

CONVENIENCE STORE  
(TITLE 30)

LAKE MEAD BLVD/GATEWAY RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0138-LV PETROLEUM LLC:**

**USE PERMITS** for the following: **1)** convenience store; **2)** reduced separation from a convenience store to a residential use; **3)** gasoline station; and **4)** reduced separation from a gasoline station to a residential use.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** allow access to a local street; **2)** allow a modified driveway design; and **3)** driveway distances from an intersection.

**DESIGN REVIEWS** for the following: **1)** convenience store with gasoline sales; and **2)** restaurant with drive-thru on 2.0 acres in a C-1 (Local Business) Zone.

Generally located on the north side of Lake Mead Boulevard and the west side of Gateway Road within Sunrise Manor. WM/rk/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

140-19-610-011

**USE PERMITS:**

1. Allow a convenience store in a C-1 zone per Table 30.44-1.
2.
  - a. Reduce the separation from a convenience store to a residential use to the east to 186 feet where 200 feet is required per Table 30.44-1 (a 1% reduction).
  - b. Reduce the separation from a convenience store to a residential use to the north to 76 feet where 200 feet is required per Table 30.44-1 (a 62% reduction).
3. Allow a gasoline station in a C-1 zone per Table 30.44-1.
4.
  - a. Reduce the separation from a gasoline station to a residential use to the east to 161 feet where 200 feet is required per Table 30.44-1 (a 20% reduction).
  - b. Reduce the separation from a gasoline station to a residential use to the north to 179 feet where 200 feet is required per Table 30.44-1 (a 1% reduction).
  - c. Reduce the separation from a gasoline station to a residential use to the south to 169 feet where 200 feet is required per Table 30.44-1 (a 2% reduction).

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow access to a local street (Gateway Road) where access to a local street is not permitted per Table 30.56-2.
2. Reduce throat depth for a proposed driveway on Gateway Road to 19 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 24% reduction).

3. Reduce the approach distance from a driveway to a street intersection (Uniform Standard Drawing 222.1) to 68 feet along Gateway Road where 150 feet is the minimum per Chapter 30.52 (a 55% reduction).

**LAND USE PLAN:**

SUNRISE MANOR - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 2.0
- Project Type: Convenience store with gasoline sales and restaurant
- Number of Stories: 1
- Building Height (feet): Up to 28
- Square Feet: 3,000 (C-Store)/1,500 (restaurant w/ drive-thru)
- Parking Required/Provided: 27/65

Site Plans

The plans depict a proposed development consisting of a convenience store with an attached restaurant and gas station. The convenience store and restaurant face south toward Lake Mead Boulevard with the gasoline canopy/pumps located in front of the building near the central portion of the property. The attached quick serve restaurant tenant space is located on the west side of the convenience store, with a drive-thru which wraps around the north and west sides of the building. To the north is undeveloped property that is planned for Ranch Estate Neighborhood. Also, across the street from Lake Mead Boulevard is a mobile park zoned R-2 and to the east across Gateway Boulevard is a single family residence zoned R-2. The convenience store building is set back 76 feet from the north property line and 78 feet from the west commercial property line. A total of 65 parking spaces are distributed throughout the site. Access to the proposed development is from a local street on Gateway Road to the east and Lake Mead Boulevard to the south.

Landscaping

Street landscaping consists of an approximate 24 foot wide landscape area with a detached sidewalk along Gateway Road and an approximate 22 foot wide landscape area with an existing attached sidewalk along Lake Mead Boulevard. A 10 foot wide landscape area is shown along the north and west property lines. Interior to the site, landscaping is distributed throughout the parking lot and around portions of the building footprint.

Elevations

The building is 1 story, up to 28 feet high, consisting of painted stucco walls with decorative reveal lines, painted steel canopy, standing seam metal roof entry element, and glass storefront windows. The height of the building varies slightly from 20 feet to 28 feet and has been designed to break-up the roofline and enhance the overall look of the building. The gasoline

canopy is 20 feet high and will also utilize the same colors and textures to unify the design of the site.

Floor Plans

The convenience store has an area of 3,000 square feet consisting of cashier area, sales floor, gaming area, storage/freezer areas, restrooms, and an office. The restaurant consists of an order area, dining area, kitchen, restrooms, and storage area. The pick-up window is on the west side of the building.

Signage

Signage is not a part of this request.

Applicant’s Justification

The proposed project is an in-fill project located along an arterial street (Lake Mead Boulevard) and provides neighborhood serving uses for the area and, therefore, complies with Goal SM-1 and the accompanying policies (SM 1.1, SM1.2 and SM1.3) in the Sunrise Manor Land Use Plan which encourages reinvestment and revitalizations of older neighborhoods. Furthermore, the waivers associated with this application are due to the narrowness of the site. The site has been configured in the best possible way to fit the proposed uses on the property.

**Prior Land Use Requests**

| <b>Application Number</b> | <b>Request</b>  | <b>Action</b>   | <b>Date</b>   |
|---------------------------|---|-----------------|---------------|
| ZC-0351-17                | Reclassified 2 acres from R-2 to C-1 zoning for an in-line retail building  | Approved by BCC | July 2017     |
| ZC-1395-94                | Reclassified 2 acres from R-2 to C-1 zoning for a shopping center - expired | Approved by BCC | November 1994 |

**Surrounding Land Use**

|       | <b>Planned Land Use Category</b>          | <b>Zoning District</b> | <b>Existing Land Use</b>                |
|-------|---|------------------------|---|
| North | Ranch Estate Neighborhood (up to 2 du/ac) | R-E                    | Undeveloped                             |
| South | Compact Neighborhood (up to 18 du/ac)     | R-2                    | Mobile home park                        |
| East  | Corridor Mixed-Use                        | C-2 & R-2              | Undeveloped & Single family residential |
| West  | Neighborhood Commercial                   | C-1                    | Retail building                         |

**Related Applications**

| <b>Application Number</b> | <b>Request</b>  |
|---------------------------|---|
| VS-23-0139                | A request to vacate a right-of-way to accommodate a detached sidewalk is a companion item on this agenda. |

## **STANDARDS FOR APPROVAL:**

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

### **Analysis**

#### **Comprehensive Planning**

##### Use Permits and Design Reviews

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

A minimum separation of 200 feet between convenience store/gasoline station and residential use is necessary to help mitigate negative impacts from noise, odor, other nuisances, and to air quality. A convenience store and gasoline station are permitted in the C-1 zoning district subject to acquiring the approval of a use permit and complying with conditions. Even though the proposed uses are separated from residential uses by a minimum of 76 feet, the site is too small for this intense of a use which has existing residential uses nearby on 3 sides.

##### Waivers 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.

##### Waiver of Development Standards #1

The Master Plan states commercial developments should provide access points on arterial and collector streets and not on local neighborhood streets. While a commercial driveway is proposed along Lake Mead Boulevard, an arterial street, a second commercial driveway is also proposed along Gateway Road. Staff cannot support the commercial driveway access onto Gateway Road, as it serves as a residential local street. Staff is concerned the proposed commercial driveway along Gateway Road will increase the flow of commercial traffic along the residential street. Staff finds that the commercial site can be redesigned to allow sole access on Lake Mead Boulevard eliminating the potential for an increase in vehicular traffic along Gateway Road. Therefore, staff cannot support this request.

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

##### Waivers of Development Standards #2 and #3

Staff has no objection to the reduction of approach distance and throat depth for the Gateway Road driveway. The applicant has provided sufficient room so that the driveway does not lead directly into the fuel pumps. Although the approach distances do not comply with the minimum standards, staff finds the location allows vehicles to safely access the site and not encroach into the residential neighborhood to the north. However, since Planning is recommending denial of the application, staff cannot support this waiver.

## **Staff Recommendation**

Denial.

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 final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; 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;
- Traffic study and compliance.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required; that off-site improvement permits may be required; and that 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 or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

### **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 #0125-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Sunrise Manor - denial.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** LISSETTE ARNIEL

**CONTACT:** CASSANDRA WORRELL, 520 SOUTH FOURTH STREET, LAS VEGAS, NV  
89101