

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-26-0042-COLOSO, LLC:

AMENDED HOLDOVER USE PERMIT to allow retail (previously not notified).

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce parking; and **2)** alternative driveway geometrics.

DESIGN REVIEW for an existing commercial building (previously notified as office building) on 0.96 acres in a CP (Commercial Professional) Zone.

Generally located east of Eastern Avenue and south of Rochelle Avenue within Paradise. TS/jud/cv (For possible action)

RELATED INFORMATION:

APN:

162-24-202-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the number of on-site parking stalls to 22 spaces where **31** spaces are required per Table 30.04-2 (a **29%** reduction).
2. Allow an existing pan driveway along Eastern Avenue to remain where commercial curb return driveways are required per Uniform Standard Drawing 222.1 and Section 30.04.08.

LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 4386 S. Eastern Avenue
- Site Acreage: 0.96
- Project Type: **Retail**
- Number of Stories: 3
- Building Height (feet): 23 (existing building)
- Square Feet: 11,979 (existing building)
- Parking Required/Provided: **31/22**
- Sustainability Required/Provided: 7/6

History & Site Plans

The plans depict an existing commercial building on the east side of Eastern Avenue and the south side of Rochelle Avenue. In 1984, the site was reclassified to the Commercial Professional

(CP) zoning district. This request included the repurposing of an existing residential building for a proposed retail and display furniture store. In the same year, AC-0111-84 was filed and approved to allow an addition to the existing structure. The building was converted to commercial occupancy and has been vacant for several years. Recently, the site was purchased by a new owner and modifications to the parking lot layout and landscape were completed without permits. Therefore, the present application is to approve the existing site design with companion waivers of development standards and a design review.

The building is centrally located on the site with the main access to the building along the north façade. The site is located within 1,000 feet of a transit stop; therefore, the applicant is able to reduce the number of required parking spaces by 10 percent, from **34** parking spaces to **31** parking spaces. The total number of on-site parking spaces provided is 22 parking spaces and are located throughout the site, where **31** parking spaces are required, a waiver of development standards is included to allow the reduction in parking. Additionally, there are 8 short term bicycle parking spaces along the north side of the site. **A use permit is included with this application to allow retail as principal use for a newly proposed furniture store.**

Vehicular access to the site is via the southernmost driveway along Eastern Avenue, which serves as entry access only. The northern driveway serves as an existing exit only driveway. There are 2 drive aisles along the east and west sides of the existing building, which are one way only, heading to the northernmost driveway. Most of the parking is located along the southern portion of the site. Seven parking spaces, including ADA spaces, are located along the north side of the building. The driveways consist of existing pan driveways, which the applicant is requesting to remain as is. Consequently, a waiver of development standards is included with this application. The trash enclosure is proposed on the south side of the building, over 75 feet west of the existing residential use to the east. No changes are proposed to the existing attached sidewalk along Eastern Avenue.

Landscaping

New planters with large evergreen trees to be planted every 20 feet on center are proposed along the north and east side of the site, adjacent to the existing multi-family residential to the east. In addition, new parking lot landscaping is proposed throughout the site, mostly along the southern portion of the site. Six large evergreen trees are proposed along the Eastern Avenue street frontage installed within a landscape strip ranging in width from 22 feet to 10 feet. Overall, the total number of large trees provided is 46 where 41 are required.

Elevations

The plan shows an existing 23 foot high commercial building consisting of stucco and concrete roof tiles. Large bay windows are located along the north and west facades of the building. White with gray trims around the pop-outs, stairs and building columns make up the color scheme of the building.

Floor Plans

The plans show a 2 story building with a basement consisting of 11,979 square feet. The plans depict a 2,866 square foot basement consisting of utility and storage rooms. The first floor is 5,425 square feet and the second floor is 3,688 square feet and consists of offices.

Applicant's Justification

The applicant states that due to the existing site conditions a reduction in parking is necessary. Accommodation for a trash enclosure, ADA ramps, traffic circulation and landscaping contributes to the lack of space for more parking spaces. The applicant does not foresee a large traffic count due to proposed retail use. Additionally, the applicant states the existing pan driveways along Eastern Avenue provide functionality to the space and modifications could create issues since due to the site's topography. Making the driveways entry and exit only respectively, allows the existing pan driveways to remain functional. **Additionally, the applicant states based on the new tenants' existing furniture store, their peak hours are morning and evening with 8 to 10 customers at once plus the 4 to 6 employees. The in-store visits are primarily for scheduled consultations and significant percentage of the transactions are completed online, reducing the in-store visit volume.**

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0310-95	Use permit to allow an office	Approved by PC	April 1995
VC-0768-89	Variance to allow a wall sign	Denied by PC	December 1989
ZC-0150-84	Zone change from R-1 and C-P to C-P for a furniture store	Approved by BCC	August 1984
AC-0111-84	Architectural supervision to allow an addition to an existing building	Approved by PC	June 1984
ZC-0282-83	Zone change from R-1 to C-P for a furniture store	Approved by BCC	February 1984

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Compact Neighborhood (up to 18 du/ac)	RM18	Multi-family residential
South	Neighborhood Commercial	CP	Office complex
West	Neighborhood Commercial	RS5.2	Congregate care facility

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

Use permits

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health,

safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Staff finds the proposed retail use will not result in a substantial or undue adverse effect on adjacent residential and commercial properties. The use is consistent and compatible with the previously approved uses on the site, which included a furniture store and retail. Staff finds the use permit request for retail as principal use is appropriate for this site.

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

While staff does not normally support parking reductions, staff can support this reduction request. In 1984, the approval to reclassify **the** residential site for a commercial development included the design review for the residence to be converted to a furniture store. In that approval the plans showed 16 parking spaces. No major changes have been done to the building and its square footage. Staff finds the proposed **increase in parking spaces, although still below the minimum required**, should be sufficient for the **newly proposed retail use, which occupies the first and second floors of the building, excluding the basement, which** is used for incidental storage only.

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 changes to the site are an improvement over what currently exists**. The overall number of trees provided exceeds **what is** required. Additionally, the landscaping around the southern parking lot **serves** as a buffer between the parking and the residential area to the east.

Goal 1.4 of the Master Plan encourages the investment and care for established neighborhoods. Also, Policy 1.4.4 of the Master Plan promotes infill development and redevelopment in established neighborhoods through flexible standards and other regulatory incentives, while promoting compatibility with the scale and intensity of the surrounding area. The proposed redesign of the parking area along with additional landscaping contributes to the improvement of the site. Staff does not foresee a negative impact **to** the area from the proposed site design. Therefore, staff can support the design review request.

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to allowing the existing pan driveway to remain as the applicant worked with staff to implement one-way driveways to minimize conflicts.

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

- 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; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system, and if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

COUNTY COMMISSION ACTION: March 18, 2026 – HELD – To 04/22/26 – per the applicant.

APPLICANT: HACIENDA BUILDERS, INC.

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