

08/18/21 BCC AGENDA SHEET

CONVENIENCE STORE/GASOLINE STATION  
(TITLE 30)

LAMB BLVD/LAKE MEAD BLVD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-21-0380-LNY INVESTMENT, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** to eliminate the required loading space.  
**DESIGN REVIEWS** for the following: 1) convenience store; 2) gasoline station; and 3) finished grade on a portion of 3.9 acres in an M-D (Designed Manufacturing) (APZ-2) Zone.

Generally located on the east side of Lamb Boulevard and the north side of Lake Mead Boulevard within Sunrise Manor. MK/md/jo (For possible action)

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RELATED INFORMATION:

**APN:**  
140-20-201-015 ptn

**WAIVER OF DEVELOPMENT STANDARDS:**

Eliminate the required loading space where 1 loading space is required per Table 30.60-6 (a 100% reduction).

**DESIGN REVIEWS:**

1. Convenience store.
2. Gasoline station.
3. Increase finished grade to 50 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 178% increase).

**LAND USE PLAN:**

SUNRISE MANOR - BUSINESS AND DESIGN/RESEARCH PARK

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 1.7 (project site)/3.9 (overall site)
- Project Type: Convenience store with gasoline station
- Number of Stories: 1
- Building Height (feet): 23 (convenience store)/21.5 (fueling canopy)
- Square Feet: 5,200 (convenience store)/3,936 (fueling canopy)
- Parking Required/Provided: 21/34

### History & Request

ZC-0307-11 was approved by the Board of County Commissioners (BCC) in August 2011, reclassifying the project site to an M-D zone. Use permits for a service (gasoline) station and convenience store were also approved with that application. Additional use permits were approved with the original zone change for the following: 1) reduce the separation from a convenience store to a residential use to 27 feet where a minimum of 200 feet is required (an 87% reduction); and 2) reduce the setback from a service (gasoline) station to a residential use to 150 feet where a minimum of 200 feet is required (a 25% reduction). The use permits for the gasoline station and convenience store, in addition to the separation distances, were permanently approved with the zone change. The applicant is now requesting to eliminate the loading space requirement for a convenience store, in addition to a new design review for a convenience store, gasoline station, and to increase finished grade.

### Site Plans

The plans depict a proposed convenience store and gasoline station located on a 1.7 acre portion of a 3.9 acre site. The convenience store and gasoline station (fueling canopy) are located on the southern portion of the site, with the northern portion of the parcel to be developed at a future date. The convenience store is located to the east of the fueling canopy and has the following setbacks: 1) 155 feet from the west property line, adjacent to Lamb Boulevard; 2) 290 feet from the north property line; 3) 73 feet from the east property line, adjacent to the existing manufactured home park; and 4) 90 feet from the south property line, along Lake Mead Boulevard. The gasoline station is located to the west of the convenience store and has the following setbacks: 1) 65 feet from the west property line, adjacent to Lamb Boulevard; 2) 280 feet from the north property line; 3) 185 feet from the east property line, adjacent to the existing manufactured home park; and 4) 55 feet from the south property line, along Lake Mead Boulevard. The required trash enclosures are located at the northeast corner of the building, with a setback of 54 feet from the east property line. The required loading space has not been provided with the convenience store, necessitating the waiver of development standards request. A 5 foot wide pedestrian walkway connects the convenience store to the existing 5 foot wide attached sidewalk along Lake Mead Boulevard. An existing 5 foot wide attached sidewalk is located along Lamb Boulevard. The required bicycle spaces are located at the northeast corner of the building, adjacent to 2 patio tables. The proposed development requires 21 parking spaces where 34 parking spaces are provided. Access to the site is granted via 1 commercial driveway along Lake Mead Boulevard and 1 commercial driveway along Lamb Boulevard. A design review to increase finished grade up to a maximum of 50 inches is requested. The largest increase to finished grade will primarily be concentrated within the area of the convenience store.

### Landscaping

The plans depict a 20 foot wide landscape area located behind an existing attached 5 foot wide sidewalk along Lamb Boulevard and Lake Mead Boulevard. Twenty-four inch box trees, in addition to shrubs and groundcover, are located within these landscape areas. A 10 foot wide landscape area, with large 24 inch box Evergreen trees planted 20 feet on center, is located along the east property line adjacent to the manufactured home park. An existing 6 foot high block wall is also located along the east property line. Twenty-four inch box trees are equitably distributed throughout the interior of the parking lot per Code requirements.

### Elevations

The plans depict a proposed convenience store with a height ranging from 21.5 feet to 23 feet to the top of the parapet wall. An aluminum storefront window system with decorative stone veneer is featured on the west (front) elevation. The exterior of the building is primarily comprised of fiber cement paneling with stone veneer incorporated on all elevations. Decorative, pre-finished metal coping is featured along the rooflines of the building. Rooftop mounted equipment will be screened from the right-of-way and public view by parapet walls. The convenience store consists of neutral, earth tone colors.

The fuel canopy measures 164 feet in length and 21.5 feet in height. A 5 foot high stone veneer base is featured on each supporting column of the fuel canopy. Decorative, pre-finished metal coping is featured along the roofline of the canopy, matching the metal coping on the convenience store.

### Floor Plans

The plans depict a convenience store consisting of 5,200 square foot walk-in coolers, gaming area, restrooms, office, cashier's area, retail area, and kitchen preparation area.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The layout of the site provides adequate parking and circulation with minimum 30 foot wide drive aisles. A total of 34 vehicle parking spaces is provided, which exceeds the required 21 parking spaces. Based on experience, when a loading space is designated, delivery vehicles often do not utilize the provided space for a variety of reasons. With 11 vehicle parking spaces provided at the rear of the building, there is adequate space for delivery vehicles to safely park and unload without interfering with public use of the streets or on-site shared driveways. Based on existing grades at the site and the adjacent streets, a design finish floor elevation of up to 31 inches over the 18 inch limit is anticipated. We are requesting a total grade height of 49 inches (4.1 feet) with this application.

The proposed development will bring a new and aesthetically pleasing facility along the highly traveled corridor. The project will bring new, enhanced consumer products and services to the area and surrounding communities and is not detrimental to the public health, safety or welfare, nor cause damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination. The fueling facility is designed with state-of-the-art containment and vapor recovery systems to ensure protection of the environment. Through the use of landscaping and building design, the proposed development mitigates any adverse impacts on the natural environment.

### Prior Land Use Requests

Application Number	Request	Action	Date
ET-20-400048 (UC-18-0168)	First extension of time to commence a convenience store, gasoline station, tire sales and installation facility, vehicle maintenance facility, vehicle repair facility, and vehicle rental facility	Approved by BCC	July 2020
DR-19-0031	Increased finished grade in conjunction with a previously approved vehicle repair and maintenance facility	Approved by BCC	April 2019
UC-18-0672	Established a vehicle paint and body shop facility, reduced separation requirements and allowed a vehicle paint and body shop as a principal use in conjunction with previously approved tire sales and installation, vehicle maintenance, and vehicle repair facilities	Approved by BCC	October 2018
WC-18-400198 (UC-18-0168)	Waived conditions for no vehicle paint shop in conjunction with previously approved tire sales and installation, vehicle maintenance, and vehicle repair facilities	Approved by BCC	October 2018
TM-18-500131	3 lot commercial subdivision	Approved by PC	September 2018
UC-18-0168	Various uses including convenience store, gasoline station, tire sales and installation facility, vehicle maintenance facility, vehicle repair facility, vehicle rental facility, and vehicle sales facility - no vehicle paint shop	Approved by BCC	April 2018
WC-18-400054 (ZC-0307-11)	Waived conditions for 24 inch box trees with no shrubs within the landscape area along the street frontage	Approved by BCC	April 2018
TM-0125-12	1 lot commercial subdivision - expired	Approved by PC	January 2013
ZC-0307-11	Reclassified the project site from R-T, R-2, R-4, and C-2 to M-D zoning with use permits for a convenience store, reduced separation from a convenience store to a residential use, reduced setback from a service station to a residential use, and a design review for a convenience store and service station, and lighting and signage	Approved by BCC	August 2011

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	R-T	Single family residential
South	Business and Design/Research Park	R-T	Manufactured home park

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
East	Commercial Neighborhood	C-1	Undeveloped & commercial center
West	Commercial General, Institutional, & Business and Design/Research Park	C-2 & R-2	Undeveloped & place of worship

### **STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

### **Analysis**

#### **Current Planning**

##### Waiver of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Staff finds there is adequate parking located in the rear of the building for delivery vehicles to utilize when restocking the convenience store. Eliminating the required loading space should have no impact on the operations of the convenience store, or the surrounding land uses. Therefore, staff recommends approval.

##### Design Reviews #1 & #2

The proposed convenience store features varying rooflines, contrasting building materials including stone veneer and fiber cement paneling, and a contrasting color schematic. The design of the convenience store complies with Commercial Policy 78 of the Comprehensive Master Plan which encourages design variations to a building's mass including varying rooflines and building height. The supporting columns for the fuel canopy (gasoline station) include a decorative stone veneer base matching the stone veneer provided on the exterior of the convenience store. The proposed development complies with Commercial Policy 66, which states that commercial development should provide access points on arterial and collector streets and not on local residential streets. Access to the site is granted through commercial driveways located along 2 collector streets; Lamb Boulevard and Lake Mead Boulevard. Staff also finds that the convenience store complies with Commercial Policy 78, which encourages architectural treatments on all building sides to eliminate blank building elevations along public rights-of-way and areas visible to the general public. The building consists of contrasting building materials, which are visible along Lamb Boulevard and Lake Mead Boulevard. The proposed development complies with multiple policies from the Comprehensive Master Plan; therefore, staff recommends approval of the design reviews.

## **Public Works - Development Review**

### **Design Review #3**

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

### **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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operation;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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; and that this application must commence within 2 years of approval date or it will expire.

#### **Public Works - Development Review**

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with RTC standards;
- Nevada Department of Transportation approval.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that off-site improvement permits may be required.

#### **Building Department - Fire Prevention**

- Applicant is advised that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** CIRCLE K STORES, INC

**CONTACT:** LAND DEVELOPMENT CONSULTANTS, LLC, 11811 N. TATUM BLVD.,  
SUITE 1051, PHOENIX, AZ 85028