

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0433-HAPPY MINER, LLC:

HOLDOVER AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase fence height (no longer needed); **2)** reduce parking lot landscaping (no longer needed); **3)** setbacks (no longer needed); and **4)** alternative driveway geometrics.

DESIGN REVIEW for a motel on 2.16 acres in a CR (Commercial Resort) Zone.

Generally located on the northwest corner of Desert Inn Road and Pawnee Drive within Winchester. TS/bb/kh (For possible action)

RELATED INFORMATION:

APN:

162-11-411-112

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase fence height to 8 feet where a maximum of 3 feet is permitted within the front yard in a commercial zoning district per Section 30.04.03 (a 167% increase) (no longer needed).
2. Reduce the number of landscape islands where 1 is required every 6 parking spaces per Section 30.04.01D (no longer needed).
3. Reduce the front setback of an existing accessory carport structure to zero feet where 10 feet is required per Section 30.02.17 (a 100% reduction) (no longer needed).
4.
 - a. Reduce the throat depth for a driveway along Desert Inn Road to a minimum of 36 feet where a minimum of 75 feet is required per Uniform Standard Drawing 222.1 (a 52% reduction).
 - b. Reduce the departure distance for a driveway on Desert Inn Road from the intersection of Desert Inn Road and Pawnee Drive to 133 feet where 190 feet is the standard per Uniform Standard Drawing 222.1 and Section 30.04.08 (a 30% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 1700 E. Desert Inn Road
- Site Acreage: 2.16
- Project Type: Motel
- Number of Stories: 2

- Building Height (feet): 26
- Square Feet: 22,653
- Parking Required/Provided: 82/**97**
- Sustainability Required/Provided: 7/5

Site Plan

The plan depicts 8 existing 2 story commercial buildings that will be converted to a motel on 2.16 acres at the northwest corner of Desert Inn Road and Pawnee Drive. The proposed motel will use 2 existing driveways on Desert Inn Road and close 1 existing driveway on Desert Inn Road. All buildings have access from a 20 foot wide public alley on the north side of the property between Pawnee Drive and La Canada Street. The Paradise Palms historic neighborhood area is located north of this property. Parking is located on the west side of the west group of Buildings 5 through 8, adjacent to the alley on the north side of the buildings, and between the building groups on the west side of Buildings 1 through 4. The motel requires 82 parking spaces with **97** parking spaces provided. Forty of the parking spaces are existing covered parking spaces. Three electric vehicle parking spaces and 21 electric vehicle capable parking spaces are shown on the plan. Each group of 4 buildings has 2 accessible parking spaces available. Each of the building groups has an existing courtyard with pedestrian walkways connecting all parking areas and public sidewalks. Additional parking is provided by existing parking spaces on the south side of the alley. A **3** foot high wrought iron fence is proposed along Desert Inn Road and Pawnee Drive **outside the sight distance zone**. New curbing and defined driveways are shown in the internal areas of the proposed motel on the site plan. New trash enclosures will be located between the 2 groups of buildings and will be screened by 6 foot high walls and new trees. Existing trash enclosures are located 20 feet south of the north edge of the alley and will be relocated and built to current standards. An existing 6 foot to 8 foot high screen wall is located along the north side of the alley separating the alley from the adjacent residential homes to the north.

Landscaping

The plan depicts existing plant areas adjacent to Desert Inn Road, Pawnee Drive, and interior planter boxes adjacent to parking areas and buildings. Fourteen new trees will be planted adjacent to Desert Inn Road, outside the sight zone and in the existing landscape area between the buildings and sidewalk. Four new trees will be planted in 4 new landscape islands in the westernmost parking lot area. Most of the existing mature landscaping on the site will remain.

Elevations

The elevations depict existing buildings with flat rooflines, interior balconies, interior second floor walkways, interior facing windows, masonry block siding, and vertical slat wood façades. Exterior staircases are located between the building and in the courtyard areas. Windows are located on all but the north façade of each building. Some second floor exterior walls are stucco finish and most windows and entry doors are covered by shade structures.

Floor Plans

Room sizes range from 162 square feet to 632 square feet in area on both the first and second floors of each building. Exterior entrances are accessed at the ground level walkways and by metal staircases and elevated walkways on the second level. The first floor of Buildings 1

through 8 have a total of 68 units. The second floor of Buildings 2 through 8 have a total of 48 units. The second floor of Building 1 has no units and will be used for storage or office area. A total of 116 units are shown on the entire property for the proposed motel.

Applicant's Justification

The applicant is requesting to modify some driveway geometrics to allow for the proposed access at Desert Inn Road. The **3** foot wrought iron fence in the front yard will provide **some level of** controlled pedestrian access from Desert Inn Road and Pawnee Drive. The fence will be decorative and will **discourage** direct access from the public sidewalk to the buildings. The existing architecture of the buildings and interior courtyards are conducive to the proposed motel use.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0167-07 (ET-0075-09)	Extension of time for a use permit for a beauty salon	Approved by PC	May 2009
UC-1311-95 (ET-0209-98)	Extension of time for a use permit for psychic arts	Approved by PC	July 1998
UC-0167-07	Use permit for a beauty salon	Approved by PC	March 2007
UC-1095-05	Use permit for a public utility structure	Approved by PC	August 2005
VC-1030-96	Variance for a permanent make-up establishment	Approved by PC	July 1996
VC-1961-95	Variance for a massage establishment	Approved by PC	January 1996
VC-1311-95	Variance for psychic arts	Approved by PC	September 1995
UC-0737-95	Use permit for check cashing - expired	Approved by PC	June 1995
UC-0238-94	Use permit for sales and rental (personal pager rental and sale)	Approved by PC	April 1994

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8du/ac)	RS5.2 (HDO)	Single-family residential
South	Neighborhood Commercial	CP & RS5.2	Office & single-family residential
East & West	Neighborhood Commercial	CR	Office

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.

Waiver of Development Standards #1

No longer needed.

Waiver of Development Standards #2

No longer needed.

Waiver of Development Standards #3

No longer needed.

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 existing buildings were built in 1974 and are limited to existing design elements of the structure for compliance with sustainability standards. Additional plants will meet low water use standards with good shade coverage provided in the existing courtyards, over most of the low E windows, and at entrances to each unit. Additional trees are being planted adjacent to the streets and in new landscape islands on the property. Existing planter and landscape materials will remain on the property. The conversion of the existing office buildings into a motel will utilize existing parking areas. There are no windows facing the residential neighborhood to the north and an existing wall and alley separate the residential homes from these buildings. Trash enclosures are being moved about twice the distance south from the existing trash enclosure locations. Conversion of the existing structures and maintaining the existing architecture of the buildings, without additional height or change in separation from residential uses is supported by Policy WP-1.6 of the Master Plan and will preserve the unique history and character of the area. No swimming pools or outdoor facilities are proposed with this conversion. The existing design does not change the architecture through new construction and will not encroach on the existing Paradise Palms historic neighborhood with relocated buildings or additional height. The

applicant is proposing to meet 5 of the 7 required points for sustainability characteristics on this property. Staff supports the design review.

Public Works - Development Review

Waiver of Development Standards #4a

Staff has no objection to the reduced throat depth for both commercial driveways on Desert Inn Road. The 2 driveways should see equal use, mitigating potential impacts from the reduced throat depths.

Waiver of Development Standards #4b

Staff has no objection to the reduction of the departure distance for eastern most driveway on Desert Inn Road. Although the departure distance does not comply with minimum standards, staff finds the location allows vehicles to safely access the site.

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

- 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

- Traffic study and compliance;
- Reconstruct any unused driveways with full off-site improvements.
- Applicant is advised that off-site improvement permits may be required.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features; ensure that the alley will serve as a 24 foot wide fire access lane, fire will not back out onto Desert Inn Road.

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 #0157-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Winchester - denial.

APPROVALS: 1 letter

PROTESTS: 13 cards, 3 letters

COUNTY COMMISSION ACTION: October 16, 2024 – HELD – To 04/16/25 – per the applicant.

COUNTY COMMISSION ACTION: April 16, 2025 – HELD – To 05/07/25 – per the applicant.

APPLICANT: BINYUN LE

CONTACT: BINYUN LE, 1700 E. DESERT INN ROAD, SUITE 205B, LAS VEGAS, NV 89169