

03/05/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-25-0023-PLATINUM MANAGEMENT GROUP 14, LLC:**

**USE PERMITS** for the following: **1)** gas station; and **2)** retail.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce street landscaping; **2)** reduce buffering and screening; **3)** modify residential adjacency standards (trash enclosure); **4)** allow attached sidewalks; **5)** allow modified driveway design standards; and **6)** allow modified street standards.

**DESIGN REVIEWS** for the following: **1)** a retail building; and **2)** gas station on 0.55 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-75) Overlay.

Generally located on the southeast corner of Pecos Road and Gowan Road within Sunrise Manor. WM/bb/kh (For possible action)

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RELATED INFORMATION:

**APN:**

140-07-310-048; 140-07-315-001

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce a portion of the landscape strip along Pecos Road to zero feet where a 10 foot wide minimum landscape strip shall be provided where a detached sidewalk is required and where an attached sidewalk is proposed to remain per Section 30.04.01D (a 100% reduction).
2. Allow an existing 6 foot high block wall where buffering and screening shall consist of an 8 feet high decorative screen wall is required along the east and south property lines per Section 30.04.02C.
3. Allow a trash enclosure 15 feet from an adjacent residential district where areas containing outdoor garbage or recycling containers shall not be within 50 feet of an adjacent residential district per Section 30.04.06K (a 70% reduction).
4.
  - a. Allow an attached sidewalk on Pecos Road where a detached sidewalk is required per Section 30.04.08C.
  - b. Allow an attached sidewalk on Gowan Road where a detached sidewalk is required per Section 30.04.08C.
5.
  - a. Reduce throat depth for a driveway along Pecos Road to 2 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08 (a 92% reduction).
  - b. Reduce throat depth for a driveway along Gowan Road to 4 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08 (an 84% reduction).

6.
  - a. Reduce the approach distance to the intersection of Pecos Road and Gowan Road to 51 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08 (a 66% reduction).
  - b. Reduce the departure distance from the intersection of Pecos Road and Gowan Road to 20 feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08 (a 90% reduction).

## **LAND USE PLAN:**

### **SUNRISE MANOR - BUSINESS EMPLOYMENT**

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: 3570 & 3590 N. Pecos Road
- Site Acreage: 0.55
- Project Type: Gas station
- Number of Stories: 1
- Building Height (feet): 30 (building)/20 (canopy)
- Square Feet: 3,428 (retail building)/1,998 (fuel canopy)
- Parking Required/Provided: 10/13
- Sustainability Required/Provided: 7/7

#### Site Plan

The plan depicts a 0.55 acre property at the southeast corner of Gowan Road and Pecos Road with a proposed retail building (convenience store) and gasoline station with 4 pumps and a canopy. Access is provided from 2 driveways, one along Gowan Road and the other along Pecos Road. On-site circulation is around the fuel pumps and canopy with 1 way traffic on the west side and parking located along the east property line and on the north side of convenience store main entrance. Pedestrian access is from existing attached sidewalks along Pecos Road and Gowan Road, and the 5 foot walkway on the north and west sides of the convenience store. Bicycle racks are located at the northeast corner of the convenience store with 2 accessible parking spaces and 11 standard parking spaces in front of the building. The proposed development requires 10 parking spaces where 13 parking spaces are provided. An existing 6 foot block wall is located along the south property line and east property line, and is the subject of a waiver request where 8 foot decorative walls are required. The trash enclosure is located 15 feet from the east property line at the northeast corner of the building adjacent to an existing single-family residential development and is the subject of a waiver request. The fuel canopy is setback 19 feet 6 inches from the northwest corner property line and 57 feet from the residential property line on the east side of the property, which is the subject of the use permit. The retail building is set back 15 feet from the east and south property lines, and 15 feet 8 inches from the west property line along Pecos Road. The retail building is located approximately 150 feet south of the north property line along Gowan Road.

#### Landscaping

The plan depicts 10 feet of landscaping adjacent to the Pecos Road attached sidewalk and Gowan Road attached sidewalk. A small portion of the northwest corner of the site has no landscaping

and is the subject of a waiver request. The required number of trees are provided along the Pecos Road and Gowan Road frontages. The east and south sides of the property are adjacent to an existing residential neighborhood and the plan shows at least 15 feet of landscaping and required trees in these areas. Parking lot landscaping is provided along the east property line and other on-site landscaping.

#### Elevations

The elevations depict a single-story retail building (convenience store) with a height of 30 feet, and a 20 foot high gas station canopy. The main entrance of the retail building faces north and has storefront aluminum windows and stone veneer accents adjacent to the entrance. The building has an exterior tile wainscoting on all sides at the base of the building, stucco siding, decorative metal siding on the north side, and decorative foam cornice at the top of the walls. A standing seam metal roof covers the hip style high point of the building, with a flat roof for the remaining structure. The canopy has tile siding on all support beams from the ground to the canopy. The trash enclosure has split-face CMU walls with a painted tube trellis cover. The gas canopy has a flat aluminum composite material roof structure.

#### Floor Plan

The plan depicts a 3,428 square foot convenience store with 254 square feet of point of sale space. The floor plan is oriented east to west with the entrance on the north side of the building. The fuel canopy is 36 feet by 55 feet 6 inches and is 1,998 square feet in area.

#### Applicant's Justification

The applicant states the north side parcel 140-07-315-001 was reclassified in 2015 to M-D zoning which was subsequently reclassified to IP (Industrial Park) with the Title 30 rewrite in 2024. Several extensions of time were granted prior to construction starting in 2023 to 2024. The existing structure is under construction with a review date of May 25, 2025, for ET-23-400057 (ZC-0215-15). The applicant purchased the southern parcel 140-07-310-048 in October 2024 with the intent to reclassify the site from RS5.2 to IP (a companion item on this agenda ZC-25-0022) to allow for a redesigned convenience store and gasoline station. The current proposal includes the waiver requests and gasoline station and redesign of the site access and landscaping. The previous use permit, waivers, and design review of ZC-0215-15 is to be expunged with the approval of the current request. The pumps and canopy are located as close as possible to the right-of-way to limit impacts to the residential areas. Much of the existing nearby residential property is located within the AE-75 airport environs and would not be permitted under current development standards. The City of Las Vegas with M-2 industrial and C-1 commercial property, is located north and west of this property.

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ET-23-400057 (ZC-0215-15)	Fourth extension of time to review retail sales with waivers for reduced street landscape width, reduced trash enclosure setback from a residential development, reduced setbacks, and reduced height/setback ratio	Approved by BCC	July 2023

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ET-20-400049 (ZC-0215-15)	Third extension of time to commence and review retail sales with waivers for reduced street landscape width, reduced trash enclosure setback from a residential development, reduced setbacks, and reduced height/setback ratio	Approved by BCC	July 2020
ET-18-400187 (ZC-0215-15)	Second extension of time to commence and review retail sales with waivers for reduced street landscape width, reduced trash enclosure setback from a residential development, reduced setbacks, and reduced height/setback ratio	Approved by BCC	October 2018
ZC-0215-15 (ET-0070-16)	First extension of time to commence and review retail sales with waivers for reduced street landscape width, reduced trash enclosure setback from a residential development, reduced setbacks, and reduced height/setback ratio	Approved by BCC	July 2016
ZC-0215-15	Reclassified 0.4 acres from R-T to M-D zoning with a use permit to allow retail sales as a principal use and waivers to reduce street landscape width, reduced trash enclosure setback from a residential development, reduced setbacks, and reduced height/setback ratio adjacent to a single-family residential use with a design review for a retail building	Approved by BCC	May 2015
ZC-0789-14	Reclassified the site from R-T to M-D zoning for a convenience store	Withdrawn without prejudice	November 2014

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Business Employment	IP (AE-75)	Partially developed retail building
South & East	Business Employment	RS5.2 (AE-75)	Single-family residential
West	City of North Las Vegas	C-1 & M-2 (AE-75)	Retail stores, convenience store, & undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-25-0022	A zone change to reclassify APN 140-07-310-048 from RS5.2 to IP 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**

##### Use Permits

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.

The northern parcel 140-07-315-001 of this property was previously approved for a retail sales convenience store with ZC-0215-15. The convenience store is currently under construction and the building is in the framing stage of development. The applicant is proposing to demolish the structure that is currently under construction and replace it with the proposed gasoline station and retail building (convenience store) design. The applicant is proposing to add a second parcel 140-07-310-048 that will increase the area of the development and allow for compliance with some of the Title 30 standards. The 15 foot landscape buffer is provided between this property and adjacent residential uses as required by residential adjacency and buffer standards. The proposed building will be located between the gasoline station and the residential property south and southeast of this development. Additionally, the gas pumps have been located in the northwest corner of the property to minimize impacts on the residences to the east, which are located less than 200 feet south of a collector road being Gowan Road. Policy SM-2.4 of the Master Plan supports essential amenities and encourages development and growth of businesses in Sunrise Manor. Therefore, staff supports these requests.

##### 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

The site plan shows the required number of trees along Pecos Road and Gowan Road, with a 10 foot wide landscape strip along most of the frontage on these roads. The area without landscaping is adjacent to a large spandrel dedication area for right-of-way and will not impact the appearance of this site from the street. Ten street trees are provided where 9 trees are required along Gowan Road and Pecos Road. Therefore, staff can support this request.

#### Waiver of Development Standards #2

The applicant is proposing to keep the existing 6 foot high block walls along the east and south property lines without installing the required 8 foot high decorative walls. The south property line will be adjacent to the back wall of the retail building (convenience store) for the majority of the property width and the required landscape buffer is being provided. The east property line wall is important to screening existing homes from the gas station use and should be an 8 foot high decorative wall per Code requirements. Staff does not object to the continued use of the 6 foot wall along the south property line, but cannot support a 6 foot high wall along the east property line.

#### Waiver of Development Standards #3

The trash enclosure is located 15 feet from the east property line where the previous approved trash enclosure was located 10 feet from the south residential property line. While staff typically does not support a waiver request for a trash enclosure in close proximity to a residential use, the applicant has increased the previously approved separation distance from the adjacent residential use to the east. Therefore, staff recommends approval.

#### Design Reviews

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 site design includes 2 points of access with traffic flow through the site with 4 fuel pumps and small canopy area. The previous site plan depicted less landscaping along the street and adjacent to the residential areas. The addition of the south parcel allows for additional buffer landscaping and through access for fuel trucks and vehicle traffic. The scale of the use is appropriate for the area provided for the development. The building design and compliance with sustainability standards is superior to the previous design with materials, roof treatments, siding variety, solar orientation, and entry design. Policy SM-1.3 of the Master Plan supports corridor revitalization with a mixture of compatible in-fill. However, staff cannot support these requests.

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

##### Waiver of Development Standards #4

Staff cannot support the request to not install detached sidewalks along Pecos Road and Gowan 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.

##### Waiver of Development Standards #5

Staff cannot support the reduction in the throat depths for the commercial driveway on Pecos Road and Gowan Road, as drivers entering the site from either driveway will come into conflicts with vehicles leaving the fuel pumps and trying to exit the site from the drive aisles.

#### Waiver of Development Standards #6

Staff cannot support the reduction in departure and approach distances for both the Pecos Road and Gowan Road commercial driveways. Staff has concerns with the increased traffic in the area with the existing commercial centers and residential traffic creating conflicts with movements from both driveways.

#### **Staff Recommendation**

Approval of the use permits and waivers of development standards #1 and #3; denial of waivers of development standards #2, #4 through #6, and the design reviews.

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:

- Expunge the use permit, waivers of development standards, and design review approved with ZC-0215-15.;
- 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;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant to construct median on Pecos Road driveway for traffic control.
- 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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0042-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Sunrise Manor - approval of the use permits, design reviews, and waivers of development standards #1 and #2; denial of waivers of development standards #3 through #6.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** RODY YOUSIF

**CONTACT:** NANCY AMUNDSEN, BROWN, BROWN, & PREMSRIRUT, 520 S. FOURTH STREET, LAS VEGAS, NV 89101