



**AGENDA MEMO - COMMUNITY DEVELOPMENT**

**CITY COUNCIL MEETING DATE: MARCH 6, 2024**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**ITEM DESCRIPTION: APPLICANT: GOLCHEH DEVELOPMENT AND INVESTMENTS, LLC - OWNER: LVG #5, LLC**

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**\*\* STAFF RECOMMENDATION(S) \*\***

| <b>CASE NUMBER</b>  | <b>RECOMMENDATION</b>                             | <b>REQUIRED FOR APPROVAL</b>                 |
|---------------------|---|--|
| <b>24-0037-EOT1</b> | Staff recommends APPROVAL, subject to conditions: |  |
| <b>24-0037-EOT2</b> | Staff recommends APPROVAL, subject to conditions: | 24-0037-EOT1                                 |
| <b>24-0037-EOT3</b> | Staff recommends APPROVAL, subject to conditions: | 24-0037-EOT1<br>24-0037-EOT2                 |
| <b>24-0037-EOT4</b> | Staff recommends APPROVAL, subject to conditions: | 24-0037-EOT1<br>24-0037-EOT2<br>24-0037-EOT3 |

**\*\* NOTIFICATION \*\***

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

Newspaper Only

**NOTICES MAILED**            N/A

**PROTESTS**                        0

**APPROVALS**                      0

**\*\* CONDITIONS \*\***

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**24-0037-EOT1 CONDITIONS**

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**Planning**

1. This approval shall expire on January 19, 2026 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for Variance (21-0659-VAR1) and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**24-0037-EOT2 CONDITIONS**

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**Planning**

1. This approval shall expire on January 19, 2026 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for Variance (21-0659-VAR2) and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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### 24-0037-EOT3 CONDITIONS

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**Planning**

1. This approval shall expire on January 19, 2026 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for Special Use Permit (21-0659-SUP1) and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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### 24-0037-EOT4 CONDITIONS

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**Planning**

1. This approval shall expire on January 19, 2026 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for Site Development Plan Review (21-0659-SDR1) and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for Extensions of Time of four previously approved actions for a proposed convenience store development with fuel pumps on 2.40 acres at the southeast corner of Charleston Boulevard and Jones Boulevard.

**ISSUES**

- These are the first Extension of Time requests for the convenience store development (21-0659).
- No applications for building permits for the subject development have been submitted for review.

**ANALYSIS**

On January 19, 2022 the City Council approved requests for the following actions on the subject site:

- A Variance (21-0659-VAR1) to allow a five-foot corner side yard setback where 10 feet is the minimum required;
- A Variance (21-0659-VAR2) to allow no loading zone space where one is required;
- A Special Use Permit (21-0659-SUP1) a proposed 3,535 square-foot Beer/Wine/Cooler Off-Sale Establishment use with a Waiver to allow a 292-foot distance separation from an existing Church/House of Worship and school where 400 feet is required; and
- A Site Development Plan Review (21-0659-SDR1) for a proposed 3,535 square-foot General Retail Store [Convenience Store with Fuel Pumps] with a Waiver of perimeter landscape standards.

No permits for construction of the convenience store, fuel pumps or canopy have been issued and no applications for permits are in review at the present time. The applicant states in the justification letter that it is diligently moving forward but additional time is needed to complete the proposed development; however, no reason was given for the delay.

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The site is zoned C-1 (Limited Commercial) and is developed with a two-story Business School with associated parking and landscaping. The only undeveloped area lies in the northern portion of the site where a portion of the existing building had stood but has since been demolished. The site lies on a one-lot commercial subdivision that has since been divided into four parcels owned by the same entity. Assessor's Parcels 163-01-112-005 and 006 consist of a 10-foot wide public drainage easement that was granted through a previous Parcel Map in 2003.

Development in the surrounding area has been stable since the prior actions were approved, with a church and office park remaining to the south, a convenience store to the north, residential condominiums to the east and commercial and outdoor storage uses to the west.

**FINDINGS (24-0037-EOT1)**

Conditions in the area have not significantly changed since the original approval of the Variance to allow a reduced corner side yard setback. Staff therefore recommends approval of the requested Extension of Time of the previously approved Variance (21-0659-VAR1), subject to conditions including a two-year extension. If denied, 21-0659-VAR1 would be deemed to be expired as of January 19, 2024.

**FINDINGS (24-0037-EOT2)**

Conditions in the area have not significantly changed since the original approval of the Variance to allow no loading spaces where one loading space is required. Staff recommends approval of the requested Extension of Time of the previously approved Variance (21-0659-VAR2), subject to conditions including a two-year extension. If denied, 21-0659-VAR2 would be deemed to be expired as of January 19, 2024.

**FINDINGS (24-0037-EOT3)**

Staff recommends approval of the requested Extension of Time of the previously approved Special Use Permit (21-0659-SUP1) for a proposed Beer/Wine/Cooler Off-Sale Establishment use, subject to conditions including a two-year extension. If denied, 21-0659-SUP1 would be deemed to be expired as of January 19, 2024.

**FINDINGS (24-0037-EOT4)**

Staff recommends approval of the requested Extension of Time of the previously approved Site Development Plan Review (21-0659-SDR1) for a proposed convenience store with fuel pumps development, subject to conditions including a two-year extension. If denied, 21-0659-SDR1 would be deemed to be expired as of January 19, 2024.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b> |  |
|---|--|
| 06/05/91  | The City Council approved a request for a Rezoning (Z-0029-91) and Plot Plan Review from R-E (Residence Estates), C-1 (Limited Commercial) and C-2 (General Commercial) to C-1 (Limited Commercial) for a proposed two-story office building located on the southeast corner of Jones Boulevard and Charleston Boulevard. The Planning Commission recommended approval of the request. |
| 02/07/96  | The City Council approved a request for a Rezoning (Z-0104-95) from R-E (Residence Estates) to C-1 (Limited Commercial) on 3.27 acres on the south side of Charleston Boulevard, approximately 190 feet east of Jones Boulevard. The Planning Commission and staff recommended approval.   |
|   | The City Council approved a request for a Rezoning (Z-0105-95) from R-E (Residence Estates) to C-1 (Limited Commercial) on 0.89 acres on the east side of Jones Boulevard, approximately 270 feet south of Charleston Boulevard. The Planning Commission and staff recommended approval.   |
| 11/07/03  | A two-lot Parcel Map (PMP-1960) on 7.52 acres on the south side of Charleston Boulevard, approximately 105 feet east of Jones Boulevard, was recorded.   |
| 11/03/10  | The City Council approved a request for a Special Use Permit (SUP-38607) for a Thriftshop, Non-Profit use at 6029 West Charleston Boulevard. The Planning Commission and staff recommended approval.   |
| 04/18/12  | The City Council approved a request for a General Plan Amendment (GPA-43991) to establish Redevelopment Area 2 and change the future land use designation on various parcels within the Redevelopment Area to Commercial or Mixed Use within Ward 1. The Planning Commission and staff recommended approval.   |

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| <b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b> |   |
|---|---|
| 02/15/17  | The City Council approved a request for a General Plan Amendment (GPA-67898) from SC (Service Commercial) to MXU (Mixed Use) on property located on the south side of Charleston Boulevard, approximately 105 feet east of Jones Boulevard. The Planning Commission and staff recommended approval.   |
|   | The City Council approved a request for a Special Use Permit (SUP-67953) for a Gaming Establishment, General Business-Related use on property located on the south side of Charleston Boulevard, approximately 105 feet east of Jones Boulevard. The Planning Commission and staff recommended approval. The approval expired 02/15/19.   |
|   | The City Council approved a Petition to Vacate (VAC-68131) a 10-foot wide public drainage easement on property located on the south side of Charleston Boulevard, approximately 105 feet east of Jones Boulevard. The Planning Commission and staff recommended approval.   |
|   | The City Council approved a request for a Site Development Plan Review (SDR-67899) for a proposed 1,400 square-foot General Retail Store (Convenience Store with Fuel Pumps) with a waiver to allow a building to not be oriented to the corner and street frontages where such is required on property located on the south side of Charleston Boulevard, approximately 105 feet east of Jones Boulevard. The Planning Commission and staff recommended approval. The approval expired 02/15/19. |
|   | The City Council approved a request for a Tentative Map (TMP-67900) for a one-lot commercial subdivision on 2.55 acres on property located on the south side of Charleston Boulevard, approximately 105 feet east of Jones Boulevard. The Planning Commission and staff recommended approval.   |
| 01/03/19  | A Final Map (FMP-73418) for a one-lot commercial subdivision (Murphy Express) on 2.40 acres at the southeast corner of Charleston Boulevard and Jones Boulevard was recorded.   |
| 06/02/21  | The City Council approved a request for a General Plan Amendment (21-0029-GPA1) to adopt the City of Las Vegas 2050 Master Plan and amend the City of Las Vegas General Plan from various categories to: TOD-1 (Transit Oriented Development-1), TOD-2 (Transit Oriented Development-2), TOC-1 (Transit Oriented Corridor-1), TOC-2 (Transit Oriented Corridor-2), or NMUX (Neighborhood Center Mixed Use) within the City of Las Vegas. The Planning Commission and staff recommended approval.  |

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| <b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b> |  |
|---|--|
| 09/23/21  | A record of survey (File 224, Page 25) was recorded with the Clark County Recorder's Office to create two parcels of land on the subject site.   |
| 10/11/21  | A Code Enforcement case (CE21-04466) was processed for homeless persons occupying dumpster space, workers unable to place dumpster back into designated space due to people living in it at 6029 West Charleston Boulevard. The case was resolved on 10/13/21.   |
| 01/19/22  | The City Council approved a request for a Variance (21-0659-VAR1) to allow a five-foot corner side yard setback where 10 feet is the minimum required on 2.40 acres at the southeast corner of Charleston Boulevard and Jones Boulevard. Staff recommended denial.   |
|   | The City Council approved a request for a Variance (21-0659-VAR2) to allow no loading zone space where one loading space required on 2.40 acres at the southeast corner of Charleston Boulevard and Jones Boulevard. Staff recommended denial.   |
|   | The City Council approved a request for a Special Use Permit (21-0659-SUP1) for a proposed 3,535 square-foot Beer/Wine/Cooler Off-Sale Establishment use with a Waiver to allow a 292-foot distance separation from an existing Church/House of Worship and school where 400 feet is required at the southeast corner of Charleston Boulevard and Jones Boulevard. Staff recommended denial. |
|   | The City Council approved a request for a Site Development Plan Review (21-0659-SDR1) for a proposed 3,535 square-foot General Retail Store [Convenience Store with Fuel Pumps] with a Waiver of perimeter landscape standards on 2.40 acres at the southeast corner of Charleston Boulevard and Jones Boulevard. Staff recommended denial.  |

| <b><i>Most Recent Change of Ownership</i></b> |  |
|---|--|
| 10/06/21                                      | A deed was recorded for a change in ownership. |



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| <b>Related Building Permits/Business Licenses</b> |   |
|---|---|
| 08/30/91  | A building permit (#91118274) was issued for a 16,132 square-foot, two-story office building located at 6029 West Charleston Boulevard. The permit was finalized and a Certificate of Occupancy was issued on 03/27/92.                             |
| 11/19/15  | City of Las Vegas staff approved a Plan Check Review (PRC-60861) for a change of occupancy from retail to educational, demolition of a portion of an existing building and remodel the remainder of the building at 6029 West Charleston Boulevard. |
| 11/23/15  | A building permit (C-297145) was issued for a tenant improvement for a change of occupancy from retail to educational (Asher College) at 6029 West Charleston Boulevard. A final inspection was approved 12/27/16.                                  |
|   | A building permit (C-297146) was issued for onsite improvements (Asher College) at 6029 West Charleston Boulevard. A final inspection was approved 12/21/16.  |
| 02/02/16  | A building permit (C-310305) was issued for a major demolition of a portion of the building and foundation at 6029 West Charleston Boulevard. A final inspection has not been approved.   |
| 10/22/18  | A building permit (C18-02775) was issued for an interior tenant improvement for a building expansion (Asher College) at 6029 West Charleston Boulevard. A final inspection was approved 01/08/19.   |

| <b>Pre-Application Meeting</b>                                |
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| A pre-application meeting was not required, nor was one held. |

| <b>Neighborhood Meeting</b>                                |
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| A neighborhood meeting was not required, nor was one held. |

| <b>Field Check</b> |   |
|--------------------|---|
| 02/01/24           | The site is developed with a two-story building on the south with surface parking throughout and perimeter landscaping on the north, west and south sides. A portion of the north side of the site is vacant. The site was well-maintained. |

| <b>Details of Application Request</b> |      |
|---------------------------------------|------|
| <b>Site Area</b>                      |      |
| Net Acres                             | 2.40 |

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| <b><i>Surrounding Property</i></b> | <b><i>Existing Land Use Per Title 19.12</i></b>             | <b><i>Planned or Special Land Use Designation</i></b> | <b><i>Existing Zoning District</i></b> |
|------------------------------------|---|---|--|
| Subject Property                   | Business School   | TOD-1 (Transit Oriented Development - High)           | C-1 (Limited Commercial)               |
| North                              | General Retail Store, Other Than Listed [Convenience Store] | TOD-1 (Transit Oriented Development - High)           | C-1 (Limited Commercial)               |
| South                              | Office, Other Than Listed                                   | TOD-1 (Transit Oriented Development - High)           | C-1 (Limited Commercial)               |
|                                    | Church/House of Worship                                     | SC (Service Commercial)                               | U (Undeveloped)                        |
| East                               | Residential, Multi-Family                                   | TOD-1 (Transit Oriented Development - High)           | R-3 (Medium Density Residential)       |
| West                               | Restaurant  | TOD-1 (Transit Oriented Development - High)           | C-1 (Limited Commercial)               |
|                                    | Outdoor Storage   |   |  |
|                                    | General Retail Store, Other Than Listed                     |   |  |
|                                    | Office, Other Than Listed                                   |   |  |

| <b><i>Master and Neighborhood Plan Areas</i></b>                           | <b><i>Compliance</i></b> |
|--|--------------------------|
| Las Vegas 2050 Master Plan Area: Charleston                                | Y                        |
| <b><i>Special Area and Overlay Districts</i></b>                           | <b><i>Compliance</i></b> |
| A-O (Airport Overlay) District (200 Feet)                                  | Y                        |
| <b><i>Other Plans or Special Requirements</i></b>                          | <b><i>Compliance</i></b> |
| Trails   | N/A                      |
| Las Vegas Redevelopment Plan Area - Area 2                                 | Y                        |
| Interlocal Agreement   | N/A                      |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A                      |
| Project of Regional Significance   | N/A                      |