

04/02/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0149-7-ELEVEN, INC:**

**WAIVER OF DEVELOPMENT STANDARDS** to reduce departure distance.

**DESIGN REVIEW** for a commercial development consisting of a retail building and gas stations on 3.5 acres in a CG (Commercial General) Zone.

Generally located on the north side of Windmill Lane and the east side of Las Vegas Boulevard South within Enterprise. MN/mh/kh (For possible action)

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RELATED INFORMATION:

**APN:**

177-09-401-013; 177-09-401-014; 177-09-401-018 through 177-09-401-019

**WAIVER OF DEVELOPMENT STANDARDS:**

1. a. Reduce the departure distance along Windmill Lane to 95 feet where 190 feet is required per Uniform Standard Drawing 222.1 (a 50% reduction).
- b. Reduce the departure distance along Las Vegas Boulevard South to 146 feet where 190 feet is required per Uniform Standard Drawing 222.1 (a 23% reduction).

**LAND USE PLAN:**

ENTERPRISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 8080 Las Vegas Boulevard South
- Site Acreage: 3.5
- Project Type: Retail building and gas stations
- Number of Stories: 1
- Building Height (feet): 25 (retail building)/20 (commercial vehicle fuel canopy)/18 (automobile fuel canopy)
- Square Feet: 4,829 (retail building)
- Parking Required/Provided: 19/22
- Sustainability Required/Provided: 7/7

**Site Plans**

The plans depict a proposed commercial development consisting of a retail building and 2 gas stations located on the northeast corner of Windmill Lane and Las Vegas Boulevard South. There is an existing gas station and retail store located on APN 177-09-401-018, which will be

completely demolished to allow for full redevelopment of the site. The site is accessed via two-way commercial driveways along Giles Street to the east, Windmill Lane to the south, and Las Vegas Boulevard South to the west. The 4,829 square foot retail building is centrally located on the site, set back 78 feet from the north property line, 112 feet from the south property line, and 161 feet from the west property line. A fuel canopy for automobiles is located to the west of the retail building, with an additional fuel canopy in the northeast portion of the site for commercial vehicles. There are 22 parking spaces located on the north, south, and west sides of the retail building, where 19 parking spaces are required. Pedestrian walkways are provided between the parking areas and retail building, and from the detached sidewalks along Las Vegas Boulevard South and Windmill Lane to the retail building. An existing 6 foot high block wall is depicted along the north property line. An air pump and trash and recycling enclosure are located to the east of the retail building. Proposed fuel tanks and vents are located in the southeast and southwest corners of the site, with proposed transformers located in the northwest corner of the site and also northeast side of the retail building. The proposed departure distance from the Giles Street and Windmill Lane intersection is 95 feet where 190 feet is required, and the proposed departure distance from the Windmill Lane and Las Vegas Boulevard South intersection is 146 feet where 190 feet is required, both of which require a waiver of development standards for reduced departure distance.

#### Landscaping

The plans depict 5 foot wide detached sidewalks with street landscaping along Giles Street, Windmill Lane, and Las Vegas Boulevard South consisting of shrubs and large trees spaced 30 feet apart. The alternative plan shows the trees planted outside the 5 foot wide landscape area, adjacent to the area to the north. Parking area landscaping is provided with landscape finger islands featuring shrubs and medium trees. Additional landscape areas featuring shrubs and trees are provided along the north property line, along the east side of the retail building, and south of the commercial vehicle fuel canopy on the eastern portion of the site.

#### Elevations

The plans depict a 25 foot high retail store with a flat, variable roofline. The building materials include dryvit, fiber cement, corrugated metal panels, aluminum canopies and storefront windows. The colors include black, white, silver, and brown. The east and west elevations feature doors and storefront windows. All 4 sides of the building feature architectural articulations consistent with Title 30 standards. The automobile and commercial vehicle fuel canopies are 18 feet and 20 feet high, respectively, both featuring a flat roof with aluminum composite material and black support columns.

#### Floor Plans

The plans depict a retail building with a retail area, seating area, beer cave, storage rooms, restrooms, an office, kitchen, and a checkout area.

#### Applicant's Justification

The applicant states the site currently has 1 existing driveway along Las Vegas Boulevard South and 3 driveways along Windmill Lane. The proposed driveway along Las Vegas Boulevard South has been widened and moved further north from the Windmill Lane intersection to minimize potential traffic conflicts. Along Windmill Lane, the applicant proposed the

elimination of an existing driveway and the reconstruction of 2 other driveways to comply with commercial driveway design standards. The width of the overall site prevents compliance with the 190 foot departure distance requirement. Additionally, no full turn movements are permitted from the proposed driveways, which will also minimize potential vehicular conflicts.

**Prior Land Use Requests APN 177-09-401-013**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-0491-06 (ET-0070-09)	First extension of time for a zone change from C-2 to H-1, use permits for resort condominiums and increased building height, waiver for height setback ratio, and design review for a resort condominium - expired	Approved by BCC	April 2009
ZC-0491-06	Zone change from C-2 to H-1, use permits for resort condominiums and increased building height, waiver for height setback ratio, and design review for a resort condominium - expired	Approved by BCC	May 2006
DR-0109-00 (ET-0061-02)	Second extension of time for a design review for a fast-food restaurant - expired	Approved by PC	April 2002
DR-0109-00 (ET-0051-01)	First extension of time for a design review for a fast-food restaurant - expired	Approved by PC	April 2001
DR-0109-00	Design review for a fast-food restaurant - expired	Approved by PC	March 2000
VC-0914-92 (ET-0483-99)	Fourth extension of time for a variance to reduce the front setback for a shopping center - expired	Approved by PC	February 2000
VC-0914-92 (ET-0289-97)	Third extension of time for a variance to reduce the front setback for a shopping center - expired	Approved by PC	January 1998
VC-0914-92 (ET-0226-95)	Second extension of time for a variance to reduce the front setback for a shopping center - expired	Approved by PC	February 1996
VC-0914-92 (ET-0114-93)	First extension of time for a variance to reduce the front setback for a shopping center - expired	Approved by PC	February 1994
VC-0914-92	Variance to reduce the front setback for a shopping center - expired	Approved by PC	January 1993
ZC-0179-92	Zone change from H-1 to C-2 for a shopping center	Approved by BCC	November 1992

**Prior Land Use Requests APNs 177-09-401-014 & 177-09-401-019**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-0491-06 (ET-0070-09)	First extension of time for a zone change from C-2 to H-1, use permits for resort condominiums and increased building height, waiver for height setback ratio, and design review for a resort condominium - expired	Approved by BCC	April 2009

**Prior Land Use Requests APNs 177-09-401-014 & 177-09-401-019**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-0491-06	Zone change from C-2 to H-1, use permits for resort condominiums and increased building height, waiver for height setback ratio, and design review for a resort condominium - expired	Approved by BCC	May 2006
DR-1428-04 (WC-0363-04)	Waiver of conditions of a design review requiring cross parking and access ingress/egress agreement for a retail center	Approved by PC	December 2004
TM-0476-04	Commercial subdivision - expired	Approved by PC	October 2004
VS-1488-04	Vacated and abandoned easements	Approved by PC	October 2004
DR-1428-04	Design review for a retail center - expired	Approved by PC	October 2004
VC-0914-92 (ET-0483-99)	Fourth extension of time for a variance to reduce the front setback for a shopping center - expired	Approved by PC	February 2000
VC-0914-92 (ET-0289-97)	Third extension of time for a variance to reduce the front setback for a shopping center - expired	Approved by PC	January 1998
UC-0373-97	110 unit extended stay hotel and a variance to permit kitchens within guest rooms	Denied by BCC	May 1997
VC-0914-92 (ET-0226-95)	Second extension of time for a variance to reduce the front setback for a shopping center -expired	Approved by PC	February 1996
VC-0914-92 (ET-0114-93)	First extension of time for a variance to reduce the front setback for a shopping center - expired	Approved by PC	February 1994
VC-0914-92	Variance to reduce the front setback for a shopping center - expired	Approved by PC	January 1993

**Prior Land Use Requests APN 177-09-401-018**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-146-86	Retail (convenience store) with gasoline sales	Approved by PC	June 1986

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Entertainment Mixed-Use	CR	Telephone communication facility
South	Entertainment Mixed-Use	CR	Shopping center
East	Corridor Mixed-Use	CR	Undeveloped
West	Entertainment Mixed-Use	CR	Undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-25-0148	A zone change from CR to CG is a companion item on this agenda.
VS-25-0150	A vacation and abandonment of portions of right-of-way and easements 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**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.

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 site and compatible with existing development in the surrounding area. Title 30 requirements for site and building design, landscaping, and parking are all met, and the architectural design of the retail building features articulations on all sides which enhance the appearance of the building. The internal configuration of the fuel canopies, parking areas, and drive aisles will allow for safe vehicular circulation and pedestrian activity. Therefore, staff can support this request.

## **Public Works - Development Review**

### Waiver of Development Standards #1a

Staff has no objection to the reduction in the departure distance for the Windmill Lane commercial driveway. Although the departure distance does not comply with minimum standards, staff finds the location allows vehicles to safely access the site.

### Waiver of Development Standards #1b

Staff has no objection to the reduction in the departure distance for the Las Vegas Boulevard South commercial driveway. The applicant placed the driveway as far north as the site will allow.

## **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 Duck Creek/Blue Diamond improvement project;
- 90 days to record said separate document for the Duck Creek/Blue Diamond 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 to coordinate with Public Works for the construction of a worm island median on Windmill Lane.
- Applicant is advised that off-site improvement permits may be required.

**Fire Prevention Bureau**

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

**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 #0076-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Enterprise - approval of waiver of development standards #1b; denial of waiver of development standards #1a and the design review.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ACTIVE COMMERCIAL, LLC

**CONTACT:** DG CONSULTANTS, 9500 HILLWOOD DRIVE, SUITE 201, LAS VEGAS, NV 89134