

UPDATE

TAVERN
(TITLE 30)

SILVERADO RANCH BLVD/ARVILLE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

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

HOLDOVER AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow attached sidewalk and alternative landscaping; **2)** increase wall height; **3)** eliminate parking lot landscaping (no longer needed); **4)** allow non-standard improvements within the right-of-way; **5)** reduce departure distance; **6)** reduce driveway width; and **7)** reduce parking (previously not notified).

DESIGN REVIEWS for the following: **1)** modification to previously approved tavern; **2)** finished grade; and **3)** alternative parking lot landscaping (previously not notified) 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 a portion of Silverado Ranch Boulevard where a detached sidewalk with landscaping is required per Figure 30.64-17.
1. b. Allow an attached sidewalk with 10 feet of landscaping along a portion of 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 (no longer needed).
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).

7. Reduce the parking to 43 parking spaces for phase 2 of the project (with cross access provided to the north) where 45 parking spaces are required per Section 30.04.04 (a 5% reduction) (previously not notified).

DESIGN REVIEWS:

1. Tavern.
2. Allow alternative parking lot landscaping where parking lot landscaping is required per Figure 30.64-14.
3. 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: **(Phase 1) 45/45/ (Phase 2) 45/43**

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 property was approved to be rezoned to Residential Urban Density (RUD) for a single family residential development (Nzc-22-0381). The approved plans showed the portion immediately adjacent to the north and the east sides of the subject site marked as future development, which remained zoned R-E, with a land use plan of Business Employment. At this time, it is not determined whether that portion will be developed as residential, or non-residential. Therefore, the applicant also submitted an application to waive the prior conditions for a cross access and parking easements to be provided (WC-23-400155).

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.

There are 2 sets of site plans included with this application, indicating Phase 1 and Phase 2. Phase 1 is showing no cross access to the adjacent property to the north and east in case that property develops as residential.

The applicant anticipates that the portion of the adjacent property immediately to the north of the site may develop as commercial; and therefore, included a site plan indicating Phase 2 with cross access provided to the parcel to the north. Providing cross access will eliminate 2 parking spaces, thus requiring a waiver of development standard to reduce on-site parking.

Landscaping

The plan depicts an intense landscape buffer along the north and east property lines. **For the 10 parking spaces interior to the site, 2 islands have been provided at both ends with only 1 tree provided on the northern island. Although the interior parking lot landscaping does not comply with Figure 30.64-14, the trees provided for the site exceed the number of the required trees. Therefore, a request for alternative parking lot landscaping is included.** The request also includes a waiver to allow attached sidewalks with 10 feet of landscaping, and 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
VS-23-0392	Vacated and abandoned easements	Approved by PC	September 2023
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	R-E	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.
VS-24-0092	A request to vacate and abandon a portion of a right-of-way being Arville Street located between Silverado Ranch Boulevard and Gary Avenue 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

The applicant has stated in their justification letter they are providing additional landscape areas to off-set any impacts. Also, detached sidewalks will be installed along the majority of the street frontage except in those areas where utility pads exist and accommodating a fully detached sidewalk will require the removal or redesign of the utility pads. In addition, the sidewalks will mirror the development across Durango Street. Therefore, staff can support this request.

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 wall height permits the grade to match along the exterior of the site, adjacent to the streets and adjacent property. This increase should limit any impacts of the site and prevent drainage storm flow on the surrounding properties. Staff can support this request.

Waiver of Development Standards #7

Staff can support this request as the reduction in onsite parking will only come into effect should cross access be required if the property to the north is developed with commercial uses. Currently, these parcels are zoned for single family residential uses, where cross access between residential and commercial uses is not required. The adopted planned land use for these adjacent parcels is Business Employment. Should these parcels be re-zoned for non-residential uses, the County will require cross access between the subject parcel and adjacent parcels. The Code stipulates for nonresidential land uses that are similar or complementary, with consistent levels of intensity and similar parking cross access shall be provided through the recording of perpetual cross access, ingress/egress, and parking easements or agreements with adjacent lots. Staff can 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. Staff is recommending approval of the waivers of development standards and can support the design of the proposed project as presented.

Design Review #2

Staff can support the alternative parking lot landscaping as the required trees will be planted along the perimeter of the property and includes intense landscaping or increased row of trees. Overall trees for the site exceed the required and the waiver is only needed for the 2 internal landscape areas. Staff can support the design review.

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.

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.

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.

Design Review #3

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.

**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

- 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: Enterprise - denial.

APPROVALS:

PROTESTS: 3 cards

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.

COUNTY COMMISSION ACTION: March 20, 2024 – HELD – To 06/05/24 – per the applicant.

COUNTY COMMISSION ACTION: June 5, 2024 – HELD – To 07/03/24 – per the applicant.

APPLICANT: SCT SILVERADO RANCH & ARVILLE, LLC

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