

**AGENDA MEMO - PLANNING****CITY COUNCIL MEETING DATE: DECEMBER 21, 2022****DEPARTMENT: COMMUNITY DEVELOPMENT****ITEM DESCRIPTION: APPLICANT: UMER MALIK - OWNER: UNITED STATES OF AMERICA****** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
22-0417-GPA1	Staff recommends APPROVAL.	
22-0417-ZON1	Staff recommends APPROVAL.	22-0417-GPA1
22-0417-SUP1	Staff recommends APPROVAL, subject to conditions:	22-0417-GPA1 22-0417-ZON1
22-0417-SUP2	Staff recommends APPROVAL, subject to conditions:	22-0417-GPA1 22-0417-ZON1 22-0417-SUP1
22-0417-SUP3	Staff recommends APPROVAL, subject to conditions:	22-0417-GPA1 22-0417-ZON1 22-0417-SUP1 22-0417-SUP2
22-0417-SDR1	Staff recommends APPROVAL, subject to conditions:	22-0417-GPA1 22-0417-ZON1 22-0417-SUP1 22-0417-SUP2 22-0417-SUP3

**** NOTIFICATION ******NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 15**NOTICES MAILED** 1133 (by City Clerk)**PROTESTS** 19**APPROVALS** 2

**** CONDITIONS ****

22-0417-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Alcohol, Off-Premise Beer/Wine use.
2. Approval of General Plan Amendment (22-0417-GPA1), Rezoning (22-0417-ZON1) and approval and conformance to the Conditions of Approval for Special Use Permit (22-0417-SUP2), Special Use Permit (22-0417-SUP3) and Site Development Plan Review (22-0417-SDR1) shall be required, if approved.
3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.
6. Approval of this Special Use Permit does not constitute approval of a liquor license.
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

22-0417-SUP2 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Gaming Establishment, Restricted (1 to 5 Machines) use.
2. Approval of General Plan Amendment (22-0417-GPA1), Rezoning (22-0417-ZON1) and approval and conformance to the Conditions of Approval for Special Use Permit (22-0417-SUP1), Special Use Permit (22-0417-SUP3) and Site Development Plan Review (22-0417-SDR1) shall be required, if approved.
3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

22-0417-SUP3 CONDITIONS

Planning

Planning

1. The automated car wash hours of operation shall be limited to 6AM to 9PM daily.
2. Provide noise attenuation measures in relation to the carwash.
3. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Car Wash, Full Service or Auto Detailing use.
4. Approval of General Plan Amendment (22-0417-GPA1), Rezoning (22-0417-ZON1) and approval and conformance to the Conditions of Approval for Special Use Permit (22-0417-SUP1), Special Use Permit (22-0417-SUP2) and Site Development Plan Review (22-0417-SDR1) shall be required, if approved.
5. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
6. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

22-0417-SDR1 CONDITIONS

Planning

1. The site shall be limited to a maximum of six fuel dispensing pumps. A revised site plan shall be submitted for review and approval to the Department of Community Development depicting maximum of six fuel dispensing pumps prior to or at the same time application is made for a building permit.
2. Exterior lighting shall be in conformance with Title 19.08 to mitigate light pollution.
3. A Master Sign Plan shall be required for the subject site.
4. Ingress and egress from Centennial Parkway shall be limited to right-in / right-out movements only.
5. The developer shall install 36-inch box trees instead of 24-inch box trees within the perimeter landscape buffers.
6. Approval of a of a General Plan Amendment (22-0417-GPA1) and Rezoning (22-0417-ZON1) and approval of and conformance to the Conditions of Approval for Special Use Permit (22-0417-SUP1), Special Use Permit (22-0417-SUP2) and Special Use Permit (22-0417-SUP3) shall be required, if approved.
7. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
8. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 09/19/22, except as amended by conditions herein.
9. A Waiver from 19.08.080 is hereby approved, to allow an eight-foot landscape buffer on the western perimeter and zero-foot landscape buffer on the eastern perimeter of the site where 15 feet is required.
10. An Exception from Title 19.08 is hereby approved, to allow 52, 36-inch box trees where 66 trees are required within the perimeter landscape buffers.

Conditions Page Five

December 21, 2022 - City Council Meeting

11. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
12. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
13. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
16. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

17. Dedicate the appropriate right-of-way to match the City's Bureau of Land Management Grant (N-78524 & N-90154/A) for Shaumber Road prior to the issuance of permits. Additionally dedicate appropriate additional right-of-way for right turn lanes into driveways, and grant easements for traffic appurtenances as required in the approved Traffic Impact Analysis.
18. Construct all incomplete half street improvements on Shaumber Road, a bus turnout/deceleration lane on Centennial Parkway, and any additional right turn lanes for driveways adjacent to this site concurrent with development of this site as required by the approved Traffic Impact Analysis.

19. Prior to the submittal of construction drawings for this site coordinate the public Sewer Connection at a size, depth, and location acceptable to the Public Works Sanitary Sewer Engineering Section of the Department of Public Works.
20. Coordinate with the Environmental Compliance & Enforcement staff of the Department of Public Works to locate any required grease interceptor and sand/oil interceptors in acceptable locations prior to submittal of sewer-related plans. Comply with the recommendations and requirements of the Environmental Compliance & Enforcement staff prior to issuance of permits. The team may be contacted at 702-229-2338 or emailed at ece@lasvegasnevada.gov.
21. Landscape and maintain all unimproved right-of-way adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed commercial development consisting of a single-story, 4,000 square-foot Convenience Store with Fuel Pumps and 1,400 square-foot Full Service Car Wash and a two-story, 10,000 square-foot Office/Retail shell building on a 3.79-acre portion of a 28.43-acre parcel located on the southeast corner of Centennial Parkway and Shaumber Road.

ISSUES

- The applicant has requested a General Plan Amendment (22-0417-GPA1) from PCD (Planned Community Development) to SC (Service Commercial) on the subject site. Staff recommends approval of the request.
- The applicant has requested a Rezoning (22-0417-ZON1) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to C-1 (Limited Commercial). Staff recommends approval of the request.
- The proposed Convenience Store and Office/Retail uses are permitted, the Drive-Through uses are permitted conditionally; and the Car Wash, Full Service or Auto Detailing, Alcohol, Off-Premise Beer/Wine and Gaming Restricted (1 to 5 machines) uses are allowed with an approved Special Use Permit within the proposed C-1 (Limited Commercial) zoning district. Staff recommends approval of the requested Special Use Permits.

ANALYSIS

The subject site is comprised of one undeveloped 28.43 acre parcel. The applicant has proposed to develop approximately a 3.50 acre portion of the subject site. The site is currently zoned U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] with a PCD (Planned Community Development) General Plan Designation and is subject to the development standards outlined in Title 19. The subject site is located on the southeast corner of Centennial Parkway and Shaumber Road and is currently bordered by undeveloped parcels to the west and south with similar zoning and General Plan designations. The east perimeter of the site is bordered by the Clark County 215 Freeway and existing single-family detached dwellings are located north of the subject site across the Centennial Parkway right-of-way.

**Staff Report Page Two
December 21, 2022 - City Council Meeting**

Also, the subject site is located within the La Madre Foothills Area as outlined in the City of Las Vegas 2050 Master Plan. The plan indicates that La Madre Foothills currently lacks commercial activity and job centers. Residents rely on businesses located in Centennial Hills Town Center. In the future for areas west of the beltway, new subdivisions can be developed, but as there are few major neighborhood centers and an overall lack of a commercial areas, an opportunity exists for the development of a new suburban neighborhood center for the entire district.

The applicant has proposed a General Plan Amendment (22-0417-GPA1) from PCD (Planned Community Development) to SC (Service Commercial). The Service Commercial category allows low and medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters and other places of public assembly. This category also includes offices either singly or grouped as office centers with professional and business services. The SC (Service Commercial) General Plan land use designation allows the P-O (Professional Office and Parking), O (Office) and C-1 (Limited Commercial) zoning districts.

In addition, the applicant has proposed Rezoning (22-0417-ZON1) the subject site from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to C-1 (Limited Commercial). The C-1 (General Commercial) zoning district is intended to provide to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) zoning district is consistent with the proposed SC (Service Commercial) category of the General Plan.

Staff has determined that the proposed C-1 (Limited Commercial) zoning district and SC (Service Commercial) General Plan land use designation are consistent with the surrounding area. Furthermore, the La Madre Foothills Area plan indicates there is an overall lack of a commercial areas located west of the 215 beltway and opportunity exists for the development. Staff believes this proposed commercial development meets the goals outlined in the La Madre Foothills Area plan by providing commercial development at a major intersection located west of 215 Beltway. In addition, the applicant will also have to construct half-street improvements on Shaumber Road which will support pedestrian and vehicular circulation in the surrounding area.

The permitted General Retail Store, Other than Listed (Convenience Store) use is described in Title 19.12 as, "A facility for the retail sale of general merchandise to the general public for direct consumption and not wholesale. This use:

1. Includes such uses as an antique/collectible store, retail bakery, convenience store, grocery store, drug store, service station and specialty merchandise store.
2. Includes other general retail uses that may be specifically defined in LVMC Chapter 19.18 and whose definitions may include specific limitations and restrictions, which shall apply as described in that Chapter.
3. Does not include uses that are specifically listed in LVMC Chapter 19.12 .

The Drive-Through use located adjacent to the Office/Retail shell building is listed as a conditional land use within the C-1 (Limited Commercial) zoning district. Title 19.12 describes the use as, "The use of a dedicated drive lane that, incidental to a principal use, provides access to a station, such as a window, door or mechanical device, from which occupants of a motor vehicle receive or obtain a product or service."

The Conditional Use Requirements for the use include:

1. A single-station drive-through shall have a stacking lane that will accommodate a minimum of six vehicles, including the vehicle at the station. A multiple-station drive-through shall have stacking lanes that will accommodate a minimum of three vehicles per station, including the vehicle at that station.

The submitted site plan indicates that the proposed Drive-Through will provide a single-station drive-through that will provide a stacking lane that will accommodate six vehicles.

2. The drive-through shall be screened in accordance with LVMC 19.08.040(F).

The submitted landscaping plan indicates that the proposed development complies with all Title 19.08.040(F) landscape buffer screening requirements by providing an eight-foot wide landscape buffer adjacent to the drive-through with all required planting materials.

In addition, the applicant has requested a Special Use Permit (22-0417-SUP1) for a proposed 4,000 square-foot Alcohol, Off-Premise Beer/Wine use within the proposed Convenience Store. An Alcohol, Off-Premise Beer/Wine use is described in Title 19.12 as "An establishment licensed to sell alcoholic beverages, limited to the sale of beer, wine and coolers, to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the business is conducted." This use requires approval of a Special Use Permit within a C-1 (Limited Commercial) zoning district in Title 19.

The Minimum Special Use Permit Requirements for this use include:

*1. Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum distance separation between an Alcohol, Off-Premise Beer/Wine establishment and certain other uses that should be protected from the impacts associated with that establishment. Therefore, except as otherwise provided in these Requirements, no Alcohol, Off-Premise Beer/Wine establishment may be located within 400 feet of any of the following uses:

- a. Church/House of Worship
- b. School
- c. Individual Care Center licensed for more than 12 children; or
- d. City Park

This requirement has been met as there are no protected land uses within 400 feet of the subject site.

2. The distance separation requirement set forth in Requirement 1 does not apply to:
- a) An establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or
 - b) A proposed establishment having more than 50,000 square feet of retail gross floor area.

This requirement is not applicable, as the proposed land use is not associated with a non-restricted gaming license with a hotel having more than 200 rooms or an establishment having more than 50,000 square feet of retail floor space.

3. The minimum distance separation requirements set forth in Requirement 1, which are otherwise nonwaivable under the provisions of LVMC 19.12.050(C), may be waived:
- a) In accordance with the provisions of LVMC 19.12.050(C) for any establishment which is proposed to be located on a parcel within the Downtown Las Vegas Overlay District, as described in LVMC 19.10.110;
 - b) In accordance with the provisions of LVMC 19.12.050(C) for any establishment having between 15,000 square feet and 50,000 square feet of retail gross floor space, if no more than 10 percent of the retail gross floor space is regularly devoted to the display or merchandising of alcoholic beverages;
 - c) In accordance with the provisions of LVMC 19.12.050(C) for any retail establishment having less than 15,000 square feet of retail gross floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right of way with a width of at least 100 feet; or

- d) In accordance with the applicable provisions of the “Town Center Development Standards Manual” for any establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS-TC (Main Street Mixed Use) in the Town Center Land Use Plan.

This requirement is not applicable, as the proposed land use is not located within the Downtown Las Vegas Overlay District, associated with an establishment having between 15,000 square feet and 50,000 square feet of retail gross floor space, associated with a retail establishment having less than 15,000 square feet separated by a highway or right-of-way with a width of at least 100 feet or located within the Town Center Master Plan Area.

*4. Except as otherwise permitted pursuant to LVMC 6.50.050, the establishment shall not be located on or adjacent to the Pedestrian Mall, as defined in LVMC Chapter 11.68.

The proposed use will be subject to all business licensing requirements outlined in LVMC Chapter 6.50.050 if approved. In addition, the subject site is not located on or within a Pedestrian Mall.

Also, the applicant has requested a Special Use Permit (22-0417-SUP2) for a proposed Gaming Establishment, Restricted (1 to 5 Machines) use in conjunction with the proposed Convenience Store. The Gaming Establishment, Restricted use is described in Title 19.12 as “An establishment which is primarily used for some business other than gaming but in which restricted gaming is permitted pursuant to Title 6. For informational purposes, this description refers to an establishment whose gaming operations are limited to not more than 15 slot machines, and no other game or gaming device.” This use requires approval of a Special Use Permit within a C-1 (Limited Commercial) zoning district in Title 19.

The Minimum Special Use Permit Requirements for this use include:

*1. Pursuant to its general authority to regulate gaming, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum distance separation between a Gaming Establishment, Restricted use and certain other uses that should be protected from the impacts associated with that establishment, or that otherwise should be separated so as to minimize impacts on surrounding areas. Therefore, except as otherwise provided in these Requirements, the following distance separation requirements apply:

- a. For one to five gaming machines, no less than 400 feet to the nearest:
 - I. Church/house of worship;
 - II. School;
 - III. Individual care center licensed for more than 12 children; or
 - IV. City park.

Staff Report Page Six
December 21, 2022 - City Council Meeting

- b. For six to fifteen gaming machines, no less than 1500 feet to the nearest:
 - I. Church/house of worship;
 - II. School;
 - III. Individual care center licensed for more than 12 children; or
 - IV. City park;
 - V. Gaming Establishment, Restricted use with six to fifteen gaming machines; or
 - VI. Gaming Establishment, Non-restricted use.
- c. For one to fifteen gaming machines, and operating independently of Requirement 1.b. above, no less than 1500 feet to the nearest Gaming Establishment, Restricted use or Gaming Establishment, Non-restricted use located within the Resort & Casino District, as described in LVMC Title 19, Appendix F.

This requirement has been met, as the applicant has requested one to five machines and there are no protected land uses within 400 feet of the subject site.

- 2. The distance separation requirement set forth in Requirement 1.b. may be waived in accordance with the provisions of LVMC 19.12.050(C) for the following:
 - a) An establishment located on property within one or more of the following Special Area and Overlay Districts:
 - I. The Civic District, as described in LVMC 19.10.010;
 - II. The Market District or the Symphony Park District within the Downtown Las Vegas Overlay District, as described in LVMC Title 19, Appendix F; or
 - III. The Gaming Enterprise Overlay District, as described in LVMC 19.10.130, except for any portion of the Gaming Enterprise Overlay District that falls entirely within the Resort & Casino District, as described in LVMC Title 19, Appendix F.
 - IV.
 - b) An establishment located within a Regional Mall, as defined by LVMC 19.18.020;
 - c) An establishment located within a Mixed-Use development, as defined by LVMC 19.18.020;
 - d) An establishment that will be separated from an existing protected use by a street or highway with a minimum right-of-way width of 100 feet; or
 - e) An establishment that is located on a site, or within a building or structure, that is designated on the City of Las Vegas Historic Property Register.

This requirement is not applicable, as there are no protected land uses within 400 feet of the subject site.

*3. The use shall conform to, and is subject to, the provisions of LVMC Chapter 6.40.

The proposed use will be subject to all business licensing requirements outlined in LVMC Chapter 6.40 if approved.

Lastly, the applicant has requested a Special Use Permit (22-0417-SUP3) for a proposed 1,400 square-foot Car Wash, Full Service or Auto Detailing use, which will be operated in conjunction with the proposed Convenience Store. The Car Wash, Full Service or Auto Detailing use is described in Title 19.12 as “An establishment that provides for the washing, cleaning, waxing or detailing of passenger vehicles, either by means of employees or by means of automated or semi-automated methods of cleaning, or by a combination thereof.” This use requires approval of a Special Use Permit within a C-1 (Limited Commercial) zoning district in Title 19.

The Minimum Special Use Permit Requirements for this use include:

1. Each wash bay shall have a stacking lane that will accommodate at least six cars.

The proposed use meets this requirement as the proposed stacking lane will accommodate six cars.

The site will provide 81 total parking spaces including four accessible ADA parking spaces, which complies with the minimum 80 spaces required by Title 19.12 for the overall development. The submitted building elevations indicate the Convenience Store with Fuel Pumps and Car Wash building will be a one-story, 23-foot tall building and the Office/Retail building will be a two-story, 37-foot tall building. Both structures have building façades which include a stone veneer exterior with a mocha, mountain fog and goldenrod stucco exterior façade that is consistent with commercial development within the Las Vegas Valley. The applicant has requested a Waiver to allow for the two structures to not be oriented to the corner of the subject site adjacent to Shaumber Road and Centennial Parkway as required. Due to the unique triangular shape of the subject site and location directly adjacent to the 215 Beltway; staff has determined the requested Waiver will have minimal negative impact to the surrounding area.

The submitted landscape plan indicates the primary tree species being utilized on the site is the 24-inch box Desert Willow and 24-inch box Mexican Sycamore trees. A condition of approval has been added by staff to insure the applicant provides four shrubs for each 24-inch box tree. The applicant has requested a Waiver to allow an eight-foot buffer along a portion of the western perimeter and a zero-foot buffer along a portion of the eastern perimeter where 15 feet is required. In addition, the applicant has requested an Exception to allow 52, 24-inch box trees where 66 trees are required. Staff has determined that the proposed deviations will have a minimal negative impact to the existing commercial development, since all required planting materials are provided within the landscape buffers adjacent to Centennial Parkway and Shaumber Road which will sufficiently screen the subject site.

Staff Report Page Eight
December 21, 2022 - City Council Meeting

The proposed commercial development and use of the structures is consistent with the La Madre Foothills Area as outlined in the City of Las Vegas 2050 Master Plan and the surrounding area. The proposed project is compatible with the adjacent land uses and meets all the minimum requirements of Title 19; therefore, staff recommends approval the requested General Plan Amendment, Rezoning, three Special Use Permits and Site Development Plan Review.

FINDINGS (22-0417-GPA1)

Section 19.16.030(l) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

The proposed SC (Service Commercial) designation is compatible with the existing adjacent land use designations. The proposed amendment would allow for a commercial development at this location.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,**

The proposed amendment would allow for the C-1 (Limited Commercial) zoning district, which will be compatible with the proposed land uses and development trends outlined in the City of Las Vegas 2050 Master Plan – La Madre Foothills Area plan.

3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and**

There are transportation, recreation, utility and other facilities that are adequate to accommodate the uses and densities permitted by the proposed General Plan Amendment.

4. **The proposed amendment conforms to other applicable adopted plans and policies.**

The proposed amendment conforms to the policies for development outlined in the Las Vegas 2050 Master Plan for the La Madre Foothills area.

FINDINGS (22-0417-ZON1)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

1. The proposal conforms to the General Plan.

The proposed Rezoning to C-1 (Limited Commercial) would conform to the SC (Service Commercial) General Plan designation if approved.

2. The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.

The proposed C-1 (Limited Commercial) zoning district would allow for the proposed Convenience Store with Fuel Pumps and Office/Retail shell building development as permissible land uses, Drive-Through as a conditional use and Car Wash Full Service or Auto Detailing, Alcohol, On Premise Full and Gaming, Restricted uses with an approved Special Use Permit. Staff has determined that this combination of land uses is compatible with the surrounding area.

3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.

The subject site is located at a major intersection located directly adjacent to the western perimeter of the 215 Beltway. The pattern of development in this area supports rezoning to C-1 (Limited Commercial).

4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.

Site access is provided from Centennial Parkway a 100-foot Primary Arterial Street and Shaumber Road an 80-foot wide Collector Street as designated in the Master Plan of Streets and Highways. This street is sufficient in size to accommodate the needs of the proposed commercial land uses.

FINDINGS (22-0417-SUP1)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

- 1. The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

The proposed Alcohol, Off-Premise Beer/Wine use land use can be conducted in a harmonious and compatible manner with the existing residential developments that are in close proximity to the subject site.

- 2. The subject site is physically suitable for the type and intensity of land use proposed.**

The subject site is physically suitable for the intensity of the proposed Alcohol, Off-Premise Beer/Wine use.

- 3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

Primary access for the development will be from Centennial Parkway a 100-foot Primary Arterial Street and Shaumber Road an 80-foot wide Collector Street as designated in the Master Plan of Streets and Highways, which have sufficient capacity to serve the development.

- 4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

The proposed use will be subject to business license review and periodic inspection, thereby safeguarding the public health, safety and general welfare.

- 5. The use meets all of the applicable conditions per Title 19.12.**

The proposed Alcohol, Off-Premise Beer/Wine use meets the minimum requirements set forth by Title 19.12.

FINDINGS (22-0417-SUP2)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

- 1. The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

The proposed Gaming Establishment, Restricted (1 to 5 Machines) use is appropriate for commercially zoned property on a corner containing two major arterial streets.

- 2. The subject site is physically suitable for the type and intensity of land use proposed.**

The subject site is physically suitable for the intensity of the proposed Gaming Establishment, Restricted use.

- 3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

Primary access for the development will be from Centennial Parkway a 100-foot Primary Arterial Street and Shaumber Road an 80-foot wide Collector Street as designated in the Master Plan of Streets and Highways, which have sufficient capacity to serve the development.

- 4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

If approved, the proposed use will be subject to regular inspections by multiple governmental agencies to ensure the public health, safety and welfare are not compromised.

- 5. The use meets all of the applicable conditions per Title 19.12.**

The proposed Gaming Establishment, Restricted (1 to 5 Machines) use meets the minimum requirements set forth by Title 19.12.

FINDINGS (22-0417-SUP3)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

- 1. The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

The proposed land use can be conducted in a harmonious and compatible manner with the existing surrounding commercial and residential land uses.

- 2. The subject site is physically suitable for the type and intensity of land use proposed.**

The subject site is physically suitable for the intensity of the proposed Car Wash, Full Service or Auto Detailing use.

- 3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

Primary access for the development will be from Centennial Parkway a 100-foot Primary Arterial Street and Shaumber Road an 80-foot wide Collector Street as designated in the Master Plan of Streets and Highways, which have sufficient capacity to serve the development.

- 4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

The proposed use will be subject to business license review and periodic inspection, thereby safeguarding the public health, safety and general welfare.

- 5. The use meets all of the applicable conditions per Title 19.12.**

The proposed Car Wash, Full Service or Auto Detailing use meets all applicable conditions per Title 19.12.

FINDINGS (22-0417-SDR1)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

The subject site has a unique triangular shape of the subject site and is located directly adjacent to the 215 Beltway. Pursuant to the La Madre Foothills Area plan the proposed commercial development is compatible with the goals for the area and with the existing single-family and multi-family residential developments located west of the 215 Beltway.

2. **The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

The proposed commercial development is consistent with the General Plan and complies with all Title 19 development standards, except for the requested Exception of planting materials and Waivers of perimeter landscape development standards. However, staff has determined that due to the unique triangular shape of the subject site and location directly adjacent to the 215 Beltway; staff has determined the requested Exceptions and Waivers will have minimal negative impact to the surrounding area.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Primary access for the development will be from Centennial Parkway a 100-foot Primary Arterial Street and Shaumber Road an 80-foot wide Collector Street as designated in the Master Plan of Streets and Highways, which have sufficient capacity to serve the development.

4. **Building and landscape materials are appropriate for the area and for the City;**

The project design and style are appropriate for the subject location and will be harmonious with buildings in the surrounding area.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The design characteristics of the proposed building elevations are not unsightly and are compatible with development in the area. The proposed materials are suitable for the surrounding commercial and residential uses and the desert environment.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The proposed commercial development will be subject to inspections in order to protect the public health, safety and general welfare by City staff.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
05/16/07	The City Council approved a request for a Petition to Annex (ANX-10156) properties generally located west of CC-215 and east of the Puli Road alignment, containing approximately 245.90 acres. The Planning Commission recommended approval of the request.
11/15/22	<p>The Planning Commission voted (6-0) to recommend APPROVAL of the following Land Use Entitlement project requests on a portion of 28.43 acres at the southeast corner of Centennial Parkway and Shaumber Road (APN 126-25-201-013), Ward 4 (Anthony)</p> <p>22-0417-GPA1 - GENERAL PLAN AMENDMENT - FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: SC (SERVICE COMMERCIAL)</p> <p>22-0417-ZON1 - REZONING - FROM: U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: C-1 (LIMITED COMMERCIAL)</p> <p>22-0417-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 4,000 SQUARE-FOOT ALCOHOL, OFF-PREMISE BEER AND WINE USE</p> <p>22-0417-SUP2 - SPECIAL USE PERMIT - FOR A PROPOSED 4,000 SQUARE-FOOT GAMING ESTABLISHMENT, RESTRICTED (1 TO 5 MACHINES) USE</p> <p>22-0417-SUP3 - SPECIAL USE PERMIT - FOR A PROPOSED CAR WASH, FULL SERVICE OR AUTO DETAILING USE</p> <p>22-0417-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED COMMERCIAL DEVELOPMENT CONSISTING OF A 4,000 SQUARE-FOOT CONVENIENCE STORE WITH 1,400 SQUARE-FOOT FULL SERVICE CAR WASH AND 10,000 SQUARE-FOOT OFFICE/RETAIL SHELL BUILDING WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS AND TO NOT ORIENT THE BUILDINGS TO THE CORNER WHERE SUCH IS REQUIRED.</p>

<i>Most Recent Change of Ownership</i>	
05/13/22	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses

There are no related Building Permits or Business Licenses associated with the subject site.

Pre-Application Meeting

07/26/22	Staff conducted a pre-application meeting where the submittal requirements for a General Plan Amendment, Rezoning, Special Use Permits and Site Development Plan Review were discussed for a proposed Convenience Store with Full Service Car Wash and Office/Retail development.
----------	---

Neighborhood Meeting

09/14/22	<p>A neighborhood meeting was held at the Centennial Hills YMCA Multipurpose Room at 6601 North Buffalo Drive, at 6:00pm to discuss the proposed General Plan Amendment and Rezoning at Assessor's Parcel 126-25-201-013.</p> <p>The meeting was attended by one Department of Planning staff member, one Council Ward 4 liaison and one Council Ward 4 Planning Commissioner. There were 15 members of the public in attendance; as such the following concerns were raised regarding the proposed development.</p> <ul style="list-style-type: none"> • How the building lighting will be oriented may create ambient light negatively impacting the surrounding single-family dwellings to north. • Safety concerns for pedestrians accessing the bike path adjacent to the freeway. • The proposed addition of a Car Wash may negatively impact water conservation efforts in the Las Vegas Valley. • Some expressed a preference that the site be developed as a residential development. • The proximity of this commercial development with the existing High School to the east, may negatively impact vehicular traffic in the surrounding area. • The aesthetics of the commercial buildings do not match the characteristics of the residential development in the area.
----------	---

Field Check

08/25/22	During a routine site visit staff noted the subject site is undeveloped with natural desert vegetation.
----------	---

Details of Application Request**Site Area**

Net Acres	3.79 acre portion of 28.43 acres
-----------	----------------------------------

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation]
North	Single-Family Detached Dwelling	PCD (Planned Community Development) - Cliff's Edge	PD (Planned Development)
South	CC 215	ROW (Right-of-Way)	ROW (Right-of-Way)
East	CC 215	ROW (Right-of-Way)	ROW (Right-of-Way)
West	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation]

Master and Neighborhood Plan Areas	Compliance
Master Plan 2050 Area: La Madre Foothills	Y
Northwest Open Space Plan	Y
Special Area and Overlay Districts	Compliance
No Applicable Special Area or Overlay Districts	N/A
Other Plans or Special Requirements	Compliance
Trails (Multi-Use Non Equestrian - Beltway)	Y
Las Vegas Redevelopment Plan	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.080, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Width	100 Feet	116 Feet	Y
Convenience Store & Car Wash - Min. Setbacks			
• Front (north)	10 Feet	126 Feet	Y
• Side (east)	10 Feet	46 Feet	Y
• Corner (west)	10 Feet	48 Feet	Y
• Rear (south)	20 Feet	828 Feet	Y
Office Building - Min. Setbacks			
• Front (north)	10 Feet	293 Feet	Y
• Side (east)	10 Feet	49 Feet	Y
• Corner (west)	10 Feet	20 Feet	Y
• Rear (south)	20 Feet	650 Feet	Y
Max. Lot Coverage	50 %	9 %	Y
Max. Building Height	N/A	37 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

3.79 acre portion of 28.43 acres or 165,092 square feet

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation]	20,000 SF Lots	8 Lots
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
C-2 (General Commercial)	N/A	N/A
<i>Existing General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
PCD (Planned Community Development)	8 du/acre	14 du/acre
<i>Proposed General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
GC (General Commercial)	N/A	N/A

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	10 Trees	10 Trees	Y
• East	1 Tree / 30 Linear Feet	25 Trees	11 Trees	N*
• West	1 Tree / 20 Linear Feet	31 Trees	31 Trees	Y
TOTAL PERIMETER TREES		66 Trees	52 Trees	N*
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	25 Trees	34 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		15 Feet	Y
• East	15 Feet		0 Feet	N**
• West	15 Feet		8 Feet	N**
Wall Height	6 to 8 Feet Adjacent to Residential		Not Indicated	Y

*The applicant has requested an Exception to allow 52 24-inch box trees where 66 trees are required.

**The applicant has requested Waivers to allow reduced landscape buffers.

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Centennial Parkway	Primary Arterial	Master Plan of Streets and Highways Map	100	Y*
Shaumber Road	Local Street	Master Plan of Streets and Highways Map	80	Y*

*Half-street improvement will be required pursuant conditions.

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Convenience Store	4,000 SF	1:175 SF	22.80				
General Retail/Office Building	10,000 SF	1:175 SF	57.10				
TOTAL SPACES REQUIRED			79.90 (80)		81		Y
Regular and Handicap Spaces Required			76	4	77	4	Y
Loading Spaces	10,000 to 29,999 SF		2		2		Y

<i>Waivers</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
Pursuant Title 19.08 a 15-foot landscape buffer is required on the western and eastern perimeter of the subject site.	To allow an eight-foot landscape buffer on the western perimeter and zero-foot landscape buffer on the eastern perimeter of the site.	Approval

<i>Exceptions</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
Pursuant Title 19.08 66 perimeter landscape trees are required within the landscape buffer areas.	To allow 52, 24-inch box trees where 66 trees are required.	Approval