ordering speaker shall be positioned to provide as much distance as possible from the existing residential to the west of the proposed site.
3. Intense landscaping shall be installed with large format shrubbery within five (5) feet of the ordering speaker and menu board to help mitigate sound transmission to the nearby residences.
4. Signage will not be illuminated if facing the existing residential to the west and north of the proposed site.

## **ATTACHMENTS:**

Letter of Intent

Site Plan

Floor Plan

Building Elevations

Clark County Assessor's Map

Location and Zoning Map