

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-26-0048-BENSON FAMILY TRUST & BENSON DENNIS W & PAMELA J TRS:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate street landscaping; **2)** eliminate parking area landscaping; **3)** waive full off-site improvements; and **4)** alternative driveway geometrics.

**DESIGN REVIEW** for a proposed parking lot on 0.43 acres in a CG (Commercial General) Zone.

Generally located south of Hobson Street and east of US 95 within Searchlight. MN/mh/kh (For possible action)

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RELATED INFORMATION:

**APN:**

243-34-713-014

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Eliminate street landscaping along Hobson Street where a 6 foot wide landscape strip consisting of large trees and shrubs is required per Section 30.04.01D.7.
1. b. Eliminate street landscaping along US 95 where a 6 foot wide landscape strip consisting of large trees and shrubs is required per Section 30.04.01D.7.
2. Eliminate parking area landscaping where required per Section 30.04.01D.8.
3. Waive full off-site improvements (curb, gutter, sidewalks, streetlights, and partial paving) along Hobson Street where required per Section 30.04.08C.
4. a. Allow an asphalt driveway to remain where a concrete commercial driveway is required per Uniform Standard Drawing 225.
4. b. Eliminate throat depth for the driveway along Hobson Street where a minimum of 25 is required per Section 30.04.08 and Uniform Standard Drawing 222.1.
4. c. Reduce the departure distance from the intersection of US 95 and Hobson Street to the driveway along Hobson Street to 76 feet where a minimum of 19 feet is required per Uniform Standard Drawing 222.1 (a 60% reduction).

**LAND USE PLAN:**

SOUTH COUNTY (SEARCHLIGHT) - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 0.43
- Project Type: Parking lot

- Sustainability Required/Provided: 7/0

Site Plan

The plan depicts a proposed parking lot on the southeast corner of Hobson Street and the US-95 South. The site is accessed via an existing commercial driveway along Hobson Street. The driveway has a 76 foot departure distance from the intersection, and no throat depth. The site features 4 parking spaces for automobiles, which are located along the north property line. The applicant is not proposing commercial truck parking or outdoor storage. There is an existing attached sidewalk along the US-95 and the applicant is requesting to waive full off-site improvements along Hobson Street.

Landscaping

The applicant is requesting to eliminate street landscaping along both rights-of-way, Hobson Street and the US-95 South, as well as parking area landscaping.

Applicant’s Justification

The applicant states that the parking lot is intended to serve passenger vehicles only, with no truck parking or staging, outdoor storage, or other industrial uses. Vehicles will be parked on a short-term basis and will not be parked on-site overnight. The provision of landscaping would introduce unnecessary water demand and maintenance obligations, while the absence of landscaping is consistent with development in the area. The proposed parking lot does not create impacts that warrant off-site improvements and the existing condition of Hobson Street does not support the construction of off-site improvements. The existing driveway location, asphalt material, and lack of throat depth are all consistent with the site’s low-volume traffic and will not adversely affect adjacent properties or public safety.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Corridor Mixed-Use	CG	Motel
South & East	Corridor Mixed-Use	CG	Undeveloped
West	Corridor Mixed-Use	CG	Watercraft repair & undeveloped

**Clark County Public Response Office (CCPRO)**

CE25-21664 is an active Code Enforcement case for developing the site without permits.

**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 purpose of street and parking area landscaping is to enhance the perimeter and interior of a site by providing shade for the sidewalks and parking area, mitigating the urban heat island effect. While staff acknowledges that many of the properties in this area lack landscaping, staff finds that providing landscaping would greatly improve the site and surrounding area. Therefore, 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.

Staff finds that the proposed parking lot is poorly located and designed, as it fails to meet several Title 30 standards and is not in an area that demands overflow parking. The provision of landscaping is intended to enhance the site and area. There is also no proposed trash enclosure, which may lead to littering and other issues that adversely affect the surrounding area. For these reasons, staff cannot support the design review.

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

##### Waiver of Development Standards #3

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. Therefore, staff cannot support the Waiver of Development Standards for full off-site improvements on Hobson Street.

##### Waiver of Development Standards #4a

Staff cannot support the request to allow an asphalt driveway to remain where a concrete commercial driveway is required on Hobson Street. The asphalt driveway was illegally paved within the public right-of-way. Furthermore, the applicant will need to obtain an off-site permit to reconstruct the driveway to commercial standards for pedestrian safety.

##### Waiver of Development Standards #4b

Staff cannot support the request to reduce the throat depth for the driveway on Hobson Street. Staff finds there is sufficient space onsite to accommodate the minimum required throat depth.

#### Waiver of Development Standards #4c

Staff cannot support the reduction of departure distance for the driveway on Hobson Street. The driveway was illegally constructed with no civil improvement plans. Therefore, staff cannot determine if the provided dimensions are accurate per Clark County Development Code (Title 30).

#### **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:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance, and payment of the tree fee-in-lieu is required for any required trees waived.
- 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**

- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant to construct a 5-foot asphalt path along Hobson Street;
- Applicant to reconstruct the asphalt apron to a commercial driveway on Hobson Street.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

##### **Fire Prevention Bureau**

- No comment.

##### **Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:** Searchlight - denial.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** OWNER

**CONTACT:** LAS VEGAS CIVIL ENGINEERING, 2251 N. RAMPART BOULEVARD,  
SUITE 418, LAS VEGAS, NV 89128