

12/03/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0719-SIENA 76 HOLDING LP & SIENA 77 HOLDING LP:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase maximum parking; **2)** allow an attached sidewalk to remain; and **3)** alternative driveway geometrics.

DESIGN REVIEW for a proposed gas station and retail building on 1.88 acres in a CG (Commercial General) Zone.

Generally located south of Charleston Boulevard and east of Atlantic Street within Sunrise Manor. TS/mh/kh (For possible action).

RELATED INFORMATION:

APN:

162-01-112-006

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase parking to 22 spaces where a maximum of 16 spaces is permitted per Section 30.04.04D (a 38% increase).
2. Allow an attached sidewalk along Atlantic Street to remain where a detached sidewalk is required per Section 30.04.08C.
3.
 - a. Reduce the approach distance for a driveway along Atlantic Street to 114 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 24% reduction).
 - b. Reduce the driveway throat depth along Atlantic Street to 16 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 36% reduction).

LAND USE PLAN:

SUNRISE MANOR - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.88
- Project Type: Gas station & retail building
- Number of Stories: 1
- Building Height (feet): 18 (fuel canopy)/25 (retail building)
- Square Feet: 3,780 (fuel canopy)/4,730 (retail building)
- Parking Required/Maximum Permitted/Provided: 14/16/22
- Sustainability Required/Provided: 7/7

Site Plans

The plans depict a proposed gas station and retail building located on the southeast corner of Charleston Boulevard and Atlantic Street. The site is accessed via a 40 foot wide driveway along Atlantic Street, which has an approach distance of 114 feet from the intersection with Charleston Boulevard where 150 feet is required, necessitating a waiver of development standards. Additionally, the driveway features a 16 foot ingress throat depth and an 18 foot egress throat depth where 25 feet is required, requiring a waiver of development standards. The fuel canopy is centrally located on the site, featuring the following setbacks: 92 feet from the north property line; 86 feet from the south property line; and 63 feet from the west property line. A total of 4 gas pumps are provided, which will accommodate a maximum of 8 vehicles at a time.

The retail building is located along the east side of the site, set back 16 feet from the east property line. Parking is provided on the north, west, and south sides of the retail building, with 22 parking spaces provided where 14 parking spaces are required and a maximum of 16 parking spaces are permitted, requiring a waiver for increased parking. A loading space is located along the south property line, with a trash enclosure located west of the loading space. A pedestrian walkway leads from the sidewalk along Charleston Boulevard through the northern parking spaces to the retail building entrance. Cross access is provided to the adjacent parcels with drive aisles ranging from 24 feet to 33 feet in width.

Landscaping

The plans depict 5 foot wide attached sidewalks and street landscaping along Charleston Boulevard (an NDOT road) to the north and Atlantic Street to the west. The landscape area along Charleston Boulevard ranges from 20 feet to 38 feet behind an existing attached sidewalk, while the landscape area along Atlantic Street ranges from 14 feet to 15 feet behind an existing attached sidewalk. Both street landscape areas consist of large trees, shrubs, and groundcover. The parking area landscaping consists of landscape islands with medium trees, shrubs, and groundcover.

Elevations

The plans depict a 25 foot high retail building consisting of metal and fiber cement panels on the façade. The roofline is flat and variable, ranging from 21 feet to 25 feet in height. The building features aluminum storefront doors and windows, a shade canopy over the entrance, and other architectural enhancements. The building will feature black, white, and brown coloration. The fuel canopy is 18 feet high at its peak, featuring an aluminum composite canopy and black painted support beams.

Floor Plans

The plans depict a retail store with a sales counter, food preparation area, seating area, merchandise area, cooler vault, beer cave, utility room, freezer, cooler, backroom, and restrooms.

Applicant's Justification

The applicant states the proposed retail store brand (7-11) historically requires more parking than is required by Title 30. The area is autocentric, so the amount of parking provided is necessary for optimal operation of the retail store and is compatible with the area. The attached sidewalk along Atlantic Street is proposed to remain, as it is compatible with the street design of the area.

The reduced approach distance will be mitigated by the minimal traffic on Atlantic Street, as well as the other driveway access points to the shopping center that is adjacent to the site. The proposed throat depth reduction will not impact the site access due to the low traffic volume on Atlantic Street and the other access points to the adjacent developments.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-0653-13	Design review for a retail store - expired	Approved by PC	November 2013
DR-0230-12	Design review for a retail building in conjunction with an existing shopping center (APN 162-01-112-002)	Approved by PC	July 2012
TM-500093-11	Tentative map for a commercial subdivision	Approved by PC	February 2012
WS-1155-08	Waivers for off-site improvements and roof signs with a design review for restaurants in conjunction with a shopping center - expired	Approved by PC	February 2009
DR-0179-08	Design review for a shopping center - expired	Approved by PC	May 2008
ZC-1078-00	Zone district name change from C-C to C-2	Approved by BCC	September 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Neighborhood Commercial	CG	Retail, warehouse, vehicle maintenance, & outdoor storage
South & East	Entertainment Mixed-Use	CG	Shopping center
West	Entertainment Mixed-Use	CG	Undeveloped, parking lot, & vehicle maintenance

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the

proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

Staff finds that the request to increase parking will not have adverse effects on other properties in the vicinity or the public rights-of-way. The additional parking spaces feature landscaping in accordance with Title 30 standards, and are designed to allow safe and convenient access to the retail store. Therefore, staff can support this request.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Staff finds that the site is generally well designed. The proposed landscaping meets Title 30 standards and will enhance the area while providing adequate shading along the sidewalks and within the parking area. The fuel canopy is consistent with others in the area, and is desirable in appearance. The retail building provides several architectural enhancements and a modern aesthetic that will complement development in the surrounding area. For these reasons, staff can support the design review.

Public Works - Development Review

Waiver of Development Standards #2

Staff cannot support the request to allow an existing attached sidewalk to remain along Atlantic Street. The site is new construction; therefore, there is no reason a detached sidewalk cannot be installed. Additionally, detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic.

Waiver of Development Standards #3a

Staff has no objection to the reduction in approach distance for the Atlantic Street commercial driveway as the applicant placed the driveway so that it allows separation for not only the intersection, but the existing driveway to the south.

Waiver of Development Standards #3b

Staff has no objection to the reduction in throat depth for the Atlantic Street commercial driveway. Although the throat depth does not comply with the minimum standard, staff finds that the reduction will still allow vehicles to safely exit the right-of-way to gain access to the site.

Staff Recommendation

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

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required; and that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- Applicant is advised that permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0154-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Sunrise Manor - approval.

APPROVALS:

PROTESTS:

APPLICANT: MITCH OGRON

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