

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0083-ZSKSMAZ TOWNSHIP FAMILY TRUST & MALIK UMER TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce throat depth; and **2)** reduce departure distance.

DESIGN REVIEW for a proposed restaurant on 1.25 acres in a CG (Commercial General) Zone.

Generally located north of Pyle Avenue and east of Arville Street within Enterprise. JJ/md/cv
(For possible action)

RELATED INFORMATION:

APN:

177-30-605-003

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce throat depth for a proposed driveway located along Arville Street to 18 feet where a minimum of 25 feet is required per Section 30.04.08 and Uniform Standard Drawing 222.1 (a 28% reduction).
2. Reduce the departure distance from the intersection of Arville Street and Pyle Avenue to the driveway along Arville Street to 70 feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1 (a 63.2% reduction).

PROPOSED LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.25
- Project Type: Restaurant
- Number of Stories: 1
- Building Height (feet): 24.5
- Square Feet: 5,965
- Parking Required/Provided: 40/40
- Sustainability Required/Provided: 7/7

Site Plans

The plans depict a proposed restaurant and related facility located at the southern portion of the project site. Access to the project site is granted via a single commercial driveway located along

Arville Street. The restaurant requires 40 parking spaces where 40 parking spaces are provided. The required parking for the site is located north of the restaurant. Five foot wide detached sidewalks are provided along Arville Street and Pyle Avenue.

Landscaping

The plans depict a proposed street landscape area, including two, 5 foot wide landscape strips provided on each side of the detached sidewalk along Arville Street and Pyle Avenue. Trees, shrubs, and ground cover are planted along the street frontage in accordance with Title 30. A landscape strip, measuring a minimum of 15 feet in width, is proposed along the east and north property lines adjacent to an existing single-family residential development. A double-row of evergreen trees, planted 20 feet on center in each row, are proposed within these strips, in conjunction with an 8 foot high decorative block wall. Parking lot landscaping is equitably distributed throughout the site.

Elevations

The plans depict a proposed single-story restaurant and related facility measuring up to 24.5 feet to the top of the parapet wall. The elevations consist of a varying roofline with a variety of textures and building materials including stucco, decorative metal siding, stone veneer, and an aluminum storefront window system. All rooftop mounted equipment will be screened by parapet walls.

Floor Plans

The plans depict a proposed restaurant and related facility measuring 5,965 square feet. The floor plans consist of an open shell space with the interior layout to be determined by a future tenant.

Applicant’s Justification

There will be no queuing due to no gates existing on the property. Similar reductions for reduced throat depths with other developments have previously been approved. The required departure distance cannot be achieved as the footprint and circulation patterns for the project site have been designed to provide additional separation from the residential subdivisions. Despite the reduced distance, the proposed design maintains safe and efficient vehicular movement and does not create conflicts with adjacent roadways or properties.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-25-0350	Zone change from RS20 to RS5.2	Withdrawn at BCC	October 2025
WS-25-0351	Waivers of development standards to increase retaining wall height and reduce back of curb radius, and a design review for a single-family residential development	Withdrawn at BCC	October 2025
VS-25-0352	Vacation and abandonment of patent easements	Withdrawn at BCC	October 2025
TM-25-500086	Tentative map for a 6 lot single-family residential subdivision	Withdrawn at BCC	October 2025

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS10	Single-family residential
South	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS3.3	Single-family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential

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

Related Applications

Application Number	Request
PA-26-700006	A plan amendment from Low-Intensity Suburban Neighborhood (LN) to Neighborhood Commercial (NC) is a companion item on this agenda.
ZC-26-0081	A zone change from RS20 to CG is a companion item on this agenda.
VS-26-0082	A vacation and abandonment for patent easements is a companion item on this agenda.
TM-26-500022	A tentative map for a 1 lot commercial subdivision is a companion 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

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.

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.

Staff finds the layout of the commercial development and parking lot is functional, and that varying rooflines and building materials are integrated into the design of the building. The

required street landscaping, parking lot landscaping, and buffering and screening have been provided along the streets, within the parking lot, and adjacent to the existing single-family residential developments, respectively. However, since staff is not supporting the plan amendment and zone change associated with this request, staff recommends denial of the design review.

Public Works - Development Review

Waivers of Development Standards #1 & #2

Staff cannot support the request to reduce the departure distance and throat depth for the commercial driveway on Arville Street. This site is a raw parcel, and there is no reason they cannot meet the minimum requirements.

Staff Recommendation

Denial. This item has been forwarded to the Board of County Commissioners for final action.

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.

PLANNING COMMISSION ACTION: April 21, 2026 – APPROVED – Vote: Unanimous Comprehensive Planning

- 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 approval of a Certificate of Compliance.
- Applicant is advised within 4 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

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of curb for Arville Street, 35 feet to the back of curb for Pyle Avenue, and associated spandrel;
- Said dedication must occur prior to issuance of building permits, concurrent with the recording of a subdivision map, OR within 30 calendar days from a request for dedication by the County;
- The installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Fire Prevention Bureau

- 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 #0455-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval of waiver of development standards #1; denial of waiver of development standards #2 and the design review (design review as a public hearing for any future changes of plans; add 4 architectural features to the south face building elevations).

APPROVALS: 2 cards

PROTESTS: 10 cards, 2 letters

APPLICANT: UMER MALIK

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