

RESTROOM & KITCHEN BUILDING  
(TITLE 30)

SPRING ST (SR 161)/FAYLE ST  
(GOODSPRINGS)

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-22-0406-1913 LAND HOLDINGS, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce setbacks; **2)** reduce parking lot landscaping; **3)** on-site paving; **4)** reduce street landscaping; **5)** eliminate landscaping adjacent to a less intensive use; and **6)** off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).

**DESIGN REVIEWS** for the following: **1)** restroom and kitchen building; and **2)** modifications to an existing parking lot in conjunction with an existing restaurant, retail store, and tavern on 1.4 acres in a C-2 (General Commercial) Zone.

Generally located on the northwest corner of Spring Street (SR 161) and Fayle Street within Goodsprings. JJ/md/jo (For possible action)

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**RELATED INFORMATION:**

**APN:**

202-26-601-019; 202-26-610-110; 202-26-610-111

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the side street (corner) setback for a trash enclosure to zero feet where a minimum setback of 10 feet is required per Table 30.40-4 and Section 30.56.040 (a 100% reduction).
2. Reduce parking lot landscaping where required per Figure 30.64-14.
3. Waive on-site paving for an existing parking lot in conjunction with an existing restaurant, retail store, and tavern where paving is required per Section 30.60.020.
4. Reduce street landscaping along a portion of Fayle Street where landscaping per Figure 30.64-17 is required.
5. Eliminate landscaping adjacent to a less intensive use (single family residential) where landscaping is required per Figure 30.64-11.
6. Waive off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Fayle Street where required per Chapter 30.52.

**LAND USE PLAN:**

SOUTH COUNTY (GOODSPRINGS) - CORRIDOR MIXED-USE

SOUTH COUNTY (GOODSPRINGS) - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

## **BACKGROUND:**

### **Project Description**

#### General Summary

- Site Address: 310 W. Spring Street
- Site Acreage: 1.4
- Project Type: Restroom and kitchen building and modifications to an existing parking lot
- Number of Stories: 1 (proposed restroom and kitchen)
- Building Height (feet): 18.5 (proposed restroom and kitchen)
- Square Feet: 3,850 (Building A - existing tavern and restaurant)/1,062 (Building B - existing retail store)/1,248 (Building C - proposed restroom and kitchen)/1,522 (existing outdoor dining)
- Parking Required/Provided: 62/70

#### History & Request

The subject property, the Pioneer Saloon, was approved as a historical designation (Pioneer Saloon) for a tavern, restaurant, and retail sales and services with accessory uses via UC-19-0342 by the Board of County Commissioners (BCC) in June 2019. The Notice of Final Action imposed a condition permitting the applicant 18 months to construct the bathroom building, located at the southwest corner of the project site, and 2 years to commence the application. The applicant subsequently applied for an extension of time to construct the bathroom building, ET-21-400059 (UC-19-0342), that was approved by the (BCC) in June 2021. ET-21-400059 (UC-19-0342) was approved with a condition giving the applicant until December 19, 2021 to construct the bathroom building. The extension of time expired as the bathroom building was never constructed.

ET-21-400138 (UC-19-0342) was a first extension of time approved by the BCC in October 2021 to establish a Historical Designation (Pioneer Saloon) for a tavern, restaurant, and retail sales and services. The applicant is now proposing several improvements and modifications to the existing site, which include the following: 1) construction of a 1,248 square foot kitchen/restroom building; 2) construction of a trash enclosure; 3) relocation of existing trees within the interior of the site; and 4) modifications to the design of the parking lot previously approved via UC-19-0342. The previously approved food cart/trailer has been removed from the subject property. Furthermore, the existing watchman's manufactured home will be removed from the site in addition to the 2 existing shipping containers either being relocated or removed.

#### Site Plans

The plans depict a project site consisting of 1.4 acres featuring an existing tavern (Pioneer Saloon) with a restaurant, retail store, watchman's manufactured home, storage building, 3 shipping containers, and an outside drinking and dining area. A proposed restroom and kitchen building (Building C) will replace the existing restroom structure located to the west of the retail store (Building B). The setbacks for the restroom and kitchen building are as follows: 1) 56 feet from the east property line adjacent to Fayle Street; 2) 100 feet from the south property line along Spring Street (SR 161); 3) 124 feet from the north property line; and 4) 115 feet from the west property line. The proposed building is located immediately north of the tavern, with a minimum separation distance of 6 feet between the existing outdoor dining area and the structure, relocated from the original proposed location. The existing trash enclosure, centrally

located within the project site, will be removed and replaced with a new trash enclosure located at the northeast corner of the property. The proposed trash enclosure is set back zero feet from the east property line adjacent to Fayle Street, necessitating waivers of development standards to reduce the setback from the side street (corner) and the right-of-way. The previously approved parking lot provided 79 parking spaces, while the new parking lot has been modified to include 70 parking spaces. A waiver of development standards is requested to permit clean gravel in lieu of the required on-site paving for the parking lot. The project site requires 62 parking spaces where 70 parking spaces are provided. Access to the project site is granted via existing driveways adjacent to Spring Street and Fayle Street.

### Landscaping

The plans depict existing 5.5 foot wide landscape areas along the west and north property lines of the site. A waiver of development standards is required to eliminate landscaping adjacent to a less intensive use (single family residence) along the west property line. Two existing trees will be relocated along the north property line, for a total of 9 trees within the landscape area. The width of the street landscape area ranges between zero feet to 13 feet along Spring Street, while the width of the landscape area adjacent to Fayle Street measures 6 feet. A waiver of development standards is required to reduce a portion of street landscaping, along the northeast corner of the site, adjacent to Fayle Street. The proposed trash enclosure setback reduces the portion of the street landscape area along Fayle Street to zero feet. One additional tree will be relocated along Fayle Street, for a total of 9 trees within the street landscape area. A waiver of development standards was included with UC-0807-08 to reduce the street landscaping along Spring Street and Fayle Street. A waiver of development standards was also included with UC-19-0342 to reduce parking lot landscaping. The proposed modifications to the existing parking lot require a waiver of development standards to further reduce the required parking lot landscaping. The landscape plans previously approved with UC-19-0342 depicted several landscape finger islands and a landscape median centrally located within the project site. The proposed landscape plans now depict perimeter landscaping adjacent to parking spaces along the north and west property lines, and no parking lot landscaping within the interior of the site.

### Elevations

The plans depict a proposed restroom and kitchen building measuring 18.5 feet to the top of the parapet wall. The building will be constructed with a corrugated metal roof with an exterior consisting of concrete masonry units painted to match the existing buildings. The rooftop mounted equipment will be screened from public view and the right-of-way by the parapet walls.

### Floor Plans

The plans depict a restroom and kitchen building measuring 1,248 square feet in area. The kitchen area of the building features a freezer/cooler area, food preparation area, sinks, steam table, and oven ranges. Four restrooms with exterior access only, separate from the kitchen area, are provided within the east portion of the building.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant states the corrugated metal and wood trims associated with the restroom and kitchen building will reflect the architectural style of the existing historic buildings. The exterior of the building will be constructed of concrete masonry units in colors that harmonize with the desert landscape. According to the applicant, the clean gravel utilized for the parking lot will reduce stormwater run-off and allow the landscape areas to support desert appropriate trees, shrubs, and grasses that can mature and flourish with limited additional irrigation. The existing parking lot landscaping is appropriate to the rural setting and combines hardy native species with trees/shrubs complying with the Clark County approved planting list. The proposed landscape design promotes the visual image desired by the community through the preservation of low water, climate adaptable plant materials. The setback reductions for the trash enclosure are required to accommodate the required number of parking spaces, facilitate the ease of access for garbage collection, and maximize the distance of the trash enclosure from high traffic and inhabited areas.

The design of the parking lot will be developed to reflect the rural character of the surrounding area. The proposed plan for the northeast corner of the parking lot provides sufficient barriers between private and public land to ensure the safety of pedestrians and vehicles. Where the parking space and trash enclosure are planned, Fayle Street sees sparse vehicle traffic. Local foot traffic is nearly non-existent. The property across Fayle Street is undeveloped and blends seamlessly with wild desert. Native vegetation, undisturbed by urbanized hardscaping, tends to colonize the available space adjacent to the proposed improvements and provides a hardy and visually pleasing environment.

The western border of the Pioneer lot is separated from neighboring parcels by a CMU wall at least 8 feet high. The manufactured home on the adjacent parcel is separated from the CMU fence by at least 50 feet. There are no lines of site between the 2 parcels and the CMU provides sound buffering. The strip of land immediately to the east of the CMU wall is occupied by a wellhead and pre-existing buried freshwater supply piping. Existing Fayle Street frontage is consistent with the streetscaping throughout Goodsprings, and perfectly reflects the rural character of the community. Stormwater considerations are served by the existing combination of paved road, graveled verge, and grading maintained in good condition. Existing traffic signage, combined with the particular layout of the intersection where Fayle Street meets Highway 161, safely serves vehicle and pedestrian traffic, even at the Pioneer's peak occupancy. Urbanizing the section of Fayle Street would significantly and permanently alter the historic character of the Pioneer Saloon site in a manner contrary to the intent of Nevada State guidelines for properties of historical significance.

### Prior Land Use Requests

Application Number	Request	Action	Date
ET-21-400138 (UC-19-0342)	First extension of time to establish a Historical Designation (Pioneer Saloon) for a tavern, restaurant, and retail sales and services with accessory uses, waivers for reduced parking lot landscaping, reduced setback for a non-decorative fence, and increased fence height, design reviews for food cart/trailer, existing accessory structures (shipping containers, storage building), parking lot re-designed, proposed restroom building, and additions and/or modifications including, but not limited to, an outdoor bar area, outside dining, drinking, and cooking areas, and covered patio areas	Approved by BCC	October 2021
ET-21-400059 (UC-19-0342)	First extension of time to construct a restroom building in conjunction with an existing restaurant, retail store, and tavern - expired	Approved by BCC	June 2021
UC-19-0342	Established a historical designation (Pioneer Saloon) for a tavern, restaurant, and retail sales and services with accessory uses, waivers for reduced parking lot landscaping, reduced setback for a non-decorative fence, and increased fence height, design reviews for food cart/trailer, existing accessory structures (shipping containers, storage building), parking lot re-designed, proposed restroom building, and additions and/or modifications including, but not limited to, an outdoor bar area, outside dining, drinking, and cooking areas, and covered patio areas	Approved by BCC	June 2019
UC-0099-15 (ET-0045-17)	First extension of time to reduce setback for non-decorative perimeter fence with design reviews for a manufactured restroom building and additions/modifications to an existing tavern and restaurant - expired	Approved by BCC	June 2017
UC-0099-15 (ET-0045-16)	First extension of time for use permits, waivers, and design reviews for outside dining, drinking, cooking, a fence, a manufactured restroom building, and additions/modifications to an existing tavern and restaurant - expired	Approved by BCC	June 2016
UC-0099-15	Original application for use permits, waivers, and design reviews for outside dining, drinking, cooking, a fence, a manufactured restroom building, and additions/modifications to an existing tavern and restaurant - expired	Approved by BCC	April 2015

### Prior Land Use Requests

Application Number	Request	Action	Date
UC-0807-08 (ET-0010-15)	Fifth extension of time to review the watchman's manufactured home, parking lot redesign, and accessory structures in conjunction with an existing tavern and retail/general store - removed the time limit	Approved by BCC	April 2015
UC-0022-14	Outside dining, drinking, and cooking - expired	Approved by BCC	March 2014
UC-0807-08 (ET-0087-13)	Fourth extension of time to review the watchman's manufactured home, parking lot redesigned, and accessory structures in conjunction with an existing tavern and retail/general store - until March 6, 2015 to review as a public hearing	Approved by BCC	March 2014
UC-0807-08 (ET-0151-12)	Third extension of time to review the watchman's manufactured home, parking lot redesigned, and accessory structures in conjunction with an existing tavern and retail/general store - until September 6, 2013 to review as a public hearing	Approved by BCC	March 2013
UC-0807-08 (ET-0182-10)	Second extension of time to review the watchman's manufactured home, parking lot redesigned, and accessory structures in conjunction with an existing tavern and retail/general store - until December 7, 2012 to commence and review as a public hearing	Approved by BCC	June 2010
UC-0807-08 (ET-0267-09)	First extension of time to review the watchman's manufactured home, parking lot redesigned, and accessory structures in conjunction with an existing tavern and retail/general store - until November 4, 2010 to review as a public hearing	Approved by BCC	November 2009
UC-0807-08	Use permits, waivers, and design review for a watchman's manufactured home, parking lot redesigned, and accessory structures in conjunction with an existing tavern and retail/general store - 1 year to commence and review as a public hearing	Approved by BCC	January 2009

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	C-2	Single family residential
South	Corridor Mixed-Use	C-2	Undeveloped parcel containing old accessory & uninhabited structures built many years ago
East	Ranch Estate Neighborhood (up to 2 du/ac)	C-2 & R-U	Undeveloped

### Surrounding Land Use

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
West	Ranch Estate Neighborhood (up to 2 du/ac) & Corridor Mixed-Use	R-T & C-2	Single family residential

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

### Analysis

#### Current 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.

##### Waivers of Development Standards #1, #4, & #5

Staff cannot support the setback reductions for the proposed trash enclosure as the requests are a self-imposed burden. There is adequate area within the interior of the site to construct the trash enclosure while maintaining the minimum required setback of 50 feet from the adjacent single family residences. Furthermore, if the trash enclosure was relocated, additional street landscaping could be provided along Fayle Street. The intent of providing landscaping adjacent to a less intensive use to ensure some form of mitigation is provided between a non-residential and residential use. Staff finds that landscaping could be provided along the west property line, adjacent to the existing single family residence. Therefore, staff recommends denial of these requests.

##### Waiver of Development Standards #2

The intent of parking lot landscaping is to provide climate adaptable plant materials that improve the visual appearance of the project site, enhance environmental conditions by providing shade and reducing storm water run-off, and to provide buffer areas between land uses of varying intensity. Staff finds the applicant has provided an adequate landscaping alternative in lieu of constructing the required landscape finger islands. Mitigation has been provided in the form of 34 existing trees being dispersed throughout the perimeter of the site, in addition to 6 existing trees located within the interior of the site. Policy 3.6.5 within the Master Plan encourages the use of drought tolerant, climate resilient, and desert appropriate landscaping design for maximum water use efficiency. The landscaping utilized along the perimeter of the parking lot complies with the aforementioned policy. The landscape plan is compatible with the surrounding area; therefore, staff recommends approval.

### Waiver of Development Standards #3

The project site is located within hydrographic area 164A (Ivanpah Valley/Northern Part). The Department of Environment and Sustainability paving requirements do not apply to this hydrographic area; therefore, alternative paving materials may be utilized to construct the parking lot expansion on the west side of the project site. Staff finds the request to utilize clean gravel as an alternative to paving is an acceptable form of dust mitigation; therefore, staff recommends approval.

### Design Reviews

The proposed restroom and kitchen building will replace the existing on-site restroom trailer. The restroom and kitchen building has been designed to match the existing buildings within the project site. The architecture and materials of the restroom and kitchen building, including the CMU block and corrugated metal roof, is compatible with the design of the existing tavern and retail buildings. Staff finds the redesign of the existing parking lot is functional and allows for proper vehicular circulation throughout the site. Therefore, staff recommends approval of these requests.

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

#### Waiver of Development Standards #6

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. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

### **Staff Recommendation**

Approval of waivers of development standards #2 and #3, and design reviews; denial of waivers of development standards #1 and #4 through #6.

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**

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water may 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 design review must be approved by the Board of County Commissioners prior to all new construction or alteration to the exterior of a building with Historical Designation unless the Zoning Administrator determines that the proposal is minor in nature and impact; compliance with Department of Environment and Sustainability dust control mitigation requirements;



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**

- Drainage study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** PIONEER SALOON, LLC

**CONTACT:** TAYLOR INTERNATIONAL CORP., 310 W. SPRING STREET,  
GOODSPRINGS, NV 89019