



# PARADISE TOWN ADVISORY BOARD

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV 89121

June 9, 2020

7:00pm

## AGENDA

### Note:

- Social distancing will be practiced during this meeting. You will be asked to keep appropriate spacing (six (6) feet) away from other meeting attendees.
- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/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/Council members for this meeting may be requested from Secretary Name at Secretary's Phone Number and is/will be available on the County's website at [www.clarkcountynv.gov](http://www.clarkcountynv.gov).

Board/Council Members: Jon Wardlaw - Chair  
 John Williams, Vice Chairperson  
 Raymond Berg  
 Bart Donovan  
 Susan Philipp

Secretary: Maureen Helm 702-606-0747, [mhelmtab@gmail.com](mailto:mhelmtab@gmail.com)

County Liaison(s): Blanca Vazquez 702-455-8531, [bva@clarkcountynv.gov](mailto:bva@clarkcountynv.gov)

- I. Call to Order, Invocation, 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 the Board/Council about 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/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.
- III. Approval of Minutes for March 10, 2020. (For possible action)

**BOARD OF COUNTY COMMISSIONERS**  
 MARILYN KIRKPATRICK, Chair • LAWRENCE WEEKLY, Vice Chair  
 LARRY BROWN • JAMES B. GIBSON • JUSTIN C. JONES • MICHAEL NAFT • TICK SEGERBLOM  
 YOLANDA T. KING, County Manager

IV. Approval of the Agenda for June 9, 2020 and Hold, Combine, or Delete any Items. (For possible action)

V. Informational Items

1. Announcements of upcoming neighborhood meetings and County or community meetings and events.

VI. Planning and Zoning

1. **UC-20-0216-EASTERN PETRO LINK, LLC:**

**USE PERMITS** for the following: 1) convenience store; 2) gasoline station; 3) reduce the separation from a proposed convenience store to a residential use; and 4) reduce the separation from a proposed gasoline station to a residential use.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow parking to be located within the front of the building where parking shall be located at the sides or rear of buildings; 2) reduced street landscaping width; 3) allow modified driveway design standards; and 4) allow modified street standards.

**DESIGN REVIEWS** for the following: 1) convenience store; 2) gasoline station (fuel canopy); and 3) alternative parking lot landscaping on 0.7 acres in a C-1 (Local Business) (AE-60) Zone in the Russell Road Transition Corridor Overlay District. Generally located on the east side of Eastern Avenue and the north side of Russell Road within Paradise. JG/md/jd (For possible action)

**07/07/20 PC**

2. **AR-20-400045 (ZC-18-0234)-NAPLES ENCLAVES, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS FIRST APPLICATION FOR REVIEW** for the following: 1) reduce front setback; 2) reduce parking; 3) allow alternative street landscaping; 4) allow modified design standards; and 5) waive off-site improvements (curb, gutter, sidewalk, and streetlights).

**DESIGN REVIEWS** for the following: 1) allow alternative parking lot landscaping; and 2) convert an existing multiple family residential use to long/short term lodging on 0.4 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Naples Drive, 300 feet east of University Center Drive within Paradise (description on file). JG/tk/jd (For possible action)

**07/08/20 BCC**

3. **UC-20-0220-USA:**

**USE PERMIT** for senior housing.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase building height; and 2) alternative driveway geometrics.

**DESIGN REVIEWS** for the following: 1) senior housing facility; and 2) alternative parking lot landscaping on 5.0 acres in an R-4 (Multiple Family Residential - High Density) Zone. Generally located on the northeast corner of Pebble Road and Jeffreys Street within Paradise. MN/jt/jd (For possible action)

**07/08/20 BCC**

VII. General Business

VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council'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/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: June 30, 2020.

X. Adjournment.

**POSTING LOCATIONS:** This meeting was legally noticed and posted at the following locations:

Paradise Community Center – 4775 McLeod Dr

Clark County Library – 1401 E. Flamingo Rd.

Sunset Park – 2601 E. Sunset Rd.

Fire Station 38 – 1755 Silver Hawk Ave.

<https://notice.nv.gov>

CONVENIENCE STORE & GASOLINE STATION  
(TITLE 30)

RUSSELL RD/EASTERN AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-20-0216-EASTERN PETRO LINK, LLC:**

**USE PERMITS** for the following: 1) convenience store; 2) gasoline station; 3) reduce the separation from a proposed convenience store to a residential use; and 4) reduce the separation from a proposed gasoline station to a residential use.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow parking to be located within the front of the building where parking shall be located at the sides or rear of buildings; 2) reduced street landscaping width; 3) allow modified driveway design standards; and 4) allow modified street standards.

**DESIGN REVIEWS** for the following: 1) convenience store; 2) gasoline station (fuel canopy); and 3) alternative parking lot landscaping on 0.7 acres in a C-1 (Local Business) (AE-60) Zone in the Russell Road Transition Corridor Overlay District.

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

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**RELATED INFORMATION:**

**APN:**

162-25-410-008

**USE PERMITS:**

1. Allow a convenience store.
2. Allow a gasoline station.
3. Reduce the separation from a proposed convenience store to a residential use to 72 feet where 200 feet is required per Table 30.44-1 (a 64% reduction).
4. Reduce the separation for a proposed gasoline station to a residential use to 143 feet where 200 feet is required per Table 30.44-1 (a 28.5% reduction).

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow parking to be located within the front of the building where parking shall be located at the sides or rear of buildings per Section 30.48.070.
2. Reduce street landscaping width along arterial streets (Russell Road and Eastern Avenue) to 5 feet where a minimum of 15 feet is required per Section 30.64.030 (a 67% reduction).
3. a. Modify commercial curb return driveway standards where required per Uniform Standard Drawing 222.1.

- b. Reduce the throat depth for an existing driveway to 0 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).
4. Reduce the approach distance to the intersection of Russell Road and Eastern Avenue to 96 feet where a minimum distance of 150 feet is required per Uniform Standard Drawing 222.1 (a 36% reduction).

**DESIGN REVIEWS:**

1. Convenience store.
2. Gasoline station.
3. Permit alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL NEIGHBORHOOD

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 2424 E. Russell Road
- Site Acreage: 0.7
- Project Type: Convenience store and gasoline station
- Number of Stories: 1
- Building Height (feet): 21 feet (convenience store) / 19.5 (fuel canopy)
- Square Feet: 3,000 (convenience store)
- Parking Required/Provided: 12/12

Site Plans

The plans depict a proposed convenience store with gasoline station (fuel canopy) located at the northeast corner of Russell Road and Eastern Avenue that will replace the existing on-site convenience store and gasoline station. The convenience store is set back 6.5 feet from the north property line, 20 feet from the east property line, 57.5 feet from the south property line adjacent to Russell Road, and 148 feet from the west property line adjacent to Eastern Avenue. The gasoline station (fuel canopy) is set back 21 feet from the north property line, 115 feet from the east property line, 30 feet from the south property line adjacent to Russell Road, and 58.5 feet from the west property line adjacent to Eastern Avenue. A 20 foot wide access easement is located immediately east of the convenience store, providing legal access to the undeveloped C-1 zoned parcel adjacent to the northeast portion of the project site. The required trash enclosure is located at the southeast corner of the convenience store with a setback of 68 feet from the south property line. Four bicycle parking spaces are provided at the southwest corner of the convenience store. A 5 foot wide pedestrian pathway connects the convenience store to the existing 5 foot wide attached sidewalk along Russell Road. Twelve parking spaces are provided where 12 spaces are required. The parking spaces are located along the south and west sides of the convenience store facing the public right-of-way, necessitating the request for waiver of development standards number 1. Access to the project site is granted via an existing commercial driveway along Russell Road, and an existing commercial driveway along Eastern Avenue which is located on the adjacent parcel (not a part of this application) to the north of the site. The

commercial driveway along Russell Road requires the waiver of development standards requests to Uniform Standard Drawing 222.1.

### Landscaping

The plans depict a 5 foot wide landscape area behind an existing 5 foot wide attached sidewalk along Russell Road and Eastern Avenue. The street landscape area consists of medium trees planted 15 feet on center in addition to shrubs and groundcover. Interior parking lot landscaping is equitably distributed throughout the site. A third landscape finger island is required along the west side of the convenience store; however, an alternative parking lot landscape design is requested to allow 2 landscape finger islands along the west side of the building. A total of 2 additional trees are planted within the landscape finger islands located at the southeast and southwest corners of the convenience store.

### Elevations

The plans depict a proposed convenience store with a height ranging from 18 feet to 21 feet to the top of the parapet wall. An aluminum storefront window system with decorative stone veneer is featured on the west elevation of the building. The east, north, and south elevations feature varying rooflines, decorative stone veneer, and a stucco exterior. The building will be painted with neutral, earth tone colors.

The proposed fuel canopy has a maximum height of 19.5 feet to the top of the canopy. The canopy will be stucco finished and painted with neutral, earth tone colors matching the convenience store. The supporting columns feature a stone veneer base and will be stucco coated with a neutral, earth tone color.

### Floor Plans

The plans depict a proposed convenience store with an open floor plan consisting of 3,000 square feet. The fuel canopy features a covered area consisting of 3,154 square feet.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant states to achieve the minimum number of parking spaces required in close proximity to the convenience store, a landscape finger is unable to fit in the parking row along the west side of the building. Two additional trees will be planted in the 2 landscape fingers on the south side of the building. This will provide shading and shielding of the building and parking area from Russell road more efficiently than a landscape finger.

The site has an existing convenience store and two sets of gas canopies that were constructed in 1970. The new operator of the site is requiring a modern building with a practical lay out of the gas canopy to facilitate traffic movement on the site and parking for the convenience store customers. The convenience store and gas pumps are oriented in a way for more efficient ingress and egress of the site. Due to the shape and size of the lot this is the maximum separation distances that can be achieved. It should be noted that the residential development at the northeast corner of our property is shielded by another small parcel (300 square feet) and a

cellular communication tower on the northwest corner of the adjacent parcel to the east of the property that provides a significant buffer from the residential development.

Due to the shape and size of this parcel and the type of retail/gasoline services provided, it is not feasible to locate all parking on the side/rear of the building. The gas canopy has to be located in front of the building close to the intersection of Russell Road and Eastern Avenue with easy access to the convenience store and the parking area. It should be noted this business will be open 24-hours, eliminating the need for the parking to be gated and secured during non-business hours.

In order to configure the site layout in the most efficient way to allow the fuel and fire trucks to pass through the property safely, the applicant had to reduce the landscaping width along Russell Road, and Eastern Avenue to 5 feet, which is equal to the existing landscape buffer width. In exchange, the applicant is eliminating the two existing driveways closer to the intersection of Russell Road and Eastern Avenue. This will add a total of 80 feet of new landscaped area along the streets, adding 4 more trees to the buffer. This additional landscaping will make up for the reduction in buffer width.

The applicant states this is a small fully developed site with existing driveways and off-site improvements. One of the pan driveways on Russell Road and 1 of the pan driveways on Eastern Avenue will be eliminated as this will provide safer ingress and egress to the development. The driveway located at the southwest corner of the project site will be eliminated to maintain the proposed approach distance of 96 feet.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0208-10	Convenience store and gasoline station with a reduced setback to a residential use	Approved by PC	July 2010
UC-1532-03	Convenience store and gasoline station with a reduced setback to a residential use - expired	Approved by PC	November 2003

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Neighborhood	C-1	Financial services – check cashing & undeveloped
South	Business and Design/Research Park	C-1 & P-F	Convenience store with gasoline station & government offices
East	Office Professional	C-P	Office building
West	Commercial Neighborhood	C-1	Convenience store with gasoline station

**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.

#### Use Permits #1 and #2

Staff finds that the proposed convenience store and gasoline station complies with Commercial Policy 67 of the Comprehensive Master Plan which states that site planning and building design of commercial developments should be compatible with abutting uses through the use of appropriate buffers, setbacks, landscaping, building height, materials, and signage. The varying roofline, contrasting building materials and colors proposed for the convenience store and gasoline station create a high quality commercial development. Staff finds the proposed convenience store and gasoline station should not have an adverse or negative impact on the surrounding land uses; therefore, staff has no objection to the proposed uses.

#### Use Permits #3 and #4

The proposed convenience store and gasoline station comply with many goals and policies of the Comprehensive Master Plan including Commercial Policy 78, which encourages design variations to a building's mass including varying rooflines and building height. The proposed convenience store consists of varying rooflines with a maximum height up to 21 feet. The single family residences to the northwest of the project site are 1 story in height. Staff finds the proposed design of the convenience store complies with Commercial Policy 78. With the varying rooflines and building height, in addition to the building orientation, the reduced separations should not have an adverse impact on the single family residential development to the northwest of the site; therefore, staff can support the requests.

#### 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.

#### Waiver of Development Standards #1

The intent of the provision requiring the location of parking spaces along the sides or rear of buildings within the Overlay District is to limit the visibility of spaces for single family residences that convert to commercial buildings. Multiple existing commercial businesses within the Russell Road Transition Corridor Overlay District have existing parking located within the front yard of the building. Staff finds the amount of parking spaces that are located within the front of the building are minimal and should not have an adverse or negative impact on the surrounding land uses or properties; therefore, staff recommends approval.



### Waiver of Development Standards #2

Staff typically does not support requests to reduce the width of the required street landscaping along arterial streets. However, due to the limited depth of the property, and the significant improvements to the existing street landscape area, staff can support this request. Furthermore, the required number of trees and shrubs will be planted within the street landscape area; therefore, staff recommends approval.

### Design Reviews #1 and #2

The proposed convenience store features varying rooflines, contrasting building materials including stone veneer and stucco, and a contrasting color schematic, which are visible along Russell Road and Eastern Avenue. The design of the convenience store and gasoline station (fueling canopy) comply with Commercial Policy 78, which encourages design variations to a building's mass including varying rooflines and building height, and to eliminate blank building elevations along public rights-of-way and areas visible to the general public. The supporting columns for the fuel canopy (gasoline station) include a decorative stone veneer base matching the stone veneer provided on the exterior of the convenience store. The roofline of the canopy features a stucco exterior with a contrasting color schematic, creating an aesthetically pleasing structure. Staff finds that the proposed development complies with Commercial Policy 66, which states that commercial development should provide access points on arterial and collector streets and not on local residential streets. Access to the site is granted through commercial driveways located along 2 arterial streets, Russell Road and Eastern Avenue; therefore, staff recommends approval of the design reviews.

### Design Review #3

Staff finds that the request to permit alternative parking lot landscaping within the interior of the site is reasonable. Two additional trees will be planted within the landscape finger islands located at the southeast and southwest corners of the convenience store. The trees will provide additional shade and improve the overall aesthetics of the site; therefore, staff recommends approval.

### **Public Works - Development Review**

#### Waiver of Development Standards #3a and #3b

The applicant is proposing to close the westernmost driveway on Russell Road and the southernmost driveway on Eastern Avenue. The only remaining driveway on the site will be the easternmost driveway on Russell Road. Additionally, cross access with the property to the north will allow ingress and egress from Eastern Avenue. The applicant is attempting to make the remaining driveway on Russell Road safe by installing a curb return driveway. However, the curb returns will be truncated to at just 5 feet into the property where an additional 10 to 20 feet is required. By not providing a standard curb return driveway, no throat depth is available because the start of the throat depth measurement would be 10 to 20 feet farther into the site, where the curb return would normally stop. Since everything on site will be demolished the applicant has a clean slate to provide a more code compliant design that takes public safety into account. While staff appreciates that the 2 most dangerous driveways on the site will be closed, that fact does not diminish the need to make the remaining driveway as safe as possible.

#### Waiver of Development Standards #4

Staff has no objection to allowing the driveway on Russell Road as shown on the plans as it is in the same location as the existing pan driveway that it will replace. Additionally, if the driveway were moved farther east to provide a slightly large approach distance, the driveway would be too close to the existing driveway on the parcel to the east.

#### **Staff Recommendation**

Approval of the use permits, design reviews, and waivers of development standards #1, #2 and #4; denial of waiver of development standards #3.

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 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;
- Right-of-way dedication to include a 54 foot property line radius on the southwest portion of the site;
- Reconstruct any unused driveways with full off-site improvements;
- Coordinate with Public Works - Design Division for both the Russell Road and Eastern Avenue improvement projects;
- Dedicate any right-of-way and easements necessary for both the Russell Road and Eastern Avenue improvement projects.
- Applicant is advised that off-site improvement permits may be required.

##### **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: EURO**

**CONTACT: RICHARD SERFAS, 3129 STONE CROFT ST, LAS VEGAS, NV 89134**

DRAFT



# LAND USE APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

- TEXT AMENDMENT (TA)
- ZONE CHANGE
  - CONFORMING (ZC)
  - NONCONFORMING (NZC)
- USE PERMIT (UC) \$ 675.<sup>00</sup>
- VARIANCE (VC)
- WAIVER OF DEVELOPMENT STANDARDS (WS) \$ 475.<sup>00</sup>
- DESIGN REVIEW (DR) \$ 675.<sup>00</sup>
  - PUBLIC HEARING
- ADMINISTRATIVE DESIGN REVIEW (ADR)
- STREET NAME / NUMBERING CHANGE (SC)
- WAIVER OF CONDITIONS (WC)
  - (ORIGINAL APPLICATION #)
- ANNEXATION REQUEST (ANX)
- EXTENSION OF TIME (ET)
  - (ORIGINAL APPLICATION #)
- APPLICATION REVIEW (AR)
  - (ORIGINAL APPLICATION #)

STAFF

DATE FILED: 5/7/20  
 PLANNER ASSIGNED: MNO  
 ACCEPTED BY: MNO  
 FEE: \$1,825.<sup>00</sup>  
 CHECK #: PAID VIA INTERNET  
 COMMISSIONER: GIBSON  
 OVERLAY(S)? RUSSELL TRANSITION  
 PUBLIC HEARING?  Y  
 TRAILS?  Y /  N PFNA?  Y /  N  
 APPROVAL/DENIAL BY: -

APP. NUMBER: UC-20-0216  
 TAB/CAC: PARADISE  
 TAB/CAC MTG DATE: 6/9/20 TIME: 7:00  
 PC MEETING DATE: 7/7/20, 7:00 P.M.  
 BCC MEETING DATE: -  
 ZONE / AE / RNP: C-1/AE-60/NONE  
 PLANNED LAND USE: WPCN  
 NOTIFICATION RADIUS: 500' SIGN?  Y /  N  
 LETTER DUE DATE: -  
 COMMENCE/COMPLETE: -

PROPERTY OWNER

NAME: Maurice Abdel Messih / Eastern Petro Link, LLC  
 ADDRESS: 2424 E. Russell Rd  
 CITY: Las Vegas STATE: NV ZIP: 89120  
 TELEPHONE: (310) 293-6070 CELL: (310) 293-6070  
 E-MAIL: playatexaco@yahoo.com

APPLICANT

NAME: Euro  
 ADDRESS: 2468 Ping Dr  
 CITY: Henderson STATE: NV ZIP: 89074  
 TELEPHONE: (702) 358-5425 CELL: (702) 358-5425  
 E-MAIL: Hammoudehj@gmail.com REF CONTACT ID #: -

CORRESPONDENT

NAME: Richard Serfas  
 ADDRESS: 3129 Stone Croft St  
 CITY: Las Vegas STATE: NV ZIP: 89134  
 TELEPHONE: (702) 545-7219 CELL: (702) 545-7219  
 E-MAIL: Richardserfas@gmail.com REF CONTACT ID #: -

ASSESSOR'S PARCEL NUMBER(S): 162-25-410-008  
 PROPERTY ADDRESS and/or CROSS STREETS: 2424 E. Russell Rd  
 PROJECT DESCRIPTION: C-Store Gas pump, Beer & wine sales and Gaming

I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

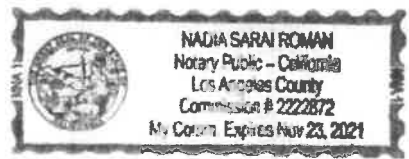
[Signature]  
 Property Owner (Signature)\*

Maurice Abdel Messih/Eastern Petro Link, LLC  
 Property Owner (Print)

STATE OF California  
 COUNTY OF Los Angeles

SUBSCRIBED AND SWORN BEFORE ME ON 04-29-2020 (DATE)

By Maurice Abdelmessih  
 NOTARY PUBLIC: [Signature]



\*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

May 4, 2020

UC-20-0216

**Ms. Nancy A. Amundsen, Director  
Clark County Department of Comprehensive Planning  
500 South Grand Central Parkway  
Las Vegas, NV 89155**

PLANNER  
COPY

**Re: Justification letter for proposed convenience store with gasoline at 2424 E  
Russell Rd. APN: 162-25-410-008**

Dear Ms. Amundsen.

The applicant EURO Development is proposing to redevelop this property located on the northeast corner of Russell Road and Eastern Avenue. The development proposal includes the complete demolition of the existing C-store and gas pumps and building a new 3,000 square feet c-store, new canopy and gasoline pumps.

The applicant has been working with Senior Planner Mark Donohue to determine what land use applications must be filed for the proposed development. Mr. Donohue reviewed the conceptual drawings and indicated that the following applications would be required for the proposed development:

- **Design Review for the following:**

1. proposed convenience store.
2. proposed gasoline station.
3. alternative parking lot landscaping -plant two (2) additional medium trees in landscape fingers in exchange for removing a required landscape finger in the middle of the 7 spaces parking row along the west side of the building.

Justification:

To achieve the minimum number of parking spaces required in close proximity to the c-store we are unable to fit a landscape finger in the parking row along the west side of the building. Considering we have a total 7 spaces in the row (only 1 space over the limit requiring a landscape finger), we will provide two additional trees in the 2 landscape fingers on the south side of the building. This will provide shading and shielding of the building and parking area from Russell road more efficiently than a landscape finger.

- **Special Use Permits for the following:**

1. Gasoline station.
2. Convenience store

Justification:

The site has an existing c-store and two sets of gas canopies (built in 1970), the new operator of the site is requiring a modern building with a practical layout of one gas canopy to facilitate traffic movement on the site and parking for the c-store customers. We intend to replace the existing structure and gas

canopies with a similar size c-store and the same number of gas pumps; we will orient the building and gas pumps for more efficient ingress and egress of the site.

3. Reduce the separation between a proposed convenience store and residential use to 72 feet where a minimum separation distance of 200 feet is required.

**Justification:**

Due to the shape and size of the lot this is the maximum separation we can achieve. It is approximately 10 feet less than the separation of the existing convenience store. It should be noted that the residential development at the northeast corner of our property is shielded by another small parcel (50 feet by 60 feet) and a cellular communication tower on the northwest corner of the adjacent parcel to the east of our property that provide a significant buffer from the residential development.

4. Reduce the separation between a proposed gasoline station and residential use to 143 feet where a minimum separation distance of 200 feet is required.

**Justification:**

Due to the shape and size of the lot this is the maximum separation we can achieve. It is approximately the same separation from the existing canopies currently operating.

- **Waiver of Development Standards:**

1. Allow parking to be located within the front and side of the building where parking for new constructions shall be located at the sides or rear of buildings and shall be gated and secured after non-business hours.

**Justification:**

Due to the shape & size of this parcel and the type of retail/gasoline services we are providing it is not feasible to locate all parking on the side/rear of the building. The gas canopy has to be located in front of the building close to the intersection of Russell and Eastern with easy access to the c-store and the parking area. It should be noted this business will be open 24-hours, eliminating the need for the parking to be gated and secured during non-business hours.

2. Reduce street landscaping width to five (5) feet where a minimum width of 15 feet is required behind an existing attached sidewalk.

**Justification:**

In order to configure the site layout in the most efficient way, allowing the fuel and fire trucks to pass through the property safely we had to reduce the landscaping width along Russell and Eastern to five feet, which is equal to the existing landscape buffer width. In exchange for that we are eliminating the two existing driveways closer to the intersection of Russell and Eastern. This will add a total of 80-feet of new landscaped area along the streets, adding four more trees to the buffer. This additional landscaping will make up for the reduction in buffer width.

3. Permit an existing commercial pan driveway adjacent to Russell Road where a commercial curb return driveway is required per USD 222.1.

Justification:

This is a small fully developed site with existing driveways and off-site improvements. We will be eliminating one of the pan driveways on Russell Road and one of the pan driveways on Eastern Avenue. This will provide safer ingress and egress to the site.

4. Waive commercial curb return driveway standards per Uniform Standard Drawing 222.1.

Justification:

This is a small fully developed site with existing driveways and off-site improvements. We will be eliminating two of driveways to provide safer ingress and egress to the site.

5. Reduce throat depth for an existing commercial pan driveway along Russell Road to zero (0) feet where a minimum of 25 feet is required per USD 222.1.

Justification:

This is a small fully developed site with existing driveways and off-site improvements. We will be eliminating one of the commercial pan driveways on Russell Road. The remaining driveway will have 0 feet of throat depth which currently exist.

6. Reduce the approach distance to the intersection of Eastern Avenue and Russell Road to 96 feet where a minimum distance of 150 feet is required per USD 222.1.

Justification:

This is a small fully developed site with existing driveways and off-site improvements. We will be maintaining the existing 96-foot approach distance and eliminating one driveway that is significantly closer to the intersection. This will provide safer ingress and egress to the site.

7. Reduce the departure distance from the intersection of Eastern Avenue and Russell Road to 116 feet where a minimum of 190 feet is required per USD 222.1.

Justification:

This is a small fully developed site with existing driveways and off-site improvements. We will be maintaining the 116 feet departure distance and eliminating one driveway that is significantly closer to the intersection. This will provide safer ingress and egress to the site.

The proposed project will enhance and rejuvenate the surrounding neighborhood. The existing dilapidated building will be replaced with a new architecturally pleasing structure. New landscaping on and around the property will be installed. Two existing driveways that are within 45 feet of the intersection of Russell Road and Eastern Avenue

will be eliminated. The elimination of the two driveways will provide safer ingress and egress to the site.

**General Summary:**

**APN: 162-25-410-008**

**Site acreage: 0.64**

**Project type: convenience store and gasoline**

**Zoning: Local Business (C-1)**

**Total building area: 3,000 sq. ft.**

**Lot coverage: 11%**

**Parking: 12 spaces required and provided**

Your consideration of this application is greatly appreciated. Should you have any additional questions or concerns please feel free to contact me.

Sincerely,

*Richard Serfas*

Richard T. Serfas, AICP  
Phone 702-545-7219  
[richardserfas@gmail.com](mailto:richardserfas@gmail.com)

PLANNER  
COPY



LONG/SHORT TERM LODGING  
(TITLE 30)

NAPLES DR/UNIVERSITY CENTER DR

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**AR-20-400045 (ZC-18-0234)-NAPLES ENCLAVES, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS FIRST APPLICATION FOR REVIEW**

for the following: 1) reduce front setback; 2) reduce parking; 3) allow alternative street landscaping; 4) allow modified design standards; and 5) waive off-site improvements (curb, gutter, sidewalk, and streetlights).

**DESIGN REVIEWS** for the following: 1) allow alternative parking lot landscaping; and 2) convert an existing multiple family residential use to long/short term lodging on 0.4 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Naples Drive, 300 feet east of University Center Drive within Paradise (description on file). JG/k/jd (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-22-306-003

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the front setback of an existing building to 9 feet where 10 feet is required per Table 30.40-4 and Section 30.56.030 (a 10% reduction).
2. Reduce parking to 10 spaces where 22 spaces are required per Table 30.60-1 (a 54% reduction).
3. Permit existing alternative landscaping along a local street (Naples Drive) where landscaping per Figure 30.64-13 is required.
4.
  - a. Allow existing driveway design where commercial driveway is required per Uniform Standard Drawing 222.1.
  - b. Allow throat depth to zero feet where 25 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).
5. Waive off-site improvements (curb, gutter, sidewalk, and streetlights) along Naples Drive.

**DESIGN REVIEWS:**

1. Permit existing alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.
2. Site modifications and conversion of an existing multiple family residential use to long/short term lodging.

**LAND USE PLAN:  
WINCHESTER/PARADISE - COMMERCIAL GENERAL**

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 712 E. Naples Drive
- Site Acreage: 0.4
- Number of Lots/Units: 22
- Project Type: Long/short term lodging
- Number of Stories: 2
- Building Height (feet): 18
- Square Feet: 7,228
- Parking Required/Provided: 22/10

Site Plans

The approved plans depict an existing multiple family complex to be converted to long/short term lodging with improvements consisting of an addition of a trash enclosure, bicycle racks in the courtyard, and restriping the existing parking lot by creating a 1 way entry on the easterly side of the buildings and exit on the westerly side of the buildings. There are no additional buildings that were proposed with the site improvements. The approved site is developed with 3 existing buildings connected by covered walkways consisting of a total of 22 units and measuring 7,228 square feet. Buildings 1 and 2 consist of 10 units each with Building 3 consisting of 2 units with a laundry room on the lower level and a storage room on the second level. The building was approved in 1975 to be built 10 feet from the front property line; however, due to better surveying the building now sits approximately 9 feet from the front property line, not including the architectural intrusion containing the entry gates into the courtyard of the development.

Landscaping

The existing street landscaping consists of 5 trees along Naples Drive in a 5 foot to 9 foot 9 inch wide landscape area, 5 trees located in a 5 foot wide planter along the west property line, and 5 trees within the existing courtyard. A portion of the street landscaping includes an accessible route from the street and parking lot to the entry of the building that may need to be upgraded depending upon the site grading.

Elevations

The photographs and plans depict 3 existing 2 story buildings with 18 foot high painted concrete block exterior with flat roof. Each unit is shown with wall mounted air conditioning units visible on the exterior of the buildings. The south elevation includes a gated entry feature.

Floor Plans

The existing building contains 22 single bed/studio units. Each unit includes a kitchenette, bathroom, and living area. There are no changes to the existing floor plans.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-18-0234:

**Current Planning**

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- 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 application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- 2 years to submit off-site improvement plans;
- 2 years to review as a public hearing waivers to allow existing driveway, throat depth and off-sites;
- Parking space striping in the right-of-way shall be removed prior to the issuance of any building permits or business licenses.

**Department of Aviation**

- 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 residents wish to have their buildings purchased or soundproofed.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is submitting this application as required by the conditions of approval by Clark County Public Works, they have been operating this business for over 2 years and have not had any issues pertaining to the driveways. The applicant is requesting to make this application permanent.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-18-0234	Zone change from R-5 to C-2 zoning, with use permit for long/short term lodging, waivers to reduced front setback, reduce parking, allowed alternative street landscaping, allowed modified design standards, and waived off-site improvements with design reviews allowed alternative parking lot landscaping and converted an existing multiple family residential use to long/short term lodging	Approved by BCC	May 2018

### Prior Land Use Requests

Application Number	Request	Action	Date
ZC-24-75/VC-16-75	Reclassified 0.4 acres from R-4 to R-5 zoning for a 22 unit apartment complex with a reduction to front setback to 10 feet and reduction to parking to 28 spaces	Approved by BCC	April 1975

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities	H-1	Multiple family residential
South	Commercial General	R-5	Multiple family residential
East	Public Facilities	P-F	UNLV
West	Commercial General	C-2	Retail shop

### 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 for an application for review 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 since the original approval. The applicant has complied and submitted for off-site improvements which are currently in review. This application is a review of the throat depths and off-site improvements.

#### Public Works - Development Review

##### Waiver of Development Standards #4a

Staff can support the modified driveway design standards provided that the driveways are upgraded to comply with the Americans with Disabilities Act.

##### Waiver of Development Standards #4b

Staff has no objection to the reduced throat depth for the ingress driveway on Naples Drive, if two parking spaces are removed. The removal of the parking spaces immediately adjacent to the ingress driveway would reduce the potential of traffic backing out into the public right-of-way and allow for safe vehicular movements into the site.

##### Waiver of Development Standards #5

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians. The applicant submitted off-site improvement

plans on April 30, 2020, indicating a desire to install full off-sites. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

**Staff Recommendation**

Approval of waiver of development standards #4a and #4b; denial of waiver of development standards #5.

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:

- Remove time limit for review;
- Obtain building permits for conversion to long/short term lodging within 6 months;
- Obtain building permits for trash enclosure within 6 months;
- Provide proof to staff that parking lot has been re-striped according to approved plans within 6 months.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

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

- No comment.

**Public Works - Development Review**

- Full off-site improvements;
- Reconstruct existing driveways to commercial pan driveways per Uniform Standard Drawing 224;
- Remove the first 2 parking spaces adjacent to the ingress driveway on Naples Drive;
- Post signage indicating that the driveways are 1 way only.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: MADINA ELAMKL**

**CONTACT: NAPLES ENCLAVES LLC, 712 E. NAPLES DRIVE #5, LAS VEGAS, NV 89119**



# LAND USE APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE 1.) CONFORMING (ZC) 1.) NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  _____ (ORIGINAL APPLICATION #) <input checked="" type="checkbox"/> APPLICATION REVIEW (AR) <u>219-0234</u> (ORIGINAL APPLICATION #)	<b>STAFF</b>	DATE FILED: <u>4/30/20</u> PLANNER ASSIGNED: <u>TK</u> ACCEPTED BY: <u>JAD</u> FEE: <u>\$ 950</u> CHECK #: COMMISSIONER: <u>JG</u> OVERLAY(S)? <u>Mid-Md-Pkwy</u> PUBLIC HEARING? <u>Y (N)</u> TRAILS? <u>Y (N)</u> PFNA? <u>Y (N)</u> APPROVAL/DENIAL BY:	APP. NUMBER: <u>AR-20-400045</u> TAB/CAC: <u>Paradise</u> TAB/CAC MTG DATE: _____ TIME: _____ PC MEETING DATE: _____ BCC MEETING DATE: <u>7-8-20</u> ZONE / AE / RNP: <u>C2-AE65</u> PLANNED LAND USE: <u>C9</u> NOTIFICATION RADIUS: <u>100</u> SIGN? <u>Y (N)</u> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	<b>PROPERTY OWNER</b>	NAME: <u>Naples Enclaves LLC</u> ADDRESS: <u>457 A EAST NAPLES DR</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: _____ TELEPHONE: <u>702-488-7292</u> CELL: <u>1-702-488-7292</u> E-MAIL: <u>mariazahajko@gmail.com</u>	
	<b>APPLICANT</b>	NAME: <u>NAPLES ENCLAVES LLC</u> ADDRESS: <u>712 E. NAPLES DR #5</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-688-1970</u> CELL: <u>702-688-1970</u> E-MAIL: <u>madina80@gmail.com</u> REF CONTACT ID #: _____	
	<b>CORRESPONDENT</b>	NAME: <u>Madina Elamki</u> ADDRESS: <u>2674 Duneville St</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>702-688-1970</u> CELL: <u>702-688-1970</u> E-MAIL: <u>madina80@gmail.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 162-22-306-003

PROPERTY ADDRESS and/or CROSS STREETS: 712 E Naples Dr #5, Las Vegas, NV 89119

PROJECT DESCRIPTION: \_\_\_\_\_

I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. I, (We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Maria Zahajko \_\_\_\_\_  
 Property Owner (Signature) Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SHOWN BEFORE ME ON April 24, 2020 (DATE)  
 By Maria Zahajko  
 NOTARY PUBLIC: Elissha Scrogum



\*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

April 30, 2020

Clark County – Comprehensive Planning  
500 South Grand Central Parkway  
Las Vegas, NV 89155

**Re: 712 Naples Dr. – Justification Letter for the review as a public hearing (ZC-18-0234)**

To Whom It May Concern:

On May 2, 2018 ZC-18-0234 was approved with a conditions as follows;

- 2 years to submit off-site improvement plans.
- 2 years to review as a public hearing, waivers to allow existing driveway, throat depth and off-sites.

Off- site improvement plans have been submitted to Clark County Public Works. Reference number PW20-13920.

We are requesting the review as a public hearing for the waivers to allow the existing driveway, throat depth and off-sites. We own a small 22-unit building and have been operating as transient lodging for the past 2 years with no issues. We humbly request our rezoning to be made permanent and ask for our property to be approved the way it presently is. Please contact me to discuss any additional information or requirements needed for this review to occur.

Respectfully,



Madina Elamki

SENIOR HOUSING  
(TITLE 30)

PEBBLE RD/JEFFREYS ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
UC-20-0220-USA:

USE PERMIT for senior housing.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; and 2) alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) senior housing facility; and 2) alternative parking lot landscaping on 5.0 acres in an R-4 (Multiple Family Residential - High Density) Zone.

Generally located on the northeast corner of Pebble Road and Jeffreys Street within Paradise. MN/jt/jd (For possible action)

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RELATED INFORMATION:

APN:  
177-14-802-021

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase building height to 50 feet where 35 feet is the maximum height per Table 30.40-3 (a 43% increase).
2. Reduce throat depth for a driveway on Torino Avenue to 11 feet where 100 feet is the minimum distance per Uniform Standard Drawing 222.1 (an 89% reduction).

**LAND USE PLAN:**  
WINCHESTER/PARADISE - COMMERCIAL GENERAL

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

- Site Address: N/A
- Site Acreage: 5
- Number of Lots/Units: 195
- Density (du/ac): 39
- Project Type: Senior housing
- Number of Stories: 4
- Building Height (feet): 50
- Open Space Required/Provided (square feet): 19,500/61,151
- Parking Required/Provided: 195/195



### Site Plan

The site plan depicts a proposed senior housing facility shaped like an "E" located in the center of the parcel. Setbacks include 80 feet to the north property line along Torino Avenue, 56 feet to the east property line, 50 feet to the south property line along Pebble Road, and 80 feet to the west property line along Jeffreys Street.

Access to the site is provided from a single driveway on Torino Avenue located in the northeast portion of the site, which includes an 11 foot throat depth where 100 feet is the minimum distance required. Drive aisles and covered parking spaces are located around the perimeter of the site, and a crash gate is located near the southeast corner on Pebble Road. Enhanced paving is provided at the driveway entrance to distinguish the pedestrian walkway from the vehicular travel lanes, and pedestrian paths provide access through pedestrian gates to Pebble Road to the south and to the corner of Pebble Road and Jeffreys Street to the southwest. Bike racks are provided on the north side of the building, and trash enclosures are provided near the northeast, southeast, southwest, and northwest corners of the building.

### Landscaping

Perimeter landscaping includes a 10 foot wide landscape strip behind an attached sidewalk along Torino Avenue to the north, a 6 foot wide landscape strip along the east property line, a 15 foot wide landscape strip behind an existing attached sidewalk along Pebble Road to the south, and a 10 foot wide landscape strip behind an attached sidewalk along Jeffreys street to the west. Landscaping is provided around the base of the building, and landscape fingers are provided within the parking lot. A design review for an alternative parking lot landscaping is necessary for the 4 locations where a trash enclosure is located at the end of a row of parking spaces instead of the required landscape finger. Open space includes 6,465 square feet of interior amenities, such as a fitness room, wellness center, and library; 35,332 square feet of usable open space, such as a pool, spa, and picnic area; and 19,354 square feet of landscaped open space.

### Elevations

The 4 story building ranges in height from 46 feet to 48 feet high along the parapet rooflines; however, several architectural roof elements extend up to approximately 50 feet in height. Most of the roofline appears flat along the top of a parapet walls, which increases the apparent mass and bulk of the building. The symmetrical grid of windows around the exterior of the building includes design articulation such as faux shutters, stucco pop-outs, awnings, arches, and columns.

### Floor Plans

Overall, the senior housing facility will include 139, 1 bedroom units, and 56, 2 bedroom units. Other interior spaces include a fitness center, great room, kitchen, food storage, mail center, offices, laundry room, computer, wellness, and media rooms.

### Signage

Signage is not a part of this request.

**Applicant's Justification**

According to the applicant, the special use permit for a senior living facility is appropriate since senior living is a less intense use than a multiple family residential development, which is a permitted use in the current zoning district. The alternative parking lot landscaping is appropriate since the necessary landscaping is provided, albeit in alternative locations. Regarding the increase in height, the applicant states that the top of the fourth floor residential windows are at a height of 41 feet. Therefore, most of the increased height will be composed of architectural features to screen mechanical rooftop equipment rather than enclosed living space. Lastly, the applicant states that the reduced throat depth is appropriate since Torino Avenue is a 60 foot wide street that terminates into the entrance of a multiple family residential development located just west of the site. Also, this property is the last piece of vacant land along Torino Avenue; therefore, the reduced throat depth will not negatively impact the flow of traffic.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-18-0939	Reclassified the site to R-4 zoning for future development	Approved by BCC	December 2018

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Plant nursery
East	Commercial General	C-2	Retail complex
South	Public Facilities	R-E	Electric substation
West	Residential High (8 du/ac to 18 du/ac) & Office Professional	R-3 & C-P	Multiple family residential complex & office buildings

**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.

Goal 1 of the Comprehensive Master Plan Housing Element encourages development of affordable housing units whenever possible, and Policy 4 encourages senior housing to be located near public transportation, shopping, community services, family support services, and recreational facilities. The proposed development provides additional affordable housing options for seniors, and it is located near public transportation along Eastern Avenue, adjacent to shopping opportunities to the east, and near a recreational facility (Pebble Park) located at the southeast corner of Eastern Avenue and Pebble Road. Therefore, the proposed senior housing

facility complies with the Comprehensive Master Plan. In addition, the project will not result in any substantial or undue effects on adjacent properties since the adjacent and abutting properties are commercial, office, and multiple family residential developments.

Furthermore, per the Clark County Department of Social Service, the proposed affordable senior rental development will provide services to 3 of the 4 highest priority populations listed in the Clark County Consolidated Plan, including extremely low-income and low-income renter households, persons experiencing homelessness, and persons with special needs, such as elderly and frail elderly. Lastly, the project will comply with the following housing strategies and objectives in the Clark County Consolidated Plan: 1) expand the supply of affordable rental housing; and 2) expand the supply of affordable rental housing for people with special needs, such as the elderly.

#### 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.

#### Waiver of Development Standards #1

Surrounding properties include a plant nursery across Torino Avenue to the north, single story convenience store and retail buildings to the east, an electrical substation across Pebble Road to the south, and 2 story, 35 foot high offices and 2 story, 31 foot high multiple family residential buildings across Jellreys Street to the west. Although the proposed 4 story, 50 foot high senior housing facility will be taller than the immediately surrounding commercial, office, and multiple family residential developments, it is compatible with these surrounding properties and it is not out of character for the larger neighborhood. For example, approximately 450 feet south of the site across Pebble Road, are 2, 50 foot high, 3 story office buildings. As a result, the increased height will not create any negative visual impacts, it is appropriate for the area, and it will enable more units to be developed on the site, which in-turn provides more affordable senior housing units. Therefore, staff can support the request.

#### Design Review #1

The overall design of the senior housing facility is consistent with the goals and policies in the Winchester Paradise Land Use Plan and regulations in Title 30, and the building and landscape materials are appropriate for the area. However, design enhancements such as off-set surface planes and additional roof articulation could help reduce the visual mass of the western elevation of the building. This elevation is approximately 440 feet long with a predominately flat surface plane and only minor changes in the roof height. As a result, this portion of the building conflicts with Urban Specific Policy 55, which encourages design alternatives and spatial distribution rather than massing of buildings. The applicant should work with staff to propose additional design enhancements for this façade that will not increase the cost of construction and make the units unaffordable, but will enhance the aesthetic appeal of the building, especially

when viewed from the abutting multiple family residential development located across Jeffreys Street to the west.

#### Design Review #2

Staff can support the design review for alternative parking lot landscaping since the required landscaping is still located on the site. In 4 locations, trash enclosures are located at the end of a row of parking rather than landscape fingers. However, trees are provided in front of the parking rows in landscape areas, which satisfies the intent of the parking lot landscaping requirements in Title 30. Therefore, staff can support the request.

#### **Public Works - Development Review**

##### Waiver of Development Standards #2

Staff cannot support the reduction in the throat depth. If several parking spaces near the driveway were removed, the throat depth, although still not in compliance with the standards, would be safer by extending the distance from the driveway to the parking spaces, a design that staff could support in this case. The applicant was presented with this option but chose to leave the plans as originally designed.

#### **Staff Recommendation**

Approval of the use permit, waiver of development standards #1, and the design reviews; denial of waiver of development standards #2.

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:

- Work with staff to provide design enhancements on the west elevation to help break-up the visual mass of the building, which faces the abutting multiple family residential development;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

##### **Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;

- When the Bureau of Land Management (BLM) issues patent to the land, right-of-way dedication to include 50 feet for Pebble Road, 30 feet for Torino Avenue, 30 feet for Jeffreys Street, and associated spandrels.

**Building Department - Fire Prevention**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0204-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: OVATION DEVELOPMENT CORPORATION**

**CONTACT: JENNIFER LAZOVICH, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135**

DRAFT



**KAEMPFER**

**CROWELL**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

JENNIFER LAZOVICH  
[jlazovich@kcwvlaw.com](mailto:jlazovich@kcwvlaw.com)  
702.792.7050

April 23, 2020

**VIA HAND DELIVERY**

Jared Tasko  
CLARK COUNTY COMPREHENSIVE PLANNING  
500 S. Grand Central Parkway, 1<sup>st</sup> Floor  
Las Vegas, Nevada 89106

**Re: *REVISED Justification Letter – Design Review for Multi-Family Apartments (Senior); Special Use Permit to Allow Senior Housing; and Waiver of Development Standards to Increase Building Height***  
**APN: 177-14-802-021**

To Whom It May Concern:

Please be advised our office represents Ovation Contracting, Inc. (the "Applicant") in the above-referenced matter. The proposed project is located on approximately 5.0 gross acres generally located at the southeast corner of Torino Avenue and Jeffreys Street, more particularly described as APN: 177-14-802-021 (the "Site"). The Applicant is proposing a multi-family apartment, age restricted development.

**Design Review:**

The Site is zoned R-4. An R-4 zoning district allows a multi-family apartment use and with a special use permit, as further discussed below, an age restricted housing development. Here, the Applicant is proposing a 195 unit aged restricted housing development. The proposed development is providing one access point off Torino Avenue and an emergency access (crash gate) off Pebble Road. The Applicant is proposing a drive aisle that circulates around the entire Site. The Site is providing 195 parking spaces where 195 parking spaces are required.

The multi-family building is four (4) stories and approximately 49'6" in height. The building will have elevator access to all living units on upper floors. The site design and architecture are consistent with the surrounding area. Additionally, the Site will provide outdoor amenities such as a pool and spa, picnic area and indoor amenities such as rooms for meetings and social gatherings, media room, common area kitchen, exercise room, pool room, wellness center, computer room, library and salon.

**Special Use Permit:**

As stated above, the Applicant is proposing a senior housing project on the Site. Pursuant to Table 30.44-1 of Title 30, a special use permit is required. A special use permit

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Carson City, NV 89703  
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Fax 775.882.0257

UC-20-0220

allowing for senior housing at the Site is an appropriate use. A senior housing use is a less intense use than regular multi-family apartments, which the Site is currently zoned.

**Design Review for Alternative Parking Lot Landscaping**

The Applicant is seeking a design review for alternative parking lot landscaping. Overall, the Applicant meets the necessary landscaping requirements but has placed the landscaping in alternative areas.

**Waiver of Development Standards:**

- **Increase Building Height:**

The Applicant is requesting to increase the building height from the allowed thirty five feet (35') to up to approximately 49'6" for the apartment building. While the Applicant is requesting an increase in building height, it is important to note that to the top of the 4<sup>th</sup> floor residential window is at a height of forty one feet (41'). Therefore, the majority of the increased height will be composed of roof slope and not living space. The additional height also allows for architectural features to screen mechanical and other rooftop equipment. Finally, the building meets the residential adjacency requirement.

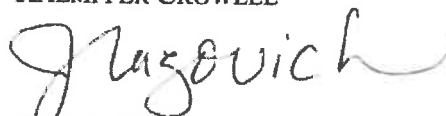
- **Reduce Throat Depth:**

The Applicant is seeking to reduce throat depth for the driveway off Torino Avenue from 100 feet to 11 feet. We believe this reduction is appropriate because Torino is a 60 foot wide street that terminates into the entrance to a multi family project located just west of the Site. Finally, the Site is the last vacant piece of property along this portion of Torino Avenue. Therefore, the reduced throat depth will not negatively impact the flow of traffic on Torino Avenue.

We thank you in advance for your time and consideration. Should you have any questions, please feel free to contact us.

Sincerely,

KAEMPFER CROWELL



Jennifer Lazovich

JL/sfm





## Paradise Town Advisory Board

March 10, 2020

### MINUTES

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Board Members:	Jon Wardlaw –Chair- <b>PRESENT</b> John Williams –Vice Chair- <b>PRESENT</b> Raymond Berg – <b>PRESENT</b>	Susan Philipp – <b>PRESENT</b> Bart Donovan- <b>PRESENT</b>
Secretary:	Maureen Helm 702-606-0747 mhelmtab@gmail.com	
Town Liaison:	Blanca Vazquez 702-455-8531 bva@clarkcountynv.gov	

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I. Call to Order, Pledge of Allegiance, Roll Call(see above), County Staff Introductions

Brady Bernhart; Planner, Blanca Vazquez; Town Liaison, Beatriz Martinez; Town Liaison, Stephanie Halasi, Administrative Services

Meeting was called to order by Chair Wardlaw at 7:00 p.m.

II. Public Comment:  
None

III. Approval of February 25, 2020 Minutes

**Moved by: Philipp**  
**Action: Approval as submitted**  
**Vote: 5-0 Unanimous**

Approval of Agenda for March 10, 2020

**Moved by: Williams**  
**Action: Approve as submitted**  
**Vote: 5-0 Unanimous**

IV. Informational Items

**Per Stephanie Halasi, Commissioner Gibson will be holding a Meet and Greet on March 30<sup>th</sup> and Commissioner Gibson, along with Commissioner Segerblom**

V. Planning & Zoning

1. **UC-20-0087-ROBERTS NINA K REVOCABLE TRUST & ROBERTS NINA K TRS:**  
**USE PERMIT** for an existing vehicle maintenance (automobile) facility.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce the separation from an automobile maintenance facility to a residential use; **2)** alternative design standards; **3)** increase fence height; and **4)** allow temporary signs (banner) to be permanent.  
**DESIGN REVIEW** for the following: **1)** vehicle maintenance (automobile) facility; and **2)** signage on 0.6 acres in an H-2 (General Highway Frontage) Zone. Generally located on the southwest corner of Boulder Highway and Nellis Boulevard within Paradise. TS/md/jd (For possible action)  
**PC 3/3/20**

**MOVED BY-Wardlaw**  
**DENIED**  
**VOTE: 5-0 Unanimous**

2. **WS-20-0115-KIEPER SCOTT W & LINDA B:**  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce the rear setback for an addition to a single family residence on 0.2 acres in an R-1 (Single Family Residential) Zone. Generally located on the west side of Maggie Belle Court approximately 220 feet south of Robindale Road within Paradise. MN/bb/jd (For possible action)  
**PC 4/07/20**

**MOVED BY-Williams**  
**APPROVE- Subject to staff conditions**  
**VOTE: 5-0 Unanimous**

3. **WS-20-0127-PATRICK IRA FAMILY TRUST & PATRICK IRA C TRS:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce setbacks; and **2)** increase side yard wall height on 0.2 acres in an R-1 (Single Family Residential) Zone. Generally located on the south side of Cherokee Avenue, 300 feet east of Union Street within Paradise. TS/bb/ja (For possible action) **PC 4/07/20**

**MOVED BY-Williams**  
**APPROVE- Subject to IF approved staff conditions and require a gate on east wall for emergency entrance.**  
**VOTE: 5-0 Unanimous**

4. **AR-20-400019 (UC-0729-06)-R & G HOLDINGS, LLC:**  
**USE PERMIT ELEVENTH APPLICATION FOR REVIEW** of a massage business in conjunction with an existing shopping center on 0.6 acres in a C-2 (General Commercial) Zone in the Asian Design Overlay District. Generally located 275 feet north of Spring Mountain Road, 215 feet east of Arville Street within Paradise. JJ/jvm/jd (For possible action) **BCC 4/08/20**

**MOVED BY-Philipp**  
**APPROVE- Subject to preliminary staff conditions, 1-year review at a public hearing and hours of operation 8 a.m. to 9 p.m.**  
**VOTE: 5-0 Unanimous**

5. **DR-20-0117-CPLV PROPERTY OWNER, LLC:**  
**DESIGN REVIEWS** for the following: 1) modifications to a comprehensive sign plan; 2) increase the number of wall signs; 3) increase the wall sign area; and 4) increase animated sign area in conjunction with an existing resort hotel (Caesars Palace and Forum Shops) on a portion of 80.2 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District. Generally located on the northwest corner of Las Vegas Boulevard South and Flamingo Road within Paradise. TS/pb/jd (For possible action) **BCC 4/08/20**

**MOVED BY-Donovan**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous, Berg abstained**

6. **DR-20-0132-PARIS LV OPERATING CO, LLC:**  
**DESIGN REVIEWS** for the following: 1) modifications to a comprehensive sign plan; and 2) increase wall sign area in conjunction with an existing resort hotel (Paris) on 24.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas Boulevard South, 500 feet south of Flamingo Road within Paradise. JG/al/jd (For possible action)  
**BCC 4/08/20**

**MOVED BY-Williams**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous, Berg abstained**

7. **DR-20-0136-CCLV LUXURY HOTEL, LLC:**  
**DESIGN REVIEW** for exterior building modifications including changes to the entrance of an existing lease space in conjunction with a resort hotel (CityCenter) on 107.1 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the west side of Las Vegas Boulevard South, 1,065 feet south of Harmon Avenue within Paradise. JG/al/jd (For possible action)  
**BCC 4/08/20**

**MOVED BY-Berg**  
**APPROVE- Subject to staff conditions**  
**VOTE: 5-0 Unanimous**

8. **UC-20-0104-MGP LESSOR, LLC:**  
**USE PERMIT** to waive conditions for temporary outdoor events (tailgating).  
**DESIGN REVIEW** for a temporary outdoor commercial event with temporary structures, eating and drinking areas including on-premises consumption of alcohol, retail sales, and live entertainment in conjunction with a resort hotel (Luxor Resort Hotel) on 62.8 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the west side of Las Vegas Boulevard South and the north side of Mandalay Bay Road within Paradise. MN/pb/ja (For possible action)  
**BCC 4/08/20**

**MOVED BY-Philipp**  
**APPROVE- Subject to staff conditions**  
**VOTE: 5-0 Unanimous**

9. **UC-20-0139-NEW DEWEY STRIP HOLDINGS, LLC:**

**USE PERMITS** for the following: 1) proposed recreational facility with accessory retail sales, restaurant, and on-premises consumption of alcohol; and 2) allow inherently dangerous exotic animals.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow a use (recreational facility/inherently dangerous exotic animals) not within a permanently enclosed building; 2) alternative external building materials; 3) alternative landscaping; and 4) alternative standards for proposed temporary signs.

**DESIGN REVIEW** for a recreational facility/inherently dangerous exotic animals facility consisting of a fabric structure (tent) and tiger sanctuary on 4.6 acres in an H-1 (Limited Resort and Apartment) (AE-60 & AE-65) Zone. Generally located on the east side of Las Vegas Boulevard South and the north side of Dewey Drive within Paradise. JG/pb/jd (For possible action)

**BCC 4/08/20**

**MOVED BY-Berg**

**Hold until 03/31/20 TAB meeting**

**VOTE: 5-0 Unanimous**

10. **WS-20-0111-CLARK COUNTY STADIUM AUTHORITY:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase animated sign area; 2) increase the number of animated signs allowed; 3) increase the number of freestanding signs; and 4) increase freestanding sign area.

**DESIGN REVIEWS** for modifications to an approved comprehensive sign plan including: 1) animated signage; and 2) freestanding signage in conjunction with a recreational facility (multi-function stadium and events center) on 70.6 acres in an H-1 (Limited Resort and Apartment) Zone and an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located between Hacienda Avenue and Russell Road and between Dean Martin Drive and Polaris Avenue within Paradise. MN/pb/jd (For possible action) **BCC 4/08/20**

**MOVED BY-Donovan**

**APPROVE- Subject to staff conditions**

**VOTE: 5-0 Unanimous**

VI. General Business

**None**

VII. Public Comment

**None**

VIII. Next Meeting Date

**The next regular meeting will be March 31, 2020**

IX. Adjournment

**The meeting was adjourned at 8:25 p.m.**