

10/20/21 BCC AGENDA SHEET

HISTORICAL DESIGNATION
(TITLE 30)

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

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-21-400138 (UC-19-0342)-STEELHEAD, GIL LLC:

USE PERMIT FIRST EXTENSION OF TIME to establish a Historical Designation (Pioneer Saloon) for a tavern, restaurant, and retail sales and services with accessory uses.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced parking lot landscaping; **2)** reduce the setback for a non-decorative fence; and **3)** increase fence height.

DESIGN REVIEWS for the following: **1)** food cart/trailer; **2)** existing accessory structures (shipping containers, storage building); **3)** parking lot redesign; **4)** proposed restroom building; and **5)** additions and/or modifications including, but not limited to, an outdoor bar area, outside dining, drinking, and cooking areas, and covered patio areas 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/ja (For possible action)

RELATED INFORMATION:

APN:

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

USE PERMIT:

Establish a Historical Designation (Pioneer Saloon) for a tavern, restaurant, and retail sales and services with accessory uses including a food cart/trailer, recreational facility including an accessory wedding chapel, live entertainment (outdoors), banquet facility, museum, and outside dining, drinking and cooking.

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduced parking lot landscaping where required per Figure 30.64-14.
2. Reduce the setback for an existing non-decorative perimeter fence (corrugated metal sheets framed by wood posts) to 6 feet where 10 feet is required per Section 30.64.020 (a 40% reduction).
3. Allow an existing 4.5 foot high non-decorative fence where a decorative block wall with a maximum height of 3 feet is permitted per Section 30.64.020 (a 50% increase).

LAND USE PLAN:

SOUTH COUNTY (GOODSPRINGS) - COMMERCIAL GENERAL

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

BACKGROUND:

Project Description

General Summary

- Site Address: 310 W. Spring Street
- Site Acreage: 1.4
- Project Type: Historic designation with accessory uses
- Number of Stories: 1 (tavern, restaurant, retail store, restroom building, watchman's manufacture home, well house, and storage building)
- Building Height (feet): 18.5 (restroom building)/9 (shipping containers)/11.5 (storage building)
- Square Feet: 1,861 (tavern and restaurant)/615 (retail store)/219 (restroom building)/320 (shipping containers)/125 (storage building)/232 (food cart/trailer)
- Parking Required/Provided: 63/79

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. A second extension of time request for the previously approved application, UC-19-0342, is now being sought by the applicant due to a potential change in ownership of the subject properties. The applicant is seeking 18 additional months to construct the bathroom building as depicted on the previously approved site plan and commence the application. Furthermore, the applicant indicates all necessary land use applications will be filed with the Comprehensive Planning Department for any future changes to the existing site.

Site Plan

The previously approved 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, 2 shipping containers, outside bar, and an existing food cart/trailer (cook trailer). The existing tavern consists of 1,861 square feet and the retail store measures 615 square feet. An outside bar area, measuring 228 square feet, is located to the west of the tavern and is accessed through the interior of the building. Immediately to the east of the tavern is an existing 4,400 square foot outside dining and drinking area, which is enclosed by an existing 4.5 foot high non-decorative perimeter fence (corrugated metal sheets framed by wood posts) that was approved by action of UC-0099-15 in April 2015 by the (BCC), but subsequently expired in April 2018. Additionally, the accessory wedding chapel use is located within the outside dining and drinking area. An attached covered patio area consisting of 385 square feet, which will be utilized for outdoor live entertainment, is located on the northwest side of the tavern. A detached covered patio, with an area of 1,224 square feet, is located immediately to the north of the tavern. The outside dining and drinking area is not accessed through the interior of the tavern, as required per Code. A proposed restroom building consisting of 219 square feet is located 20 feet to the west

of the 615 square foot retail store. The restroom building will replace the existing restroom structure, which cannot be permitted due to structural deficiencies. The restroom building will maintain a 20 foot setback from Spring Street. An existing storage area measuring 447 square feet is located immediately to the north of the retail store. The retail store has direct interior access to the storage area. A 276 square foot covered patio area is located to the east of the storage building. The watchman's manufactured home, consisting of 1,400 square feet, is located at the northwest corner of the site. The manufactured home is set back 10 feet from the west property line and 8 feet from the north property line. Two shipping containers measuring 320 square feet each are located approximately 14 feet to the east of the manufactured home. Eight feet of separation exists between the shipping containers, with an open concrete slab located between the structures. The shipping containers are set back 8 feet from the north property line. The existing food cart/trailer, consisting of 232 square feet, is located to the northwest of the first storage building. A second storage building, measuring 125 square feet, is located at the northeast corner of the site. The building is set back 9 feet from the north property line and 28 feet from the east property line, along Fayle Street. An existing propane sales area with an area of 162 square feet is located at the northeast corner of the site. The sales area is set back 6 feet from the northeast property line, adjacent to Fayle Street. The existing trash enclosure is centrally located within the site. Access to the project site is granted via existing driveways adjacent to Spring Street and Fayle Street. Parking for the site is located to the west and north of the existing buildings. A portion of the parking lot consists of asphalt, while the remaining portion of the parking lot consists of chat. The redesign of the parking lot will ensure minimum drive aisle widths of 24 feet, and will include landscape planters to improve the aesthetics of the site. The existing site requires 63 parking spaces where 79 parking spaces are provided.

Landscaping

The previously approved plans depict a 5.5 foot wide landscape area along the west and north property lines of the site, with 24 inch box large Evergreen trees planted 20 feet on center. The width of the street landscape area ranges between zero to 13 feet along Spring Street, while the width of the landscape area adjacent to Fayle Street measures 6 feet. A combination of small and large trees are depicted within the landscape area along Fayle Street and Spring Street, in addition to shrubs and groundcover. A waiver of development standards was included with UC-0807-08 to reduce the street landscaping along Spring Street and Fayle Street. In lieu of the required landscape finger islands, multiple landscape planters ranging between 3.5 feet to 8 feet in width are dispersed throughout the interior of the parking lot, containing a mixture of small and large trees.

Elevations

The existing restaurant, retail store, and tavern have a rustic and rural character, and the additions and modifications to the site maintain the same appearance. The freestanding restroom building has a height of 18.5 feet and will be constructed with a CMU block exterior. A corrugated steel awning will be located at the midpoint of the front elevation of the building. The awning will be supported by a series of columns featuring CMU block. The doors to the restroom building consist of wood and will remain unpainted to maintain a natural appearance. The building will be painted with neutral, earth tone colors. The shipping containers are 9 feet high and consist of a metal exterior. The containers are painted with neutral, earth tone colors. The food cart/trailer

measures 8 feet in height with black metal paneling for the exterior. The outdoor bar area, located on the northeast side of the tavern, is protected by 4 foot high railings. The storage building, located at the northeast corner of the project site, is 11.5 feet high and consists of a wood exterior and a corrugated metal roof.

Floor Plans

The existing tavern and restaurant consists of 1,861 square feet and features storage areas, walk-in cooler, bar area, restroom facilities, and a dining area. The retail store consists of 615 square feet with a 447 square foot storage area. The accessory storage building consists of 125 square feet. The food cart/trailer (cook trailer) measures 232 square feet and includes a counter area, cook area, storage closet, sinks, and a stove. The shipping containers measure 320 square feet each while the proposed restroom building has an area of 219 square feet. The outdoor bar area, located on the northeast side of the tavern, consists of 228 square feet.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for ET-21-400059 (UC-19-0342):

Current Planning

- Until December 19, 2021 to construct bathroom building;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- 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 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.

Listed below are the approved conditions for UC-19-0342:

Current Planning

- 18 months to construct the bathroom building;
- Live entertainment Sunday through Thursday between 12:00 p.m. and 8:00 p.m., and Friday and Saturday between 11:00 a.m. and midnight with any live entertainment after 10:00 p.m. to be indoors;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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; 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; 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 the completion within the time specified; and that this application must commence with 2 years of approval date or it will expire.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised to schedule an appointment with the SNHD Environmental Health Division at (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

Applicant's Justification

The applicant states the extension of time is being requested due to a potential change in ownership of the subject property. The future owners will ensure the business and property are updated to comply with all applicable requirements, including, without limitation, those of the Clark County Building and Fire Prevention Department and the Southern Nevada Health District to ensure the safety of its patrons. Even though the applicant has not yet taken over ownership, they have already hired a general contractor, as well as an architect/engineer to assist with the design and completion of the repairs and structural changes. Funds have been specifically earmarked for the build-out of new bathrooms and other repairs. The applicant recognizes that constructing a new bathroom building is a priority. The applicant estimates approximately 120 days to finalize a design for the bathroom building. Thereafter, an additional estimated 21 days are anticipated to submit for plan review and permitting. The applicant then estimates an additional 180 days for construction to commence. Because of existing labor and supply shortages, it is difficult for the applicant to estimate a precise construction schedule at this time, but the applicant believes that completing construction and finalizing inspections of the bathroom building within the 18 month extension is reasonable. The applicant has also begun to make plans to improve the property by removing unnecessary structures and updating or repairing several other aspects of the property, including, without limitation, the septic system, water supply, kitchen and bar(s), parking and landscaping. The applicant intends to file 1 or more new land use entitlement applications when these plans have been finalized to the extent required.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-21-400059 (UC-19-0342)	First extension of time for a design review to construct a bathroom building in conjunction with an existing restaurant, retail store, and tavern	Approved by BCC	June 2021

Prior Land Use Requests

Application Number	Request	Action	Date
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 redesigned, 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-18-0143	Food cart/trailer not located within an enclosed building - expired	Approved by BCC	April 2018
UC-0099-15 (ET-0045-17)	Second 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, and cooking, a fence, 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, and cooking, a fence, manufactured restroom building, and additions/modifications to an existing tavern and restaurant - expired	Approved by BCC	April 2015
UC-0807-08 (ET-0010-15)	Fifth 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 - 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	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	Approved by BCC	March 2013

Prior Land Use Requests

Application Number	Request	Action	Date
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	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	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	Approved by BCC	January 2009

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood (up to 2 du/ac)	C-2	Single family residential
South	Commercial General	C-2	Undeveloped parcel containing old accessory & uninhabited structures built many years ago
East	Rural Neighborhood (up to 2 du/ac)	C-2	Undeveloped
West	Rural Neighborhood (up to 2 du/ac) & Commercial General	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**

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.

The construction of the proposed restroom building is necessary to serve the patrons of the restaurant and tavern. The extension of time is necessary to ensuring the successful construction of the restroom building, in addition to completing any necessary improvements to the subject property including the site landscaping. Therefore, staff recommends approval of the extension of time subject to an additional 2 years to complete.

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**

- Until October 20, 2023 to complete the building permit and inspection process;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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; 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; 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

- No comment.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: PIONEER SALOON, LLC

CONTACT: RYAN SAXE, SALTZMAN MUGAN DHUSHOFF, 1835 VILLAGE CENTER CIRCLE, LAS VEGAS, NV 89134