

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-24-0068-DESERT INN SQUARE LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** buffering and screening standards; **2)** reduce parking lot landscaping; **3)** increase wall height; **4)** allow modified driveway design standards; and **5)** reduced street width.

**DESIGN REVIEWS** for the following: **1)** restaurant buildings with drive-thru lanes; and **2)** retail buildings with drive-thru lanes on 5.0 acres in a CG (Commercial General) Zone.

Generally located on the south side of Eldorado Lane and the west side of Buffalo Drive within Spring Valley. MN/md/ng (For possible action)

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RELATED INFORMATION:

**APN:**

176-09-601-001

**WAIVERS OF DEVELOPMENT STANDARDS:**

1.
  - a. Reduce the required landscape buffer along portions of the west property line to 8 feet where 15 feet is required for a commercial district adjacent to a PF district per Section 30.04.02C (a 46.7% reduction).
  - b. Reduce the required landscape buffer along portions of the west property line to zero feet where 15 feet is required for a commercial district adjacent to a PF district per Section 30.04.02C (a 100% reduction).
  - c. Reduce the required landscape buffer along the south and along portions of the west property lines to 5 feet where 15 feet is required for a commercial district adjacent to a PF district per Section 30.04.02C (a 66.7% reduction).
  - d. Allow a single row of Evergreen trees along the south and west property lines where buffers require a double row of Evergreen trees with each row planted off-set from one another where required per Section 30.04.02C.
2. Reduce the number of landscape islands where 1 is required every 6 parking spaces per Section 30.04.01D.
3. Increase the height of a retaining wall to 4 feet where a maximum height of 3 feet is permitted per Section 30.04.03C (a 33.4% increase).
4.
  - a. Reduce throat depth to 18 feet where a minimum of 75 feet is required per Uniform Standard Drawing 222.1 (a 76% reduction).
  - b. Reduce the departure distance from the intersection of Eldorado Lane and Buffalo Drive to 117 feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1 (a 38.5% reduction).
5. Reduce the width of Eldorado Lane to 47 feet where a minimum width of 60 feet is required per Section 30.04.08D (a 21.7% reduction).

**LAND USE PLAN:**  
**SPRING VALLEY - NEIGHBORHOOD COMMERCIAL**

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 5
- Project Type: Shopping center
- Number of Stories: 1
- Building Height (feet): 27 (retail 1)/32 (retail 2)/26.5 (retail 3)/26.5 (restaurant 1)/26.5 (restaurant 2)
- Square Feet: 10,500 (retail 1)/20,000 (retail 2)/14,000 (retail 3)/2,500 (restaurant 1)/2,500 (restaurant 2)
- Parking Required/Provided: 141/168
- Sustainability Required/Provided: 7/7.5

Site Plans

The plans depict a proposed shopping center consisting of 2 restaurants with drive-thru lanes (“rest. 1” and “rest. 2”) and 3 in-line retail buildings (“retail 1” through “retail 3”) located at the southwest corner of Eldorado Lane and Buffalo Drive. The restaurant buildings are centrally located within the site, between retail building 2 and Buffalo Drive. Restaurant building 1 and building 2 are located 109 feet and 94 feet east of the retail building, respectively. Restaurant building 1 features a dual drive-thru lane located on the west side of the building, transitioning to a single drive-thru lane located on the south and east sides of the building. Restaurant building 2 also features a dual drive-thru lane located on the east side of the building, transitioning to a single drive-thru lane located on the north and west sides of the building. Each lane of the dual drive-thru measures 11 feet in width transitioning into a single lane measuring 12 feet in width. The menu boards and speakers are located between the dual drive-thru lanes. In-line retail buildings are located along the west (retail 2), north (retail 1), and south (retail 3) portions of the site. Retail building 1 features a single drive-thru lane, measuring 12 feet in width, circulating around the east, north and west sides of the building. The order box is located on the north side of the building, oriented towards Eldorado Lane. Retail building 3 also includes a single drive-thru lane, measuring 11 feet in width, circulating around the south and east sides of the building. The order box for the drive-thru is located on the south side of the building. Below is a table reflecting the building setbacks from the north, south, east, and west property lines of the site:

<b>Building Setback from Property Lines (in feet)</b>				
<b>Building:</b>	<b>Property Line</b>			
	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
Restaurant 1	392	27	215	183
Restaurant 2	225	43	391	167
Retail 1	32	30	554	91
Retail 2	173	211.5	154	10.5
Retail 3	555	25	21	58.5

Access to the development is granted via a single commercial driveway along Eldorado Lane and 2 commercial driveways along Buffalo Drive. The commercial buildings are interconnected through a series of 5 foot wide pedestrian walkways. Additionally, 5 foot wide pedestrian walkways connect the development to the detached sidewalks along Eldorado Lane and Buffalo Drive. A waiver of development standards is required to reduce the throat depth for the driveway along Eldorado Lane to 18 feet. An additional waiver is also required to reduce the departure distance from the intersection of Eldorado Lane and Buffalo Drive to 117 feet for the proposed commercial driveway located at the northeast corner of the site, along Buffalo Drive. The proposed development requires 141 parking spaces where 168 parking spaces are provided. Six EV charging stations are provided in addition to 12 accessible spaces resulting in the development being overparked by 5%. EV and EV capable parking spaces are dispersed throughout the interior of the site at the following locations: 1) north of retail building 3; 2) west of restaurant building 1; 3) between restaurant building 1 and 2; 4) west of restaurant building 2; and 5) south of retail building 1.

### Landscaping

The plans depict a 15 foot wide landscape area, including 5 foot wide detached sidewalks, located along Buffalo Drive and Eldorado Lane. The street landscape area consists of trees, shrubs, and groundcover. A 4 foot high retaining wall is proposed along the east portion of the site, necessitating a waiver request. The retaining wall will be located behind the required street landscape area along Buffalo Drive. Waivers of development standards are requested to provide a single row of Evergreen trees along the south and west property lines. A waiver of development standards is required to reduce the required 15 foot wide landscape buffer along the west property line between zero feet to 8 feet. The landscape buffer is reduced to zero feet along a portion of the northwest property line due to a loading space, while the remaining portion of the buffer measures 8 feet in width. Five feet of landscaping is shown between the west property line and the retail building (retail 2), while the landscape buffer is reduced to zero feet along a portion of the southwest property line to accommodate a loading space. The remaining portion of the buffer along the southwest property line measures 8 feet in width. A waiver to reduce the landscape buffer to 8 feet along the south portion of the site, between the south property line and the retail building (retail 3) is also part of this request. A waiver of development standards is also requested to reduce the required number of parking lot landscaping islands by 6 within the interior of the development. A total of 28 trees are required within the interior of the parking lot where 46 trees are provided within the interior. An 8 foot high decorative CMU wall will be constructed along the west and south property lines, per Code requirements.

### Elevations

Below is a table reflecting the height and materials for each building:

<b>Building Information</b>		
<b>Building:</b>	<b>Height</b>	<b>Materials</b>
Restaurant 1	26.5	All buildings will consist of the following exterior materials: stucco, fiber cement board paneling, stone tile, and solar ban dual pane glass for a unified architectural theme throughout the development. All buildings incorporate the use of varying rooflines.
Restaurant 2	26.5	
Retail 1	27	
Retail 2	32	
Retail 3	26.5	

### Floor Plans

Below is a table reflecting the building area for each structure:

<b>Floor Area for Proposed Uses</b>		
<b>Building:</b>	<b>Uses</b>	<b>Area (Square Feet)</b>
Restaurant 1	Restaurant with drive-thru	2,500
Restaurant 2	Restaurant with drive-thru	2,500
Retail 1	Retail and restaurant with drive-thru	10,500
Retail 2	Retail	20,000
Retail 3	Retail and restaurant with drive-thru	14,000

The plans depict an open shell space for the retail and restaurant buildings, with the final interior layouts to be determined by the future tenants.

### Applicant's Justification

The applicant states the request to increase the height of the retaining wall occurs in an area where a slight increase is necessary to level the site. The reduced throat depth for the driveway along Eldorado Lane is justified for the following reasons: 1) the primary entrances to the site are from Buffalo Drive; 2) Eldorado Lane is a local street that currently dead ends into the adjacent Clark County park site on the west side; and 3) the Eldorado Lane entrance is a minor access point to the site. The applicant indicates the departure distance is justified with the Eldorado Lane access drive serving the site as an ancillary driveway, and the 2 main Buffalo driveways expected to handle the majority of site ingress/egress traffic, the number of vehicles travelling east on Eldorado Lane to Buffalo Drive will be minimized, thus reducing expected right turns from exiting vehicles. The applicant indicates the waiver to reduce the landscape buffer is appropriate due to the unique nature of the County Park plans for the surrounding property. The overall parking lot landscape area exhibits 4 instances where trees in landscape fingers have not been added as prescribed.

### Surrounding Land Use

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Neighborhood Commercial	CG (ROI to IP)	Undeveloped
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RM18	Single family residential
West & South	Public Use	PF	Clark County Fire Station #30 & undeveloped

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

### Related Applications

<b>Application Number</b>	<b>Request</b>
ZC-23-0067	A zone change to reclassify the subject property from RS20 to CG zoning is a companion item on this agenda.
VS-24-0069	A request to vacate and abandon government patent easements 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.

##### Waivers of Development Standards #1 & #2

The intent of landscape buffering and screening is to mitigate any potential negative impacts between differing adjacent uses and zoning districts. Furthermore, buffering and screening, including parking lot landscaping, assist in reducing the impacts of higher intensity land uses and activities on neighboring properties, reduce the heat island effect, and mitigate stormwater runoff. A regional park is proposed for the largely undeveloped parcel to the west and south of the proposed commercial development. The request to reduce the landscape buffers along the south and west property lines, in addition to providing a single row of Evergreen trees within these areas, is a self-imposed burden. Staff recognizes that 18 additional trees have been provided within the interior of the parking lot; however, adequate justification has not been provided to reduce the number of parking lot landscape islands within the interior of the development. The requested waivers conflict with Policy 3.6.1 of the Master Plan which aims to mitigate the urban heat island effect in existing and new development through site features that provide shade, reduce the footprint of hardscaped areas, and otherwise help to reduce heat absorption by exterior surfaces. Therefore, staff recommends denial of these requests.

##### Waiver of Development Standards #3

Staff finds the request to increase the retaining wall height by an additional 12 inches along the east property line adjacent to Buffalo Drive is reasonable. The 4 foot high retaining wall will be located behind 15 foot wide street landscape area, and is necessary due to the topography of the site. However, since staff cannot support waivers of development standards #1 and #2, staff cannot support this request.

##### 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.

### Design Reviews #1 & #2

The commercial development complies with Policy SV-1.5 of the Master Plan, which encourages the development of neighborhood-oriented retail, office, and commercial services that allow Spring Valley residents to meet their daily needs and potentially work within proximity to their homes. The design of the commercial buildings feature variations in building height contributing to breaking-up the mass of the structures, in addition to contrasting colors and exterior materials. The layout of the commercial development and parking lot is functional, and the overall design of the site is compatible with the existing commercial developments farther north along Buffalo Drive. However, since staff is not supporting the waivers of development standards, staff cannot support the design reviews associated with this request. Therefore, staff recommends denial.

### **Public Works - Development Review**

#### Waiver of Development Standards #4a

Staff has no objection to the reduced throat depth for the commercial driveway on Eldorado Lane. Since Eldorado Lane should see minimal amounts of traffic as it ends to the west of the property. However, since Planning cannot support the application in its entirety, staff cannot support this request.

#### Waiver of Development Standards #4b

Staff has no objection to the reduction in the departure distance for the Buffalo Drive commercial driveway. Since Eldorado Lane ends to the west, the cross traffic impact to this driveway will be minimal. However, since Planning cannot support the application in its entirety, staff cannot support this request.

#### Waiver of Development Standards #5

Staff has no objection to the reduction in the width of Eldorado Lane. With the proposed park improvements, Eldorado Lane will no longer serve as a street. Eldorado Lane will be one of the entrances to the park. However, since Planning cannot support the application in its entirety, staff cannot support this request.

### **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 approval of a Certificate of Compliance.
- Applicant is advised that 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; 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 45 feet to the back of curb for Buffalo Drive, 12 feet to the back of curb for Eldorado Lane, and associated spandrel;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

#### **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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0037-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Spring Valley - denial.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** DESERT INN SQUARE, LLC

**CONTACT:** ANN PIERCE, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135