

11/05/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-25-0665-WARM SPRINGS CAPITAL MANAGEMENT, LLC:

USE PERMIT to allow gas station.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce buffering and screening; **2)** allow an attached sidewalk to remain; and **3)** reduce throat depth.

DESIGN REVIEW for a retail store and gas station on 0.95 acres in a CG (Commercial General) Zone.

Generally located north of Warm Springs Road and west of Eastern Avenue within Paradise.
MN/bb/kh (For possible action)

RELATED INFORMATION:

APN:

177-02-816-007

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Allow an existing 5 foot high wall along the east property line where an 8 foot high decorative screen wall is required per Section 30.04.02C (a 38% reduction).
b. Allow a 7 foot wide landscape buffer consisting of shrubs along the east property line where a 15 foot wide landscape buffer consisting of double row evergreen trees planted every 10 feet is required per Section 30.04.02C (a 53% reduction).
2. Allow an existing attached sidewalk along Warm Springs Road to remain where a detached sidewalk is required per Section 30.04.08.
3. Reduce throat depth for a driveway along Warm Springs Road to 11 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08 (a 56% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 2250 E. Warm Springs Road
- Site Acreage: 0.95
- Project Type: Retail store and gas station
- Number of Stories: 1
- Building Height (feet): 19 (convenience store)/20 (gas canopy)
- Square Feet: 2,842 (convenience store)/3,665 (gas canopy)

- Parking Required/Provided: 8/10
- Sustainability Required/Provided: 7/7

Site Plan

The site has an existing restaurant centrally located on a parcel that is proposed to be demolished and replaced with a gas station consisting of 8 fuel pump islands and a convenience store. Due to the proximity the gas station to an existing residential multi-family use to the north and east of the site, a use permit is required. The retail convenience store building is located 48 feet from the north property line, 49 feet from the east property line, 42 feet from the west property line, and 154 feet from the south property line at Warm Springs Road. The fuel canopy is located south of the convenience store, 41 feet from the east property line, 46 feet from the south property line at Warm Springs Road, and 21 feet from the west property line. The apartment buildings are located approximately 23 feet from the northeast property line, and approximately 80 feet from the northeast corner of the convenience store. Access to the site is granted via an existing commercial driveway along Warm Springs Road at the southwest corner of the property and another driveway at the northeast corner of the property which is through the residential apartment access entry. Eight parking spaces are required for the convenience store where 10 parking spaces are provided, including 1 accessible space, which are located on the south and west sides of the building. A trash enclosure is shown at the northwest corner of the building and is located 52 feet from the north residential property line. Four bicycle parking spaces and 2 racks are located at the southeast corner of the building. A 5 foot sidewalk surrounds the convenience store on all sides.

Landscaping

An existing attached sidewalk is located adjacent to Warm Springs Road. Medium and small trees are shown along Warm Springs Road within a 13 foot landscape strip with 15 foot offset between trees. The trees are limited in size due to the proximity of overhead power lines. The parking lot landscaping includes medium trees located on the west and south sides of the building.

A proposed 8 foot high decorative wall along with a 19 foot wide landscape buffer consisting of evergreen trees are shown along the north property line. A 7 foot wide landscape area is proposed along the east property line which only includes shrubs. Also, there is an existing 5 foot high wall along the east property line.

Elevations

The plans depict a 1 story, 19 foot high convenience store building constructed of brick veneer walls, and painted aluminum composite materials on all 4 sides. The roof is flat and consists of parapet walls to screen mechanical equipment. A metal shade awning is located on the south façade of the building, on both sides of the main entrance. The entrance projects from the front of the building in the middle and extends above the plane of the building. A secondary door access is located on the west side of the building. Mechanical equipment is shielded from view on the roof by a parapet wall.

The 20 foot high gas canopy consists of 8 support columns that are wrapped in thin brick veneer. The canopy fascia is made of aluminum composite material with sheet metal trim and painted to

complement the store and canopy. The canopy and support columns will be a mix of dark blues and gray paint colors to match the retail building.

Floor Plans

The plans show a 2,842 square foot convenience store building consisting of a utility room, walk in cooler, reach in cooler, sales floor, cashier station, hallway, and restrooms. The fuel pump canopy is 3,665 square feet (103 feet by 46 feet) with the long side facing Warm Springs Road.

Applicant's Justification

The applicant is proposing to demolish the existing restaurant building at 2250 E. Warm Springs Road (APN 177-02-816-007) and replace it with a convenience store and gas station. The convenience store will be on the north side of the lot, and the fuel pumps and canopy will be located directly south of the convenience store. The gas canopy and fuel pumps are 157 feet from the north property line, 21 feet from the west property line, 46 feet from Warm Springs Road, and 40 feet from the east property line. The proposed gasoline station and fuel canopy with reduced separation is compatible with the CG zone district, and the mix of uses in this area along Warm Springs Road. This plan complies with the landscape and screening buffer requirement along the north property line. This buffer area is adequate for screening from the multi-family use north of this property. The existing landscaping, existing trees, existing sidewalk, and existing wall along the east property line, have screened the residential access road since the original development. This plan is proposing an additional 7 feet of landscaping with shrubs along the east property line. Wind Chime Way is a private street with access via an existing public easement, providing access to residential development, commercial vehicle wash, and this proposed gas station. The existing throat depth at the existing driveway on Warm Springs Road is 4.9 feet. This site plan provides 11.3 feet of throat depth. The short length of frontage along Warm Springs Road does not provide enough space for a detached sidewalk, and the surrounding area has attached sidewalks. The proposed building and site will meet the required 7 sustainability points. This development is adding 9 trees and a 13 foot wide landscape area along Warm Springs Road, that does not currently exist.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-21-0206	Supper club in conjunction with an existing restaurant	Approved by PC	June 2021
ZC-2039-95	Reclassified the project site to C-2 zoning	Approved by BCC	January 1996
VC-1782-95	Variance for on-premises consumption of alcohol in conjunction with an existing restaurant - expired	Approved by BCC	January 1996

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Compact Neighborhood (up to 18 du/ac)	RM18	Multi-family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
East	Corridor Mixed-Use	RM18	Access drive to a multi-family residential
South	Public Use & Compact Neighborhood (up to 18 du/ac)	RS20 & RM18	Multi-family residential & place of worship
West	Corridor Mixed-Use	CG	Tire sales & installation

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 Permit

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.

Per Title 30, a gas station is a conditional use if it meets the layout and design standards outlines in 30.03.06B requiring canopies/fuel pumps to be 200 feet from an area subject to residential adjacency standards. However, the proposed gas station is located 157 feet from the existing multi-family residential property to the north, requiring a use permit. Staff finds that although the separation distance on the east side of the canopy is only 41 feet, that area is a drive aisle only used for residential access without actual homes. The primary concern is the proximity of residential homes to the north. Having the gas station close to a residential development can cause negative impacts to the residential area, including, but not limited to, noise, odors, air quality, and general quality of life. The request does not comply with Policy 1.4.5 of the Master Plan which promotes ensuring that the design and intensity of new development is compatible with established neighborhoods and uses, through standardized buffers and transitions. Staff cannot support the use permit.

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 does not have any issue with the request for reduced buffering and screening along the east property line. Although the adjacent property to the east is zoned RM18, that portion of the parcel consists of only a private drive and public access easement that leads to the apartment complex buildings to the north. The residential access road is heavily landscaped and has approximately 50 feet of combined landscape between the east and west sides of the road, including the median. Therefore, reducing screening and buffering will not result in any significant negative impacts to the residential buildings. However, since staff cannot support the use permit, staff cannot 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 other 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.

Several aspects of this development are satisfactory, including internal access, parking lot design and landscaping, sufficient parking, building design and materials, and north property line buffer improvements. However, since staff cannot support the use permit, staff cannot support the design review.

Public Works - Development Review

Waiver of Development Standards #2

Staff cannot support the request to allow an existing attached sidewalk in place of a detached sidewalk. Warm Springs Road is an arterial street that accommodates a high volume of traffic. Additionally, detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic. With the redevelopment of the site, there is no reason a detached sidewalk cannot be installed.

Waiver of Development Standards #3

Staff finds that the reduced throat depth for the driveway on Warm Springs Road will result in vehicles stacking in the right-of-way. Since Warm Springs Road is an arterial street, it is important that traffic can flow without the impediment of vehicles attempting to access the site. With the redevelopment, there is no reason the site cannot meet minimum throat depth standard. Therefore, staff cannot support this request.

Staff Recommendation

Denial.

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.

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 #0168-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: CIVIL 360 PLANNING & ENGINEERING

CONTACT: CIVIL 360 PLANNING & ENGINEERING, 4436 MURAL GLEN COURT,
NORTH LAS VEGAS, NV 89084