

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-25-0133-REBEL LAND & DEVELOPMENT, LLC:

USE PERMITS for the following: **1)** office; and **2)** gas station.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce driveway approach distance; **2)** reduce driveway departure distance; **3)** allow an attached sidewalk to remain; and **4)** reduce driveway throat depth.

DESIGN REVIEW for a commercial development on 1.08 acres in a CR (Commercial Resort) Zone within the Airport Environs (AE-60) Overlay.

Generally located on the southwest corner of Flamingo Road and Paradise Road within Paradise. JG/mh/cv (For possible action)

RELATED INFORMATION:

APN:

162-22-103-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the approach distance for a driveway along Flamingo Road to 126 feet where 150 feet is required per Uniform Standard Drawing 222.1 (a 16% reduction).
2. Reduce the departure distance for a driveway along Flamingo Road to 72 feet where 190 feet is required per Uniform Standard Drawing 222.1 (a 63% reduction).
3. Allow an attached sidewalk to remain along Paradise Road where a detached sidewalk is required per Section 30.04.08C.
4.
 - a. Reduce the throat depth for a driveway along Flamingo Road to 5 feet where 25 feet is required per Uniform Standard Drawing 222.1 (an 80% reduction).
 - b. Reduce the throat depth for a driveway along Paradise Road to 16 feet where 25 feet is required per Uniform Standard Drawing 222.1 (a 36% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4111 Paradise Road
- Site Acreage: 1.08
- Project Type: Office & gas station
- Number of Stories: 3
- Building Height (feet): 38 (office)/23 (fuel canopy)
- Square Feet: 7,028 (total)/3,256 (office)/2,580 (convenience store)/1,192 (restaurant)

- Parking Required/Provided: 27/31 (including 3 EV and 2 ADA spaces)
- Sustainability Required/Provided: 7/7

Site Plans

The plans depict a 7,028 square foot commercial building, set back 104 feet from the north property line, 18 feet from the south property line, 73 feet from the east property line, and 80 feet from the west property line. A fuel canopy is located to the north of the building, set back 43 feet from the north property line and 76 feet from the east property line. The site is accessed via a commercial driveway from Flamingo Road, with a second commercial driveway located along Paradise Road. Neither driveway meets the approach distance, departure distance, or throat depth requirements of Uniform Standard Drawing 222.1, necessitating waivers of development standards. A 24 foot wide drive aisle is maintained throughout the site, connecting the driveways and allowing vehicles to enter the fuel canopy area from either side. A drive-thru lane is shown along the south side of the building, which leads to a drive-thru window at the southeast corner of the building. Parking is provided on the north, east, and west sides of the building, including 3 parking spaces for electric vehicle charging. A loading zone is provided on the west side of the building, and bicycle parking is also provided. Pedestrian pathways are provided to connect the fuel canopy and each parking area to the building. A trash and recycling enclosure is located in the northeast corner of the site. There is an existing 6 foot high CMU block wall along the south and west property lines that is proposed to remain.

Landscaping

The plans depict street landscaping consisting of medium trees and shrubs spaced 20 feet on center along Flamingo Road within a 5 foot wide landscape strip on the street side of the sidewalk and 8 foot wide landscape strip on behind the sidewalk. An attached sidewalk with a 15 foot wide street landscape area consisting of medium trees and shrubs spaced 20 feet on center is depicted along Paradise Road. Medium trees and shrubs are shown throughout the parking area, with landscape finger islands provided at least every 6 parking spaces.

Elevations

The plans depict a 23 foot high fuel canopy featuring stone veneer and painted steel columns with a smooth metal panel façade. The commercial building is 38 feet high, featuring aluminum storefront doors and windows, stone veneers, smooth metal panel facades, wood veneer, and painted steel awnings. The south and east elevations features a drive-thru window pop-out with cement plaster and metal roof, while the façade features a metal finish with corrugated metal panels, along with a sand finish cement plaster. The south elevation also features a roof deck, which has a glass guardrail for safety. The west elevation features large aluminum storefront windows and an additional door.

Floor Plans

The plans depict a 3 story building with a roof deck. The 5,048 square foot first floor features a convenience store area, kitchen, restrooms, storage rooms, an office lobby, and corridor. The 1,800 square foot second floor features an open office area, flex space, and roof merch yard. The third floor features a 180 square foot floor area with a 1,438 square foot roof deck to be utilized by staff and private events only.

Applicant's Justification

The applicant states that the original gas station and convenience store were constructed in 1985. The proposed project features a new convenience store, fuel canopy, multi-story office, and drive-thru restaurant. The approach and departure distance waivers have been coordinated with Public Works, with the new driveways moved as far away as possible from the major intersection. The previous driveways were within 50 feet of the intersection and are being closed off completely to allow for safer site ingress and egress. The waiver to allow an attached sidewalk where detached sidewalks are required along Paradise Road is due to encroachments by the RTC and the LVVWD, which make a detached sidewalk impractical. The throat depth waivers are for the egress side along Flamingo Road and the ingress side along Paradise Road, as the other throat depth requirements are being met.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0405	Gas station, convenience store, alcohol sales, restaurant, and office, with waivers for throat depth, departure and approach distances, landscaping, parking, cross access, and loading zones, and design reviews for alternative parking lot landscaping, gas station, commercial building, and lighting	Withdrawn at PC	June 2023

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	CR (AE-60)	Shopping center
South	Entertainment Mixed-Use	CR (AE-60)	Restaurant
East	Entertainment Mixed-Use	CR (AE-60)	Silver Sevens Hotel & Casino
West	Entertainment Mixed-Use	CR (AE-60)	Undeveloped

Related Applications

Application Number	Request
VS-25-0132	A vacation and abandonment of a portion of right-of-way being Flamingo Road is a companion item on this agenda.

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

Use Permits

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public

improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Staff finds that this location is suitable for the proposed gas station and office development. The site has featured a gas station for decades, and staff does not anticipate any problems emerging due to the proposed redevelopment. The surrounding area contains a variety of commercial uses, and the intersection of Flamingo Road and Paradise Road features heavy traffic volumes, making this site especially appropriate for the proposed gas station and office uses. For these reasons, staff can support these requests.

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 uses 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.

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 proposed development is suitable for this location and compatible with the surrounding area. The layout of the site ensures that potential pedestrian safety conflicts will be minimized by providing pedestrian walkways throughout the site and locating the drive-thru in the rear of the building. The proposed redevelopment will enhance the site and is consistent with Policy 5.5.3 of the Master Plan, which encourages the retention and revitalization of established local business districts and the expansion of small businesses in unincorporated Clark County. Therefore, staff can support this request.

Public Works - Development Review

Waiver of Development Standards #1

Staff has no objection to the reduction in the approach distance for the Flamingo Road driveway. The applicant has placed the driveway as far west as the site will allow.

Waiver of Development Standards #2

Staff has no objection to the reduction in the departure distance for the Paradise Road driveway. The applicant placed the driveway as far south as the site will allow.

Waiver of Development Standards #3

Staff has no objection to the existing attached sidewalk to remain on Paradise Road.

Waiver of Development Standards #4

Although the throat depth at each driveway does not comply with the minimum standard, the applicant worked with staff to amend the existing driveway to provide for safer ingress and egress. Staff has no objection to the reduced throat depth for the driveway on Paradise Road and on Flamingo Road.

Staff Recommendation

Approval.

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

- 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;
- Reconstruct any unused driveways with full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Paradise Road improvement project;
- 90 days to record said separate document for the Paradise Road improvement project;
- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.
- Applicant is advised that off-site improvement permits may be required.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features;
- Applicant to show fire hydrant locations on-site and within 750 feet.

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 #0074-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: THOMAS MCCLEISTER

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