

09/22/21 BCC AGENDA SHEET

INCREASE FINISHED GRADE  
(TITLE 30)

DURANGO DR/PATRICK LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**DR-21-0391-DURANGO 5, LLC:**

**DESIGN REVIEW** for finished grade on 1.8 acres in a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone in the CMA Design Overlay District.

Generally located on the west side of Durango Drive, 308 feet north of Patrick Lane within Spring Valley. JJ/jor/jo (For possible action)

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RELATED INFORMATION:

**APN:**

163-32-613-002

**DESIGN REVIEW:**

Increase finished grade to 72 inches (6 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 300% increase).

**LAND USE PLAN:**

SPRING VALLEY - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 6045 S. Durango Drive
- Site Acreage: 1.8
- Project Type: Commercial center
- Number of Stories: 1
- Building Height (feet): 28
- Square Feet: 7,250 (Building A)/4,548 (Building B)/8,000 (Building C)
- Parking Required/Provided: 166/167

**History & Request**

ZC-1185-97 is a previously approved zone change which reclassified 10 acres on the northwest corner of Durango Drive and Patrick Lane from R-E zoning to C-1 zoning for an office complex consisting of 11 buildings with landscape conditions to include maximum buffering for the north property line based on Title 29 requirements. Subsequently, 5 acres (eastern half of the original 10 acres) went through a second zone change (ZC-0187-99) to reclassify the 5 acres from C-1 zoning to C-2 zoning. The Notice of Final Action for ZC-0187-99 stated that the C-2 zoning was

restricted only to the northwest corner of the intersection of Durango Drive and Patrick Lane, approximately 2.7 acres as shown on the zoning map. Furthermore, UC-0716-03 was approved for APN 163-32-613-003, south of the subject parcel, for a restaurant and was the first establishment to be constructed. The southernmost parcel is still undeveloped. The subject parcel was previously approved for a commercial complex via WS-21-0070 and allowed a liquor store not in conjunction with a grocery store via UC-21-0176.

The applicant is proposing to increase the finished grade to 6 feet (72 inches) where 1.5 feet (18 inches) is the maximum allowed per Title 30. Per the submitted cross sections the request to increase the finished grade to a maximum of 6 feet (72 inches) is located on the northern portion of Building A only.

#### Site Plan

The submitted site plan depicts 3 rectangular buildings. The first building (Building A) is located along the north property line, the second (Building B) is located along the south property line, and both Buildings A and B are orientated east/west. The third building (Building C), oriented north/south, is adjacent to the west property line. Access to the site is provided via 2 existing driveways along the east property line adjacent to Durango Drive. Cross-access is also provided per the submitted plans spanning from the subject parcel heading south towards the existing restaurant and potentially connecting to the southernmost parcel once it is finally developed.

#### Landscaping

Landscape plans were previously approved via WS-21-0070. The plans on file depict an existing attached sidewalk along the east property line (adjacent to Durango Drive). Adjacent to the attached sidewalk is a landscape planter with a minimum width of 10 feet to a maximum width of 25 feet. Landscaping is also located along the north property line (now adjacent to an undeveloped C-2 parcel) and includes 24 inch box trees and shrubs. The proposed landscaping along the west property line (now adjacent to Mountains Edge Hospital) also includes 24 inch box trees and shrubs. In addition, the landscape plan also shows a 6 foot wide landscape planter that widens to 20 feet, which is parallel to the drive-thru lane south of Building B and is adjacent to the south property line. This landscape planter also includes 24 inch box trees and shrubs to help enhance the drive-aisle and buffer the drive-thru lane and trash enclosure. The landscape plan shows that there will be fifty-six, 24 inch box trees planted on this site, as well as 305 shrubs.

#### Elevations

The previously approved plans show Building A has an overall height of 26 feet, Building B has an overall height of 28 feet, and Building C has an overall height of 26 feet to the top of the parapet roofs. The rooflines vary in height with architectural stucco pop-outs, standing seam canopies, and metal coping. The exterior finishes include stucco walls, faux stone finishes, and aluminum storefront and window systems.

#### Applicant's Justification

Per the applicant's justification letter, the site was approved for full off-site improvements via HTE 02-08660 which included on-site mass grading which showed several feet of fill and retaining walls along the north and western portions of the site. In 2003, the tavern to the south

was completed and the finished floor elevation and the driveway were completed at approximately 3 feet higher than the subject property. Today, the subject parcel has a driveway along Durango Drive and the subject parcel will have to match the grade of the shared drive aisle and can only be designed with minimal slope to the north in order to accommodate ADA standards for access to all of the previously approved commercial buildings. The adjacent property to the west is fully developed (Mountains Edge Hospital) with existing 3 foot high retaining walls along the west and north property lines.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-21-0176	Allowed alcohol sales, liquor – packaged only (a liquor store) not in conjunction with a grocery store within a commercial complex	Approved by PC	June 2021
WS-21-0070	Allowed a reduction in the required landscaping along an arterial street (Durango Drive), reduced driveway throat depth, with a design review for alternative parking lot landscaping (diamond shaped landscape planters), and for a proposed commercial complex	Approved by BCC	April 2021
DR-0157-08	Shopping center for northern most and southern most parcel - expired	Approved by BCC	March 2008
VS-0159-08	Vacated a portion of right-of-way being Durango Drive - expired	Approved by BCC	March 2008
WS-1679-04 (ET-0313-07)	Second extension of time to commence increased building height and a design review for a proposed office and retail center - expired	Approved by BCC	November 2007
WS-1679-04 (ET-0324-06)	First extension of time to commence increased building height and a design review for a proposed office and retail center - expired	Approved by BCC	December 2006
WS-1679-04	Increased building height and design review for an office and retail center - expired	Approved by BCC	October 2004
UC-0716-03	Outside dining and drinking with a proposed tavern; waived conditions for WC-0356-00 requiring a design review as a public hearing on final plans with landscaping to be addressed for the north property line per Figure 30.64-11 (without wall); and waived conditions for ZC-0187-99 requiring B-1 landscaping along street frontages; and design review for the site *APN: 163-32-613-003 (South of subject parcel)	Approved by BCC	June 2003
TM-0253-02	1 lot commercial subdivision	Approved by PC	August 2002
VS-0431-01	Vacated a portion of right-of-way being Ponderosa Way (30 feet), and 33 foot wide patent easements - recorded	Approved by PC	June 2001

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-1185-97 (WC-0136-01)	Waived a condition of a zone change requiring a 30 foot dedication on Ponderosa Way in conjunction with a proposed office complex	Approved by BCC	May 2001
ZC-0187-99 (WC-0356-00)	Waived conditions of a zone change for the following: 1) design review as a public hearing for subject parcel and parcel to the west to be heard at one time; 2) recording reciprocal cross access and parking agreement with parcel to the west; 3) providing a 15 foot A-2 landscaped area long the north property line; 4) 30 foot dedication of Ponderosa Way - approved subject to design review as a public hearing on final plans with landscaping per Figure 30.64-11 (without wall) for north property line	Approved by BCC	November 2000
ZC-0187-99	Reclassified 5 acres (eastern half of the original 10 acres) from C-1 to C-2 zoning; C-2 zoning was restricted only to the northwest corner of Durango Drive and Patrick Lane, approximately 2.7 acres	Approved by BCC	May 1999
ZC-1185-97	Reclassified 10 acres from R-E to C-1 zoning for an office complex consisting of 11 buildings, with landscaping conditions to include maximum buffering for the north property line based on Title 29 requirements	Approved by BCC	August 1997

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial General	C-2	Undeveloped
South	Commercial General	C-1 & C-2	Restaurant & undeveloped
East	Office and Professional	C-P	Office complex
West	Commercial General	C-1	Mountains Edge Hospital

**STANDARDS FOR APPROVAL:**

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

**Analysis****Public Works - Development Review**

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

**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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:****Current Planning**

- Enter into a standard development agreement 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.
- 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; 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**

- Comply with approved drainage study PW21-12915;
- Traffic study and compliance;
- Grant necessary easements, including pedestrian access easements at the existing northern driveway.
- Applicant is advised that off-site improvement permits may be required.

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

- No comment.

**TAB/CAC:** Spring Valley - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** DURANGO 5, LLC

**CONTACT:** ERIC RIETZ, RIETZ CONSULTING INC, 3203 E. WARM SPRINGS RD, STE 400, LAS VEGAS, NV 89120