

ATTACHMENT A
INDIAN SPRINGS TOWN ADVISORY BOARD
ZONING AGENDA
THURSDAY, 6:30 P.M., FEBRUARY 16, 2017

03/08/17 BCC

1. **ZC-0028-17 – DANE, LEE & MARIE AND RBR ENTERPRISES, LLC:**
ZONE CHANGE to reclassify 1.0 acre from H-2 (General Highway Frontage) Zone to C-2 (General Commercial) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow alternative street landscaping; 2) reduced roof pitch; 3) modified street standards; and 4) off-site improvements (streetlights).
DESIGN REVIEW for a retail building. Generally located on the southwest corner of US Highway 95 and MacFarland Avenue within Indian Springs (description on file). LB/gc/ml (For possible action)

RETAIL BUILDING
(TITLE 30)

US HWY 95/MACFARLAND AVE
(INDIAN SPRINGS)

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

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RELATED INFORMATION:

APN:

059-09-210-002 & 003

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Allow a 10 foot wide landscape area with an attached sidewalk along MacFarland Avenue where a minimum 15 foot wide landscape area with a detached sidewalk is required per Figure 30.64-17.
- b. Reduce street landscape width to 11 feet along US Highway 95 where a minimum of 15 feet is required per Figure 30.64-17 (a 26.6% reduction).
2. Reduce roof pitch to 1:12 where a minimum of 3:12 is required per Table 30.56-2.
3. Reduce the distance between a driveway along US Highway 95 and an intersection to 79 feet where a minimum of 150 feet is required per Standard Drawing 222.1 (a 47.3% reduction).
4. Waive off-site improvements (streetlights) where required per Title 30.52.

LAND USE PLAN:

NORTHWEST COUNTY (INDIAN SPRINGS) - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 139 & 153 MacFarland Avenue
- Site Acreage: 1
- Project Type: Retail Building
- Number of Stories: 1
- Building Height: 23 feet 4 inches

- Square Feet: 8,320
- Parking Required/Provided: 34/37

Site Plans

This is a conforming zone change request from H-2 to C-2 zoning. The plans show a proposed 8,320 square foot retail building (Family Dollar) located approximately 82 feet from the north property line and 10 feet from the east property line. Access to the site is from both US Highway 95 (frontage road) and MacFarland Avenue. A total of 37 parking spaces are provided to the north and west of the building where a minimum of 34 spaces are required. A trash enclosure is shown on the southwest portion of the site located a minimum of 50 feet from the south property line. An existing off-premises sign (billboard) will remain along the south property line.

Landscaping

A 10 foot wide landscape area with an attached sidewalk is proposed along MacFarland Avenue with medium sized trees every 20 feet and shrubs to cover 50% of the landscaped area. An 11 to 36 foot wide landscape area with an existing attached sidewalk is shown along US Highway 95 with medium sized trees every 20 feet and shrubs to cover 50% of the landscaped area. An 18 foot wide landscape area with medium trees every 20 feet and a 6 foot high block wall is shown along the south property line. A 5.5 foot wide landscape area with 2 medium trees for parking lot landscaping is shown along the west property line. A 4 foot high block wall also exists along the west property line.

Elevations

The plans show a 1 story, 23 foot 4 inch high retail building. The front elevation is constructed of "Nichiha" fiber cement wall panels, a metal or fabric awning, and an aluminum storefront system. The remaining elevations consists of metal wall panels covered with stucco finish. The roof is decorative metal with a 1:12 roof pitch. An arched parapet wall is located on the front elevation above the main entrance to the building.

Floor Plans

The plans depict an 8,320 square foot retail building consisting of sales area, sales support area, an office, and restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the proposed Family Dollar store will be an asset to the community and residents, who currently have to travel to Las Vegas to do the majority of their household shopping. An attached sidewalk with a 10 foot wide landscape area along MacFarland Avenue is consistent with the community and aids in the design of the site which has a limited parcel width. The street landscaping along US Highway 95 is 36 feet wide on the west side but reduces to 11 feet on the east side due to the fact that US Highway 95 does not run in a true east-west direction. To achieve a 3:12 roof pitch, significantly larger trusses would be required that would add increased cost to the building, which would not meet the construction budget that is aligned with sales forecasts for the business. The driveway along US Highway 95 is as far west as possible from the intersection of US Highway 95 and MacFarland Avenue. Due to the limited width of parcel, it is not possible to meet the 150 foot distance requirement from the intersection.

Furthermore, the proposed building is 10 feet from the east property line where wall pack lights will be installed along the east elevation. The wall pack lights should sufficiently light MacFarland Avenue where streetlights would not be needed.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1832-99	Communication antennas and a storage shed on the south parcel subject to 5 years for review - expired	Approved by PC	January 2000
UC-101-85	Remodel an existing service station into an automobile repair and body shop on the north parcel subject to 5 years for review - expired	Approved by PC	June 1985

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist & Public Facilities	C-2 & R-U	Undeveloped & Creech Air Force Base
South	Residential Suburban (up to 8 du/ac)	R-1	Undeveloped
East	Commercial Tourist	H-1	Convenience store with gas pumps & undeveloped
West	Commercial Tourist	H-2	U.S. Post Office

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Zone Change

The zone change request complies with the Northwest County Land Use Plan which designates the site as Commercial Tourist, and is compatible with the existing and planned land uses in the area. Generally C-2 zoning is reserved for sites over 10 acres, but the site is located at the intersection of an arterial (US Highway 95) and a collector (MacFarland Avenue) street, which is the main intersection for the community. Furthermore, C-2 zoning is located to the north and H-1 zoning with commercial uses approved is located to the east, which forms a node of general commercial activity that is over 10 acres at this intersection. Additionally, the current H-2 zoning designation is an antiquated zoning category that cannot be requested under today's code. Therefore, staff can support this request.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses and value of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of Development Standards #1

Staff can support the proposed 10 foot wide landscaped area with attached sidewalk along MacFarland Avenue. An attached sidewalk already exists along MacFarland Avenue on the northern parcel, and this request will allow the same type of sidewalk to be extended to the southern parcel. Additionally, detached sidewalks presently do not exist anywhere along MacFarland Avenue. A 10 foot wide landscape area along MacFarland Avenue will exceed the street landscaping presently found in the surrounding area.

Although the street landscape width is reduced to 11 feet along US Highway 95, the overall landscape width will average over the required 15 feet. The street landscape width is 36 feet on the west side of the property and tapers down to the 11 feet on the east side of the property. This is a result of US Highway 95 not being a true east/west street, which shaves the north portion of the property, while the remaining property lines remain in a true east/west and north/south direction. Regardless, staff finds the proposed landscaping will meet the intent of Title 30 and will exceed the landscaping width found on the adjacent U.S. Post Office property to the west. Therefore, staff can support this request.

Waiver of Development Standards #2

Staff can support the request to reduce the roof pitch. A number of buildings in the area do not meet the minimum roof pitch including the existing convenience store to the east and a large number of manufactured homes in the surrounding area. Furthermore, the proposed building will have an arched parapet on the primary front elevation that faces US Highway 95 that will significantly screen the reduced roof pitch.

Design Review

The request complies with Policy 7.1 of the Northwest County Land Use Plan which states that through site planning and building design, ensure that commercial developments are compatible with abutting uses. The proposed design also improves a highly visible site where an abandoned building has existed for a number of years. Furthermore, the design of the site is respectful of the planned Residential Suburban uses to the south. The building is set back approximately 65 feet from the south property line and an 18 foot wide landscape area along the south property line will help screen and buffer the site. Therefore, the request complies with Policy 2.3 which encourages site designs that are compatible with adjacent land uses, especially when the adjacent land use is at a lower density or intensity.

Public Works – Development Review

Waiver of Development Standards #3

Site dimensions do not allow for compliance with the required 150 foot approach distance; therefore, staff has no objection to waiver of development standards #3 to reduce the approach distance to 79 feet from the driveway to the intersection.

Waiver of Development Standards #4

Streetlights are a very important element for pedestrian and traffic safety. The applicant states that the lighting being installed on the exterior of the building would illuminate the road; however, the illumination of a public road cannot depend on private service to which the County does not have any control over; therefore, staff cannot support waiver of development standards #4.

Staff Recommendation

Approval of the zone change, waivers of development standards #1, #2, #3, and the design review; denial of waiver of development standards #4.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:**Current Planning**

If approved:

- No resolution of intent and staff to prepare an ordinance to adopt the zoning.

Public Works – Development Review

- Execute a restrictive covenant agreement (deed restrictions);
- Installation of streetlight conduit and pull boxes at the ultimate location of the future streetlight poles;
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication of corner spandrel;
- Close all existing pan driveways and reconstruct with curb, gutter and sidewalk;
- Commercial curb return driveways per Standards 222.1 and 225;
- Nevada Department of Transportation approval.

Building/Fire Prevention

- Applicant is advised that fire hydrants and fire sprinklers will be required for this building; and that applicant will be responsible to demonstrate how fire flow is met for this building.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that existing sewer is located within 400 feet of the parcel; and that at time of development CCWRD requires submittal of estimated wastewater flow rates to determine sewer point of connection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: Leading Tech Development

CONTACT: Greg Wall, 1835 S. Highway 89, Perry, UT 84302