

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0419-MEEKRAT HOLDINGS, LLC:

AMENDED HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** modify residential adjacency standards (no longer needed); and **2)** reduce throat depth (no longer needed).

DESIGN REVIEW for restaurant buildings on 2.12 acres in a CG (General Commercial) Zone within the Airport Environs (AE-60) Overlay.

Generally located on the north side of Quail Avenue and the east side of Jones Boulevard within Spring Valley. MN/sd/syp (For possible action)

RELATED INFORMATION:

APN:

163-36-101-003

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the separation from a drive-thru lane to a residential zoned property to 65 feet where 200 feet is required per Section 30.04.06 (a 68% reduction) (no longer needed).
2. Reduce the throat depth along Jones Boulevard to 16 feet 7 inches where 75 feet is required per Uniform Standard Drawings 222.1 (a 79% reduction) (no longer needed).

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.12
- Project Type: Restaurants **and related facilities**
- Number of Stories: 1
- Building Height (feet): 23 (tavern)
- Square Feet: 4,371(tavern)
- Parking Required/Provided: 30/50
- Sustainability Required/Provided: 7/8.5

Site Plan & History

The site was originally approved via ZC-22-0628 for 2 restaurants. The previously approved application included a waiver of development standards for a reduction in the required departure

distance along Jones Boulevard to 106 feet where 190 feet is required from the intersection of Quail Avenue and Jones Boulevard.

A revised site plan has been submitted to now depict a new proposed restaurant and related facilities (tavern) to be located in the northwest portion of the site. The previously submitted site plan originally depicted a coffee shack in this location and has now been eliminated by the application with revised plans.

The plan shows pedestrian pathways from Jones Boulevard to the tavern. Access to the site is from Jones Boulevard and Quail Avenue via commercial driveways. There are **50** parking spaces provided where **30** are required. The parking areas are shown on the and the east of the tavern. **The revised plans note the southern portion of the parcel is dedicated for future pad retail site.**

Landscaping

The plans depict a street landscape area measuring a minimum of 15 feet in width consisting of a 5 foot wide detached sidewalk and 5 foot wide landscape strip on both sides of the sidewalk along both Jones Boulevard and Quail Avenue. An 18 foot wide intense landscape buffer, per Figure 30.04.02 for buffering and screening, is provided along the east property line adjacent to the existing single-family residences. A landscape area measuring 4 feet in width is also provided along the north property line, adjacent to the existing commercial development with no trees and only shrubs. Interior parking lot landscaping is equitably distributed throughout the parking lot.

Elevations

The plans depict a new tavern building which is 23 feet to the top of the parapet wall with architectural enhancement including popouts, large windows, and a steel canopy over the front entrance.

Floor Plans

The plans depict a tavern building with a bar, dining, office, cooler, kitchen, and restrooms at 4,371 square feet.

Applicant's Justification

The applicant states this project proposes to develop a tavern with food and gaming. The **tavern is now repositioned** closer to Jones Boulevard **in the previous space that was dedicated for a new coffee shack**. There will be an 18 foot wide intense landscape buffer to the adjacent residential uses along the east property line with evergreen trees. The **repositioned location for the proposed** tavern will be **approximately 155 feet** from the eastern residential property line. There will be 87 seats in total consisting of bar seating with 15 bar top machines, a dining area with tables and booths as well as an area for pool tables with counters and stools surrounding them so that customers can choose to eat and play at the same time and there is no outdoor seating.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-22-0628	Reclassified 2.2 acres from R-E (AE-60) to C-1 (AE-60), waiver of development standards for modified street standards, and design review for 2 restaurants	Approved by BCC	January 2023
AR-21-400110 (UC-0369-15)	Fourth application for review of a use permit to waive the requirement for a temporary commercial event with no primary business being established with a design review for a temporary parking lot - expired	Approved by BCC	August 2021
AR-18-400099 (UC-0369-15)	Third application for review of a use permit to waive the requirement for a temporary commercial event with no primary business being established with a design review for a temporary parking lot - expired	Approved by BCC	June 2018
UC-0369-15 (AR-0072-17)	Second application for review of a use permit to waive the requirement for a temporary commercial event with no primary business being established with a design review for a temporary parking lot - expired	Approved by BCC	July 2017
UC-0369-15 (AR-0089-16)	First application for review of a use permit to waive the requirement for a temporary commercial event with no primary business being established with a design review for a temporary parking lot - expired	Approved by BCC	August 2016
UC-0369-15	Waived the requirement for a temporary commercial event with no primary business being established with a design review for a temporary parking lot - expired	Approved by BCC	August 2015

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	CG (AE-60)	Convenience store, gasoline station, & vehicle wash
South	Neighborhood Commercial	RS20 (AE-60)	Undeveloped
East	Neighborhood Commercial	RS20 (AE-60)	Single family residential
West	Neighborhood Commercial	CG (AE-60)	Undeveloped

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.

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 for a **restaurant and related facilities (tavern)** building incorporates varying rooflines and contrasting colors to break-up the mass on portions of the buildings. The tavern building will be in the **northwest portion** of the parcel away from the residential property line. Overall, the design of the **restaurant and related facilities (tavern) building** is compatible with the surrounding area. Therefore, **staff can support this request.**

Public Works - Development Review

Waiver of Development Standards #2

No longer needed.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

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

- Expunge the design review portion of ZC-22-0628;
- 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; **that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; approval of this application does not constitute or imply approval of any other County issued permit, license or approval;** 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;
- Right-of-way dedication to include 25 feet to the back-of-curb for Quail Avenue and associated spandrel;
- 30 days to coordinate with Public Works - Construction Management Division and submit separate document if required, for dedication of any necessary right-of-way and easements. 90 days to record said separate document for the Jones Boulevard improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back-of-curb, the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's

airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

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.
- Applicant is advised that permits and operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Spring Valley - no recommendation.

APPROVALS: 4 cards

PROTESTS: 1 card

COUNTY COMMISSION ACTION: October 2, 2024 – HELD – To 11/06/24 – per the applicant.

APPLICANT: CRB INVESTMENTS, LLC

CONTACT: G.C. GARCIA, INC., 1055 WHITNEY RANCH DRIVE, SUITE 210, HENDERSON, NV 89014