

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-25-400038 (WS-20-0099)-UNCOMMONS LIVING BLDG 1, LLC:

WAIVERS OF DEVELOPMENT STANDARDS SECOND EXTENSION OF TIME for the following: **1)** landscaping; and **2)** alternative parking lot design.

DESIGN REVIEW for a temporary parking lot in conjunction with an approved High Impact Project and Mixed-Use Project on 32.5 acres in a U-V (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District.

Generally located on the east side of Durango Drive and the south side of the CC 215 within Spring Valley. MN/rp/kh (For possible action)

RELATED INFORMATION:

APN:

176-04-211-002 through 176-04-211-007; 176-04-211-009 through 176-04-211-015; 176-04-301-003; 176-04-301-004; 176-04-301-014

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Waive street landscaping adjacent to the temporary parking lot where landscaping is required per Table 30.64-2.
 - b. Waive parking lot landscaping for the temporary parking lot where landscaping is required per Table 30.64-2.
2.
 - a. Waive pedestrian walkways through the temporary parking lot where required per Section 30.60.050.
 - b. Allow a temporary parking area of 100 spaces or more to not be designed in a series of smaller, connected parking courts where required per Section 30.48.660.

DESIGN REVIEW:

Temporary parking lot in conjunction with an approved High Impact and Mixed-Use Project.

LAND USE PLAN:

SPRING VALLEY - BUSINESS EMPLOYMENT

SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 32.5
- Project Type: Temporary parking lot
- Parking Required/Provided (overall): 3,298/3,730

Overview

The previously approved application was for temporary parking lots that will be installed on the site in various locations as the overall High Impact, mixed-use project is constructed. Although the plans originally submitted with this application show the temporary parking lot in 1 location, the intent is for the parking lot to move around the site as demand for parking may exceed the structured parking provided with each phase. This application is for an extension of time for the temporary parking lots to continue since the previously approved High Impact mixed-use, project is still being constructed.

Site Plan

The previously approved site plan depicts an initial paved temporary parking lot located near the center of the overall project on the southeast corner of 2 internal private drives. The depicted temporary parking lot was shown abutting the east side of the centralized retail/restaurant/market hall area of the project and was located over 600 feet from the west property line along Durango Drive. The temporary parking lot was also located over 300 feet from Roy Horn Way to the north, Maule Avenue to the south, and Gagnier Boulevard to the east. Although the previous plans for this temporary parking lot depicted 174 parking spaces, future temporary parking lots may include additional or fewer parking spaces.

Landscaping

The previously approved plans depicted painted fingers in the parking lot without any landscaping. Also, the applicant intends to install some street landscaping adjacent to the temporary parking lots; however, the street landscaping will not meet the requirements for final pedestrian realm landscaping.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for ET-22-400040 (WS-20-0099):

Current Planning

- Until June 19, 2025 to review if parking lot is still in use;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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 application for review; 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

- Compliance with previous conditions.

Listed below are the approved conditions for WS-20-0099:

Current Planning

- 2 years to commence and review;
- Plans for each temporary parking lot to be reviewed by staff;
- Only 1 temporary parking lot permitted at a time.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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

- Until June 19, 2021 for the applicant to obtain off-site permits as required by ZC-19-0343;
- Drainage study and compliance;
- 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;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to 50 feet to the back of curb for Maule Avenue, 25 feet to the back of curb for Butler Street, 25 feet to 50 to the back of curb for Gagnier Boulevard, 35 feet to the back of curb for Badura Avenue, and associated spandrels, and, if necessary, additional right-of-way for Roy Horn Way to accommodate 44 feet of right-of-way from the back of curb to the concrete barrier;
- If required by the Regional Transportation Commission, provide a bus turnout on the east side of Durango Drive north of and as close as practical to Maule Avenue and include provisions for a 5 foot by 50 foot bus shelter pad easement behind the sidewalk.
- Applicant is advised that compliance with the Uniform Standard Drawings is required; 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; and that the installation of detached sidewalks will require the dedication of right-of-way to the back of curb or the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Building Department - Fire Prevention

- 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 #0170-2019 to obtain your POC exhibit; and that wastewater flow rates that exceed CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant is requesting 3 years to commence. The applicant indicates this project is under construction in phases and is partially completed with only 3 parcels that are currently undeveloped, including the subject parking lot. Since the overall project is not yet complete, there is a continuing need for the placement of the temporary parking lots to keep up with the

potential demand for parking as the project progresses. There have been 5 companion extensions of time, submitted with this request that relate to different aspects of the mixed-use project (Uncommons). The applicant would like all 6 of these extensions of time to have a concurrent expiration date.

Prior Land Use Requests

Application Number	Request	Action	Date
SC-24-0261	Street name change for Gagnier Boulevard to Signature Boulevard	Approved by BCC	November 2024
DR-23-0802	Design review for a recreational facility with a previously approved mixed-use project	Approved by BCC	February 2024
WC-23-400174 (ZC-19-0343)	Waivers of conditions for the operating hours to specials events	Approved by BCC	February 2024
WS-23-0718	Waivers of development standards and a design review for modifications to the comprehensive sign package for a mixed-use project	Approved by BCC	December 2023
WS-23-0604	Use permits for modifications to pedestrian realms and alternative designs for pedestrian realms to a mixed-use project	Approved by BCC	November 2023
WS-23-0333	Waived approach distance, throat depth, and driveways with a design review for Phase II of a high impact mixed-use project and finished grade	Approved by BCC	August 2023
ET-22-400041 (DR-20-0098)	First extension of time for outdoor theater and revisions to a high impact mixed-use project	Approved by BCC	May 2022
ET-22-400040 (WS-20-0099)	First extension of time for a temporary parking lot for a high impact mixed-use project	Approved by BCC	May 2022
ET-22-400039 (ZC-19-0343)	First extension of time request for a high impact mixed-use project	Approved by BCC	May 2022
DR-22-0011	Finished grade	Approved by BCC	April 2022
WS-20-0507	Waived setbacks, signage, and non-standard improvements in right-of-way, with design reviews for building modifications and a comprehensive signage package for a high impact mixed-use project	Approved by BCC	January 2021
WS-20-0099	Temporary parking lots in conjunction with the previously approved High Impact, mixed-use project	Approved by ZA	March 2020
DR-20-0098	Outdoor theater and modifications to the previously approved High Impact, mixed-use project	Approved by ZA	March 2020
VS-20-0052	Vacated and abandoned patent easement and rights-of-way being Butler Avenue, Maule Avenue, and Gagnier Boulevard	Approved by ZA	March 2020

Prior Land Use Requests

Application Number	Request	Action	Date
TM-20-500013	Mixed-use subdivision project	Approved by ZA	March 2020
ZC-19-0343	Reclassified the site to U-V zoning for a High Impact, mixed-use project	Approved by BCC	June 2019
VS-19-0253	Vacated and abandoned patent easements and a portion of right-of-way being Pamalyn Avenue	Approved by BCC	May 2019
VS-0794-16	Vacated and abandoned patent easements and a portion of right-of-way being Butler Street	Approved by BCC	April 2017
UC-1202-02	Off-premises sign	Denied by BCC	February 2003
UC-1199-02	Off-premises sign	Denied by BCC	February 2003
VS-1518-02	Vacated and abandoned a portion of the Durango Flood Channel	Approved by PC	December 2002
ZC-1415-02	Reclassified a 12.2 acre portion of the site to C-2 zoning for a future development	Approved by BCC	November 2002
ZC-1107-02	Reclassified a 2 acre portion of the site to C-2 zoning for an office building	Approved by BCC	September 2002
ZC-1065-02	Reclassified a 2.5 acre portion of the site to C-2 zoning for a restaurant	Approved by BCC	September 2002

Surrounding Land Use*

	Planned Land Use Category	Zoning District	Existing Land Use
North**	Corridor Mixed-Use	RS20 & CG	Undeveloped & office buildings
South	Urban Neighborhood (greater than 18 du/ac) & Business Employment	IP, RM32, & CG	Undeveloped, retail plaza, & multi-family residential
East	Business Employment & Urban Neighborhood (greater than 18 du/ac)	CG, RM50, & CP	Undeveloped & office building
West	Entertainment Mixed-Use	H-1	Durango Station

*Portions of the subject site and surrounding area are in the Public Facilities Needs Assessment (PFNA) area.

**The CC 215 is located directly north of the site.

Related Applications

Application Number	Request
ET-25-400044 (UC-23-0604)	Extension of time for modifications to the pedestrian realm is a related item on this agenda.

Related Applications

Application Number	Request
ET-25-400043 (ZC-19-0343)	Extension of time for a high impact mixed-use project is a related item on this agenda.
ET-25-400042 (WS-23-0718)	Extension of time for signage is a related item on this agenda.
ET-25-400041 (DR-20-0098)	Second extension of time for an outdoor theater and modifications to a mixed-use project is a related item on this agenda.
ET-25-400037 (WS-23-0333)	Extension of time for Phase II of a mixed-use project and 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 the applicant has worked to complete the project as approved. As the applicant indicates, the project is partially completed with only two parcels that are undeveloped including the subject parking lot is yet to be completed. The project is being constructed in phases. The development is a mixed-used and High Impact Project (HIP) and aligns with Policy SV-1.5 of the Master Plan. This policy seeks to encourage the development of neighborhood oriented retail, office, and commercial services that allow Spring Valley residents to meet their daily needs and potentially work close to their homes. Therefore, staff can support the extension of time request. Staff can further support the applicant's request for a 3 year extension of time and to allow the accompanying extensions of time to have the same expiration dates, as this request would allow for ample time to complete the various phases of the project and the tracking of the related applications together would allow for easier processing of applications in the future for both the applicant and staff.

Public Works - Development Review

There have been no significant changes in this area. 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 December 6, 2028 to complete 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; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- 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 for the Badura Avenue/Maule Avenue improvement project;
- 90 days to record said separate document for the Badura Avenue/Maule Avenue improvement project;
- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTEST:

APPLICANT: KELLY LAWSON

CONTACT: LEBENE AIDAM-OHENE, BROWN, BROWN, & PREMSRIRUT, 520 S. FOURTH STREET #200, LAS VEGAS, NV 89101