



MT. CHARLESTON TOWN ADVISORY BOARD

The Retreat on Charleston Peak

2755 Kyle Canyon Road
Mt. Charleston, NV 89124

November 30, 2023
6:00pm

AGENDA

Note:

- Items on the agenda may be taken out of order.
- The Council may combine two (2) or more agenda items for consideration.
- The Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board members for this meeting may be requested from Meggan Holzer at 702-455-0341.
 - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
 - Supporting material is/will be available at <https://clarkcountynv.gov/MtCharlestonTAB>

Board/Council Members: Ernie Freggiaro, Chair Dan Chaney, Vice Chair Brenda Talley

Secretary: Dawn vonMendenhall, 702-289-0196, clarkcountycac@hotmail.com
Clark County Department of Administrative Services,
500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Jennifer Damico, 702-455-1900, Jennifer.damico@clarkcountynv.gov
Clark County Department of Administrative Services,
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- I. Call to Order, Pledge of Allegiance, and Roll Call
- II. Public Comment- This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to Board items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board wishes to extend the length of a presentation, this will be done by the Chairperson or the Board by majority vote.
- III. Approval of the minutes from March 30, 2023 (For possible action)
- IV. Approval of the minutes from September 28, 2023 (For possible action)

V. Approval of the Agenda for November 30, 2023, and Hold, Combine, or Delete any Items. (For possible action)

VI. Informational Items

1. Receive a report from Metro regarding recent activity and other area policing concerns (for discussion only)
2. Receive a report from Mt. Charleston Fire Protection District regarding calls for service and other fire prevention issues (for discussion only)
3. Receive a report from the Las Vegas Valley Water District regarding the status of the water system (for discussion only)
4. Receive a report from Clark County Public Works regarding the status of road work and repairs (for discussion only)
5. Receive a report from Metro Volunteers regarding member activities and events (for discussion only)
6. Receive a report from Nevada Highway Patrol regarding activity and statistics during the last month and other public safety concerns (for discussion only)
7. Receive a report from United States Forest Service regarding current issues and activities in the forest and other forest related concerns (for discussion only)
8. Receive a report from NV Energy with updates and other service-related concerns (for discussion only)
9. Receive a report from NDOT with status update on road conditions (for discussion only)
10. Receive a report from CCSD with any available information (for discussion only)
11. Receive a report from Clark County: Administrative Services to talk about CDAC applications; and Communications with any available updates (for discussion only)

VII. Planning and Zoning

12/06/23 BCC

1. **WS-23-0629-MT. CHARLESTON INVESTMENTS, LLC: WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) setbacks; 2) lot coverage; 3) building height; and 4) eliminate sidewalk and reduce street landscaping. **DESIGN REVIEW** for the reconstruction of a restaurant and lounge facility in conjunction with an existing bed and breakfast facility on a 1.9 acre portion of 4.2 acres in an R-U (Rural Open Land) Zone in the Spring Mountain Overlay District (Part I). Generally located on the north side of Kyle Canyon Road and the east side of Knotty Pine Way within Northwest County. RM/hw/syp (For possible action)

VIII. General Business

1. Finalize budget requests for next Fiscal Year.
2. Approve 2024 annual calendar.

IX. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board wishes to extend the length of a presentation, this will be done by the Chairperson or the Board by majority vote.

X. Next Meeting Date: February 1, 2024

XI. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
The Retreat on Charleston Peak, 2755 Kyle Canyon Road, Las Vegas, NV 89124



Mt. Charleston Town Advisory Board

March 30, 2023

MINUTES

Board/Council Members: Ernie Freggiaro, Chair Dan Chaney, Vice Chair Brenda Talley

Secretary: Meggan Holzer, 702-455-0341, meggan@clarkcountynv.gov
Clark County Department of Administrative Services,
500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Meggan Holzer, 702-455-0341, meggan@clarkcountynv.gov
Jennifer Damico, 702-455-1900, Jennifer.damico@clarkcountynv.gov
Clark County Department of Administrative Services,
500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

I. Call to Order, Pledge of Allegiance, Roll Call

The meeting was called to order at approximately 6:01 p.m.

All Board members present

II. Public Comment

One person had concerns for potholes in the roads in Echo, Crestview, and Spruce. They sent in a request to Fix It Clark County, but Clark County will not allow a new request if there is a request in the same spot.

III. Approval of Minutes for December 1, 2022 (For possible action)

Approval moved to next meeting

IV. Approval of Agenda for March 30, 2023

Moved by: Brenda Talley

Action: Approval

Vote: 3-0/Unanimous

V. Informational Items

1. Select a Chair and Vice Chair for the Mt. Charleston Town Advisory Board (for possible action)

Ernie Freggiaro was appointed Chair. Dan Chaney was appointed Vice Chair. The approval was unanimous/3-0.

2. Receive a report from Metro regarding activity and other crime concerns (for discussion only)
Sgt. Andy Velasquez reported 3 arrests and 54 citations, and most of them are from

moving violations in traffic in highways. In the winter months, there have been multiple recoveries and assists for people stuck in the snow. Another issue Metro has started seeing is narcotic sellers coming from the valley, advertising “pop-up” stores selling “sandwiches” (code for marijuana and other narcotics). One seller was found in front of the substation and arrested. The sergeant received approval for a 9th officer starting on April 15th, which will allow officers to split between the mountain and Indian Springs. Approximately 3-4 officers will be on duty during the busy hours, and they might adjust during the summer hours but will maintain 20-hour coverage with 4-hour on-call.

3. Receive a report from Mt. Charleston Fire Protection District regarding calls for service during the past month and other fire prevention issues (for discussion only)
Assistant Chief Jason Douglas introduced himself and reported 52 calls from February 1st to March 30th, 2023. Most of those calls were weather-related. FPD hired their first full-time paramedic. They are looking at 3 full-time personnel per shift, shifts covering 24 hours. Douglas gave a reminder about the Pine Needle Pick-Up being held on June 3, 2023. They have contracted with the NDF to clean the hydrants. The FPD has held 2 CPR classes and will hold more which are free for residents.

Mt. Charleston Volunteer Fire Department – Chief Martin reported they have some prospects and new recruits for the program.

4. Receive a report from LVVWD regarding the status of the water system (for discussion only)
Meggan Holzer provided the report for LVVWD. The Rainbow and Echo 3, 4, and 5 wells are all in the sustainable range. They have seen some significant increases in well levels as of late. Sustainable operating conditions implies that water supplies are sufficiently meeting the needs of the Kyle Canyon community. 44 ft (Echo 3), 125 ft (Echo 4), 88 ft (Echo 5) below land surface and 123 ft (Rainbow) below land surface. No major leaks or problems to report in the past month.
5. Receive a report from Metro Volunteer Program regarding member activities (for discussion only)
No report
6. Receive a report from Nevada Highway Patrol regarding activity and statistics during the last month and other public safety concerns (for discussion only)
Sergeant Kathy Vonk reported that they are down to 4 troopers and 1 sergeant, and they may lose one more. In February, the NHP issued 303 tickets, reported 15 crashes and 17 abandoned vehicles. There have been 1,000+ assists using the equipment they bought with the grant.
7. Receive a report from United State Forest Service regarding current issues and activities in the forest and other forest-related concerns (for discussion only)
Area Manager Deb MacNeill shared that USFS can only sell 2 cords per person per calendar year. The ski report is open until April 9th and may stay open Friday, Saturday,

Sunday through April 30th. MacNeill responded to a question about avalanche control. USFS will continue to have 3 fire patrols. They lost one, but they will be filling in the position shortly.

8. Receive a report from NV Energy regarding PSOM updates and other service-related concerns (for discussion only)

No report

9. Receive a report from Clark County Administrative Services regarding the maintenance of Old Town roads, Short Term Rentals, Transform Clark County and any other updates from Clark County (for discussion only)

Meggan Holzer shared that the State approved their program for Dark Skies designation and she would look further into it. Clark County is doing their Transform Clark County update right now, and staff knows that Dark Skies is a concern for the Mt. Charleston area and rural areas in general. Concern from Public Works - Some people brought up frustrations regarding people from Public Works mishandling the snow levels. The plowing is leaving large piles.

VI. Planning & Zoning

1. **WS-23-0064-DAVIDSON, MITCHELL & ELENA:**

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) increase wall/fence height in conjunction with an existing single family residence on 0.1 acre in an R-U (Rural Open Land) Zone within the Spring Mountain Overlay District (Part I). Generally located on the northwest corner of Aspen Avenue and Mahogany Drive within Northwest County. RM/al/syp (For possible action) **04/18/23 PC**

Moved by: Brenda Talley

Action: Approved

Vote: 3-0/Unanimous

VII. General Business

1. Review and approve the 2023 Mt. Charleston TAB meeting calendar (for possible action)

Meggan discussed the TAB meeting calendar, and the meeting will be held every other month (March 30, June 1, July 27, September 28, November 30). Brenda motioned to approve this calendar, and the vote was 3-0/unanimous. Town Advisory Board can call for a special meeting if necessary

Moved by: Brenda Talley

Action: Approved

Vote: 3-0/Unanimous

2. Darrell Phippen from Revel will provide information and answer questions about the upcoming Mt. Charleston Marathon (for discussion only)

The VFD received a donation of \$6,000, and it was accepted by Dave Martin. There will be a total of 3,000 total runners from all 50 states.

3. Representatives from SNORR (Southern Nevada Off-Road Recovery) will share information about the services they have been providing on the mountain this winter and how they have used the funds received from the Mt. Charleston License Plate Program (for discussion only) **Ian Quell reported 228 calls since Jan 1st, with 173 of those from the mountain. Most calls coming from Mack Canyon and Champion Road. SNORR has been working closely with Metro and NHP and responding to non-emergency calls from metro dispatch which helps take some pressure off the officers.**

VIII . Comments by the General Public –

Dave Martin voiced concerns for roads drying out and potholes. The Town Board will make a list of these road concerns as there were many.

IX. Next Meeting Date

The next regular meeting will be June 1, 2023

X. Adjournment

The meeting was adjourned at approximately 7:43pm



Mt. Charleston Town Advisory Board

July 27, 2023

MINUTES

Board/Council Members: Ernie Freggiaro, Chair Dan Chaney, Vice Chair Brenda Talley

Secretary: Dawn vonMendenhall, 702-289-0196, clarkcountycac@hotmail.com
Clark County Department of Administrative Services,
500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Meggan Holzer, 702-455-0341, meggan@clarkcountynv.gov
Jennifer Damico, 702-455-1900, Jennifer.damico@clarkcountynv.gov
Clark County Department of Administrative Services,
500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

- I. Call to Order, Pledge of Allegiance, Roll Call
The meeting was called to order at approximately 6:05 p.m.
Brenda Talley was excused.
- II. Public Comment
None
- III. Approval of June 1, 2023, Minutes
Moved by: DAN.
Action: Approved subject minutes as submitted
Vote: 2/0 -Unanimous
- IV. Approval of July 27, 2023, Minutes
Moved by: DAN.
Action: Approved subject minutes as submitted
Vote: 2/0 -Unanimous
- V. Approval of the Agenda for September 28, 2023, and Hold, Combine, or Delete any Items (For possible action)
Moved by: DAN.
Action: Approval
Vote: 2/0/Unanimous
- VI. Informational Items
1. Receive a report from Metro regarding activity and statistics during the past month and other area crime concerns (for discussion only)
Sgt. Andy Velasquez reported the following statistics from August 1st – September 26th: 51 calls for service, 10 vehicle stops resulting in citations, 2 crime reports, 2 pedestrian stops, & 3 informational reports. He also stated that they are still dealing with issues from the storm and that Metro has transitioned into a support position to assist other agencies & residents of Mt. Charleston.

2. Receive a report from Mt. Charleston Fire District regarding calls for service during the past month and other fire prevention issues (for discussion only)
Chief Jorge Gonzalez reported 15 calls for service from August 1st – September 26th. He stated that there has been a reduced number of calls since the storm incident. Dave Martin from the volunteer fire department extended his appreciation for all the donations received since the flood.

3. Receive a report from LVVWD regarding the status of the water system (for discussion only)
Jason Bailey shared updates on the Kyle Canyon Water District. Water service has been restored to Rainbow Canyon, Echo, and Cathedral Rock subdivisions and now they are focused on restoring water service to Old Town. The estimated restoration date is the end of November. Mr. Bailey also updated residents on several other repairs that are in process including water testing and a leak repair on a pipe that serves Cathedral Rock. He reminded residents that drinking water is available for Old Town.

4. Receive a report from Metro Volunteer Program regarding member activities (for discussion only)
No report.

5. Receive a report from Nevada Highway Patrol regarding activity and statistics during the last month and other public safety concerns (for discussion only)
Lieutenant Kathy Vonk reported NHP issued 218 citations, responded to 7 crashes, 12 abandoned vehicles, 50 motorist assists, 6 pedestrians, and 223 traffic stops for the month of August. She stated there are two troopers assigned to the area and they are working 6a-10p.

6. Receive a report from United State Forest Service regarding current issues and activities in the forest and other forest-related concerns (for discussion only)
Area Manager Deb MacNeill reported that they are still assessing damage to the trails and stated the USFS visitor center and trails will be closed as long as highways remain closed. Reopening the trails will be based on safety, timeline to open and costs to open. Ms. MacNeil stated that USFS will be requesting funding to rebuild since there is no disaster funding available. She also requested patience from visitors and neighbors as their USFS team is very small and they are all currently working 7 days per week. Ms. MacNeil shared with residents that wood will be available for sale once they start opening back up.

7. Receive a report from NV Energy with updates and other service-related concerns (for discussion only)
Scott Kaufmann reported that NV Energy has a continued presence in the area stabilizing poles and repairing infrastructure on Angel Peak and that they will be there repairing issues caused by the storm.

8. Receive a report from NDOT with status update on road conditions (for discussion only)
Mario Gomez reported that Highway 156 is complete, Highway 157 is approximately 90% completed and procurement for contractors to complete Highway 158 is underway. Highways 156 and 157 will remain closed until the completion of Highway 158.

9. Receive a report from CCSD with any available information (for discussion only)
No report

10. Receive a report from Clark County Administrative Services regarding CDAC applications and communications with any other updates from Clark County (for discussion only)

Clint Spencer from Road Maintenance with Public Works shared that they are trying to procure a contract for the Rainbow Canyon Boulevard entrance repair and that their engineering department is looking at RCBs that were damaged in the channel to ensure that when they are replaced or repaired that the correct size box culverts are reinstalled there. Mr. Spencer also stated that they reestablished road connectivity for Echo Canyon Road. Once that was completed, they coordinated with the water district so they could repair their facilities damaged by the storm. He asked for patience while his crew starts sub grading prior to paving.

VII. Planning & Zoning
None

VII. General Business
None

VIII. Comments by the General Public –
None

IX. Next Meeting Date
The next regular meeting will be November 30, 2023

X. Adjournment
The meeting was adjourned at approximately 7:03 pm.

RESTAURANT/LOUNGE
(TITLE 30)

KYLE CANYON RD/KNOTTY PINE WAY
(MT. CHARLESTON)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0629-MT. CHARLESTON INVESTMENTS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) setbacks; 2) lot coverage; 3) building height; and 4) eliminate sidewalk and reduce street landscaping.

DESIGN REVIEW for the reconstruction of a restaurant and lounge facility in conjunction with an existing bed and breakfast facility on a 1.9 acre portion of 4.2 acres in an R-U (Rural Open Land) Zone in the Spring Mountain Overlay District (Part I).

Generally located on the north side of Kyle Canyon Road and the east side of Knotty Pine Way within Northwest County. RM/hw/syp (For possible action)

RELATED INFORMATION:

APN:

129-36-101-017; 129-36-111-047; 129-36-502-017 ptn

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce the front setback for a restaurant and lounge building to 2.7 feet where 40 feet is the standard per Table 30.40-1 (a 94% reduction).
- b. Reduce the setback from a right-of-way (Kyle Canyon Road) for a restaurant and lounge building to 2.7 feet where 10 feet is the standard per Table 30.40-1 (a 75% reduction).
- c. Reduce the rear setback for a restaurant and lounge building to 39 feet where 50 feet is the standard per Table 30.40-1 (a 22% reduction).
2. Increase lot coverage to 29% (52,967 square foot) and where a maximum of 15% (27,573.5 square feet) is the maximum permitted per Table 30.40-1 (a 92% increase).
3. Increase the building height to 49 feet where 35 feet is the maximum per Table 30.40-1 (a 40% increase).
4. a. Eliminate the sidewalk along Kyle Canyon Road where a detached sidewalk is required per Figure 30.64-17.
- b. Reduce the width of the street landscaping buffer along Kyle Canyon Road to 2.5 feet where 15 feet is required per Figure 30.64-17 (an 83% reduction).
- c. Reduce the number of trees along Kyle Canyon Road to 4 where a total of 16 large trees are required per Figure 30.64-17 (a 75% reduction).

LAND USE PLAN:

NORTHWEST COUNTY (MT. CHARLESTON) - OUTLYING NEIGHBORHOOD (UP TO 0.5 DU/AC)

NORTHWEST COUNTY (MT. CHARLESTON) - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 5375 Kyle Canyon Road
- Site Acreage: 1.9 (restaurant/lounge)/4.2 (overall)
- Project Type: Restaurant/lounge
- Number of Stories: 2
- Building Height (feet): 49
- Square Feet: 52,967 (total)/10,946 (lodge)/23,621 (parking deck)/18,400 (cabins)
- Parking Required/Provided: 165/188

Site Plan, History, & Request

The plan depicts an existing 24 unit cabin bed and breakfast with a previously constructed restaurant and lounge building to the north of Kyle Canyon Road and to the east of Knotty Pine Way. The restaurant and lounge on the site were previously approved and originally constructed in 1962 through UC-049-62 with various expansions and rebuilds in the years after. The cabins also were originally approved in 1993 through VC-0014-93 and VC-1591-93 and constructed in 1995. The previously approved development allowed for 38,603 square feet of cabin and restaurant/lounge space for a total lot coverage of 21%. The bed and breakfast remain, but the restaurant and lounge were destroyed by a fire in 2021, and the applicant is now looking to reconstruct the restaurant and lounge building. The rebuild of the restaurant and lounge is limited to those uses that were previously approved on the site. The reconstruction is required to comply with all current building standards resulting in the new building to differentiate from the previous restaurant and lounge building on the site.

The plans show that there are 24, approximately 770 square foot, cabins located in the western portion of the site with the previous and current proposed location of the restaurant and lounge building being located on the eastern portion of the site. The restaurant and lounge building is shown to consist of the primary restaurant/lounge building surrounded by various attached decks and balconies to the north of the lounge building and an attached bi-level parking garage to the south and east of the lounge and restaurant building. The main restaurant building is shown to be set back 50.6 feet from Kyle Canyon Road to the south, 44.7 feet from the northeast property line, and 45.2 feet from the northwest property line with an extended window wall that is 39 feet from the northwest property line. The parking garage is attached to the restaurant building and extends south up to about 2.7 feet from Kyle Canyon Road and east approximately 331 feet from the eastern property line. Access to the site is provided by 2 commercial driveways along Kyle Canyon Road. One driveway accesses the cabin portion of the site and internal drive aisle connect it with a western entrance to the parking garage. The second driveway accesses the parking garage directly. Parking is provided in a parking lot directly to the south of the cabins, within the mentioned parking garage, and within a smaller surface lot to the east of the parking garage. A total of 165 parking spaces is required for the restaurant and lounge use along with the cabins with a total of 188 parking spaces provided. The cross sections provided show that there will be no major changes to the grading on the site.

Landscaping

On the existing cabins site, no new landscaping is proposed, and existing landscaping primarily consists of the undisturbed natural alpine vegetation on the site, which includes various shrubs and pine trees. In terms of proposed landscaping, all new landscaping will be located on the new restaurant and lounge portion of the site. There are 2 main landscaping buffer areas particularly in the northwest corner of the restaurant and lounge building and to the northeast of the outdoor surface parking lot. These large buffer areas act to buffer the development from the natural areas to the north and east. These buffer areas contain various shrubs and several species of 24 inch and 36 inch box trees. In addition to these buffer areas, a 2.7 wide street landscape buffer has been provided to the south of the proposed retaining wall along the southern property line and Kyle Canyon Road. No sidewalks are being constructed and the strip will contain several species of small shrubs. Parking lot landscaping is provided within the surface lot area with finger islands and trees provided every 4 to 6 spaces, and terminal trees provided where possible.

Elevations

The elevations depict a 4 sided A-frame pitched roof structure. The plans show that from the lowest point on the northern summer deck to the peak of the A-frame roof, the building is 49 feet tall, particularly along the northern façade. The A-frame portion of the building intersects with a rectangular, flat roofed building section that is 23.5 feet tall. The exterior of the A-frame portion of the building is primarily painted/decorative metal paneling with vertical grooving. The rectangular portion of the building contains both wood and stone finishing with wood paneling in locations. The attached parking garage is shown to be primarily built with the stone finishing. Access to the building is primarily provided by commercial door systems along the northern, western, and southern façades with the primary entrance located along the eastern corner of the southern façade. Large window curtain wall systems are provided at the 4 ends of the A-frame portion of the building. Large window systems are provided along the northern façade of the building entering out onto the deck and balcony areas. Glass railings are provided along the decks and balconies.

Floor Plans

The plans depict a 2 story, 10,946 square foot restaurant and lodge building. The primary floor is the upper level of the building labeled "Level 1." This contains the main 4,464 square foot dining room with a 765 private dining area. This upper level also contains the kitchen and 2 outside deck areas totaling 2,127 square feet along with lobby and bar areas. The lower level is labeled "Level B1," and primarily contains a 2,196 square foot lounge area with 2 small dining areas. The lower level contains 550 square feet of office space, additional storage areas, and back of house areas. An additional kitchen is located on the lower level along with another 2 outside deck areas for a total of 4,200 square feet of outside area. Parking within the garage is spread out across both floors.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states they are requesting these applications to rebuild the restaurant and lodge that was lost to fire on the same site. They state that the building will contain various bars and a

restaurant and is built to meet parking requirements. The lodge building is 2 stories and is split level and will have access on both levels to the Kyle Canyon Road and the cabin site. The applicant states the new building will match as much as possible to the previous building on the site. The applicant indicates that setback reductions are the result of the odd geometry of the lot and similar reductions were approved. In addition, they also indicate the increase in building height and coverage is needed in order to accommodate the building to current Code and that unique design elements like the A-frame and parking garage have been used to help make-up for these increases.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0584	Temporary outdoor events that exceed the timeframe with a tent and other temporary structures	Approved by PC	December 2022
WS-0216-17	Reduced setbacks for a balcony and modifications to an existing restaurant facility	Approved by PC	May 2017
UC-0498-12	Communication tower with increased height, reduced setbacks, and reduced separation from another tower	Approved by PC	October 2012
UC-0375-04	Communication tower with increased height and reduced separation from another tower	Approved by PC	April 2004
UC-1587-03	Recreational facility and live entertainment with commercial uses - expired	Approved by PC	November 2003
VC-0605-98	Reduced lot width and depth and increased lot coverage in conjunction with an existing bed and breakfast and restaurant and lounge	Approved by PC	May 1998
UC-1473-96	Television receiving tower with 2 antennas	Approved by PC	October 1996
VC-0940-95	Wedding chapel and multi-purpose building in conjunction with an existing restaurant and lodge	Approved by BCC	August 1995
UC-0913-93	Radio communication tower and accessory equipment	Approved by PC	July 1993
VC-0014-93	24 unit bed and breakfast and existing restaurant with reduced setbacks and increased lot coverage - expired	Approved by BCC	March 1993
VC-506-92	Heavy equipment service with no paving or landscape buffer	Approved by PC	August 1992
AC-145-88	Remodeled the kitchen, roof, dining, and bar area, and expanded the existing restaurant	Approved by BCC	September 1988
UC-216-88	Maintain live indoor entertainment - expired	Approved by BCC	September 1988
VC-437-88	Permit outdoor dining, catering, and sleigh/hayrides in conjunction with an existing restaurant and lounge	Approved by BCC	September 1988

Prior Land Use Requests

Application Number	Request	Action	Date
VC-358-87	Bed and breakfast units, meeting rooms, gift shops, and entrance remodeled in conjunction with an existing restaurant and lodge - expired	Approved by BCC	September 1988
ZC-130-80	Reclassified the site from R-U to C-2 zoning for a 117 room motel and 12,400 square foot restaurant expansion	Denied by BCC	April 1981
AC-135-80	Replaced an existing restaurant and lounge with a 12,460 square foot restaurant and lounge - expired	Approved by PC	September 1980
UC-49-62	Restaurant, cocktail lounge, ice skating rink, bowling lanes, swimming pool with cabanas and shops	Approved by BCC	May 1962

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, East, & South	Open Lands	R-U	Numboldt-Toiyabe National Forest/Spring Mountain National Recreation Area
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-U	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive 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 through #3

Staff finds that the conditions of the lot with regard to size, shape, and slope, make construction of the new restaurant/lounge building to Code difficult to achieve. Staff finds that location of the building is similar to the previous restaurant/lounge building and that the design and siting of the building is such that intrusions into the setback are limited as much as possible. While the location and siting of the parking garage could be designed to reduce the impact on the front setback, the use of a parking garage helps to reduce overall coverage of the site by paved parking and helps to maintain undisturbed natural areas. In addition, the provided lot coverage would be permitted in a typical commercial zoning district. Additionally, staff finds that the design of the

building makes use of the existing grading slopes on the site creating a multi-level design. The use of multiple levels and increased height maintains the A-frame design of the previous building and reduces the need for more on-site disturbance. Lastly, the proposed height would be permissible in a general commercial zoning district. For these reasons, staff can support these requests.

Waiver of Development Standards #4

Staff finds that the existing conditions along Kyle Canyon Road do not have sidewalks this far up the mountain, and the road tends to be dominated by car and bike traffic. While sidewalks could help to develop a more pedestrian friendly environment in the Mount Charleston area, no similar infrastructure exists in the area and would thus not significantly advance a public interest. In terms of the landscaping strip, staff finds that no similar street landscaping exists in the surrounding area and that most street side vegetation along Kyle Canyon Road is native shrubs and trees. Staff also finds that no street landscaping previously existed on the site and the reduction of the landscaping strip is due to the placement of the parking garage structure. Staff ultimately finds that since the exteriors of the parking structure are decorative and native, shrubs similar to those in the area should be sufficient to soften the appearance of the site. For these reasons, staff can support this request.

Design Review

Overall, staff finds that the restaurant and lounge building is attractive and complementary to the overall surrounding environment. The building integrates into the existing site and is similar to the previous building. The building is sited and designed to make the best use of the site, while also taking advantage of the views that the surrounding area provides. The proposed landscaping for the site will add landscaping that was not originally present and integrates and buffers the site from the nearby forest areas. The landscaping provided should enhance the visual appearance of the restaurant building and the view of the site from the street, while maintaining the unique vegetation of the area. The exteriors of the restaurant and lounge building take use of the materials and textures of the surrounding area (wood and stone) helping to integrate the building into the mountain landscape. The overall site has several points of access and staff finds that the placement of the new building does not significantly impact flows within or near the site. Staff also finds that the replacement of the restaurant and lounge building helps to support Policy 5.1.2, which encourages the use of properties for tourism type uses and Policy 5.1.6 which encourages uses that will promote the economy of outlying areas. Lastly, the parking garage is a unique solution which assures that parking needs are met while assuring that more land is reserved for native vegetation and slopes, which supports Northwest County Specific Policy NW-5.5, which encourages such innovations to address parking limitations in the northwest portion of the County. For these reasons, staff can support this request.

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

- All provided on-site vegetation to be native to the Spring Mountain area;
- Record perpetual cross access, ingress/egress, and shared parking agreement between APNs 129-36-502-017 and 129-36-101-017;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the rebuild of the restaurant and lounge is limited to those uses that were previously approved on the site and additional land use applications may be required for any future uses, construction, or grading; that approval of this application does not constitute or imply approval of any other County issued permit, license or approval; the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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

- Drainage study and compliance;
- Traffic study and compliance.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: MT. CHARLESTON INVESTMENTS, LLC

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