

05/07/19 PC AGENDA SHEET

RIGHT-OF-WAY/EASEMENT  
(TITLE 30)

PECOS-MCLEOD INT/DESERT INN RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-19-400036 (VS-0090-15) -DIAMOND PM LLC:**

**VACATE AND ABANDON SECOND EXTENSION OF TIME** for easements of interest to Clark County located between Desert Inn Road and Emerson Avenue and between Pecos-McLeod Interconnect and Flamingo Wash, and a portion of right-of-way being the Pecos-McLeod Interconnect located between Desert Inn Road and Emerson Avenue within Paradise (description on file). TS/sv/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**  
162-13-501-006

**LAND USE PLAN:**  
WINCHESTER/PARADISE - RESIDENTIAL URBAN CENTER (18 DU/AC TO 32 DU/AC)

**BACKGROUND:**

**Project Description**

The original application was a request to vacate and abandon a portion of right-of-way and a patent easement. The original plans depicted the vacation and abandonment of up to a 6 foot wide portion of right-of-way being the Pecos-McLeod Interconnect located on the west side of the subject parcel. The original plans also showed the vacation and abandonment of a 33 foot wide patent easement along the north property line.

Previous Conditions of Approval

Listed below are the approved conditions from VS-0090-15 (ET-0037-17):

Current Planning

- Until April 7, 2019 to-record.
- 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 re-approval by the utility companies is required.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions from VS-0090-15:

**Current Planning**

- Satisfy utility companies' requirements.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

**Public Works – Development Review**

- Detached sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

**Building/Fire Prevention**

- Applicant is advised that this department has no objection to vacating streets/roads and/or easements that are not needed for fire/emergency vehicle access.

**Applicant's Justification**

The applicant is currently requesting a second extension of time on the vacation and abandonment application, VS-0090-15, because the applicant is still in the process of submitting a design review for the same project. The applicant expects to submit the design review within the next two months and more time will be needed to complete all conditions and record the vacation.

**Prior Land Use Requests**

| <b>Application Number</b>  | <b>Request</b>  | <b>Action</b>   | <b>Date</b> |
|----------------------------|---|-----------------|-------------|
| VS-0090-15<br>(ET-0037-17) | Vacated and abandoned first extension of time for right-of-way and easements  | Approved by PC  | March 2017  |
| UC-0427-11<br>(ET-0025-15) | First extension of time for a use permit for an assisted/independent living facility with a waiver of development standards for reduced lot size, a waiver of conditions of a zone change, and a design review for an assisted/independent living facility and project amenities  | Approved by BCC | June 2015   |
| VS-0090-15                 | Vacate and abandon easement of interest to Clark County and vacate a portion of Pecos-McLeod Interconnect   | Approved by PC  | April 2015  |
| UC-0427-11                 | A waiver of development standards to reduce lot size, waiver of condition of a zone change to change the product from for rent multi-family to for sale condominiums and to reduce 15 units to 2 story units with only 9, three story units remaining along with a design review for an assisted/independent living facility with project amenities | Approved by BCC | June 2012   |
| VS-0002-11                 | Vacated and abandoned a portion of the Pecos-McLeod Interconnect and patent easement – expired  | Approved by PC  | March 2011  |

**Prior Land Use Requests**

| Application Number | Request   | Action          | Date          |
|--------------------|---|-----------------|---------------|
| VS-0061-08         | Vacated and abandoned a portion of the Pecos-McLeod Interconnect and patent easement – expired  | Approved by BCC | April 2008    |
| WS-1162-07         | Reduced driveway length with a waiver of conditions of a zone change, and design review for a deceleration lane, project amenities, and a condominium complex | Approved by BCC | December 2007 |
| ZC-1382-06         | Reclassified 1.6 acres from R-1 to R-4 (reduced to R-3) zoning with waivers of development standards and a design review for a multi-family complex           | Approved by BCC | August 2007   |

**Surrounding Land Use**

|              | Planned Land Use Category | Zoning District | Existing Land Use               |
|--------------|---------------------------|-----------------|---------------------------------|
| North        | Commercial General        | C-2             | Shopping center                 |
| South & East | Public Facilities         | R-1             | Drainage channel/ Flamingo Wash |
| West         | Office professional       | R-1             | Undeveloped                     |

**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.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until April 7, 2021 to record.
- 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 re-approval by the utility companies is required.

**Public Works - Development Review**

- Compliance with previous conditions.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** DIAMOND PM, LLC

**CONTACT:** DIAMOND PM, LLC, 5052 S. JONES BLVD, STE 110, LAS VEGAS, NV 89118

**DRAFT**

ACCESSORY STRUCTURE  
(TITLE 30)

UNIVERSITY AVE/PECOS RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-19-0186-LEYBA-POLIAK, DESIREE & POLIAK, OREN:**

**USE PERMITS** for the following: 1) allow an existing accessory structure (storage container) that is not architecturally compatible with the principal building; 2) allow an existing accessory structure (storage container) to exceed the footprint of the principal dwelling; and 3) allow alternative design standards in conjunction with a single family residence.

**WAIVER OF DEVELOPMENT STANDARDS** to increase the height of an accessory structure in conjunction with an existing residence on 0.6 acres in an R-1 (Single Family Residential) Zone.

Generally located on the south side of University Avenue, 630 feet west of Pecos Road within Paradise. TS/pb/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-24-606-002

**USE PERMITS:**

1. Allow an existing accessory structure (metal storage container) not architecturally compatible with the principal building as required per Table 30.44-1.
2.
  - a. Increase the area of an accessory structure (metal storage containers with a common roof) to 720 square feet where a maximum area of 268 square feet (50% of the footprint of the principal dwelling) is permitted per Table 30.44-1 (a 168.7% increase).
  - b. Increase the cumulative area of an accessory structure (metal storage containers with a common roof) to 720 square feet where a maximum of 536 square feet (100% of the footprint of the principal dwelling) is permitted per Table 30.44-1 (a 243% increase).
3. Waive applicable design standards per Table 30.56-2A for the following:
  - a. Architectural enhancements on all elevations.
  - b. Allow a non-decorative metal siding and roof where not permitted.

**WAIVER OF DEVELOPMENT STANDARDS:**

Increase the height of an accessory structure to 20 feet where 14 feet is allowed per Table 30.40-2 (a 42.9% increase).

## **LAND USE PLAN:**

WINCHESTER/PARADISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: 3273 E. University Avenue
- Site Acreage: 0.6
- Project Type: Accessory structure (metal storage containers with a common roof)
- Number of Stories: 1
- Building Height (feet): 20
- Square Feet: 160 (each container)/720 (total area under a common roof)/536 (principal residence)

#### Site Plans

The plans depict an existing accessory storage structure (2 metal storage containers with a common roof) on the southwestern portion of the lot. The existing single family dwelling is located on the northwestern portion of the parcel. The eastern portion of the parcel is undeveloped. The existing structure will be set back 5 feet from the south (rear) property line and 5 feet from the west (side) property line. Access to the property is from University Avenue.

#### Landscaping

The plans depict existing trees located on the northern portion of the site. No additional landscaping is proposed or required with this application.

#### Elevations

The plans depict two, 8 foot high metal storage containers with a common roof extending 12 feet above the containers for a total height of 20 feet. The common roof is arched giving the appearance of a Quonset hut.

#### Floor Plans

The plans depict two, 160 square foot (8 feet wide by 20 feet long), storage containers spaced 20 feet apart with a common roof creating a single 720 square foot accessory structure.

#### Applicant's Justification

The applicant indicates the accessory structure will be used for storage and work area. The containers will be painted white to match the exterior of the principal residence. The shade structure connecting the containers will have a silver metal finish compatible with the existing residence which has a roof with a blue metal finish. The applicant indicates the request is compatible with the existing development in the area where several homes have storage containers and large accessory structures. The structure is located on the rear of the site behind the existing residence and landscaping.

### Surrounding Land Use

|                      | Planned Land Use Category            | Zoning District | Existing Land Use         |
|----------------------|--------------------------------------|-----------------|---------------------------|
| North, South, & West | Residential Suburban (up to 8 du/ac) | R-1             | Single family residential |
| East                 | Residential Suburban (up to 8 du/ac) | R-2             | Single family residential |

### Clark County Public Response Office (CCPRO)

CE19-01478 is an active enforcement case for a building without permits.

### STANDARDS FOR APPROVAL:

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

### Analysis

#### Current Planning

#### Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Staff reviews use permit requests to ensure compatibility with existing and planned development in the area. The proposed accessory structure measures larger than the residence and is not to scale with the size of the existing residence; therefore, staff finds the structure will be visually obtrusive on adjacent properties. Although the structures meet all required setbacks, staff is also concerned with the lack of compatibility with residential uses and the lack of screening and buffering of the structure from abutting parcels to the south and west. Review of adjacent properties either do not have or show accessory structures of this scale that the applicant is proposing. Staff finds the storage containers and shared roof out of character for the area and more compatible with what would be kept on industrial and manufacturing parcels. In addition, the storage container is not architecturally compatible with the principal building. The request does not comply with Urban Specific Policy 10 of the Comprehensive Master Plan which encourages site designs to be compatible with adjacent land uses. Therefore, staff cannot support this request.

#### Waiver 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.

Staff finds the increase in height is excessive and exasperates the problems created with the requested use permits. Staff finds that these requests are self-imposed hardships. The applicant

has not provided compelling justification to warrant approval of this request nor mitigation measures to reduce adverse impacts. Additionally, staff cannot find any evidence of previously submitted land use applications for similar accessory structures within the immediate area. Therefore, staff cannot support this request.

**Staff Recommendation**

Denial.

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**

If approved:

- 1 year to complete the building permit process, including all necessary inspections, with any extension of time to be a public hearing;
- Storage container to be painted to match the principal residence;
- Plant 2 large trees spaced 20 feet apart on the west side of the accessory structure and 2 large trees spaced 20 feet apart on the south side of the accessory structure to screen the adjacent properties;
- 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; 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)**

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: OREN POLIAK**

**CONTACT: OREN POLIAK, 3273 E. UNIVERSITY AVENUE, LAS VEGAS, NV 89121**



SINGLE FAMILY RESIDENTIAL  
(TITLE 30)

ELDORADO LN/MCLEOD DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-19-400045 (TM-0122-12) -ELDORADO SPRINGS, LLC:**

**TENTATIVE MAP FIRST EXTENSION OF TIME** consisting of 52 single family residential lots and common lots on a portion of 8.8 acres in an R-E (Rural Estates Residential) Zone and an R-2 (Medium Density Residential) Zone.

Generally located on the east side of McLeod Drive (alignment), 200 feet north of Eldorado Lane within Paradise. JG/gc/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**  
177-12-523-006

**LAND USE PLAN:**  
WINCHESTER/PARADISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC) & RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

**BACKGROUND:**  
**Project Description**  
General Summary

- Site Address: N/A
- Site Acreage: 6.3 acre portion of 8.8 acres
- Number of Lots: 52 (5 R-E/47 R-2)
- Density (du/ac): 1.9 (R-E portion)/7.7 (R-2 portion)
- Minimum/Maximum Lot Size (gross square feet): 15,066/21,645 in the R-E portion; 3,533/10,438 in the R-2 portion (net lot size requirements were not established until 2015)
- Project Type: Single family residential

**Site Plans**

The original plans depict a 52 lot single family residential subdivision with a density of 1.9 du/ac in the R-E zoned portion and a density of 7.7 du/ac in the R-2 zoned portion. An approximate 190 foot long R-E zoned area is shown along the west side of the subdivision consisting of 5 lots. The remainder of the lots in the subdivision are shown as R-2 zoning. The 5 lots in the R-E zoned portion of the site range from 15,066 square feet to 21,645 square feet. The R-E zoned portion of the tentative map has already recorded (NFM-0121-15/PB 151-62). Therefore, the tentative map expiration date was extended to April 12, 2019. The R-2 zoned portion of the site

consists of 47 lots ranging in size from 3,533 to 10,438 gross square feet, with the front property line extending into the centerline of the street. Access to the R-E zoned portion of the development is from McLeod Drive to the west and the R-2 zoned portion is accessed on the east side of the site from Aquarena Way via Eldorado Lane. There is no shared access between the R-E and R-2 zoned portions of the project. The development is set back 50 feet from the existing Union Pacific Railroad right-of-way along the north property line boundary due to an existing 50 foot wide easement for the railroad on the property.

#### Previous Conditions of Approval

Listed below are the approved conditions for TM-0122-12:

#### Current Planning

- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

#### Current Planning Division – Addressing

- Identify the existing alignment of Rabbit Creek Drive.

#### Public Works – Development Review

- Drainage study and compliance;
- 32 feet of paving on McLeod Drive per Standard Drawing 209;
- Traffic study update and compliance, project may qualify for an exception to the traffic analysis with Public Works - Development Review approval;
- Vacate remaining portion of McLeod Drive south of the proposed cul-de-sac;
- Right-of-way dedication on McLeod Drive to include 30 feet on the east side, the cul-de-sac at the south end, and the knuckle at the north end.

#### Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

#### Southern Nevada Health District (SNHD) – Septic

- Applicant is advised that there is an active septic system and existing well located on the property; in constructing the residential subdivision, applicant is advised to abandon the Septic System per Section 17 of the SNHD ISDS Regulations and call SNHD Septic System Program at 759-0660 for information; and that the existing well must be abandoned per Nevada State Division of Water Resources (NSDWR) requirements, and call NSDWR at 486-2770 for more information.

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

- Applicant is advised to meet with CCWRD at their earliest convenience; providing public sanitary sewer for a detached single family residential development at this location will be a challenge; CCWRD will require estimated wastewater flow rates from all phases of the proposed project at build-out before sewer point-of-connection can be approved; all

on-site sewers shall be public sewers for detached single family residential; all on-site lift stations serving detached single family residential developments shall be public lift stations; the sewer point-of-connection and placement of sanitary sewers in easements, as well as the use of a lift station, are all shown on the tentative map, however, the sewer point-of-connection and use of easements as shown is not pre-approved by CCWRD; the use of a public lift station is not pre-approved by CCWRD; point-of-connection and easement determination will require submittal of civil improvement plans for full engineering review and evaluation including submittal of estimated wastewater flow rates from all phases of the proposed project at build-out; the tentative map as submitted is acceptable, subject to the point-of-connection detailed herein; the applicant's preliminary suggested point-of-connection is within private streets and a private development located to the east, subject to available capacity in this line; applicant cannot connect to the private development without written authorization of the private owners and/or homeowners association, therefore, wastewater flows from the subject development may have to be discharged into the public sanitary in Topaz Street located to the west of the applicant's parcel, subject to available capacity in this line; and that if there are any questions, please call the Zoning Response Team at CCWRD (668-8160).

**Applicant's Justification**

The applicant states that the improvement plans are currently being worked on and additional time is needed to complete them. The applicant requests an extension for an additional 2 years for the tentative map.

**Prior Land Use Requests**

| <b>Application Number</b>    | <b>Request</b>  | <b>Action</b>             | <b>Date</b>            |
|------------------------------|---|---------------------------|------------------------|
| NFM-0121-15                  | Final map for 5 single family residential R-E zoned lots  | Approved administratively | Recorded in April 2016 |
| VS-0791-15                   | Vacated and abandoned a portion of right-of-way being McLeod Drive  | Approved by PC            | January 2016           |
| WS-0751-12<br>(ADET-0344-15) | Administrative extension of time to reduce lot size until April 23, 2016 to complete                      | Approved administratively | April 2015             |
| ZC-1660-02<br>(ADET-0343-15) | Administrative extension of time for a zone change to R-E and R-2 zoning until April 23, 2016 to complete | Approved administratively | April 2015             |
| TM-0122-12                   | Original application for 52 single family residential lots  | Approved by PC            | February 2013          |
| WS-0751-12                   | Reduced lot size to 15,000 square feet in the R-E zoned portion of the subdivision                        | Approved by PC            | February 2013          |
| ZC-1660-02<br>(ET-0124-11)   | Third extension of time approved until January 22, 2015 to complete                                       | Approved by BCC           | February 2012          |
| ZC-1660-02<br>(ET-0300-08)   | Second extension of time approved until January 22, 2012 to complete                                      | Approved by BCC           | December 2008          |

**Prior Land Use Requests**

| Application Number      | Request  | Action          | Date          |
|-------------------------|--|-----------------|---------------|
| WS-1176-07              | Reduced 3 R-E zoned lots to a minimum 18,000 square feet with the condition that Lot 48 be 15,000 square feet - expired                                      | Approved by BCC | January 2008  |
| TM-0280-07              | 52 lot single family residential subdivision - expired   | Approved by BCC | January 2008  |
| ZC-1660-02 (ET-0313-05) | First extension of time approved until January 22, 2009 to complete  | Approved by BCC | February 2006 |
| TM-0346-05              | 61 lot single family residential subdivision - expired   | Approved by PC  | January 2005  |
| ZC-1660-02 (WC-0036-03) | Waived conditions requiring right-of-way dedication to include 30 feet for McLeod Drive and a spandrel at the intersection of McLeod Drive and Eldorado Lane | Approved by BCC | March 2003    |
| ZC-1660-02              | Reclassified the site to R-E and R-2 zoning for a single family residential subdivision  | Approved by BCC | January 2003  |

**Surrounding Land Use**

|       | Planned Land Use Category                                | Zoning District | Existing Land Use         |
|-------|--|-----------------|---------------------------|
| North | Office Professional                                      | C-P             | Office complex            |
| South | Residential Suburban (up to 8 du/ac) & City of Henderson | R-E             | Single family residential |
| East  | Residential Suburban (up to 8 du/ac)                     | R-2             | Single family residential |
| West  | Rural Neighborhood Preservation (up to 2 du/ac)          | R-E             | Single family residential |

**Related Applications**

| Application Number | Request  |
|--------------------|--|
| WS-19-0255         | A waiver of development standards to reduce side setback and a design review for a single family residential development is a companion item on this agenda. |

**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, substantial changes have occurred at the subject site since the original approval. Since the time the tentative map was originally approved, Title 30 has been changed to no longer allow private streets to be included in the lot area in the R-2 zoning district and a lot cannot be mapped to the centerline of a street. The minimum lot size required for lots in the R-2 zoning district is 3,300 square feet. Therefore, a number of lots within the subdivision will not meet minimum lot size requirements. As a result, staff cannot support the extension of time request.

**Staff Recommendation**

Denial.

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**

If approved:

- Until April 12, 2021 to complete.
- Applicant is advised that 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**

- Demonstrate legal access,
- Compliance with previous conditions.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: ELDORADO SPRINGS, LLC**

**CONTACT: LANDON CHRISTOPHERSON, 2885 E. QUAIL AVENUE, LAS VEGAS, NV 89120**

05/21/19 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL  
(TITLE 30)

ELDORADO LN/MCLEOD DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-19-0255-ELDORADO SPRINGS, LLC:

**WAIVER OF DEVELOPMENT STANDARDS** for reduced side setback.

**DESIGN REVIEW** for a single family residential development on 6.3 acres in an R-E (Rural Estates Residential) Zone and an R-2 (Medium Density Residential) Zone.

Generally located on the east side of McLeod Drive (alignment), 300 feet north of Eldorado Lane within Paradise. JG/gc/ja (For possible action)

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RELATED INFORMATION:

**APN:**

177-12-523-006

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the side (interior) setback to 3 feet where a minimum of 5 feet is required per Table 30.40-2 (a 40% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC) & RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 6.3
- Number of Lots: 47
- Density (du/ac): 7.7
- Minimum/Maximum Lot Size (gross square feet): 3,533/10,438 per TM-0122-12
- Project Type: Single family residential
- Number of Stories: 2
- Building Height (feet): Up to 27 feet 4 inches
- Square Feet: 1,896 to 2,417

### Site Plans

The plans depict a single family residential development consisting of 47 residential lots and a common element lot at a density of 7.7 dwelling units per acre. Gross lot sizes range from a minimum of 3,533 square feet to a maximum of 10,438 square feet per TM-0122-12 (net lot size requirements were not established until 2015). The front property line of the lots extend to the centerline of the street, and therefore, the lot sizes include the private street area. The lots are served by 37 foot wide private streets with no sidewalk. The residential lots are located within the R-2 zoned portion of the property, with a portion of the common area within the R-E zoned portion of the property. Access to the project is from Aquarena Way within the adjacent subdivision to the east via Eldorado Lane.

### Landscaping

Twenty-four inch box, California Fan Palm trees are located adjacent to existing R-E zoned properties along the western and southern perimeter of the subdivision, 30 feet on center.

### Elevations

The plans show 3, up to 27 foot 4 inch high, 2 story models with 2 types of elevation designs. Building material consist of stucco finish, stone veneer, stucco pop-outs, corbels, composite siding, and tile roofing.

### Floor Plans

The plans depict homes ranging in size from 1,896 square feet to 2,417 square feet with 3 to 4 bedrooms, 2.5 baths, and 2 car garages.

### Applicant's Justification

The applicant states that the subdivision is the third phase of the Eldorado Springs development, and that the proposed 3 foot interior side setback is the same setback that exists in the subdivision to the east, a previous phase.

### Prior Land Use Requests

| <b>Application Number</b>    | <b>Request</b>  | <b>Action</b>             | <b>Date</b>            |
|------------------------------|---|---------------------------|------------------------|
| XFM-0121-15                  | Final map for 3 single family residential R-E zoned lots  | Approved administratively | Recorded in April 2016 |
| VS-0791-15                   | Vacated and abandoned a portion of right-of-way being McLeod Drive  | Approved by PC            | January 2016           |
| WS-0751-12<br>(ADET-0344-15) | Administrative extension of time to reduce lot size until April 23, 2016 to complete                      | Approved administratively | April 2015             |
| ZC-1660-02<br>(ADET-0343-15) | Administrative extension of time for a zone change to R-E and R-2 zoning until April 23, 2016 to complete | Approved administratively | April 2015             |
| TM-0122-12                   | 52 single family residential lots   | Approved by PC            | February 2013          |

**Prior Land Use Requests**

| Application Number      | Request  | Action          | Date          |
|-------------------------|--|-----------------|---------------|
| WS-0751-12              | Reduced lot size to 15,000 square feet in the R-E zoned portion of the subdivision   | Approved by PC  | February 2013 |
| ZC-1660-02 (ET-0124-11) | Third extension of time approved until January 22, 2015 to complete  | Approved by BCC | February 2012 |
| ZC-1660-02 (ET-0300-08) | Second extension of time approved until January 22, 2012 to complete   | Approved by BCC | December 2008 |
| WS-1176-07              | Reduced 3 R-E zoned lots to a minimum 18,000 square feet with the condition that Lot 48 be 15,000 square feet - expired                                      | Approved by BCC | January 2008  |
| TM-0280-07              | 52 lot single family residential subdivision - expired   | Approved by BCC | January 2008  |
| ZC-1660-02 (ET-0313-05) | First extension of time approved until January 22, 2009 to complete  | Approved by BCC | February 2006 |
| TM-0346-05              | 61 lot single family residential subdivision - expired   | Approved by PC  | January 2005  |
| ZC-1660-02 (WC-0036-03) | Waived conditions requiring right-of-way dedication to include 30 feet for McLeod Drive and a spandrel at the intersection of McLeod Drive and Eldorado Lane | Approved by BCC | March 2003    |
| ZC-1660-02              | Reclassified the site to R-E and R-2 zoning for a single family residential subdivision  | Approved by BCC | January 2003  |

**Surrounding Land Use**

|       | Planned Land Use Category                                | Zoning District | Existing Land Use         |
|-------|--|-----------------|---------------------------|
| North | Office Professional                                      | C-P             | Office complex            |
| South | Residential Suburban (up to 8 du/ac) & City of Henderson | R-E             | Single family residential |
| East  | Residential Suburban (up to 8 du/ac)                     | R-2             | Single family residential |
| West  | Rural Neighborhood Preservation (up to 2 du/ac)          | R-E             | Single family residential |

**Related Applications**

| Application Number        | Request   |
|---------------------------|---|
| ET-19-400045 (TM-0122-12) | First extension of time for a tentative map consisting of 52 single family residential lots is a companion item on this agenda. |

**STANDARDS FOR APPROVAL:**

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



## **Analysis**

### **Current Planning**

#### **Waiver of Development Standards & Design Review**

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.

Staff cannot support the proposed requests; partly because staff does not support the companion extension of time request for the tentative map that the subject waiver of development standards and design review requests are based on. Per today's Title 30 requirements, some of the lots of the approved tentative map (TM-0122-12) would not meet minimum lot size requirements, which may be causing, in part, the need for a waiver to reduce the interior side setback. Furthermore, staff finds the waiver request to be a self-imposed hardship since the setback reduction is only necessary due to the design and size of the proposed homes. The applicant has not provided any information to show unique issues on the lots such as easements or topographic features that would justify the setback reduction. The request does not comply with Urban Specific Policy 39 of the Comprehensive Master Plan which encourages appropriate buffers and setbacks with single family residential developments.

### **Department of Aviation**

The property lies just outside the AE-60 (60-65 DNL) noise contour for the McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the McCarran International Airport facilities to meet future air traffic demand.

### **Staff Recommendation**

#### **Denial**

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**

##### **If approved:**

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that approval of this application does not constitute or imply approval of a building permit and must comply with all building code 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**

- Compliance with drainage study PW17-25455 or submit a new drainage study;
- Demonstrate legal access.

**Department of Aviation**

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

**Building Department - Fire Prevention**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: ELDORADO SPRINGS, LLC**

**CONTACT: LONDON CHRISTOPHERSON, 2885 E. QUAIL AVENUE, LAS VEGAS, NV 89120**

05/21/19 PC AGENDA SHEET

SPORTING GOODS - FIREARMS  
(TITLE 30)

VALLEY VIEW BLVD/POST RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-19-0244-YORK NEVADA MANAGEMENT, LLC II:**

**USE PERMIT** for a proposed sporting goods (Firearms) sales business within a portion of an existing office/warehouse building on 6.4 acres in an M-1 (Light Manufacturing) (AE-65 & AE-70) Zone.

Generally located on the east side of Valley View Boulevard, 600 feet north of Post Road within Paradise. MN/nr/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-32-301-006 ptn

**LAND USE PLAN:**

WINCHESTER/PARADISE - INDUSTRIAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 6280 S Valley View Blvd., Suite 610
- Site Acreage: 6.4 (portion)
- Project Type: Sporting goods - firearms
- Number of Stories: 1
- Square Feet: 960 (lease space)
- Parking Required/Provided: 688/780

**Site Plan**

The plan depicts an existing commercial and office/warehouse complex consisting of 3 buildings on the subject site. The sporting goods (firearms) sales will occupy a suite within the building that faces Valley View Boulevard. Access to the complex is provided from Valley View Boulevard and Post Road. There will be no changes to the site.

**Landscaping**

No additional landscaping is proposed or required with this application.

Floor Plans

The plans depict a 960 square foot tenant space that consists of an open office area and a restroom.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that they will be operating a tour guide company for outdoor sports in the office space along with doing gunsmithing, repairs of firearms and manufacturing parts for firearms. However, the retail sales of firearms is not allowed as a matter of right in the M-1 zoning district and a use permit is required. The applicant indicates that the sale of firearms would be over the internet with no walk-ins or on-site sales. Any customer pick-ups would be by appointment only. The applicant feels that the proposed use is compatible with the business center and will not have a negative effect on the neighboring tenants.

**Prior Land Use Requests**

| Application Number | Request  | Action         | Date           |
|--------------------|--|----------------|----------------|
| UC-0288-17         | Minor training facility (dance studio)   | Approved by PC | June 2017      |
| UC-0483-13         | Minor training facility (Trapeze Las Vegas)  | Approved by PC | October 2013   |
| UC-0175-13         | Second hand sales (Cell Circle)  | Approved by PC | May 2013       |
| UC-0613-12         | Second hand Sales (Peggy Sue's Treasure's)   | Approved by PC | December 2012  |
| UC-1316-00         | Office/Retail center uses and warehouse uses   | Approved by PC | September 2000 |
| DR-0370-97         | Development of 7 buildings including the parcel to the south with approximately 232,000 square feet of an office/warehouse complex | Approved by PC | April 1997     |
| ZC-1636-96         | Zone change from R-E to M-1 zoning for an office warehouse complex   | Approved BCC   | November 1996  |

**Surrounding Land Use**

|                     | Planned Land Use Category | Zoning District | Existing Land Use                                     |
|---------------------|---------------------------|-----------------|---|
| North               | Industrial                | M-1             | Office/warehouse uses & Union Pacific railroad tracks |
| South, East, & West | Industrial                | M-1             | Office/warehouse uses                                 |

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Staff finds that the sporting goods (firearms) sales business in the existing office/warehouse complex is compatible and consistent with other uses within the complex and the surrounding area. The request is consistent with Land Use Goal 2 of the Comprehensive Master Plan which encourages opportunities for a mix of appropriate commercial uses. Therefore, staff can support the request.

**Department of Aviation**

The property lies within the AE-65 (65 - 70 DNL) noise contour for McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade McCarran International Airport facilities to meet future air traffic demand.

**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**

- 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**

- No comment.

**Department of Aviation**

- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.

- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

**Building Department - Fire Prevention**

- No comment.

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

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: WILDBOYS OUTDOOR SPORTS, LLC**

**CONTACT: VALLEY VIEW BUSINESS CENTER, 6280 S. VALLEY VIEW BLVD, SUITE 106, LAS VEGAS, NV 89118**

DRAFT

HOOKAH LOUNGE  
(TITLE 30)

PARADISE RD/HARMON AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-19-0261-EAGLE PARADISE LLC & THAYERACK LLC:**

**USE PERMITS** for the following: 1) permit a hookah lounge; 2) eliminate the protective barrier between the outside dining area and parking area where required; and 3) allow the primary means of access to an outside dining and drinking area from a sidewalk where the primary means of access is required through the interior of the restaurant within an existing shopping center on a portion of 5.3 acres in a C-2 (General Commercial) (AE-65) Zone within a portion of the MUD-2 Overlay District.

Generally located on the north side of Harmon Avenue and the east side of Paradise Road within Paradise. JG/md/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-22-202-007 (ptn)

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 4480 Paradise Road, Suite 450
- Site Acreage: 5.3 ptn
- Project Type: Hookah lounge
- Number of Stories: 1
- Square Feet: 2,028 (lease area)
- Parking Required/Provided: 232/292

**Site Plans**

The plans depict an existing hookah lounge, restaurant, and service bar centrally located within a portion of existing retail Building A (Suite 450) that is located within an existing shopping center consisting of 58,000 square feet. The tenant space consists of 1,820 square feet and an existing outdoor patio area measuring 208 square feet. The outdoor patio area was constructed in March 2015 via building permit 15-7430. Access to the shopping center is granted from Paradise Road, Harmon Avenue, and Swenson Street. The shopping center requires 232 parking spaces where 292 parking spaces are provided.

Landscaping

All street and site landscaping exists and no changes are proposed or required to the existing landscaping.

Elevations

The plans depict an existing 1 story retail building with stucco finish, cultured stone veneer with parapet walls at varying heights. The existing outdoor patio area consists of a black, fabric screening with zip-up panels that are covered by a red canopy. The enclosed outdoor patio area is directly connected to the exterior of the tenant space. No changes are proposed or required to the existing elevation.

Floor Plans

The plans depict a tenant space measuring 1,820 square feet consisting of seating areas, food preparation areas, restroom facilities, and a storage room. The outdoor patio area consists of 208 square feet. Access to the outdoor patio area is granted via an existing sidewalk that is located between the shopping center and parking lot. A 4 foot wide sidewalk is located between the parking lot and outside patio area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the hookah lounge has been operating at the current location for 9 years. The Liquor and Gaming Division with Clark County Business License recently informed the applicant that a special use permit was needed for a hookah lounge at this location. The location of the hookah lounge is located over 200 feet from residential uses and is surrounded by several streets and buildings. The patio area is covered by an awning, which acts as a barrier between the parking area and the 4 foot wide sidewalks that surround all sides of the outside dining area. The awning consists of an iron structure that is connected to the ground, in addition to the supporting columns connected to the building.

**Prior Land Use Requests**

| Application Number | Request   | Action                    | Date        |
|--------------------|---|---------------------------|-------------|
| UC-18-0474         | Massage establishment   | Approved by BCC           | August 2018 |
| ADR-0589-07        | Off-premises sign (billboard)   | Approved Administratively | May 2007    |
| UC-0649-03         | Established a shopping center with alternative landscaping including alternative street trees and a different quantity of parking lot trees | Approved by BCC           | May 2003    |

**Surrounding Land Use**

|       | Planned Land Use Category | Zoning District | Existing Land Use           |
|-------|---------------------------|-----------------|-----------------------------|
| North | Commercial Tourist        | H-1 and C-P     | Motel and off-premises sign |



**Surrounding Land Use**

|       | <b>Planned Land Use Category</b> | <b>Zoning District</b> | <b>Existing Land Use</b>              |
|-------|----------------------------------|------------------------|---------------------------------------|
| South | Commercial Tourist               | C-2                    | Restaurant and commercial development |
| East  | Public Facilities                | P-F                    | UNLV softball field                   |
| West  | Commercial Tourist               | H-1                    | Hard Rock Hotel and Casino            |

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate that the use shall not result in a substantial or undue adverse effect on adjacent properties.

Use Permit #1

Commercial Policy 67 states through site planning and building design, ensure that commercial developments are compatible with abutting uses. Staff finds the proposed hookah lounge is compatible with the surrounding commercial uses within the shopping center and immediate area. The hookah lounge should not have any adverse or negative impact to the surrounding land uses and properties; therefore, staff recommends approval.

Use Permits #2 and #3

Staff typically does not support the elimination of the required protective barrier between the outside dining area and parking area. However, based on the photographs submitted by the applicant, a 4-foot high metal barrier is located within the inside of the covered, outdoor patio area. The existing metal barrier is enclosed by the fabric screen, and is not visible from the parking lot. Additionally, the outside patio area was constructed via an approved building permit. Staff finds the configuration and construction of the existing outside patio area is an acceptable alternative to the protective barrier requirement; therefore, recommends approval.

Staff has no objection to allowing the primary means of access to the existing outside dining area from the adjacent sidewalk where the primary means of access is required through the interior of the restaurant. The patio area has been in operation for almost 4 years without any complaints. Staff finds this request should not have any adverse or negative impact to the surrounding land uses and properties; therefore, recommends approval.

**Department of Aviation**

The property lies within the AE-65 (65 - 70 DNL) noise contour for McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade McCarran International Airport facilities to meet future air traffic demand.

**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**

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

**Department of Aviation**

- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

**Building Department - Fire Prevention**

- No comment.

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

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

**TAB/CAC:**  
**APPROVALS:**  
**PROTESTS:**

**APPLICANT:** AZUZA HOOKAH LOUNGE & CAFE

**CONTACT:** AZUZA HOOKAH LOUNGE & CAFE, 4480 PARADISE RD. #450, LAS VEGAS, NV 89169

05/21/19 PC AGENDA SHEET

INCREASE WALL HEIGHT  
(TITLE 30)

PAMA LN/SANDHILL RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-19-0267-WILLIAMS RYAN:**

**USE PERMIT** to allow accessory structures (block walls and shipping container) prior to a principal structure or use.

**WAIVER OF DEVELOPMENT STANDARDS** for block walls on 0.9 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the north side of Pama Lane, 1,000 feet west of Sandhill Road within Paradise. JG/jt/ja (For possible action)

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RELATED INFORMATION:

**APN:**

178-06-201-020

**WAIVER OF DEVELOPMENT STANDARDS:**

1. a. Allow an 8 foot high block wall within 15 feet of the front private street easement where a maximum 6 foot high decorative fence is permitted per Table 30.64-1.
- b. Increase block wall height to 8 feet on the west property line where 6 feet is the maximum per Section 30.64.020 (a 34% increase).

**LAND-USE PLAN:**

WINCHESTER/PARADISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 0.9
- Project Type: Block walls and shipping containers
- Wall Height (feet): 8
- Shipping Container Height (feet): 8

**Site Plan**

The site plan depicts a vacant/undeveloped parcel with an 8 foot high decorative block wall along the west property line. In addition, an 8 foot high decorative block wall is shown along Pama Lane, set back 6 feet from the edge of the private street easement. The wall along the

south property line includes a pair of 16 foot wide wrought iron roll gates, set back 10 feet from the side property lines, to allow vehicular access to the parcel. Lastly, the site plan depicts a shipping container located near the center of the site, set back 5 feet from the east property line. Existing 6 foot high walls are located on the north and east property lines.

Landscaping

No landscaping is proposed or required with this application.

Elevations

On the west property line, the 8 foot high wall will be non-decorative block, and along Pama Lane, the 8 foot high wall will be decorative and will include 2 foot wide decorative block wall columns spaced between 10 and 20 feet on center. The shipping container is 8 feet high and constructed of metal.

Applicant's Justification

The property owner of the subject vacant/undeveloped parcel also owns the adjacent parcel to the north, which includes a single family residence. The subject site acts as an extension of the owner's main residence. According to the applicant, the subject property is intended for personal use and storage, and the impact on adjacent properties is negligible. In addition, existing accessory structures exceeding 8 feet in height are currently located on the neighboring parcels to the east and west of the subject site.

Surrounding Land Use

|                            | <b>Planned Land Use Category</b>                | <b>Zoning District</b> | <b>Existing Land Use</b> |
|----------------------------|---|------------------------|--------------------------|
| North, South, East, & West | Rural Neighborhood Preservation (up to 2 du/ac) | R-E                    | Single family residences |

**Clark County Public Response Office (CCPRO)**

CE19-01232 is an active case for a chain link fence and shipping container on the property without permits

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

**Use Permit**

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Waiver 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.

All of the adjacent single family residences front on Pama Lane, and the front yards of the residences are either open to the street or include a low profile decorative fence that maintains visibility to the front of each house. Maintaining open and visible front yards is a critical component to encouraging a connected and cohesive community. Tall monotonous block walls, as proposed with this application, create a sense of isolation and disconnectedness between neighbors. In addition, the block wall is out of character for the rural area and will diminish the aesthetic appeal of the neighborhood. Furthermore, allowing a block wall and shipping container prior to a principal structure, such as a residence, could encourage outside storage and other non-permitted uses that are incompatible with a residential neighborhood. Lastly, the project is inconsistent with Urban Specific Policy 10 of the Comprehensive Master Plan, which encourages site designs to be compatible with adjacent land uses, and Policy 16, which encourages, in part, design methods to visually minimize the stark appearance of monotonous block walls. As a result, staff cannot support the requests.

#### **Staff Recommendation**

Denial.

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**

If approved:

- Block walls to be decorative;
- Shipping container to be painted to match decorative block walls.
- 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**

- No comment.

##### **Building Department - Fire Prevention**

- No comment.

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

- No comment.

**TAB/CAC:**  
**APPROVALS:**  
**PROTESTS:**

**APPLICANT: RYAN WILLIAMS**

**CONTACT: RYAN WILLIAMS, 2745 N. NELLIS BLVD, LAS VEGAS, NV 89115**

DRAFT

SIGNAGE  
(TITLE 30)

LAS VEGAS BLVD S/TROPICANA AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-19-0239-S G ISLAND PLAZA LLC, ET AL:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase wall sign area; and 2) increase the number of animated signs.

**DESIGN REVIEWS** for the following: 1) modifications to an approved comprehensive sign package; 2) increase projecting sign area; and 3) increase animated sign area in conjunction with an existing shopping center (Showcase Mall) on 6.0 acres in an H-1 (Limited Resort and Apartment) Zone and an H-1 (Limited Resort and Apartment) (AE-60) Zone in the MUD-1 Overlay District.

Generally located on the east side of Las Vegas Boulevard South, 750 feet north of Tropicana Avenue within Paradise. JG/gc/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-21-301-014; 162-21-401-005, 007, 023, 028, & 029

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase wall sign area to 32,965 square feet where 31,920 square feet was previously approved and a maximum of 4,320 square feet is permitted per Table 30.72-1.
2. Increase the number of animated signs to 36 where 35 were previously approved and a maximum of 1 animated sign per commercial complex is permitted per Table 30.72-1.

**DESIGN REVIEWS:**

1. Modifications to an approved comprehensive sign package for an existing shopping center.
2. Increase projecting sign area to 889 square feet where 706 square feet was previously approved and a maximum of 32 square feet per tenant is allowed per Table 30.72-1.
3. Increase animated sign area to 19,625 square feet where 18,580 square feet was previously approved and a maximum of 150 square feet is permitted per Table 30.72-1.

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3767, 3769, 3771, 3785, 3791 S. Las Vegas Boulevard
- Site Acreage: 6
- Project Type: Signage

Site Plan & Request

The plans show an existing shopping center (Showcase Mall) located along the east side of Las Vegas Boulevard South, approximately 750 feet north of Tropicana Avenue. The request is to modify the approved comprehensive sign package for the site. Specifically, by adding additional signage for a tenant (U.S. Polo Assn.) located on APN 162-21-401-007.

Signage

The plans depict a 1,045 square foot, animated (video) wall sign on the front façade of the existing building, above the entrance to the tenant space. The animated (video) wall sign consists of an LED mesh screen. The plans also depict a 183 square foot, internally illuminated, projecting sign. The projecting sign is 38 feet tall, triangular with 2 sign faces, projects out from the building approximately 5 feet, and maintains a 13 foot clearance above grade. Additionally, the projecting sign is constructed of metal with an acrylic, push-thru vinyl face. Both signs are a minimum of 20 feet from the property line and 26 feet from the back of curb for Las Vegas Boulevard South.

The following table is a summary for signage:

| Type of sign  | Existing (sq ft) | Proposed (sq ft) | Total (sq ft) | Allowed per Title 30 (sq ft) | # of existing signs | # of proposed signs | Total # of signs |
|---------------|------------------|------------------|---------------|------------------------------|---------------------|---------------------|------------------|
| Freestanding  | 426              | 0                | 426           | 3,890                        | 5                   | 0                   | 5                |
| Wall*         | 31,920           | 1,045            | 32,965        | 3,320                        | 77                  | 1                   | 78               |
| Directional   | 35               | 0                | 35            | 32 (per tenant)              | 6                   | 0                   | 6                |
| Projecting    | 706              | 183              | 889           | 32 (per tenant)              | 4                   | 1                   | 5                |
| Hanging       | 25               | 0                | 25            | 32 (per tenant)              | 4                   | 0                   | 4                |
| Overall Total | 33,112           | 1,228            | 34,340        | n/a                          | 96                  | 2                   | 98               |

The wall signs also contain animation. The details for animated signs are listed below:

| Type of sign  | Existing (sq ft) | Proposed (sq ft) | Total (sq ft) | Allowed per Title 30 (sq ft) | # of existing signs | # of proposed signs | Total # of signs |
|---------------|------------------|------------------|---------------|------------------------------|---------------------|---------------------|------------------|
| Animated      | 5,169            | 0                | 5,169         | n/a                          | 16                  | 0                   | 16               |
| Video Units   | 13,411           | 1,045            | 14,456        | n/a                          | 19                  | 1                   | 20               |
| Overall Total | 18,580           | 1,045            | 19,625        | 150                          | 35                  | 1                   | 36               |

Applicant's Justification

The applicant states that the proposed signs are compatible with existing development along Las Vegas Boulevard South and with existing signage on the site. The projecting sign will not intrude into the 9 foot ceiling of the pedestrian access easement on the site.



**Prior Land Use Requests**

| <b>Application Number</b>    | <b>Request</b>  | <b>Action</b>   | <b>Date</b>    |
|------------------------------|---|-----------------|----------------|
| AR-18-400206<br>(UC-0125-14) | Second application for review for an outdoor ticket sales structure subject until September 17, 2023  | Approved by BCC | November 2018  |
| WS-18-0245                   | An amended sign plan for the Showcase Mall  | Approved by BCC | May 2018       |
| WS-18-0165                   | Reduce parking and design review for modifications to a parking lot in conjunction with an approved expansion of the Showcase Mall  | Approved by BCC | April 2018     |
| WS-18-0084                   | An amended sign plan for the Showcase Mall  | Approved by BCC | March 2018     |
| DR-0819-17                   | Remodeling and modifications to the entrance of a retail space for the Designer Shoe Warehouse in the Showcase Mall   | Approved by BCC | November 2017  |
| UC-0657-17                   | Expansion of the Showcase Mall  | Approved by BCC | September 2017 |
| WS-0456-17                   | An amended sign plan for the Showcase Mall  | Approved by BCC | July 2017      |
| WS-0153-17                   | Waivers and a design review for a portion of the Showcase mall for a building addition and to modify the existing plaza, sidewalks, and landscape areas along Las Vegas Boulevard South | Approved by BCC | April 2017     |
| WS-0579-16                   | An amended sign plan for the Showcase Mall with facade change to a portion of the site  | Approved by BCC | October 2016   |
| UC-0125-14<br>(AR-0068-15)   | First application for review for an outdoor ticket sales structure - until September 17, 2018 for review as a public hearing  | Approved by BCC | October 2015   |
| WS-0683-12<br>(ET-0119-14)   | First extension of time to reduce setbacks and eliminate landscaping for new access and entry features  | Approved by BCC | December 2014  |
| UC-0125-14                   | Outdoor ticket sales structure  | Approved by BCC | September 2014 |
| WS-0410-13                   | Modifications to an approved sign package for wall and projecting signs   | Approved by BCC | August 2013    |
| WS-0154-13                   | Modifications to an approved sign package   | Approved by BCC | May 2013       |
| WS-0683-12                   | Reduced setbacks and eliminate landscaping for new access and entry features  | Approved by BCC | January 2013   |
| WS-0332-12                   | Modifications to an approved sign package   | Approved by BCC | August 2012    |
| WS-0104-11                   | Modifications to an approved sign package   | Approved by BCC | May 2011       |
| WS-0425-10                   | Signs for the Hard Rock Café  | Approved by BCC | October 2010   |

### Prior Land Use Requests

| Application Number | Request   | Action          | Date           |
|--------------------|---|-----------------|----------------|
| WS-0325-10         | Parking garage wall sign                            | Approved by PC  | September 2010 |
| WS-0649-09         | Wall sign with increased projection                 | Approved by BCC | December 2009  |
| VC-0211-94         | Changes to an approved shopping center              | Approved by PC  | March 1994     |
| UC-285-92          | Original application to approve the shopping center | Approved by BCC | October 1992   |

### Surrounding Land Use

|              | Planned Land Use Category | Zoning District | Existing Land Use                          |
|--------------|---------------------------|-----------------|--|
| North        | Commercial Tourist        | H-1             | Commercial development                     |
| South & East | Commercial Tourist        | H-1             | MGM Grand Resort Hotel                     |
| West         | Commercial Tourist        | H-1             | Park MGM & New York-New York Resort Hotels |

### 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.

Code allows alternative sign standards to be approved within the Resort Corridor if the signs result in the development having a visual character which is compatible with adjacent development. The proposed signs are compatible with other signs in the area and are in harmony with the unique nature of signage along Las Vegas Boulevard South and within the Resort Corridor. Similar waivers have been approved for other developments along Las Vegas Boulevard South and within the Resort Corridor. Therefore, staff can support increasing the wall sign area and the number of animated signs.

##### Design Reviews

Staff finds that the proposed signs are compatible with the existing developments along Las Vegas Boulevard South, and complies with Urban Specific Policy 20 of the Comprehensive Master Plan which states that all signage should be compatible with building styles on-site and

also with surrounding development. Las Vegas Boulevard South is also designated and recognized as a National Scenic Byway; therefore, the signs further promote this designation and are appropriate and compatible with the surrounding uses and area. Additionally, similar requests to increase the area of projecting and animated signs for this site and other developments have been approved along Las Vegas Boulevard South.

**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**

- 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**

- No comment.

**Building Department - Fire Prevention**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: SO ISLAND PLAZA, LLC**

**CONTACT: JACOB GATESON, VISION SIGN INC., 6630 ARROYO SPRINGS #600, LAS VEGAS, NV 89113**

# CLARK COUNTY TOWN ADVISORY BOARD

## ZONING / SUBDIVISIONS / LAND USE

### AGENDA ITEM

|                        |   |
|------------------------|---|
| <b>PETITIONER:</b>     | Nancy A. Amundsen, Director, Department of Comprehensive Planning   |
| <b>RECOMMENDATION:</b> | <b>CP-19-900180:</b> That the Paradise Town Advisory Board consider proposed changes to the Transportation Element of the Clark County Comprehensive Master Plan, and after conducting a public hearing, take appropriate action. (For possible action) |

#### FISCAL IMPACT:

None by this action.

#### BACKGROUND:

Comprehensive Planning and Public Works staff have met to identify proposed changes to amend the Transportation Element last adopted in August 2016. The plan amendments are to be considered by all affected Citizen Advisory Council and Town Advisory Boards.

Staff recommends that the Paradise Town Advisory Board consider proposed changes to the Transportation Element of the Clark County Comprehensive Master Plan, and after conducting a public hearing, take appropriate action.

Respectfully Submitted,

Nancy A. Amundsen  
Director, Department of Comprehensive Planning  
NA/gtb  
04/30/19

### Transportation Element Map change requests

- NOTES:** 1 - When no right-of-way (ROW) width is given, the right-of-way width can vary from 0' to 60' (local street).  
 2 - Unless otherwise stated, all change requests are by Clark County Public Works.

| Map     | Change # | Commiss District | TAB / CAC | Description   | ROW Width |         | Staff | TAB / CAC | PC | BCC | Notes          |
|---------|----------|------------------|-----------|---|-----------|---------|-------|-----------|----|-----|----------------|
|         |          |                  |           |   | Current   | Request |       |           |    |     |                |
| Map 1.3 | 10a      | F                | Paradise  | Valley View Boulevard - change from Arterial (120') to Arterial (100') from north of Desert Inn Road to south of Russell Road | 120'      | 100'    | yes   |           |    |     | Reduce width   |
| Map 1.3 | 10b      | F                | Paradise  | Tompkins Avenue - add Collector (60') from Koval Lane to Swensan Street   | 0'        | 60'     | yes   |           |    |     | Add alignment  |
| Map 1.4 | 19       | G                | Paradise  | Patrick Lane - change from Collector (60'+) to Collector (80'+) between Sandhill Road & Green Valley Parkway                  | 60'       | 80'     | yes   |           |    |     | Increase width |

To TABs CAC

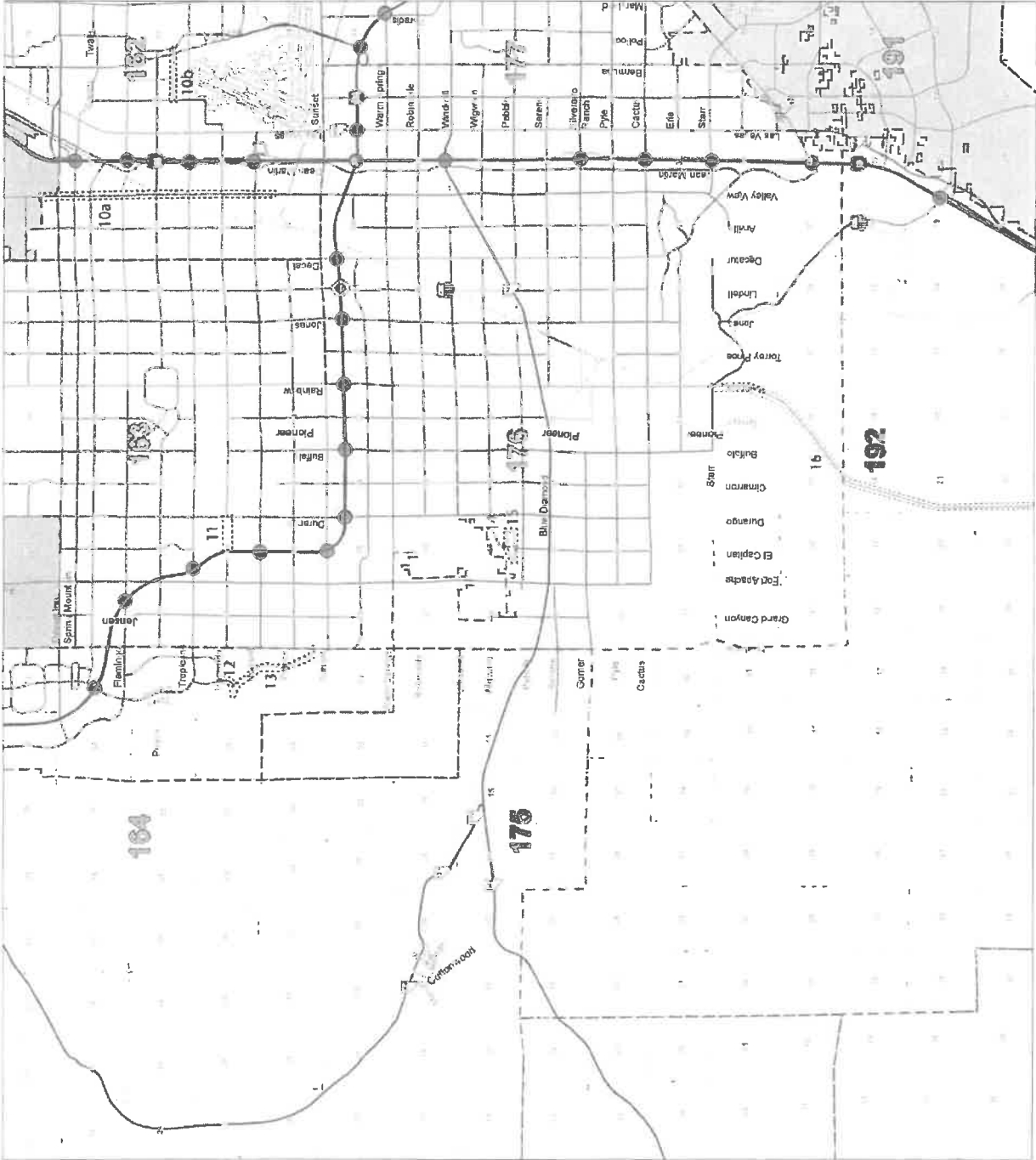
# Transportation Element

## Map 1.3

### Las Vegas Valley - Southwest Clark County, Nevada

- ∩ Bellway
- ∩ Las Vegas Blvd (300+ ft R-O-W)
- ∩ Las Vegas Blvd (200+ ft R-O-W)
- ∩ Interstates/State Hwys (200+ ft R-O-W)
- ∩ Arterials (120+ ft R-O-W)
- ∩ Arterials (100+ ft R-O-W)
- ∩ Collectors (80+ ft R-O-W)
- ∩ Collectors (60+ ft R-O-W)
- ∩ Local Streets (R-O-W Varies)
- Railroads
- Interchanges

- Boulder City
- Las Vegas
- Henderson
- North Las Vegas
- Place Boundaries
- Mesquite
- Nellis AFB



1. Street designations shown within incorporated city territories are for information only and may not be accurate.
2. For detailed right-of-way information see:
  - a. Public Works Department, Public Works Construction or Office Inspectors, Clark County, Nevada.
  - b. Clark County, Nevada.
3. If not shown, the following minimum right-of-way widths shall be required on all grid lines:
  - a. Interchanges: 120 feet right-of-way width
  - b. Arterials: 100 feet right-of-way width
  - c. Collectors: 80 feet right-of-way width
  - d. Local Streets: 60 feet right-of-way width
4. In addition to these requirements, minimum right-of-way requirements for new development shall be as shown on the attached. Credits for the various transportation facilities shown on this map shall apply to the extent of the right-of-way for highways, city local streets, arterial streets, collector streets, and local streets. Minimum right-of-way widths for grid line streets and highways.
5. Right-of-way widths may be wider at intersections than as shown on map.
6. The location of proposed streets, collector or arterial roadways, shall be determined by the County Engineer and may have greater or less right-of-way widths than shown.
7. Right-of-way is incorporated only as shown and for information only. Consult the individual plates of which this specific right-of-way requirement.



Map created on: March 25, 2019

This information is for display purposes only. No liability is assumed as to the accuracy of the data delineated hereon.



# Transportation Element

## Map 1.4

### Las Vegas Valley - Southeast Clark County, Nevada

- ~ Beltway
- ~ Las Vegas Blvd (300+ ft R-O-W)
- ~ Las Vegas Blvd (200+ ft R-O-W)
- ~ Interstates/State Highways (200+ ft R-O-W)
- ~ Arterials (120+ ft R-O-W)
- ~ Arterials (100+ ft R-O-W)
- ~ Collectors (80+ ft R-O-W)
- ~ Collector (60+ ft R-O-W)
- ~ Local Streets (R-O-W Varies)
- Railroads
- Interchanges
- Mesquite
- Boulder City
- Las Vegas
- Henderson
- North Las Vegas
- Nellis AFB
- Place Boundaries

1. Street classifications shown within incorporated city boundaries are for information only and may not be accurate.
2. For detailed right-of-way information see the City of Las Vegas, Nevada, Center of Urban of Office Improvements, Clark County Area, Nevada.
3. If not shown, the following minimum right-of-way widths shall be required as set forth in the Nevada State Right-of-Way Manual:
  - 120 feet right-of-way width
  - 100 feet right-of-way width
  - 80 feet right-of-way width
  - 60 feet right-of-way width
 In addition to these requirements, minimum right-of-way requirements for new development shall be required as shown on the Standard Drawings for the various jurisdiction classified streets shown on this map and shall apply to all streets shown on this map. The minimum right-of-way widths shown on this map are for information only and may not be accurate. Special design configurations and off-grid grids and segments of grid line streets and highways.
4. Right-of-way widths may be wider at intersections than as shown on map.
5. Classification of proposed streets as collector or arterial highways shall be determined by the County Engineer and may have greater or less right-of-way widths than shown.
6. Right-of-way in incorporated cities is generated and for informational use only. Consult the individual plans of each city for specific right-of-way requirements.



Map created on March 25, 2019

The information is for display purposes only. No liability is assumed as to the accuracy of the data contained hereon.

