



Winchester Town Advisory Board

November 27, 2018

MINUTES

Board Members:	Kenneth Dayton – Chair – UNEXCUSED Judith Siegel – Vice Chair – EXCUSED Robert O. Mikes, Jr. – PRESENT	John Delibos – PRESENT Roxana Valladeres – PRESENT
Secretary:	Tamara Williams (702) 455-0560 TGW@ClarkCountyNV.gov	
Town Liaison:	Tamara Williams (702) 455-0560 TGW@ClarkCountyNV.gov	
Planner:	Steven De Merritt	

I. Call to Order, Pledge of Allegiance, Roll Call, County Staff Introductions
The meeting was called to order at 6:00 p.m.

II. Public Comment
None

III. Approval of November 13 2018 Minutes.

Moved by: John Delibos
Action: Approved
Vote: 3-0/ Unanimous
Voting Aye: John Delibos, Robert O. Mikes, Jr., and Roxana Valladeres
Voting Nay: None

Approval of Agenda for November 27, 2018 agenda.

Moved by: John Delibos
Action: Approved
Vote: 3-0/ Unanimous
Voting Aye: John Delibos, Robert O. Mikes, Jr., and Roxana Valladeres
Voting Nay: None

IV. Informational Items

1. Announcement of upcoming neighborhood meetings and County or community meetings and events. (For discussion)
None

V. Planning & Zoning

12/18/18 PC

1. **TA-18-0845-HUNTINGTON GEM LAB:**
TEXT AMENDMENT to amend Chapter 30.44, Table 30.44-1 to allow Secondhand Sales within the C-P (Office and Professional) zoning district. (For possible action)

Moved by: John Delibos

Action: Held to December 11, 2018 meeting, applicant not present

Vote: 3-0/ Unanimous

Voting Aye: John Delibos, Robert O. Mikes, Jr., and Roxana Valladeres

Voting Nay: None

2. **UC-18-0848-HARSCH INVEST PPTYS-NV II, LLC:**
USE PERMITS for the following: 1) sporting goods – firearms; and 2) second hand sales in conjunction with an existing industrial/shopping center development on a portion of 28.3 acres in an M-1 (Light Manufacturing) Zone. Generally located on the southwest corner of Valley View Boulevard and Sirius Avenue within Winchester. SB/dg/ja (For possible action)

Moved by: John Delibos

Action: Approved per staff recommendations

Vote: 3-0/ Unanimous

Voting Aye: John Delibos, Robert O. Mikes, Jr., and Roxana Valladeres

Voting Nay: None

12/19/18 BCC

3. **AR-18-400234 (UC-0899-14)-MRCI FUNDING CORPORATION:**
USE PERMIT SECOND APPLICATION FOR REVIEW of temporary outdoor commercial events not on the same property as an existing licensed business on 1.4 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District. Generally located on the southwest corner of Convention Center Drive and Paradise Road within Winchester. CG/sd/ja (For possible action)

Moved by: John Delibos

Action: Approved per staff recommendations

Vote: 3-0/ Unanimous

Voting Aye: John Delibos, Robert O. Mikes, Jr., and Roxana Valladeres

Voting Nay: None

4. **WS-18-0850-SAIA GABRIEL GOMES JR REV LIV TR & SAIA GABRIEL GOMES JR TRS:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow roof signs where not permitted; and 2) allow an electronic or animated sign (graffiti wall) where not permitted.
DESIGN REVIEWS for the following: 1) roof signs (lotus flowers); and 2) electronic sign (graffiti wall) in conjunction with an approved dispensary and retail marijuana facility on 9.2

acres in an M-1 (Light Manufacturing) Zone in the MUD-1 Overlay District. Generally located on the north side of Desert Inn Road and the east side of Highland Drive within Winchester. CG/mk/ja (For possible action)

Moved by: John Delibos

Action: Held to December 11, 2018 meeting per applicant

Vote: 3-0/ Unanimous

Voting Aye: John Delibos, Robert O. Mikes, Jr., and Roxana Valladeres

Voting Nay: None

- VI. General Business
None.
- VII. Public Comment
ShaRonda Ramos introduced herself as the President of the New Friends of Winchester and invited the community to join and get involved with supporting the programs and garden of the Winchester Cultural Center.
- VIII. Next Meeting Date
The next regular meeting will be on Tuesday, November 13, 2018
- IX. Adjournment
- X. **The meeting was adjourned at 6:26 p.m.**

**ATTACHMENT A
WINCHESTER TOWN ADVISORY BOARD
ZONING AGENDA
TUESDAY, 6:00 P.M., DECEMBER 11, 2018**

12/18/18 PC

1. **TA-18-0845-HUNTINGTON GEM LAB:**
TEXT AMENDMENT to amend Chapter 30.44, Table 30.44-1 to allow Secondhand Sales within the C-P (Office and Professional) zoning district. (For possible action)

12/19/18 BCC

2. **WS-18-0850-SAIA GABRIEL GOMES JR REV LIV TR & SAIA GABRIEL GOMES JR TRS:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow roof signs where not permitted; and 2) allow an electronic or animated sign (graffiti wall) where not permitted.
DESIGN REVIEWS for the following: 1) roof signs (lotus flowers); and 2) electronic sign (graffiti wall) in conjunction with an approved dispensary and retail marijuana facility on 9.2 acres in an M-1 (Light Manufacturing) Zone in the MUD-1 Overlay District. Generally located on the north side of Desert Inn Road and the east side of Highland Drive within Winchester. CG/mk/ja (For possible action)

01/08/19 PC

3. **UC-18-0876-B33 SUNRISE CITY PLAZA, LLC:**
USE PERMIT to reduce the separation between a proposed tavern and an existing single family residential development in conjunction with an existing shopping center on 5.0 acres in a C-2 (General Commercial) Zone in the MUD-4 and Midtown Maryland Parkway Overlay Districts. Generally located on the west side of Maryland Parkway and 485 feet south of Karen Avenue within Winchester. CG/jor/ja (For possible action)

12/18/18 PC AGENDA SHEET

SECONDHAND SALES
(TITLE 30)

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

TA-18-0845-HUNTINGTON GEM LAB:

TEXT AMENDMENT to amend Chapter 30.44, Table 30.44-1 to allow Secondhand Sales within the C-P (Office and Professional) zoning district. (For possible action)

RELATED INFORMATION:

BACKGROUND:

Project Description

The applicant is requesting that Title 30 be amended to allow Secondhand Sales within the C-P (Office and Professional) zoning district.

Title 30 defines a Secondhand Sales as the sale of previously owned and/or used goods, as further defined by Chapters 6.28 & 7.16. Per Chapter 6.28 a "secondhand dealer" is defined to mean any person, firm or corporation other than a licensed pawnbroker having a place of business in the county, outside the incorporated cities and towns both within and without the unincorporated cities, for purchasing, trading or dealing in any secondhand article whatsoever.

Exempted from this definition are the following:

- (a) The buying, or selling by a licensed business of articles which were acquired as a trade-in or a credit upon the purchase of a new article of the same general kind through an arm's length transaction; or
- (b) The buying, selling or trading of coins, gold or silver, which are not a part of any jewelry;
- (c) The selling of used articles in garage sales or other similar sales on the property of the owner of the articles which do not occur more often than four days or portion thereof each calendar half year;
- (d) The buying, selling or trading of used books, newspapers and periodicals; or
- (e) The buying, selling or trading by a licensed retail business of used video games, videotapes, cassettes, digital video discs, compact discs or sound recordings that have been purchased, or received as trade-ins, from its retail customers, so long as credit only has been given as consideration for the purchases or trade-ins, which credit then can only be used by its retail customers for the rental or purchase of new or used items referenced in this paragraph (e) at any of its licensed business premises.

In Chapter 30.44, Table 30.44-1, Secondhand Sales are a permitted use in C-2 and U-V subject to being part of a mixed-use development) zoning districts and is allowed with the issuance of Special Use Permit in C-1, M-D, M-1, H-2 and H-1 zoning districts. Historically, jewelry stores have served as one of the primary locations for the sale of used jewelry, hence the allowance in

retail zoning districts. This retail zoning may not be appropriate for an independent jewelry appraiser which would also require a secondhand sales license. Appraisers work on an appointment basis, and as such locating in an area where walk-in or drop in traffic is not necessary, making it more appropriate in a C-P zoning district. The applicant states that allowing Secondhand Sales in the C-P zoning district will improve the ability to serve a changing customer base.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Several other uses listed within Table 30.44-1 are allowed conditionally within the C-P zoning district: Medical/Dental Laboratory, Photographic Studio, Recording Studio and Watch/Small Clock Repair. These uses are similar in terms of customer makeup. None of the uses rely on walk in traffic, but rather requires an appointment. Staff agrees with allowing less intensive retail uses in the C-P zoning district and finds that Secondhand Sales, or Jewelry Sales – Including Secondhand Sales which is a less intensive use than a typical Secondhand Sales retail establishment, may be an appropriate change to Title 30.

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:

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: HUNTINGTON GEMLAB

CONTACT: RICHARD HUNTINGTON, 787 PORTO MIO WAY, LAS VEGAS, NV 89138

SIGNAGE
(TITLE 30)

DESERT INN RD/HIGHLAND DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-18-0850-SAIA GABRIEL GOMES JR REV LIV TR & SAIA GABRIEL GOMES JR TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow roof signs where not permitted; and **2)** allow an electronic or animated sign (graffiti wall) where not permitted.

DESIGN REVIEWS for the following: **1)** roof signs (lotus flowers); and **2)** electronic sign (graffiti wall) in conjunction with an approved dispensary and retail marijuana facility on 9.2 acres in an M-1 (Light Manufacturing) Zone in the MUD-1 Overlay District.

Generally located on the north side of Desert Inn Road and the east side of Highland Drive within Winchester. CG/mk/ja (For possible action)

RELATED INFORMATION:

APN:

162-08-805-009

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow 15 foot high roof signs (lotus flowers) where not permitted.
2. Allow a 12 foot high electronic (graffiti wall) sign where not permitted.

DESIGN REVIEWS:

1. Thirteen roof signs (lotus flowers).
2. An electronic (graffiti wall) sign.

LAND USE PLAN:

WINCHESTER/PARADISE - INDUSTRIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 2548 W. Desert Inn Road
- Site Acreage: 9.2
- Project Type: Signage for marijuana establishment (dispensary)
- Sign Height (feet): 15 (roof signs)/12 (electronic wall)
- Square Feet: 661.4 (13 roof signs)/2,004 (electronic wall sign)

History & Site Plan

Similar requests for roof signs and an electronic wall signage were submitted under UC-18-0703; however, the requests were withdrawn without prejudice. The applicant is re-submitting the request. The plans show an approved marijuana dispensary co-located with an approved retail marijuana store in an existing office/warehouse complex. The dispensary/retail marijuana store is located on the east side of the site. Access to the site is from Desert Inn Road to the south. This request is to allow 13 roof signs (lotus flowers) and an electronic (graffiti wall) sign, which are not permitted by Title 30.

Signage

The plans show thirteen, 15 foot high roof signs (Lotus flowers). The flowers will light up with different colors. The plans also show a 12 foot high, 2,004 square foot electronic graffiti wall sign along the west property line. Electronic paint stations/projectors and an observation area are shown across the drive aisle within a striped pedestrian area. The pedestrian striped area is located on the west side of the parking lot which is used by customers to create their own messages. Below is the summary of all requested signage (14 signs total) and their total area which is approximately 2,665.4 square feet.

Sign type	Proposed (sq ft)	# of signs	Proposed Total (sq ft)	Allowed per Title 30
Electronic sign (wall)	2,004	1	2,004	No
Roof sign	50.87 *	13	661.4	No
Total	2,054.87	14	2665.4	

*each

Applicant's Justification

The applicant states that the approved dispensary and retail marijuana dispensary signage is state of the art. The site is located in the middle of an industrial area; therefore, the proposed signage will make it easier to reach the facility via taxi and Uber/Lyft ride sharing. Additionally, the signage requested will provide relief from a flat roof appearance with the unique 13 proposed lotus flowers. The applicant adds that the proposed electronic graffiti wall allows customers to program messages for loved ones on the wall, or just use the paint stations to write a message.

Prior Land Use Request

Application Number	Request	Action	Date
ADR-18-900699	Operation of a water feature in conjunction with an approved dispensary and retail marijuana facility	Approved administratively	October 2018
UC-18-0703	Increased wall sign area; allowed a marijuana dispensary as the only business advertising on a freestanding sign, roof signs where not permitted, electronic or animated sign where not permitted, and retail marijuana facility (roof sign and electronic graffiti wall were withdrawn)	Approved by BCC	October 2018

Prior Land Use Request

Application Number	Request	Action	Date
UC-18-0122	Marijuana establishment (dispensary) in conjunction with an approved retail marijuana store; and design review for modifications to an existing office/warehouse complex consisting of 2 buildings	Approved by BCC	April 2018
UC-17-1076	Marijuana establishment (retail marijuana store) with a waiver to reduce parking and modifications to an existing office/warehouse complex	Approved by BCC	February 2018
UC-0722-06	Sales center in conjunction with an approved mixed-use development, and waivers for reduced parking and sign requirements – expired	Approved by BCC	July 2006
ZC-1697-04	Reclassified the property from M-1 to H-1 zoning for a mixed-use high-rise development – expired	Approved by BCC	February 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Business and Design/Research Park	M-1	Office/warehouse development
East	Business and Design/Research Park & Commercial General	M-1	Office/warehouse & retail development

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.

Waiver of Development Standards #1 & Design Review #1

Title 30 prohibits roof signs; however, the Board of County Commissioners has approved alternative signs such as roof signs in different parts of the Valley because of the site shape, location, or design of the signs through the approval of the waiver of development standards. Staff does not have a practical problem with the proposed roof signs’ (lotus flowers) design and height since the signs do not have flashing lights and they do not emit any sound that may impede traffic or accidents by distracting attention or obstructing vision. Therefore, staff can support the roof signs with a condition of no flashing or excessive lights.

Waiver of Development Standards #2 & Design Review #2

Title 30 does not allow electronic signs in conjunction with marijuana establishments. Staff still has concerns of allowing customers to program messages for loved ones on the proposed electronic (graffiti wall) sign, which may lead to customers providing misleading, false information or advertising about the uses permitted on the site. Additionally, the electronic wall sign is located on the west side of the 2 way driveway which separates the customer striped area and the projectors of which staff finds as unsuitable design for pedestrian safety. Therefore, staff cannot support these requests.

Staff Recommendation

Approval of waiver of development standards #1 and design review #1; and denial of waiver of development standards #2 and design review #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:

- No flashing or excessive lights on roof sign.
- 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: MM DEVELOPMENT COMPANY, LLC

CONTACT: LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE, BLD 3 STE 577, LAS VEGAS, NV 89134

TAVERN SEPARATION REDUCTION
(TITLE 30)

MARYLAND PKWY/KAREN AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-18-0876-B33 SUNRISE CITY PLAZA, LLC:

USE PERMIT to reduce the separation between a proposed tavern and an existing single family residential development in conjunction with an existing shopping center on 5.0 acres in a C-2 (General Commercial) Zone in the MUD-4 and Midtown Maryland Parkway Overlay Districts.

Generally located on the west side of Maryland Parkway and 485 feet south of Karen Avenue within Winchester. CG/jor/ja (For possible action)

RELATED INFORMATION:

APN:
162-10-601-004

USE PERMIT:
Reduce the separation between a proposed tavern and an existing single family residential development to 25 feet where 200 feet is required per Table 30.44-1 (an 88% reduction).

LAND USE PLAN:
WINCHESTER/PARADISE - COMMERCIAL GENERAL

BACKGROUND:
Project Description
General Summary

- Site Address: 2797 S. Maryland Parkway, Suite 24
- Site Acreage: 5
- Project Type: Separation of a proposed tavern from a residential development
- Number of Stories: 1
- Building Height (feet): 17
- Square Feet: 9,435 (lease space) /77,000 (existing shopping center)
- Parking Required/Provided: 261/261

Site Plan

The site plan depicts an existing 1 story shopping center with an area of 77,000 square feet. The shopping center is an in-line retail building with a variety of commercial lease spaces which face Maryland Parkway. Access to the site is from 2 driveway entrances from Maryland Parkway and existing parking is located on the east half the subject property. The lease space for the

applicant's proposed tavern has an area of 9,435 square feet and is located on the northern end of the shopping center.

Landscaping

Changes to the existing landscaping is not a part of this request.

Elevations

The elevations of the existing retail building consist of a tan stucco exterior finish with black aluminum framing systems for the store front windows and doors. Signage for each of the businesses was installed above the main entrances for each occupied lease space.

Floor Plan

The floor plan for the proposed tavern depicts an entry area and cashier counter adjacent to the main entrance. Customer circulation flows clock-wise from the entry way. The left side of the lease space has a dedicated sitting area and video game arcade stations. The bar area is located at the center of the floor plan and designated back of house areas which include a storage area and a walk-in cooler behind the bar. The right side of the floor plan depicts the restrooms, lounge area, and an additional game room with televisions and ancillary video game systems. The floor plan also depicts a lounge, VIP room, and game storage area to the right of the cashier counter.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is proposing a video game themed tavern where patrons can enjoy new and old video games. Hours of operation are from 12:00 p.m. to 4:00 a.m. Per the applicant, the tavern is not offering live entertainment or operating as a night club. The applicant is requesting to reduce the separation between their proposed tavern and the existing residential development to the west.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0397-16	Recreational facility (live escape games) in conjunction with an existing shopping center	Approved by PC	July 2016
UC-0578-10	Reduced separation from a tavern to a residential use for an expansion of an existing tavern	Approved by PC	January 2011
UC-1565-06 (ET-0345-08)	Reviewed the original use permit – approved subject to removing the time limit	Approved by PC	January 2009
UC-1565-06	Reduced the separation from a tavern to a residential use and allowed live entertainment in conjunction with the existing tavern	Approved by PC	December 2006
VC-0542-88	261 parking spaces where 418 parking spaces were required	Approved by BCC	September 1988

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0244-88	Reclassified the site from C-C (Shopping Center) Zoning to C-2 Zoning.	Approved by BCC	September 1988

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Retail buildings
South	Commercial General	C-2 & C-P	Retail, restaurant, & medical offices
East	Commercial Neighborhood, Residential Urban Center (18 du/ac to 32 du/ac), Commercial General, & Office Professional	C-2, C-1, R-1, & R-4	Offices, retail, apartment complex, & congregate care facility
West	Public Facilities	R-1	Single family residential and golf course

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 proposed tavern is not an unexpected type of use within the surrounding established neighborhood. Taverns with a reduction in separation to the residential development to the west have been previously approved on the subject property (UC-0578-10 and UC-1565-06) with no reported problems. In addition, there is an existing block wall and landscaping located on the west property line which is adjacent to the golf course. Staff also determined that the existing golf course to the west creates a visual and physical buffer between the existing residences that are adjacent to the golf course and the proposed tavern. Staff is in support of this request.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the 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)

- 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: JEFF BENOIT

CONTACT: JEFF BENOIT, 2797 S. MARYLAND PARKWAY, SUITE 28, LAS VEGAS, NV 89109