

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0054-BUFFALO LAS VEGAS LAND, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate street landscaping; **2)** increase retaining wall height; and **3)** allow attached sidewalk; and **4)** alternative driveway geometrics.

DESIGN REVIEW for a vehicle sales facility on 9.67 acres in a CG (Commercial General) Zone within the Airport Environs (AE-60) Overlay.

Generally located east of Buffalo Drive and south of Sunset Road within Spring Valley.
MN/rg/cv (For possible action)

RELATED INFORMATION:

APN:

176-03-101-009; 176-03-101-019

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Eliminate street landscaping along Buffalo Drive where 10 feet is required behind an attached sidewalk per Section 30.04.01D.7.
- b. Eliminate street landscaping along Rafael Rivera Way where 10 feet is required behind an attached sidewalk per Section 30.04.01D.7.
2. a. Increase the retaining wall height along the south side of the site to 24 feet where 3 feet is the maximum height allowed per Section 30.04.03C (a 700% increase).
- b. Increase the retaining wall height along the west side of the site to 13 feet where 3 feet is the maximum height allowed per Section 30.04.03C (a 333.3% increase).
3. Allow the existing attached sidewalk along Buffalo Drive to remain where a detached sidewalk is required per Section 30.04.08C.
4. a. Reduce throat depth for the driveway on the east side of Tioga Way to 7 feet where 150 feet is required per Uniform Standard Drawing 222.1 (a 95.3% reduction).
- b. Reduce throat depth for the driveway on the west side of Tioga Way to 17 feet where 150 feet is required per Uniform Standard Drawing 222.1 (an 88.7% reduction).

PROPOSED LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A

- Site Acreage: 9.67
- Project Type: Vehicle sales facility
- Number of Stories: 1
- Building Height (feet): Up to 24
- Square Feet: 60,185
- Parking Required/Provided: 120/126 (including ADA)
- Sustainability Required/Provided: 7/6

Site Plan

The plan depicts the development of a 9.67 acre auto dealership located on the east side of Buffalo Drive, north of Rafael Rivera Way. The project consists of a single 60,185 square foot dealership building situated on the western portion of the site, with substantial setbacks on all sides, including 129 feet from the north property line, 119 feet from the west property line, 96 feet from the south property line, and over 514 feet from the east property line. Vehicular access to the site is provided from Tioga Way to the north, with internal circulation established through a network of 24 foot wide drive aisles and 18 foot wide aisles serving inventory parking areas.

Parking is distributed throughout the site and includes customer, employee, inventory, ADA, and electric-vehicle charging spaces. A total of 666 parking spaces are provided, consisting of 126 customer and employee parking spaces, 524 inventory spaces located throughout the site, 12 EV charging stations, including 4 superchargers, are installed, with an additional 4 EV-capable spaces provided. ADA parking and accessible paths of travel are located adjacent to the primary dealership entrance. A screened trash enclosure is located along the south property line.

The applicant is requesting waivers to increase the maximum permitted retaining wall height along the south side of the property up to 24 feet, and along the west side of the property up to 13 feet.

Landscaping

The applicant requests waivers to eliminate the required street landscaping along both Buffalo Drive and Rafael Rivera Way. Along Tioga Way, the plan shows the required street landscaping, including street trees and shrubs consistent with Title 30.

Parking lot landscaping is provided throughout the site to the Code standard.

Elevations

The plan depicts the building measuring up to 24 feet in height, with parapet variations, wall-plane shifts, glazing, and material and color transitions incorporated throughout the façades. These elements establish the primary massing and façade composition. The elevations illustrate a contemporary tilt-up structure with alternating material sections that provide the required horizontal articulation consistent with Title 30.

Floor Plan

The plan depicts a 60,185 square foot building with a showroom, customer lounges, customer conference rooms, offices, hallway circulation, restrooms, janitor's closet, IT closet, breakroom,

multiple parts and storage rooms, a designated delivery area, and a service shop with work bays, equipment areas, and associated utility spaces.

Applicant’s Justification

The applicant states the request for a design review and waivers is to allow development of a Tesla dealership and notes that vehicle sales, outdoor display, and vehicle maintenance are conditional uses in the CG zoning district, asserting that all applicable Title 30 conditions are met and no special use permits are required. The applicant indicates the proposed building meets height, setback, architectural, parking, and sustainability requirements, and that landscaping along the northern and eastern boundaries exceeds minimum standards. The applicant requests waivers for throat depth, street-frontage landscaping, increase of retaining wall height, and an attached sidewalk along Buffalo Drive, stating that the throat depth waiver is warranted due to site constraints and traffic separation, that landscaping along Buffalo Drive and Rafael Rivera Way is infeasible due to steep slopes and retaining walls, and that significant grade changes, retaining wall height, and existing pedestrian barriers justify keeping the attached sidewalk. The applicant concludes that the proposed design and requested waivers are appropriate and consistent with the intent of Title 30.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-22-400083 (UC-0906-15)	Fourth extension of time for a use permit to modify development standards and a design review for an approved mixed-use development	Withdrawn	May 2021
ET-21-400015 (VS-0907-15)	Third extension of time for a vacation of patent easements and a portion of Tioga Way - expired	Approved by PC	April 2021
ET-21-400013 (UC-0906-15)	Third extension of time for a use permit to modify development standards and a design review for an approved mixed-use development	Approved by BCC	May 2021
ET-19-400048 (UC-0906-15)	Second extension of time for a use permit to modify development standards and a design review for an approved mixed-use development	Approved by BCC	June 2019
WS-19-0017	Second extension of time for a vacation of patent easements and a portion of Tioga Way - expired	Approved by BCC	March 2019
ET-18-400227 (UC-0906-15)	Waiver of development standards and design review for a proposed freestanding sign	Approved by BCC	December 2018
ET-18-400083 (VS-0907-15)	First extension of time for a use permit to modify development standards and a design review for an approved mixed-use development	Approved by PC	May 2018
TM-0023-16	First extension of time for a vacation and abandonment easements and a portion of Tioga Way - expired	Approved by BCC	April 2016
VS-0907-15	Tentative Map for a mixed-use project - expired	Approved by BCC	April 2016

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0906-15	Use permit to modify development standards and a design review for an approved mixed-use development	Approved by BCC	April 2016
ZC-0830-06	Reclassified the site to U-V zoning for a mixed-use development	Approved by BCC	August 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	CG & IP (AE-60)	Retail complex, office/warehouse complex & undeveloped
South	Business Employment	CG & RS20 (AE-60)	Undeveloped
East	Business Employment	IP (AE-60)	Office/warehouse complex
West	Business Employment	RS20 & RM32 (AE-60)	Undeveloped & multi-family residential

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

Related Applications

Application Number	Request
PA-26-700003	A plan amendment from Business Employment (BE) to Neighborhood Commercial (NC) is a companion item on this agenda.
ZC-26-0052	A zone change from CC to CG is a companion item on this agenda.
VS-26-0053	A vacation and abandonment of easements and a portion of right-of-way 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

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.

Waivers of Development Standards #1 & #2

Staff finds that eliminating the required street landscaping along Buffalo Drive and Rafael Rivera Way is justified because the site sits at a lower grade and the slope conditions along both rights-of-way make the installation of landscaping impractical and of limited functional benefit. These same grade conditions also necessitate increased retaining wall heights along the south and west sides of the site to properly support the site. Because the site is situated at a lower elevation than the adjacent streets, the increased retaining wall heights do not create impacts to the surrounding area. Staff has no objection to these waiver requests.

Design Review

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 development is compatible with adjacent uses and maintains a harmonious relationship with the surrounding industrial and employment corridor through its single-story massing, consistent materials, and cohesive architectural treatment. The building elevations incorporate appropriate articulation, material transitions, and defined rooflines, and the overall design avoids unsightly or undesirable visual conditions. Site access and internal circulation operate efficiently, with adequate maneuvering space, visibility, and parking lot organization. Therefore, staff can support this request.

Public Works - Development Review

Waiver of Development Standards #3

Staff cannot support the request to allow the existing attached sidewalks to remain Buffalo Drive. 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 #4

Staff has no objection to the reduced throat depth for the commercial driveways on Tioga Way. Since Tioga Way sees a low volume of traffic, staff finds the reduced throat depth should have no negative impacts.

Staff Recommendation

Approval of waivers of development standards #1, #2, and #4 and the design review; denial of waiver of development standards #3. This item will be forwarded to the Board of County Commissioners for final action on April 22, 2026 at 9:00 a.m., unless otherwise announced.

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:

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- 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;
- Full off-site improvements;
- Coordinate with Public Works - Development review for the improvement in or adjacent to the slope easement and an alternative sidewalk along Buffalo Drive;
- Grant an easement to Public Works to allow for access to and maintenance of the slop;
- Coordinate with Clark County Public Works - Director's Office for the Beltway Frontage road improvement project.

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 #0270-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - approval of waivers of development standards #1, #2, and #4, and the design review; denial of waiver of development standards #3 (sidewalk must be constructed as detached sidewalk).

APPROVALS:

PROTESTS:

APPLICANT: CANOPY 5, LLC

CONTACT: MARISSA FEHRMAN, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE #650, LAS VEGAS, NV 89135