

05/07/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-25-400031 (WS-23-0396)-MACKOVSKI, ALEXANDER:

WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: 1) landscaping; and 2) waive full off-site improvements in conjunction with a previously approved hotel and retail development on 2.76 acres in a CG (Commercial General) Zone.

Generally located on the east side of Las Vegas Boulevard South, 425 feet south of Cactus Avenue within Enterprise. MN/dd/cv (For possible action)

RELATED INFORMATION:

APN:

177-33-101-005 through 177-33-101-009; 177-33-111-004; 177-33-111-005

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate street landscaping and detached sidewalks along Conn Avenue and Giles Street where required per Figure 30.64-17 (a 100% reduction).
2. Waive full off-site improvements (sidewalks, curbs, gutters, pavement, and streetlights) along Conn Avenue and Giles Street where required per Section 30.52.040.

LAND USE PLAN:

ENTERPRISE - CORRIDOR MIXED-USE

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.76
- Project Type: Waive landscaping and off-site improvements for a hotel & retail complex
- Number of Stories: 4 (hotel)/1 (retail) (per ZC-21-0119)
- Building Height (feet): 49.5 (hotel)/24 (retail) (per ZC-21-0119)
- Square Feet: 13,940 (hotel)/4,650 (retail)
- Parking Required/Provided: 101/112 (site plus shared parking agreement spaces)

History

The complex was originally approved by the Board of County Commissioner's in May 2021 through ZC-21-0119. This application included a zone change from H-2 (General Highway Frontage) to C-2 (now CG), with waivers for the front setback of the retail building, alternative

landscaping along Las Vegas Boulevard South, non-standard improvements (landscaping) in the Las Vegas Boulevard South right-of-way, and driveway geometrics. The application was extended to May 2025 to commence with ET-23-400078 (ZC-21-0119) in July of 2023.

In September of 2023, WS-23-0396 was approved to waive street landscaping and off-site improvements for the site. This request is to extend the original application. The applicant is also requesting an extension of time (second request) for ZC-21-0119, concurrently.

Site Plan

The approved plans show a 4,650 square foot retail building on the west side of the property along Las Vegas Boulevard South and a 13,940 square foot, 4 story hotel building located in the southeast corner of the site as were approved by ZC-21-0119. Access to the site is shown to be from a commercial driveway in the southwest corner of the site along Las Vegas Boulevard South. Parking is provided throughout the site surrounding both the retail and hotel buildings and is accessed through a two-way, 24 foot driveway aisle that weaves through the site in an S shape. There are 2 points of cross access that were provided, 1 is in the north central portion of the site and provided to the retail complex to the north, and another located in the southeast corner of the site that provides access to the undeveloped parcel to the south.

The original application (WS-23-0396) was to eliminate landscaping, sidewalks, and required off-sites, because of the required dedication of an elbow intersection at the intersection of Giles Street and Conn Avenue. Due to the required radius of the elbow intersection (75 feet), the right-of-way extends onto the subject property approximately 11 feet, which triggered the need for street landscaping, detached sidewalks, streetlights, curbs, and pavement in the very southeast corner of the property adjacent to the dedication, due to the 60 foot width of the Conn Avenue right-of-way. The approved plans show a 20 foot to 35 foot section of Conn Avenue is proposed to be paved from where the paved portion of Conn Avenue ends currently (approximately 37 feet from the southeast property line) to 10.5 feet within the property boundary. Due to the placement of the right-of-way dedication and a Las Vegas Valley Water District easement, a 28 foot portion of the intense landscape buffer on the eastern property line and 3 parking stalls had to be removed from what was originally proposed in ZC-21-0119. The reduction in parking results in a total of 97 stalls being provided on-site with 15 parking spaces supplementing the on-site total due to a parking agreement. These additional 15 parking spaces are located in the south central portion of the northern retail complex adjacent to the proposed hotel/retail complex. This leads to 112 total provided parking spaces where 101 parking spaces are required for the uses on the subject site, based on shared parking totals.

Landscaping

With WS-23-0396, the street landscaping and sidewalk requirements along Conn Avenue and Giles Street were waived, but otherwise matched the approved landscape plans with ZC-21-0119. The other notable difference from the approval of ZC-21-0119 was the loss of a 294 square foot (28 feet long by 10.5 feet wide) portion of landscaping in the southeastern corner of the property to make way for a Las Vegas Valley Water District easement.

Previous Conditions of Approval

Listed below are the approved conditions for WS-23-0396:

Comprehensive Planning

- Until May 5, 2025 to commence, to correspond with ET-23-400078 (ZC-21-0119).
- Applicant is advised approval of this application does not constitute or imply approval of any other County issued permit, license or approval; 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 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

- Execute a Restrictive Covenant Agreement (deed restrictions).

Applicant's Justification

The applicant states that early grading on the site has already been completed, and that the bond for construction has already been posted. Additionally, the applicant states that building plans for the commercial pad have been submitted, as well as the building plans for the proposed hotel on site.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-23-0396	Waiver of development standards for street landscaping and off-site improvements	Approved by BCC	September 2023
ET-23-400078 (ZC-21-0119)	First extension of time for waivers and use permits for a non-gaming hotel and commercial building	Approved by BCC	July 2023
ZC-21-0119	Reclassified from H-2 to C-2 zoning with waivers and use permits for a non-gaming hotel and commercial building	Approved by BCC	May 2021

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use & Corridor Mixed-Use	CG	Restaurants & commercial development
South	Entertainment Mixed-Use & Neighborhood Commercial	H-2	Undeveloped
East	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Single-family residential
West	Entertainment Mixed-Use	CR	Undeveloped

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

Related Applications

Application Number	Request
ET-25-400030 (ZC-21-0119)	An extension of time for a waiver of development standards for parking lot landscaping and driveway geometrics, and a design review for a commercial complex and hotel is a related 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**

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.

Staff finds that the applicant has made some progress towards commencement of the project by obtaining the early grading permit for the site and posting the bond for the project. Additionally, building permits BD24-41079 and BD25-06736 are under review for the commercial pad and hotel, respectively. Also, WS-23-0396 was approved in September of 2023 to waive street landscaping and off-site improvements and this is the first extension of time request. Therefore, staff can support the request. However, staff may not be able to support any future extension of time requests, as the original project was approved in 2021 and a new development Code has since been adopted, and the expectation is that moving forward, projects conform to new regulations.

Public Works - Development Review

The applicant has complied with all of Public Works conditions. Therefore, 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 5, 2027 to commence, to correspond with ET-25-400030 (ZC-21-0119) 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; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTEST:

APPLICANT: ALEXANDER MACKOVSKI

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