

06/18/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0342-WALGREEN CO:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow an existing attached sidewalk; and **2)** reduce driveway throat depth.

DESIGN REVIEW for a proposed convenience store and gas station on 2.06 acres in a CG (Commercial General) Zone.

Generally located on the northeast corner of Boulder Highway and Flamingo Road within Paradise. JG/sd/cv (For possible action)

RELATED INFORMATION:

APN:

161-17-812-002

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow an existing attached sidewalk along Flamingo Road to remain where a detached sidewalk is required per Section 30.04.08.
2. Reduce the driveway throat depth along Flamingo Road to 8 feet where 25 feet is required per Uniform Standard Drawing 222.1 (a 68% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4895 Boulder Highway
- Site Acreage: 2.06
- Project Type: Convenience store and gasoline station
- Building Height (feet): 19 (fuel canopy)/19 (convenience store)
- Square Feet: 2,842 (convenience store)/4,824 (fuel canopy)
- Parking Required/Provided: 12/24 (parking demand study provided by the applicant)
- Sustainability Required/Provided: 7/7

History & Site Plan

In 2010 a zone change for this property was approved through ZC-0294-10, which also waived the landscape buffer along Flamingo Road and Boulder Highway to 10 feet where 15 feet was required behind an existing attached sidewalk and the required number of shrubs and trees as required per Figure 30.64-17 along both Flamingo Road and Boulder Highway. The retail

building on the site today will be demolished in anticipation of the proposed convenience store and gasoline pumps.

The submitted plans depict a new convenience store and gas station with gasoline pumps located at the corner of Boulder Highway and Flamingo Road. The applicant proposes a 2,842 square foot convenience store central to the parcel along with 16 fueling stations under a fuel canopy. There are 2 existing two-way access points, 1 from Flamingo Road and the other from Boulder Highway. A proposed 6 foot wrought iron fence will be located east of the convenience store building enclosing the property from a drainage swale and the landscape buffer. A similar 6 foot wrought iron fence will serve the same function to the west of the convenience store. An existing block wall with wrought iron fence on top will remain along the northern property line. A trash enclosure is proposed in the northeast portion of the parcel. Pedestrian connectivity is provided from the parking spaces to the building through concrete sidewalks. Lastly, a total of 24 parking spaces are located west and south of the convenience store building, where 12 parking spaces are required. The applicant provided a parking demand study to justify the increase in maximum parking.

Landscaping

The plan depicts 10 existing trees that will remain and 4 trees to be removed. A landscape buffer is provided for along the east and north property lines. The landscape buffer along the east property line varies in width from 20 feet to 45 feet wide and includes 2 existing trees and 3 proposed trees. Along the north property line, the landscape area varies from 75 feet at the northeast corner, and 35 feet from the rear of the building to the north property line and expands to over 100 feet wide on the northwest corner of the site. Twelve new trees will be added in this area with 1 tree to be removed and 1 tree to remain.

Seven trees along Boulder Highway will remain, and 1 tree will be removed. Per the landscape plan, 2 additional trees will be added south of the driveway along Boulder Highway.

Landscaping is shown along Flamingo Road with large trees spaced 30 feet on-center. The street landscaping planting strip exceeds the minimum of 10 feet for attached sidewalk. Parking lot trees are planted every 6 spaces with landscape islands. The landscape notes specify that all plantings and trees are from the Southern Nevada Regional Plant list. The applicant is also requesting a waiver of development standards to allow the attached sidewalk along Flamingo Road to remain where a detached sidewalk with street landscaping is required.

Elevations

The plans depict a new commercial building for a new convenience store with gasoline pumps and fuel canopy. The proposed height of the convenience store is 19 feet and the fuel canopy for the 16 gasoline pump will be 19 feet in height.

The convenience store exterior will include a clear anodized aluminum storefront with light sandstone and ivory blend brick veneer, stucco finish. The convenience store will have a varied roofline and parapet walls, metal awning over the store entrance and storefront gazed windows. The proposed fuel canopy will have a flat roofline of aluminum composite materials, pre-finished metal accent and primer paint.

Floor Plans

The plans depict a floor plan with a sales section, cashier, utility room, restrooms, and cooler. The overall area for the proposed convenience store is 2,842 square feet.

Applicant's Justification

The applicant states the existing building on-site will be demolished for a new convenience store and gas station with 16 gasoline pumps. A request to allow the attached sidewalks to remain along Flamingo Road and Boulder Highway should remain. The landscaping along Flamingo Road and Boulder Highway exceeds the minimum width of 10 feet for attached sidewalks.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0294-10	Reclassified 2.1 acres from H-2 to C-2 zoning, waiver of development standards to waive and reduce landscaping, and design review for existing pharmacy	Approved by BCC	August 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Entertainment Mixed-Use	CR	Hotel
South	Corridor Mixed-Use	H-2	Retail store
West	Corridor Mixed-Use	H-2 & CG	Shopping center & undeveloped

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.

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.

The proposed design utilizes horizontal articulation with a varying roofline, pop-outs, changes to exterior materials, parapet return and columns. Overall, the proposed design of the building has achieved a total of 7 points for sustainability and is in the center portion of the parcel and allows internal circulation to be unhindered and allows for no conflicts. Pedestrian pathway is provided for Boulder Highway to the convenience store. The applicant provided a trash enclosure along the eastern portion of the parcel. Lastly, the applicant will plant a substantial amount of landscaping throughout the site, which helps mitigate the heat island effect and enhances the streetscapes. Therefore, staff could support this request, however since staff is not supporting waiver of development standards #1, staff cannot support the design review.

Public Works - Development Review

Waiver of Development Standards #1

Staff cannot support the request to not install detached sidewalks along Flamingo Road. Detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic and with the redevelopment, staff finds that it is imperative to provide the detached sidewalks. Additionally, this is a complete rebuild of the site, therefore there is no reason the applicant cannot meet the development standards.

Waiver of Development Standards #2

Staff has no objection to the reduction in the throat depth for the commercial driveway on Flamingo Road. The two driveways should see equal use helping vehicles to safely exit the right-of-way.

Staff Recommendation

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

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 Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- No comment.

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 #0181-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: MURPHY OIL USA, INC.

CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE #650, LAS VEGAS, NV 89135