

06/08/22 BCC AGENDA SHEET

COMMERCIAL CENTER
(TITLE 30)

BUFFALO DR/GRAND TETON DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-22-400049 (NZC-0511-12)-TETON CAPITAL MANAGEMENT, LLC:

ZONE CHANGE FIFTH EXTENSION OF TIME to reclassify 3.5 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.

Generally located on the northeast corner of Grand Teton Drive and Buffalo Drive within Lone Mountain (description on file). MK/lm/syp (For possible action)

RELATED INFORMATION:

APN:

125-10-405-006 through 125-10-405-008

LAND USE PLAN:

LONE MOUNTAIN - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 8020 N. Buffalo Drive
- Site Acreage: 3.5
- Project Type: Shopping center
- Number of Stories: 1
- Building Height (feet): 35 (maximum)
- Square Feet: 111,123
- Parking Required/Provided: 445/558

Site Plans & History

The original plans were approved for 15 retail buildings of varying sizes distributed throughout an 11.6 acre site, which previously extended from Buffalo Drive to the Monte Cristo Way alignment along Grand Teton Drive. Since the original approval, the eastern 8.1 acres (the area from Tioga Way to the Monte Cristo Way alignment) was sold to a home developer and subsequently annexed into the City of Las Vegas. Only a 3.5 acre portion of the original site remains in unincorporated Clark County. There have been 4 extensions of time granted for the zone change approved for the 3.5 acre site in October 2014, November 2016, December 2017, and December 2019 respectively.

The portion of the original shopping center that remains on the 3.5 acre site includes several buildings. The site was redesigned in 2021 to include a daycare facility located between a drive-

thru restaurant building on the west side of the site, and mini-warehouse facility on the east side of the site.

Landscaping

The landscape plan has essentially remained the same with minor changes as approved with DR-21-0130.

Previous Conditions of Approval

Listed below are the approved conditions for ET-19-400131 (NZN-0511-12):

Current Planning

- Until October 3, 2022 to complete;
- 8 foot wall along Tioga Way tapered to allow line of sight transition to Grand Teton Drive;
- Final façade design for all buildings to be coordinated with neighbors and approved through an Administrative Design Review application;
- Trucks shall be stored behind the gates at all times;
- No businesses open past 11:00 p.m.;
- No speaker/squawk boxes to be operated past 10:00 p.m.;
- Site infrastructure to be completed first;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that 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.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for NZC-0511-12 (ET-0147-17):

Current Planning

- 6 months to submit a design review as a public hearing for the property;
- 2 years to complete;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that 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.

Public Works – Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;

- Right-of-way dedication to include 5 additional feet to back of curb for Grand Teton Drive and associated spandrel.
- 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.

Listed below are the conditions approved for NZC-0511-12 (ET-0133-16):

Current Planning

- Until October 22, 2017 to submit a Design Review as a public hearing for the property.
- Applicant is advised that a substantial change in circumstance or regulations may warrant denial or added conditions to an extension of time; and that 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.

Public Works – Development Review

- Compliance with previous conditions.

Listed below are the conditions approved for NZC-0511-12 (ET-0098-14):

Current Planning

- Until October 22, 2016 to complete;
- Enter into a new negotiated development agreement prior to building permits.
- Applicant is advised that a new design review may be required; and that any change in circumstances or regulations may be justification for the denial of an extension of time.

Public Works – Development Review

- Compliance with previous conditions.

Building/Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Listed below are the conditions approved for NZC-0511-12:

Current Planning

- Resolution of Intent until September 1, 2014 to coincide with DA-1053-06;
- No business shall be open 24 hours a day east of Tioga Way (alignment);
- A special use permit will be required for any communication tower;
- Applicant shall construct a new block wall on the project's north and east property lines at a height of 6 feet upon construction of project;
- Construct an intense landscape buffer, 20 feet wide, on the north and east property line wall upon construction of project, as submitted by applicant;
- Utilize low intensity lighting in the form of high pressure sodium or Narrow-Spectrum Amber LED's;
- Compliance with DA-1053-06;

- Should DA-1053-06 expire prior to development, enter into a new standard development agreement with the County 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;
- Design review as a public hearing on significant changes to plans;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that outside dining at this location may require future land use applications; approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license, or approval; and that any change in circumstances or regulations may be justification for the denial of an extension of time.

Public Works – Development Review

- Apply to vacate Tioga Way and Pioneer Way, construct a gate around the newly vacated area at the “turnaround” and provide gate access;
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include turnaround cul-de-sac at south end of Tioga Way and Pioneer Way;
- Detached sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control which may require a vacation of excess right-of-way or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way;
- Vacate any unnecessary rights-of-way and/or easements;
- Traffic study to also address the dedication and construction of bus turnouts including passenger loading/shelter areas in accordance with Regional Transportation Commission standards.

Clark County Water Reclamation District

- Applicant is advised that the parcel is County property but serviced through an interlocal agreement with another sewer utility agency.

Applicant’s Justification

The applicant indicates that they have made significant progress with the civil improvements (PW-21-20139) which are submitted and awaiting approval from Public Works and building plans (BD-21-55274) are awaiting Building Department approval.

Prior Land Use Requests

Application Number	Request	Action	Date
DA-22-900086	Standard Development Agreement	Approved by BCC	May 2022
DR-21-0130	Daycare facility and final façade design for a retail center with mini-warehouse facility	Approved by BCC	May 2021

Prior Land Use Requests

Application Number	Request	Action	Date
VS-20-0207	Vacated and abandoned a portion of a right-of-way being Tioga Way	Approved by BCC	June 2020
TM-20-500073	1 lot commercial subdivision	Approved by BCC	June 2020
UC-19-0864	Mini-warehouse building and vehicle rental in conjunction with a proposed retail center, waivers for alternative landscaping adjacent to arterial streets, alternative screening for outside vehicle rental, modified driveway design standards, and reduced driveway distances from the intersection	Approved by BCC	December 2019
ET-19-400131 (NZA-0511-12)	Fourth extension of time to reclassify 3.5 acres to C-1 zoning from R-E to C-1 zoning with a design review for a shopping center	Approved by BCC	December 2019
WC-18-400177 (NZA-0511-12)	Waived conditions for a zone change for the following, applicant shall construct a block wall on the projects north and east property line, constructed an intense landscape buffer, vacated Tioga Way and Pioneer Way, and a right-of-way dedication	Approved by BCC	October 2018
WS-18-0471	Waivers for alternative landscaping and allowed alternative commercial driveway geometrics with a design review for a retail center	Approved by BCC	October 2018
NZA-0511-12 (ET-0147-17)	Third extension of time to reclassify 3.5 acres from R-E to C-1 zoning with a design review for a shopping center	Approved by BCC	December 2017
NZA-0511-12 (ET-0133-16)	Second extension of time to reclassify 3.5 acres from R-E to C-1 zoning with a design review for a shopping center	Approved by BCC	November 2016
NZA-0511-12 (ET-0098-14)	First extension of time to reclassify 3.5 acres from R-E to C-1 zoning with a design review for a shopping center	Approved by BCC	October 2014
NZA-0511-12	Reclassified 11.6 acres from R-E to C-1 zoning with a design review for a shopping center	Approved by BCC	December 2012
VS-0219-09	Vacated and abandoned a portion of right-of-way being Monte Cristo Way located between Grand Teton Drive and Ackerman Avenue	Approved by BCC	May 2009
DA-1053-06	Development Agreement - expired	Approved by BCC	October 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I) & R-E	Single family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	City of Las Vegas	C-V	Arbor View High School
East	City of Las Vegas	R-1	Single family residential
West	City of Las Vegas	R-PD4	Single family residential

Related Applications

Application Number	Request
ET-22-400050 (UC-19-0864)	An extension of time for a project of regional significance for a mini-warehouse and vehicle rental facility is a companion item on this agenda.
ET-22-400051 (DR-21-0130)	An extension of time for design reviews for a retail center with a mini-warehouse building and vehicle rental 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

Current Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

Since the last approval in 2019, the applicant has pursued changes to the site design and submitted construction documents for site development. The development of this property for commercial uses is consistent with the C-1 zone. In addition, the Lone Mountain Land Use Plan has been updated to reflect these parcels as Neighborhood Commercial, which now makes this rezoning request conforming, thus the remaining parcels can be hard zoned.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

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:

Current Planning

- No resolution of intent and staff to prepare an ordinance to adopt the zoning.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 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; and that 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.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Lone Mountain - approval.

APPROVALS:

PROTEST:

APPLICANT: DXD SS F1 LAND, LLC

CONTACT: ALEXIS HARRIS, 520 S. 4TH ST, 2ND FLOOR, LAS VEGAS, NV 89101