

TAVERN
(TITLE 30)

UPDATE
SILVERADO RANCH BLVD/ARVILLE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0709-SCT SILVERADO RANCH & ARVILLE, LLC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow attached sidewalk and alternative landscaping; **2)** increase wall height; **3)** eliminate parking lot landscaping; **4)** allow non-standard improvements; **5)** reduce departure distance; and **6)** reduce driveway width.

DESIGN REVIEWS for the following: **1)** modification to previously approved tavern; **2)** finished grade 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

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Allow a proposed attached sidewalk with 10 feet of landscaping along Silverado Ranch Boulevard where a detached sidewalk with landscaping is required per Figure 30.64-17.
- b. Allow an attached sidewalk with 10 feet of landscaping along Arville Street where a detached sidewalk with landscaping is required per Figure 30.64-17.
2. Increase the retaining wall height to 5 feet (with a 6 foot screen wall on top) where 3 feet retaining wall (with a 6 foot screen wall on top) is the maximum per Section 30.64.050.
3. Eliminate parking lot landscaping where required per Figure 30.64-14.
4. Allow non-standard improvements (landscaping) within the right-of-way where not permitted per Chapter 30.52.
5. Reduce the departure distance from the driveway to the intersection to 172.9 feet where 190 feet is required along Arville Street per Uniform Standard Drawing 222.1 (a 9% reduction).
6. Reduce the driveway width to 32 feet where 36 feet is required per Uniform Standard Drawing 222 (a 22% decrease).

DESIGN REVIEWS:

1. Tavern.
2. Increase finished grade to 57 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 59% increase).

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: 46/47

Site Plan & History

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 depicted 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 easement to the north and east.

In 2022, the adjacent properties were approved to be rezoned to Residential Urban Density for the development of a single family residential development (NZC-22-0381). Since then the connectivity between the project and a planned residential use does not meet the policies and goals and the applicant has submitted revised plans which depict a proposed tavern and on-site consumption of alcohol with restricted gaming.

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.

Landscaping

The plan depicts an intense landscape buffer along the north and east property lines adjacent to the residential uses per Figure 30.64-12. The request includes waivers to eliminate parking lot landscaping and landscape finger islands within the proposed parking lot. The request also includes a waiver to allow attached sidewalks with 10 feet of landscaping, and a request to locate landscaping in the spandrel area in the southwest corner of the site.

Elevations

The plans submitted depict a proposed building at 1 story, up to 24 feet high, consisting of colored stucco, decorative cornice molding, and aluminum storefront window system. The height of the building varies slightly from 20 feet to 24 feet and has been designed to break-up the roofline and enhance the overall look of the building. No changes or alterations are proposed to the approved elevations.

Floor Plan

The tavern has an area of 4,600 square feet consisting of a bar, dining area, separate seating area, kitchen, offices, and restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states this property was recently acquired by a new owner and the applicant intends to develop the property as a tavern, consistent with the original approvals with additional waivers for attached sidewalks, retaining wall height, parking lot landscaping, and departure distance along with a design review for increased grade. No changes are proposed to the approved exterior elevations of the commercial building.

Prior Land Use Requests

Application Number	Request	Action	Date
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 with gasoline station

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

Related Applications

Application Number	Request
WC-23-400155 (ZC-0339-08)	A waiver of conditions to provide cross access and parking easement is a companion item on this agenda.
ET-23-400154 (WS-19-0816)	An extension of time for on-premises consumption of alcohol 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

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of Development Standards #1

Staff does not support the request to install attached sidewalks where detached sidewalks are required along arterial streets. The applicant has stated in their justification letter they are providing additional landscape areas to off-set any impacts. Staff cannot support the request to waive the required detached sidewalk as stipulated in Title 30. The development to the west across Arville Street has incorporated a detached sidewalk. A detached sidewalk will promote a consistent streetscape and pedestrian safety measures, especially along any arterial or collector street.

Waiver of Development Standards #2

Overall, staff finds that the requested increase in the retaining wall is needed for the proposed drainage of the property. The increase in retaining height permits the matching grading along the exterior of the site, adjacent to the streets and residential uses. This increase should limit any impacts of the site and prevent drainage storm flow on the surrounding properties. However, since staff does not support the design review, staff does not support this request.

Waiver of Development Standards #3

Staff cannot support the applicant request to waive parking lot landscaping per Figure 30.64-14. The applicant has stated they need this waiver to maximize on-site parking. The plans show a parking analysis where 40 parking spaces are required with 47 parking spaces provided. Review of the site plans show that a total of 4 landscape islands would be required, which, if installed, would lower the overall on-site parking to 43 parking spaces. In addition, parking lot landscaping provides for reductions in the heat island effect and provides for a more visual appealing development. Therefore, staff cannot support this request.

Design Review #1

The design of the building, with the variations in building height, complies with Urban Specific Policy 19 of the Master Plan, which encourages varying building heights and breaking-up the mass of a building. However, with staff recommendation of denial of the waivers of development standards #1 and #3, staff cannot support the design of the proposed project as presented. Therefore, staff recommends denial.

Public Works - Development Review

Waiver of Development Standards #4

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any landscaping placed in the right-of-way. Staff can support waiver of development standards #4 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way. However, since Planning is recommending denial of the application, staff cannot support this waiver.

Waiver of Development Standards #5

Staff has no objection to the further reducing of the departure distance by less than 4 feet, as the applicant has placed the driveway as far north as the site will allow. However, since Planning is recommending denial of the application, staff cannot support this waiver.

Waiver of Development Standards #6

Staff has no objection to reduce the driveway width for the commercial driveway on Arville Street. The application was conditioned to a traffic study that will address any concerns that maybe the result of the reduced driveway width. However, since Planning is recommending denial of the application, staff cannot support this waiver.

Design Review #2

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval. However, since Planning is recommending denial of the application, staff cannot support this design review.

Staff Recommendation

Denial.

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 final zoning inspection.
- Applicant is advised that 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; 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

- **Landscaping in right-of-way to be approved by Public Works - Development Review;**
- Comply with approved drainage study PW23-13052;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

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:

APPROVALS:

PROTESTS: 1 card

COUNTY COMMISSION ACTION: December 5, 2023 – HELD – To 02/07/24 – per the applicant.

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

APPLICANT: SCT SILVERADO RANCH & ARVILLE, LLC

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