

07/03/24 BCC AGENDA SHEET

TAVERN
(TITLE 30)

UPDATE
SILVERADO RANCH BLVD/ARVILLE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-23-400155 (ZC-0339-08)-SCT SILVERADO RANCH & ARVILLE, LLC:

HOLDOVER WAIVER OF CONDITIONS of a zone change requiring cross access and parking easement to the north and east in conjunction with a tavern on 0.8 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Silverado Ranch Boulevard and the east side of Arville Street within Enterprise. JJ/sd/syp (For possible action)

RELATED INFORMATION:

APN:

177-19-801-020

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 0.8
- Project Type: Tavern
- Number of Stories: 1
- Building Height (feet): 24
- Square Feet: 4,600
- Parking Required/Provided: **(Phase 1) 45/45/ (Phase 2) 45/43**

Site Plan, History & Request

In 2008, the property was rezoned to C-2 (General Commercial) and an application was approved for a future commercial development, and in 2019 a 4,600 square foot tavern with on-premises consumption of alcohol and related waivers of development standards was approved. The approved plans depict a tavern building located near the south portion of the property at the corner of Silverado Ranch Boulevard and Arville Street. Set forth in the approved application (ZC-0339-08) was a condition to provide cross access and parking easements to the north and east.

In 2022, the adjacent property was approved to be rezoned to Residential Urban Density (RUD) for a single family residential development (NZC-22-0381). The approved plans showed the portion immediately adjacent to the north and the east sides of the subject site marked as future development, which remained zoned RS20, with a land use plan of Business Employment. At this time, it is not determined whether that portion will be developed as residential, or non-residential. Therefore, the applicant has submitted this request to waive the prior conditions for a cross access and parking easements to be provided.

The proposed plans depict access to the site is provided by 1 driveway on Arville Street. The driveway width is 32 feet. Parking for the tavern is located on the northern portion of the parcel. The building is set back 35 feet from Silverado Ranch Boulevard and 12 feet 6 inches from Arville Street.

There are 2 sets of site plans included with this application, indicating phase 1 and phase 2. Phase 1 is showing no cross access to the adjacent properties to the north and east in case that property develops as residential.

The applicant anticipates that the portion of the adjacent property immediately to the north of the site may develop as commercial; and therefore, included a site plan indicating phase 2 with cross access provided to the parcel to the north. Providing cross access will eliminate 2 parking spaces, thus requiring a waiver of development standard to reduce on-site parking. An application for the updated design with waivers of development standard, including a waiver for 2 parking spaces elimination with phase 2, is also submitted (WS-23-0709).

Previous Conditions of Approval

Listed below are the approved conditions for ZC-0339-08:

Current Planning

- No resolution of intent and staff to prepare an ordinance to adopt the zoning;
- Design review as a public hearing on all final design plans;
- Cross access and parking easement to the north and east;
- All applicable standard conditions for this application type.

Civil Engineering

- Right-of-way dedication to include flaring transitions on Silverado Ranch Boulevard and Arville Street in accordance with Standard Drawing 201.1;
- Drainage study and compliance;
- Construct full off-site improvements;
- If required by Regional Transportation Commission, dedicate and construct right-of-way for bus-turnout and/or passenger loading/shelter area in accordance with Regional Transportation Commission standards;
- Detached sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control which may require a vacation of excess right-of-way or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Applicant's Justification

In 2022, the adjacent properties were rezoned to a Residential Urban Density zone for the development of a single family residential development (NZA-22-0381). Since then the connectivity between the project and the planned residential use no longer applies to the policies and goals of the Master Plan. The applicant has now submitted this request to waive the prior conditions for a cross access and parking easements.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-23-0392	Vacated and abandoned easements	Approved by PC	September 2023
ET-22-400102 (WS-19-0816)	First extension of time for on-premises consumption of alcohol (tavern) with waivers for modified driveway standards	Approved by BCC	October 2022
WS-19-0816	On-premises consumption of alcohol (tavern) with waivers for modified driveway standards	Approved by BCC	December 2019
ZC-0339-08	Reclassified 0.9 acres from R-E to C-2 zoning for a future commercial development	Approved by BCC	May 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Business Employment	RUD	Undeveloped
South	Compact Neighborhood (up to 18 du/ac)	R-3	Undeveloped
West	Neighborhood Commercial	C-1	Convenience store & gasoline station

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
ET-23-400154 (WS-19-0816)	A second extension of time for a waiver of development standards for on-premises consumption of alcohol is a companion item on this agenda.
WS-23-0709	A waiver of development standards for attached sidewalk, wall height, parking lot landscaping, non-standard improvements, departure distance and to waive driveway width, and design review for a tavern and increased finished grade is a companion item on this agenda.
VS-24-0092	A request to vacate and abandon a portion of a right-of-way being Arville Street between Silverado Ranch Boulevard and Gary Avenue (alignment) 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

Waiver of Conditions

The adjacent property was approved to be rezoned to Residential Urban Density for a single family residential development (NZC-22-0381). The approved plans showed the portion immediately adjacent to the north and the east sides of the subject site marked as future development, which remained zoned RS20, with a land use plan of Business Employment. At this time, it is not determined whether that portion will be developed as residential, or non-residential. The condition will apply if the property develops with residential uses. Should the parcel not be developed with residential uses, the cross access might be required. Therefore, staff still recommends cross access and shared parking be provided should the properties to the north and east be developed with similar commercial uses.

Staff Recommendation

Denial.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the conditions will no longer fulfill its intended purpose.

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:

If approved.

Comprehensive Planning

- Cross access and shared parking to be provided to the north and east if developed with similar commercial uses or same levels of intensity and similar parking.

Public Works - Development Review

- 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 #0256-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - **denial.**

APPROVALS:

PROTEST: 1 card

COUNTY COMMISSION ACTION: December 20, 2023 – HELD – To 02/07/24 – per the applicant.

COUNTY COMMISSION ACTION: February 7, 2024 – HELD – To 03/20/24 – per the applicant.

COUNTY COMMISSION ACTION: March 20, 2024 – HELD – To 06/05/24 – per the applicant.

COUNTY COMMISSION ACTION: June 5, 2024 – HELD – To 07/03/24 – per the applicant.

APPLICANT: SCT SILVERADO RANCH & ARVILLE, LLC

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