

07/21/26 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0328-3984 BHLV, LLC:

WAIVER OF DEVELOPMENT STANDARDS to reduce and eliminate buffering and screening.

DESIGN REVIEW for a gas station and convenience store on a portion of 4.61 acres in a CG (Commercial General) Zone.

Generally located southwest of Boulder Highway and east of Interstate 11 within Winchester. TS/hw/cv (For possible action)

RELATED INFORMATION:

APN:

161-07-704-001; 161-07-801-001 ptn

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Eliminate buffering and screening landscaping adjacent to a freeway where a 15 foot wide landscape buffer consisting of a double row of evergreen trees is required per Section 30.04.02C.
- b. Allow an existing 6 foot high non-decorative fence to remain along a freeway where an 8 foot high decorative screen wall is required per Section 30.04.02C.

LAND USE PLAN:

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3984 Boulder Highway
- Site Acreage: 4.61
- Project Type: Gas station and convenience store
- Number of Stories: 1
- Building Height (feet): 21.5 (convenience store)/25.5 (gas canopy)
- Square Feet: 6,445 (convenience store)/7,333 (gas canopy)
- Parking Required/Provided: 18/50 (per the provided parking demand study)
- Sustainability Required/Provided: 7/7

Site Plans

The plans depict a partially developed site located at the southeast corner of the intersection of Interstate 11 and Boulder Highway. The site contains several retail buildings located in the southern portion of the site that are proposed to be demolished. The plans show the site will then

be redeveloped with convenience store and gas station facilities. The convenience store will be centrally located on the site with the building set back 67 feet east of the Interstate 11 right-of-way, 145 feet from Boulder Highway, and 155 feet from the southeast property line. Approximately 50 feet to the north of the convenience is an 8 pump gas station area with a canopy. The canopy will be located 72 feet from Boulder Highway and 327 feet from the residential development to the southeast. Underground gasoline storage tanks will be provided to the east of the gas station canopy and will be set back 16 feet from Interstate 11. Access to the site will be provided by 2 existing, 39 foot wide commercial driveways along Boulder Highway with 1 driveway to the north and 1 driveway to the south of the convenience store. These driveways will connect to a series of 35 to 45 foot wide drive aisles that surround the convenience store and gas station canopy. Parking is provided to the north, east, and south of the convenience store with additional parking provided to the south of the convenience store and to the north of the gas station canopy. A total of 18 parking spaces are required for the proposed uses on the site with 50 spaces being provided. The applicant has provided a parking demand study from a professional traffic operations engineer indicating the number of spaces provided are needed for the proposed use. The plans show the area to the north of the gas station canopy and the area to the west of the convenience store is marked for future development and is not part of this application.

Landscaping

The landscaping provided on-site will consist of a mix of street, parking lot, and buffering landscaping. Street landscaping is provided along Boulder Highway within a 10 foot wide landscape strip located behind the right-of-way line. This landscape strip will consist of a single row of large trees spaced every 30 feet on center. Within the parking lot, trees are provided to Title 30 standards. A buffering and screening landscape area is proposed in the southeast portion of the site adjacent to the residential development. This landscape area will consist of a 20 foot wide landscape strip with an 8 foot decorative wall and 2 rows of staggered evergreen trees. Along the I-11 right-of-way, a reduced screening and buffering landscape area is provided. This area consists of a minimum of 16 foot wide landscape consisting of decorative rock and an existing 6 foot tall chain link fence.

Elevations

The convenience store building is shown to rise to a maximum height of 21.5 feet to the top of the building. All sides of the building consist of brown brick along with fascia and stone panels colored a mix of white, red, grey, and white. The east façade contains the main entrance to the building and is delineated with a commercial window pop-out feature. The entrance consists of an aluminum commercial door system with aluminum window systems on each side of entrance that are shaded with awnings. The remainder of the facades have parapet returns and changes in texture and colors with smaller metal access doors.

The fuel canopy will consist of metal support columns that will be decorated with brown brick to match the convenience store. The fascia of the canopy will consist of a mix of red and grey aluminum panels along the roofline. The canopy is a maximum of 25.5 feet tall.

Floor Plans

The plans show the convenience store building is 6,445 square feet with the primary sales and cashier areas taking a majority of the space at 2,413 square feet. The remainder of the interior area of the convenience store is dedicated to kitchen and cooler spaces, utility area, and restrooms. The canopy is shown to cover a total of 8 fuel pumps and cover an area of 7,333 square feet.

Applicant's Justification

The proposed convenience store and gas station meets Title 30 design standards and required separations from Boulder Highway and residential development. While the site has more parking than is required, a parking demand study has been provided indicating the increased amount of parking is needed for such a use. The reduction in screening and buffering landscaping along the I-11 freeway right-of-way is justified as there is existing fencing and landscaping along the frontage. Additionally, the required landscaping area will create a dead area that will encourage loitering and collection of trash and debris.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0590-03	Use permit for a check cashing service - expired	Approved by PC	May 2003
ZC-0665-01	Zone change from H-2 to C-2 for an expansion of a recreational vehicle sales facility.	Approved by BCC	July 2001
VC-1742-99	Variance to allow the sale of recreational vehicles and outside storage - expired	Approved by PC	December 1999
VC-0273-98	Variance to allow truck rental and outside storage - expired	Approved by PC	March 1998
UC-0333-91	Use permit for a 35 foot high, flagged, off-premises advertising sign	Denied by PC	November 1991
UC-298-87	Use permit for a camper shells sales and service facility - expired	Approved by PC	November 1987
UC-100-87	Use permit for a 50 foot tall off-premises advertising sign	Approved by PC	July 1987
UC-44-82	Use permit for an amusement arcade within an existing shopping center – expired	Approved by BCC	April 1982
VC-286-80	Variance to allow slot machine repairs in conjunction with an exiting slot machine sales facility - expired	Approved by BCC	January 1981
UC-130-77	Use permit for a tattoo studio - expired	Approved by BCC	December 1977
ZC-155-73	Zone change from H-2 to M-1 for a wholesale bakery - expired	Approved by BCC	January 1974
UC-63-72	Use permit for a boat sales lot within an existing shopping center - expired	Approved by BCC	August 1972
AC-7-70	Architectural supervision for a nurse and greenhouse building - expired	Approved by PC	August 1970

Prior Land Use Requests

Application Number	Request	Action	Date
UC-14-66	Use permit for a go-cart track within an existing shopping center - expired	Approved by BCC	July 1966
UC-48-63	Use permit for a 12,000 square foot store building.	Approved by BCC	August 1963
UC-8-63	Use permit for an auto paint & body shop in an existing building - expired	Approved by BCC	March 1963

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	RM32, RS2, & CR	Multi-family residential, single-family detached residential, & place of worship
South	Corridor Mixed-Use	RM32 & CG	Multi-family residential
East	Entertainment Mixed-Use	CR & CG	Boulder Station Resort Hotel
West*	Compact Neighborhood (up to 18 du/ac) & Corridor Mixed-Use	RM18, H-2, & RS5.2	Single-family attached residential & undeveloped

*The Interstate 11 Right-of-Way is directly to the west of the site.

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

Waiver 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.

The purpose of requiring screening and buffering landscaping where a property is adjacent to a freeway is to ensure the noise, air, and light pollution from the freeway does not negatively impact adjacent properties and to reduce distractions from the use adjacent to the freeway. In this case, the subject site is located lower than the adjacent freeway due to the freeway being elevated. Additionally, the portion of freeway directly adjacent to the site is an off-ramp with a trail area in between. As a result, staff finds the freeway itself will impart little negative impacts on the subject site as the main portion of the freeway is elevated and almost 200 feet away. The subject site is also buffered by a trail area that has existing mature landscaping between the site

and the adjacent off-ramp. For these reasons, staff finds the elimination/reduction in buffering and screening will not impart any additional negative impacts on the freeway nor the subject site and thus 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 the proposed gas station with a convenience store and fuel canopy has been sited appropriately on the site, as the central location ensures there is enough space between the gas station use and the adjacent freeway, roads, and residential developments to limit possible negative effects. The site is well landscaped with sufficient vegetation provided for street and parking lot landscaping. Parking is provided in sufficient numbers and is located in convenient and safe locations relative to the convenience store. The on-site driveways and drive aisles are in appropriate locations which will promote the safe circulation of vehicles on-site. Also, the structures on-site have a consistent architectural theme, which is attractive and will enhance the site. The fuel canopy columns are enhanced with brick, and the convenience store building has several architectural articulations on each façade. Ultimately, staff finds the proposed gas station is well designed and has taken sufficient steps to reduce the potential negative impacts such a use can cause. Staff also finds the proposed gas station will support Master Plan Policies 1.4.4, 1.4.5, and 5.1.5, as well as Winchester/Paradise Specific Policy WP-3.1, which all encourage the redevelopment of blighted and unused nonresidential property for new commercial uses with appropriate buffering from neighboring residential uses. For these reasons, staff can support these requests.

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;
- 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 the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: QUIKTRIP CORPORATION

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