08/05/26 BCC AGENDA SHEET

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-26-400061 (WS-20-0082)-SAIA FAMILY TRUST & SAIA GABRIEL G JR & CELIA C TRS:

WAIVERS OF DEVELOPMENT STANDARDS THIRD EXTENSION OF TIME for the following: **1)** eliminate parking lot landscaping; **2)** alternative parking design standards; and **3)** reduce throat depth.
DESIGN REVIEW for a parking lot expansion in conjunction with an existing retail, office, and warehouse complex on 14.0 acres in an IL (Industrial Light) Zone.

Generally located north of Desert Inn Road and east of Highland Drive within Winchester and Paradise. TS/lm/kh (For possible action)

RELATED INFORMATION:

APN:
162-08-805-009; 162-08-899-034; 162-08-899-036; 162-08-899-038; 162-17-502-002

WAIVERS OF DEVELOPMENT STANDARDS:
1. Eliminate parking lot landscaping where landscaping per Figure 30.64-14 and Section 30.60.050 is required.
2. Allow a surface parking lot without pedestrian walkways where required per Section 30.60.050.
3. Reduce throat depth to 21 feet on Highland Drive where 150 feet is required per Uniform Standard Drawing 222.1 (a 79.3% reduction).

LAND USE PLAN:
WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:
Project Description
General Summary
- Site Address: 2548 W. Desert Inn Road
- Site Acreage: 14
- Project Type: Parking lot expansion in conjunction with an existing retail, office, and warehouse complex
- Parking Required/Provided: 284/661

Site Plan/Request
The approved plans depict an existing retail, office and warehouse complex with parking. The purpose of the previously proposed development was to re-design the existing parking area on the north side of the parcel and to expand the parking area onto a leased parcel under and north

of the Wilbur Clark Desert Inn Road elevated roadway. The existing parking area north of the existing building was re-designed to remove the prior industrial use railroad spur line which accessed the site. It also proposed re-striping 40 tandem parking spaces for future valet services at the building. A new driveway was shown centrally located to access the new parking lot (right-of-way properties) to the north, under the Wilbur Clark Desert Inn Road and the remainder of the parcel to the north. The parking areas located under the elevated roadway and to the north of the roadway will be provided access by a new 32 foot wide driveway entrance with 21 feet of throat depth to Highland Drive. Power lines were shown located along Highland Drive and bisected the parcel in an east/west direction to the north of Wilbur Clark Desert Inn Road. To the north of the proposed parking area, there is an existing 40 foot wide private drive shown that provided access to APN 162-08-805-002 and was separated by an existing fence and pavement, which was not to be used for access to the proposed parking lot.

Landscaping

The approved plans depict a parking lot landscaping reduction for the parking areas south of Wilbur Clark Desert Inn Road that was approved by UC-19-0381. The proposed parking areas under the Wilbur Clark Desert Inn Road and to the north were shown with rockscape islands and with an approximate 20 foot wide landscape area adjacent to Highland Drive.

In August 2021, revised plans were submitted showing non-organic landscaping along Highland Drive and in the parking lot area to show compliance with the condition of approval.

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for ET-24-400056 (WS-20-0082):

Comprehensive Planning

- Until May 6, 2026 to commence and review or the application will expire unless extended with approval of an extension of time.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for ET-22-400092 (WS-20-0082):

Current Planning

- Until May 6, 2024 to commence and review.
- Applicant is advised that 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 application for review; 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 WS-20-0082:

Current Planning

- Provide metal/weather-resistant representation of plants spaced 1 per 30 feet along Highland Drive (3 north of the Highland Drive entrance and 5 south of the Highland Drive entrance) and within the proposed parking areas, along with boulder accents within the new parking lot islands within 2 years;
- Provide low level solar lighting along Highland Drive and the new parking lot islands within 2 years;
- 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; 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

- Coordinate with Public Works – Development Review on the traffic study and compliance;
- 2 year review to determine if circulation and ingress/egress have conflicts with the reduction in throat depth;
- Nevada Department of Transportation approval.
- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

Applicant's Justification

The applicant states that plans have been submitted for permitting but have not yet been approved, as coordination with other agencies is required before Clark County can issue its approval. Following county approval, the drawings will be submitted to NDOT for independent review and approval. Throughout this process, substantial and continuous progress has been made toward securing plan approval. The applicant has not abandoned or delayed the project and continues to actively pursue all necessary agency approvals and address interagency requirements. The applicant is requesting an additional two years to commence the project.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-24-0395	Use permit for a museum, banquet facility, and recreational facility in conjunction with an existing cannabis establishment	Approved by BCC	September 2024
UC-24-0300	Use permit for a recreational facility in conjunction with an existing cannabis establishment	Approved by BCC	August 2024
ET-24-400056 (WS-20-0082)	Second extension of time for reduced required parking and landscaping in conjunction with a parking lot expansion	Approved by BCC	July 2024
UC-23-0438	Use permit to allow a cannabis consumption lounge in conjunction with an existing cannabis establishment	Approved by BCC	September 2023
ET-22-400092 (WS-20-0082)	First extension of time for reduced required parking and landscaping in conjunction with a parking lot expansion	Approved by BCC	September 2022
UC-21-0126	Use permit to allow a children's daycare in conjunction with an existing office/warehouse	Withdrawn without Prejudice	July 2021
UC-20-0346	Use permit to allow a restaurant/supper club in conjunction with an office/warehouse	Approved by PC	October 2020
WS-20-0083	Waiver of development standards to increase the size of an animated, freestanding sign in conjunction with an office/warehouse	Approved by BCC	May 2020
WS-20-0082	Waiver of development standards to reduce required parking and landscaping in conjunction with a parking lot expansion	Approved by BCC	May 2020
UC-19-0381	Use permit to allow retail sales, restaurants, a service bar, and a banquet facility in conjunction with reduced parking in conjunction with an existing office/warehouse	Approved by BCC	July 2019
UC-19-0380	Use permit to allow a cannabis production facility in conjunction with an existing cannabis establishment	Approved by BCC	July 2019
WS-18-0850	Waiver of development standards to allowed roof and animated signs in conjunction with a cannabis establishment	Approved by BCC	December 2018
WS-18-0703	Waiver of development standards to allowed wall, freestanding, roof, and animated signs in conjunction with a cannabis establishment	Approved by BCC	October 2018
VS-18-0570	Vacation and abandonment of a 10,000 square feet triangle portion of Desert Inn Road - recorded	Approved by PC	September 2018
UC-18-0122	Use permit to allow a cannabis dispensary in conjunction with an approved cannabis retail store	Approved by BCC	April 2018

Prior Land Use Requests

Application Number	Request	Action	Date
UC-17-1076	Use permit to allow a retail cannabis store with reduced parking	Approved by BCC	February 2018
UC-0722-06	Use permit to allow a temporary sales office and increased signage - expired	Approved by BCC	July 2006
UC-1899-05	Use permit to allow resort condominiums in conjunction with a proposed condominium tower and shopping center - expired	Approved by BCC	February 2006
NZC-1697-04	Non-conforming zone change from M-1 to H-1 zoning for a mixed-use residential condominium tower with a shopping center - expired	Approved by BCC	February 2005
UC-0206-03	Use permit to allow secondhand sales in conjunction with a warehouse building - expired	Approved by PC	March 2003
VS-1988-98	Vacation and abandonment of a 10,000 square feet triangle portion of Desert Inn Road - expired	Approved by BCC	January 199

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, & West	Business Employment	IL	Industrial complex
East	Corridor Mixed-Use & Business Employment	IL	Industrial complex

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
Title 30 standards of approval for an extension of time state an application may be denied 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, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Staff finds that although it has been six years since the project was approved originally, the applicant has been working towards commencement of the project, and coordination with other agencies and Clark County's approval is required before the drawings can be submitted to NDOT for review and approval. Therefore, staff can support this extension of time request. However, staff may not be able to support any future extension requests if significant progress is not demonstrated toward commencement of the development.

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:

Comprehensive Planning
- Until May 6, 2028 to commence and review or the application will expire unless extended with approval of an extension of time;
- 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 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review
- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)
- No comment.

TAB/CAC: Paradise - approval.
APPROVALS:
PROTEST:

APPLICANT: SAIA FAMILY TRUST & SAIA GABRIEL G JR & CELIA C TRS
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