

07/03/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-24-400056 (WS-20-0082)-SAIA GABRIEL GOMES JR REV LIV TR & SAIA GABRIEL GOMES JR TRS:

WAIVERS OF DEVELOPMENT STANDARDS SECOND EXTENSION OF TIME for the following: **1)** eliminate parking lot landscaping; **2)** alternative parking design standards; and **3)** reduce throat depth.

DESIGN REVIEW for a parking lot expansion in conjunction with an existing retail, office, and warehouse complex on 14.0 acres in an IL (Industrial Light) Zone.

Generally located on the north side of Desert Inn Road and the east side of Highland Drive within Winchester and Paradise. TS/tpd/ng (For possible action)

RELATED INFORMATION:

APN:

162-08-805-009; 162-08-899-034; 162-08-899-036; 162-08-899-038; 162-17-502-002

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate parking lot landscaping where landscaping per Figure 30.64-14 and Section 30.60.050 is required.
2. Allow a surface parking lot without pedestrian walkways where required per Section 30.60.050.
3. Reduce throat depth to 21 feet on Highland Drive where 150 feet is required per Uniform Standard Drawing 222.1 (a 79.3% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 2548 W. Desert Inn Road
- Site Acreage: 14
- Project Type: parking lot expansion in conjunction with an existing retail, office, and warehouse complex
- Parking Required/Provided: 284/661

Site Plans/Request

The approved plans depict an existing retail, office and warehouse complex with parking. The purpose of the previously proposed development was to re-design the existing parking area on the north side of the parcel and to expand the parking area onto a leased parcel under and north

of the Wilbur Clark Desert Inn Road elevated roadway. The existing parking area north of the existing building was re-designed to remove the prior industrial use railroad spur line which accessed the site. It also proposed re-striping 40 tandem parking spaces for future valet services at the building. A new driveway was shown centrally located to access the new parking lot (right-of-way properties) to the north, under the Wilbur Clark Desert Inn Road and the remainder of the parcel to the north. The parking areas located under the elevated roadway and to the north of the roadway will be provided access by a new 32 foot wide driveway entrance with 21 feet of throat depth to Highland Drive. Power lines were shown located along Highland Drive and bisected the parcel in an east/west direction to the north of Wilbur Clark Desert Inn Road. To the north of the proposed parking area, there is an existing 40 foot wide private drive shown that provided access to APN 162-08-805-002 and was separated by an existing fence and pavement, which was not to be used for access to the proposed parking lot.

Landscaping

The approved plans depict a parking lot landscaping reduction for the parking areas south of Wilbur Clark Desert Inn Road that was approved by UC-19-0381. The proposed parking areas under the Wilbur Clark Desert Inn Road and to the north were shown with rockscape islands and with an approximate 20 foot wide landscape area adjacent to Highland Drive.

In August 2021, revised plans were submitted showing non-organic landscaping along Highland Drive and in the parking lot area to show compliance with the condition of approval.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for ET-22-400092 (WS-20-0082):

Current Planning

- Until May 6, 2024 to commence and review.
- 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 and application for review; and that 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.

Public Works - Development Review

- Compliance with previous conditions

Listed below are the approved conditions for WS-20-0082:

Current Planning

- Provide metal/weather-resistant representation of plants spaced 1 per 30 feet along Highland Drive (3 north of the Highland Drive entrance and 5 south of the Highland

Drive entrance) and within the proposed parking areas, along with boulder accents within the new parking lot islands within 2 years;

- Provide low level solar lighting along Highland Drive and the new parking lot islands within 2 years;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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

- Coordinate with Public Works – Development Review on the traffic study and compliance;
- 2 year review to determine if circulation and ingress/egress have conflicts with the reduction in throat depth;
- Nevada Department of Transportation approval.
- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

Applicant’s Justification

The applicant states that the plans have been filed for permits but not yet approved. The applicant changed architects and engineers and there was some confusion regarding permits. A meeting with Public Works was held and a schedule for completion of permit comments was determined. It is anticipated the permit will be issued within the next month.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-23-0438	Cannabis establishment (consumption lounge) with waivers for reduced separation and reduced parking	Approved by BCC	September 2023
ET-22-400092 (WS-20-0082)	First extension of time for a parking lot expansion in conjunction with an existing cannabis establishment	Approved by BCC	September 2022
UC-21-0126	Daycare within an existing retail, office, and warehouse complex - Withdrawn without prejudice	Withdrawn at PC	July 2021
UC-20-0346	On-premises consumption of alcohol (supper club) in conjunction with an existing retail, office, and warehouse complex	Approved by PC	October 2020
WS-20-0083	Increased freestanding sign area and animated sign area for an existing cannabis establishment and retail, office, and warehouse complex	Approved by BCC	May 2020

Prior Land Use Requests

Application Number	Request	Action	Date
WS-20-0082	Eliminated parking lot landscaping; allowed an alternative parking lot design standard; and reduced throat depth in conjunction with an existing cannabis establishment and retail, office, and warehouse complex	Approved by BCC	May 2020
UC-19-0380	Cannabis establishment (production) in conjunction with an existing office/warehouse complex consisting of 2 buildings with dispensary and retail marijuana store	Approved by BCC	July 2019
WS-18-0850	Signage for cannabis establishment (dispensary) roof signs and electronic graffiti wall	Approved by BCC	December 2018
ADR-18-900699	Operation of a water feature in conjunction with an approved dispensary and retail cannabis facility	Approved by ZA	October 2018
UC-18-0703	Increased wall sign area, allowed a cannabis dispensary as the only business advertising on a freestanding sign, roof signs where not permitted, electronic or animated sign where not permitted, and a retail cannabis facility (roof sign and electronic graffiti wall were withdrawn)	Approved by BCC	October 2018
VS-18-0570	Vacated and abandoned right-of-way (portion of Desert Inn Road)	Approved by BCC	September 2018
UC-18-0122	Cannabis establishment (dispensary) in conjunction with an approved retail cannabis store; and design review for modifications to an existing office/warehouse complex consisting of 2 buildings	Approved by BCC	April 2018
UC-17-1076	Cannabis establishment (retail store) with a waiver to reduce parking and modified an existing office/warehouse complex	Approved by BCC	February 2018
UC-0722-06	Sales center in conjunction with an approved mixed-use development, and waivers for reduced parking and sign requirements - expired	Approved by BCC	July 2006
UC-1899-05	Mixed-use high-rise condominium development with setback waiver and waiver of conditions for noise level reductions - expired	Approved by BCC	February 2006
NZC-1697-04	Reclassified the property from M-1 to H-1 zoning for a mixed-use high-rise development - expired	Approved by BCC	February 2005
UC-0206-03	Secondhand sales retail facility with waivers to reduce parking - expired	Approved by PC	March 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, & West	Business Employment	IL	Industrial complex
East	Corridor Mixed-Use & Business Employment	IL	Industrial complex

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

Title 30 standards of approval for an extension of time state an application may be denied if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

In August 2023, a new Title 30 was adopted and effective January 2024. Staff can support another extension of time request for this project. However, staff may not be able to support any future extension of time request, as all projects are expected to comply with the new Title 30 regulations.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Until May 6, 2026 to commence and review or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval. Winchester - approval.

APPROVALS:

PROTEST:

APPLICANT: GABRIEL SAIA

CONTACT: LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,
BLDG 3 SUITE 577, LAS VEGAS, NV 89134