



Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

January 9, 2024

7:00pm

Note:

- 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 Maureen Helm at 702-606-0747.
 - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
 - Supporting material is/will be available on the County's website at <https://clarkcountynv.gov/ParadiseTAB>

Board/Council Members: Susan Philipp-Chair
 Katlyn Cunningham-Vice Chair
 John Williams
 Kimberly Swartzlander
 Angelo Carvalho

Secretary: Maureen Helm, 702-606-0747, mhelmtab@gmail.com
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Blanca Vazquez, 702-455-8531, BVA@ClarkCountyNV.gov
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

I. Call to Order, Pledge of Allegiance, Roll Call, and County Staff Introductions

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 December 12, 2023. (For possible action)
- IV. Approval of the Agenda for January 9, 2024 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items (for discussion only)
- VI. Planning and Zoning
 - 1. **AR-23-400173 (WS-20-0336)-3900 PARADISE RETAIL OWNER SPE, LLC:**
WAIVER OF DEVELOPMENT STANDARDS SECOND APPLICATION FOR REVIEW
for a reduction of parking in an existing shopping center on 4.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Paradise Road, 640 feet south of Twain Avenue within Paradise. TS/mh/syp (For possible action) **PC 1/16/24**
 - 2. **PA-23-700041-R & N PROPERTIES LLC SERIES 1:**
PLAN AMENDMENT to redesignate the existing land use category from Neighborhood Commercial (NC) to Mid-Intensity Suburban Neighborhood (MN) on 0.3 acres. Generally located on the west side of Eastern Avenue, 125 feet north of Pueblo Way within Paradise. TS/gc (For possible action) **PC 1/16/24**
 - 3. **UC-23-0719-MEOW LLC:**
USE PERMIT for a personal services business (wellness consulting and cryotherapy) within an existing office/warehouse building on a portion of 3.5 acres within an M-1 (Light Manufacturing) (AE-65) Zone. Generally located on the west side of McLeod Drive and the south side of Patrick Lane within Paradise. JG/mh/syp (For possible action) **PC 1/16/24**

4. **UC-23-0801-RK VEGAS CIRCLE, LLC:**
USE PERMITS for the following: 1) place of worship; 2) on-premises consumption of alcohol (service bars, supper clubs, and tavern) with outside dining and drinking; 3) allow outside dining and drinking in conjunction with a tavern; 4) alcohol sales (beer and wine - packaged only); 5) alcohol sales (liquor - packaged only); 6) restaurants with outside dining and drinking; 7) day spa; 8) banquet facility with outside uses; 9) retail sales and service; and 10) convention facilities/exposition halls.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increased building height; 2) permit encroachment into airspace; 3) reduced setbacks; 4) reduced parking; 5) reduced loading spaces; 6) allow alternative street landscaping; 7) allow modified street standards; 8) allow modified driveway design standards; and 9) allow non-standard improvements within the right-of-way.
DESIGN REVIEWS for the following: 1) hotel; 2) place of worship; 3) day spa; 4) retail sales and service; 5) restaurants and tavern with outside dining and drinking; 6) on-premises consumption of alcohol (service bars, supper clubs, and tavern); 7) convention facilities/exposition halls; 8) parking garage with subterranean levels; and 9) outdoor deck with pool area on 0.6 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the south side of Black Canyon Avenue and the west side of Vegas Plaza Drive within Paradise. TS/md/syp (For possible action) **BCC 1/17/24**
5. **UC-23-0874-WESTWYNN, LLC:**
USE PERMITS for the following: 1) allow a temporary outdoor commercial event not in conjunction with an existing licensed business; and 2) allow live entertainment or amplified sound beyond daytime hours on 35.0 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 Fashion Show Drive within Winchester and Paradise. TS/jor/xx (For possible action) **BCC 1/17/24**
6. **AR-23-400176 (UC-22-0554)-AJ SPRING MOUNTAIN, LLC:**
USE PERMITS FIRST APPLICATION FOR REVIEW for the following: 1) restaurant; and 2) on-premises consumption of alcohol (service bar).
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; and 2) throat depth on 1.1 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of Spring Mountain Road, 500 feet west of Wynn Road within Paradise. JJ/nai/syp (For possible action) **PC 2/6/24**
7. **PA-23-700023-AUTOZONE INC:**
HOLDOVER PLAN AMENDMENT to redesignate the existing land use category from Neighborhood Commercial (NC) to Business Employment (BE) on 2.0 acres. Generally located on the southwest corner of Desert Inn Road and Mojave Road within Paradise. TS/gc (For possible action) **PC 2/6/24**

8. **ZC-23-0522-AUTOZONE, INC.:**
HOLDOVER ZONE CHANGE to reclassify 2.0 acres from a C-1 (Local Business) Zone to an M-D (Designed Manufacturing) Zone.
USE PERMIT to allow retail sales.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative street landscaping; 2) landscaping; 3) increase retaining wall height; and 4) driveway geometrics.
DESIGN REVIEW for a warehouse/storage building addition in conjunction with an existing retail building. Generally located on the southwest corner of Desert Inn Road and Mojave Road within Paradise (description on file). TS/jor/syp (For possible action) **PC 2/6/24**

9. **VS-23-0523-AUTOZONE, INC.:**
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Desert Inn Road and Segoe Drive and between Pecos-Mcleod Interconnect and Mojave Road within Paradise (description on file). TS/jor/syp (For possible action) **PC 2/6/24**

10. **UC-23-0782-BKMHAC 222 LLC & GROUP 206 HAC LLC:**
USE PERMIT to allow a financial services specified (deferred deposit and high interest loan) business in conjunction with an existing office building on a portion of 9.9 acres in an M-1 (Light Manufacturing) zone and an M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the east side of Pilot Road, approximately 2,270 feet south of Sunset Road within Paradise. MN/nai/syp (For possible action) **PC 2/6/24**

11. **UC-23-0821-GUZMAN DAVID & CRUZ SILVIA YANIRA:**
USE PERMIT to allow an accessory structure not architecturally compatible with the existing residence.
WAIVER OF DEVELOPMENT STANDARDS to increase the height of an accessory structure in conjunction with an existing single family residence on 0.3 acres in an R-1 (Single Family Residential) Zone. Generally located on the south side of San Rafael Avenue and the east side of Palm Street (alignment) within Paradise. JG/rp/syp (For possible action) **PC 2/6/24**

12. **UC-23-0846-UNOWSKY JONATHAN M & BARBARA A & WEAVER DALE A:**
USE PERMITS for the following: 1) allow agriculture-livestock, small (chickens & turkeys) in conjunction with a single family residence not in Community District 5; and 2) allow for a greater number of agriculture-livestock, small (chickens & turkeys) in conjunction with a single family residence on 0.5 acres in an R-1 (Single Family Residential) RNP-III Zone. Generally located on the north side of Viking Road and the west side of Robar Street within Paradise. TS/dd/syp (For possible action) **PC 2/6/24**

13. **VS-23-0837-LV STADIUM EVENTS COMPANY, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Dewey Drive and Hacienda Avenue; and between Valley View Boulevard and Polaris Avenue; a portion of right-of-way being Dewey Drive located between Valley View Boulevard and Polaris Avenue; and a portion of right-of-way being Polaris Avenue between Dewey Drive and Hacienda Avenue within Paradise (description on file). MN/rp/syp (For possible action) **PC 2/6/24**

14. **VS-23-0811-FLAMINGO LV OPERATING CO, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Las Vegas Boulevard South and Linq Lane and between Flamingo Road and Caesars Palace Drive within Paradise (description on file). TS/jor/xx (For possible action) **BCC 2/7/24**
15. **UC-23-0810-FLAMINGO LV OPERATING CO, LLC:**
USE PERMIT to allow the primary means of access to an existing outside dining and drinking area from an exterior entrance.
DEVIATIONS for the following: 1) reduce landscaping; 2) reduce the special setback; and 3) deviations as shown per plans on file.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback; and 2) allow a modified non-standard improvements within a right-of-way.
DESIGN REVIEWS for the following: 1) expansion of an existing outside dining and drinking area; 2) exterior façade upgrades; 3) modifications to a previously approved comprehensive sign plan on a portion of 19.4 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas Boulevard South, 200 feet north of Flamingo Road within Paradise. TS/jor/xx (For possible action) **BCC 2/7/24**
16. **WC-23-400181 (ZC-0184-04)-4725 HOLDINGS, LLC:**
WAIVER OF CONDITIONS of a zone change requiring planting of shrubs and trees and stone riprapping on the slopes to stabilize the slopes in conjunction with a proposed multiple family residential development on 3.8 acres in an R-4 (Multiple Family Residential District - High Density) Zone. Generally located on the south side of Russell Road and the west side of Nellis Boulevard within Paradise. JG/jor/syp (For possible action) **BCC 2/7/24**
17. **WS-23-0829-4725 HOLDINGS, LLC:**
WAIVER OF DEVELOPMENT STANDARDS for alternative building color palette within Hillside Development.
DESIGN REVIEWS for the following: 1) Hillside Development; 2) increase building height; and 3) a multiple family residential development on 3.8 acres in an R-4 (Multiple Family Residential District - High Density) Zone. Generally located on the south side of Russell Road and the west side of Nellis Boulevard within Paradise. JG/jor/xx (For possible action) **BCC 2/7/24**

VII. General Business (For possible action)
Review and approve 2024 meeting calendar

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 discussion, action, or vote may be taken on this agenda item. 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: January 30, 2024.

X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
Paradise Community Center- 4775 McLeod Dr.
<https://notice.nv.gov>

BOARD OF COUNTY COMMISSIONERS
JAMES B. GIBSON, Chair – TICK SEGERBLOM, Vice-Chair
JUSTIN C. JONES – MARILYN KIRKPATRICK – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT
KEVIN SCHILLER, County Manager



Paradise Town Advisory Board

December 12, 2023

MINUTES

Board Members: Susan Philipp-Chair-**PRESENT**
Katlyn Cunningham- Vice-Chair -**PRESENT**
John Williams – **PRESENT**
Kimberly Swartzlander- **EXCUSED**
Angelo Carvalho- **PRESENT**

Secretary: Maureen Helm 702-606-0747 mhelmtab@gmail.com

Town Liaison: Blanca Vazquez 702-455-8531 bva@clarkcountynv.gov

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

Brady Bernhart; Planning, Blanca Vazquez; Community Liaison, Vivian Kilarski

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

II. Public Comment:
None

III. Approval of November 28, 2023 Minutes

Moved by: Cunningham
Action: Approve as submitted
Vote: 4-0 Unanimous

Approval of Agenda for December 12, 2023

Moved by: Williams
Action: Approve as submitted
Vote: 4-0 Unanimous

V. Informational Items (For Discussion only)
None

VI. Planning & Zoning

1. **ET-23-400133 (VS-21-0452)-CAMPUS VILLAGE GROUP, LLC:**
VACATE AND ABANDON FIRST EXTENSION OF TIME for a portion of right-of-way being Maryland Parkway located between University Avenue and Harmon Avenue within Paradise (description on file). TS/dd/syp (For possible action)

MOVED BY-Williams

APPROVE-Subject to staff conditions

VOTE: 4-0 Unanimous

2. **UC-23-0751-PATRON INVESTMENTS, LLC:**
USE PERMIT to allow accessory structures (shade structures) not architecturally compatible.
WAIVER OF DEVELOPMENT STANDARDS to reduce the setback for proposed accessory structures (shade structures).
DESIGN REVIEW for accessory structures (shade structures) in conjunction with an existing restaurant on 0.9 acres in an M-1 (Light Manufacturing) (AE-70) Zone. Generally located on the north side of Sunset Road and the east side of Windy Road within Paradise. MN/sd/syp (For possible action) **PC 1/4/24**

MOVED BY-Cunningham

APPROVE-Subject to IF approved staff conditions

VOTE: 4-0 Unanimous

3. **VS-23-0762-TROPICANA HEALTH CENTER, INC.:**
VACATE AND ABANDON easements of interest to Clark County located between Tropicana Avenue and Bell Drive, and between Decatur Boulevard and Cameron Street; and a portion of right-of-way being Tropicana Avenue located between Decatur Boulevard and Cameron Street within Paradise (description on file). MN/rr/syp (For possible action) **BCC 1/3/24**

MOVED BY-Williams

APPROVE-Subject to staff conditions

VOTE: 4-0 Unanimous

4. **UC-23-0761-TROPICANA HEALTH CENTER, INC.:**
USE PERMITS for the following: 1) office; and 2) pharmacy.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow modified driveway standards; and 2) allow reduced landscaping and attached sidewalk.
DESIGN REVIEWS for the following: 1) office building with pharmacy; 2) alternative parking lot landscaping; and 3) finished grade on 10.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the south side of Tropicana Avenue and the west side of Cameron Street within Paradise. MN/rr/syp (For possible action) **BCC 1/3/24**

MOVED BY-Williams

APPROVE-Subject to staff conditions

VOTE: 4-0 Unanimous

5. **ZC-23-0754-3526 PATRICK LANE, LLC:**
ZONE CHANGE to reclassify 0.5 acres from an RS20 (Residential Single Family 20) (AE-60) Zone to a CG (Commercial General) (AE-60) Zone. Generally located on the north side of Patrick Lane, 570 feet east of Pecos Road within Paradise (description on file). JG/md (For possible action) **BCC 1/3/24**

MOVED BY-Philipp
DENY
VOTE: 4-0 Unanimous

6. **WS-23-0755-3526 PATRICK LANE, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; **2)** buffering and screening standards; **3)** increase fence height; **4)** allow modified driveway design standards; and **5)** allow commercial pan driveways where commercial curb return driveways are required.
DESIGN REVIEWS for the following: **1)** alternative landscape plan; **2)** alternative trash enclosure design; **3)** allow an accessory structure (storage/shipping container) not architecturally compatible with the principle building; and **4)** plant nursery on 0.5 acres in a CG (Commercial General) (AE-60) Zone. Generally located on the north side of Patrick Lane, 570 feet east of Pecos Road within Paradise. JG/md/syp (For possible action) **BCC 1/3/24**

MOVED BY-Philipp
DENY
VOTE: 4-0 Unanimous

- VI. General Business (for possible action)
None
- VII. Public Comment
Vivian Kilarski thanked board members for their service, and wished them all Happy Holiday's
- VIII. Next Meeting Date
The next regular meeting will be January 9, 2024
- IX. Adjournment
The meeting was adjourned at 7:43 p.m.

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

AR-23-400173 (WS-20-0336)-3900 PARADISE RETAIL OWNER SPE, LLC:

WAIVER OF DEVELOPMENT STANDARDS SECOND APPLICATION FOR REVIEW

for a reduction of parking in an existing shopping center on 4.0 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the east side of Paradise Road, 640 feet south of Twain Avenue within Paradise. TS/mh/syp (For possible action)

RELATED INFORMATION:

APN:

162-15-401-038

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the number of parking spaces to 181 spaces where 276 spaces are required per Table 30.60-1 (a 34% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3900 Paradise Road
- Site Acreage: 4
- Project Type: Modifications to an existing shopping center
- Number of Stories: 2
- Building Height (feet): 36
- Square Feet: 68,880
- Parking Required/Provided: 276/181

Site Plan & History

Application WS-20-0336, which included 4 waivers of development standards and 3 design reviews, was originally approved for modifications to an existing shopping center with access from Paradise Road to the west. The modifications included changes to the parking lot layout, site landscaping, replacing an existing freestanding sign, changes to wall signs, and the allowance of roof signs. An approved multiple family residential development, which shares parking and cross access with the subject shopping center, is currently under construction on the adjacent parcel to the east. If the adjacent multiple family residential development is constructed, 928 parking spaces are to be provided where 919 parking spaces would be required for the entire

site (the multiple family residential development was designed to provide over 95 parking spaces to make-up the commercial deficiency). Therefore, the waiver of development standards to reduce parking for the subject shopping center was necessary in the interim until the approved multiple family residential development is constructed. Until the adjacent multiple family residential development is complete, the subject shopping center is deficient in the required number of parking spaces.

The approval of WS-20-0336 came with a condition to review the waiver for reduced parking within 2 years. Subsequently, AR-23-400033 (WS-20-0336) was approved, featuring a condition to review the reduced parking again within 6 months. This application has been submitted in compliance with the requirement for a second review of the reduced parking, with all the other waivers of development standards and design reviews having been approved with the original application.

Landscaping

Existing and approved landscaping along Paradise Road will range in width from 15 feet wide on the northern portion of the site down to approximately 5 inches of landscaping (essentially eliminating landscaping) near the southern portion of the site. Other landscaping areas include new 6 foot by 6 foot diamond shaped parking lot planters (7 foot by 7 foot is the minimum planter size) and additional areas of landscaping around portions of the base of the buildings.

Elevations

The existing buildings range from 1 story up to 2 stories with a maximum height of 36 feet. The color scheme includes white, gray, dark gray, beige, and off-orange with various architectural elements. No changes are proposed to the exterior of the buildings.

Signage

Changes to signage included replacing an existing freestanding sign with an animated freestanding sign, adding wall signs and roof signs on the buildings, and adding non-illuminated signage that will face the approved multiple family residential development to the east.

Previous Conditions of Approval

Listed below are the approved conditions for AR-23-400033 (WS-20-0336):

Current Planning

- 6 months to review;
- Commitment between applicant and tenants to continue periodic meetings to review parking.
- 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

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Paradise Road improvement project;
- Compliance with previous conditions.

Listed below are the approved conditions for WS-20-0336:

Current Planning

- 2 years to review waiver of development standards #3;
- Final zoning inspection required.
- 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; 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

- Coordinate with Public Works - Design Division for the Paradise Road improvement project;
- Dedicate any right-of-way and easements necessary for the Paradise Road improvement project.

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.

Applicant's Justification

The applicant states that numerous meetings with tenants of the shopping center have been held to evaluate the parking demand until the adjacent multiple family development is completed. During this period, over 100 temporary off-site parking spaces have been provided for employees of the shopping center. Employee valet parking was offered between April 2023 and July 2023, which was discontinued per the requests of tenants due to the lack of demand for the valet services. A parking study has been provided to demonstrate that the parking mitigation efforts have been successful with no shortage of on-site parking. The adjacent multiple family project is expected to be completed in September 2024, while a parking garage has already been fully constructed. The applicant requests that there be no additional reviews for the parking reduction.

Prior Land Use Requests

Application Number	Request	Action	Date
AR-23-400033 (WS-20-0336)	First application for review for waivers and design reviews for parking requirements, alternative sign standards, and parking and street landscaping	Approved by PC	May 2023
WS-20-0336	Waivers and design reviews for parking requirements, alternative sign standards, and parking and street landscaping	Approved by PC	September 2020
UC-0132-04	Real estate school including business related training and certification	Approved by PC	March 2004

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1841-03	Expanded on-premises consumption of alcohol and design review to allow standing seam metal roofs and partially enclose an existing outside dining/drinking patio with a proposed restaurant	Approved by PC	January 2004
UC-1454-01	On-premises consumption of alcohol within a restaurant	Approved by PC	December 2001
UC-0130-85	Retail and office complex	Approved by PC	August 1985

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & South	Entertainment Mixed-Use	H-1	Hotel
East	Entertainment Mixed-Use	H-1	Multiple family residential with cross access to the subject shopping center
West	Entertainment Mixed-Use	H-1	Restaurant & offices

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

A review was required per AR-23-400033 (WS-20-0336). The applicant has demonstrated compliance with the previous conditions of approval and addressed the concerns from the application which required the Application for Review.

Staff finds that the applicant has met the previous conditions of approval. The parking studies indicate that there has been sufficient parking available at many peak times between April 2023 and October 2023, although no study was conducted on many days during peak business hours. Therefore, it is unclear whether there has consistently been adequate parking for customers. Staff finds that per Table 30.04-2 of the new Title 30, which is effective on January 1, 2024, the parking required for the shopping center would be 181 parking spaces, which is the number currently provided. The new Title 30 has a total parking requirement for the shopping center and adjacent multiple family residential development of 747 parking spaces, which is also being met. Based on the applicant's coordination with tenants, efforts to mitigate potential issues with insufficient parking, and the fact that the number of parking spaces currently provided will meet the requirements of the new Title 30, staff can support this review and the request for no additional reviews.

Staff Recommendation
Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Remove the time limit.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

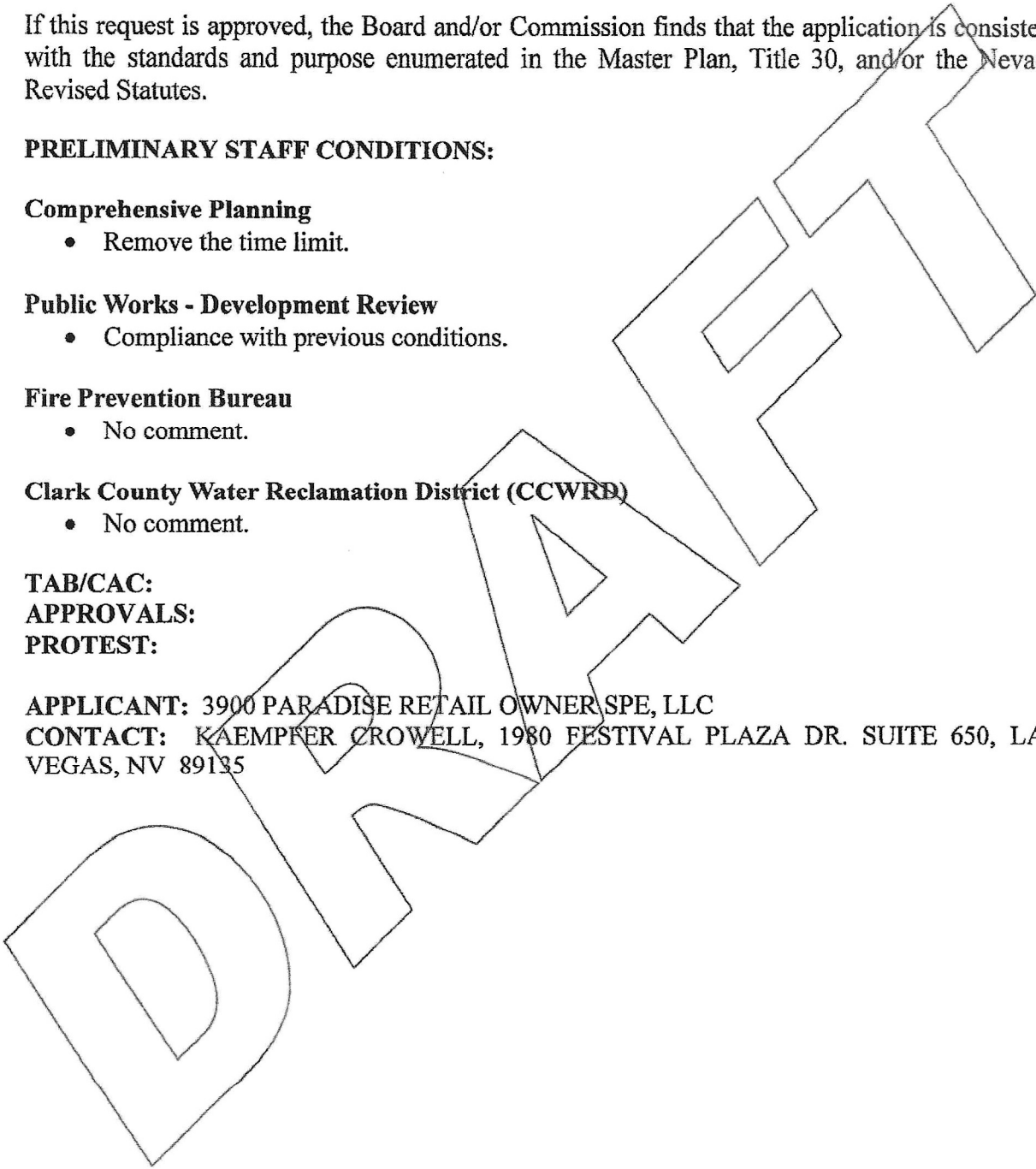
TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: 3900 PARADISE RETAIL OWNER SPE, LLC

CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR. SUITE 650, LAS VEGAS, NV 89135





LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE (ZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>(ORIGINAL APPLICATION #)</p> <p><input checked="" type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>AR-23-400033 (WS-20-0336)</p> <p>(ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>23-400173</u> DATE FILED: <u>11/15/23</u></p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>1/9/24</u></p> <p>PC MEETING DATE: <u>11/6/24</u></p> <p>BCC MEETING DATE: _____</p> <p>FEE: <u>\$ 300</u></p>
	PROPERTY OWNER	<p>NAME: <u>3900 Paradise Retail Owner SPE, LLC</u></p> <p>ADDRESS: <u>10777 W. Twain Avenue, Suite 115</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u></p> <p>TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u></p> <p>E-MAIL: <u>n/a</u></p>
	APPLICANT	<p>NAME: <u>3900 Paradise Retail Owner SPE, LLC</u></p> <p>ADDRESS: <u>10777 W. Twain Avenue, Suite 115</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u></p> <p>TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u></p> <p>E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u></p>
	CORRESPONDENT	<p>NAME: <u>Kaempfer Crowell – Anthony Celeste</u></p> <p>ADDRESS: <u>1980 Festival Plaza Dr. #850</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u></p> <p>TELEPHONE: <u>702-792-7000</u> CELL: <u>702-792-7048</u></p> <p>E-MAIL: <u>apierca@kcnvlaw.com</u> REF CONTACT ID #: <u>164674</u></p>

ASSESSOR'S PARCEL NUMBER(S): 162-15-401-038

PROPERTY ADDRESS and/or CROSS STREETS: 3900 Paradise Road

PROJECT DESCRIPTION: 6 month required review of an approved parking reduction

(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.

Property Owner (Signature) Property Owner (Print)

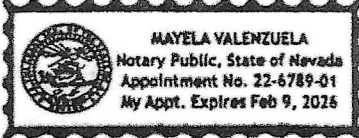
STATE OF Nevada

COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 11/06/2023 (DATE)

By Douglas Eisner

NOTARY PUBLIC: Mayela Valenzuela



*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

LAS VEGAS OFFICE
 1980 Festival Plaza Drive, Suite 650
 Las Vegas, NV 89135
 T: 702.792.7000
 F: 702.796.7181

KAEMPFER

CROWELL

ANTHONY J. CELESTE
aceleste@kcnvlaw.com
 D: 702.693.4215

November 13, 2023

VIA UPLOAD

CLARK COUNTY COMPREHENSIVE PLANNING
 500 S. Grand Central Parkway, 1st Floor
 Las Vegas, NV 89106

**Re: Required Review for AR-23-400023 (WS-20-0336) Related to Parking
 Reduction
 Calida Development
 APN: 162-15-401-038**

To Whom It May Concern:

Please be advised our office represents Calida Development (the "Applicant") in the above-referenced matter. The Applicant is submitting the required review related to an approved parking reduction for property located on the east side of Paradise Road in between Twain Avenue to the north and Flamingo Road to the south. The property is approximately 3.98 acres and is more particularly described as APN: 162-15-401-038 (the "Site").

By way of background, in September 2020, the Clark County Planning Commission (the "Planning Commission") approved WS-20-0336 allowing for modifications and remodeling to an existing retail center on the Site. The modifications includes changes to the parking layout and a reduction in the required parking from 276 parking spaces to 181 parking spaces or a 95 parking space reduction. Immediately east and adjacent to the Site is the Applicant's approved multi-family develop project (see ADR-22-900574 and UC-19-0668) and upon completion of the multi-family development, an additional 95 parking spaces will be provided to the Site making parking on the Site whole. A condition of approval of WS-20-0336 requires the Applicant to submit a review of development standards related to the parking reduction.

On May 16, 2023, the Planning Commission reviewed the parking plan and approved AR-23-400033 (WS-20-0336) with conditions requiring the Applicant to submit a review in 6 months of the approval and to continue working with the tenants in the retail center. The Applicant is now submitting this second required review in conformance with the most recent approval - AR-23-400033 (WS-20-0336).

The Applicant and the Applicant's representative have had numerous meetings even prior to the approval of AR-23-400033 (WS-20-0336) with the tenants, in particular Tacos & Beer and Cleaver, to evaluate the parking demand until the multi-family development is complete. During this period, the Applicant has provided 100 temporary off-site parking spaces at 3768 Howard Hughes Parkway for the tenant's employees to utilize. In addition to the employee temporary off-

site parking, the Applicant provided valet parking between April, 2023 and July, 2023. The Applicant, at the request of the aforementioned tenants, discontinued the valet services in July, 2023 as there had been no demand for the valet services. Enclosed herein, as **Exhibit A**, is the Valet Parking Usage for April – July, 2024. Finally, the Applicant has continued to monitor the on-site parking demand by conducting weekly parking studies between April and October, 2024. As the enclosed parking study, attached as **Exhibit B**, reveals, by enlarge there is no shortage of available on-site parking. In summary, the Applicant's mitigation efforts are clearly working.

The Site's renovations are nearing completion. The parking lot has been resurfaced and laid out in a more efficient way to increase the parking from 171 parking spaces to 181 parking spaces. The adjacent multi-family project is continuing its development with the parking garage fully constructed. The Applicant is investing hundreds of millions of dollars between the remodeling of the retail center and the development of the 388 high-end multi-family units. The Applicant anticipates the multi-family development to open in September, 2024.

Based on the above-mentioned reasons, the Applicant is requesting approval of the required review and no additional required reviews. We thank you in advance for your time and consideration of this matter. Should you have any questions or concerns, please feel free to contact me.

Sincerely,

KAEMPFER CROWELL



Anthony J. Celeste

AJC/jmd

Enclosures

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

PA-23-700041-R & N PROPERTIES LLC SERIES 1:

PLAN AMENDMENT to redesignate the existing land use category from Neighborhood Commercial (NC) to Mid-Intensity Suburban Neighborhood (MN) on 0.3 acres.

Generally located on the west side of Eastern Avenue, 125 feet north of Pueblo Way within Paradise. TS/gc (For possible action)

RELATED INFORMATION:

APN:

162-14-613-021

EXISTING LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

PROPOSED LAND USE PLAN:

WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 3525 S. Eastern Avenue
- Site Acreage: 0.3
- Existing Land Use: Office

History

The site was reclassified from R-1 to C-P zoning and approved to convert an existing single family residence to an office building by action of ZC-0605-00 in June 2000. Since then, there has been a number of business licenses for office uses established on the site. A Code Enforcement case was filed in December 2015 (CE15-13865) for a residential building converted to a commercial use without building permits. Subsequently, a building permit was filed (BD-16-44123) in September 2016 to convert the building to an office use. In order for the building permit process to proceed, WS-0707-17 was approved by the BCC in October 2017 for a design review to convert a single family residence to an office building since the site design was different from what was approved under ZC-0605-00. However, the building permit process never reached the point of obtaining a Certificate of Occupancy, and subsequently WS-0707-17 expired. Presently, there is an active business license for an office use (immigration services) on the site, and a pending business license for a short-term rental.

Applicant's Justification

The applicant states that there are both residential and commercial properties in the area and that this request will give a more familiar atmosphere to the neighborhood. Currently, the property is used as an office, but the applicant wishes to change it to residential to enjoy it as a family. The site is next to a golf course that can be enjoyed by family and neighbors. The applicant states only the backyard has been fixed and maintained, and changes were never made to the bedrooms. Allowing the property to become residential would permit 24 hour surveillance of the area.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0707-17	Convert an existing single family residence to an office building with waivers of development standards to allow alternative landscaping and waive trash enclosure requirements subject to 1 year to complete - expired	Approved by BCC	October 2017
ZC-0605-00	Reclassified the site from R-1 to C-P zoning to convert an existing single family residence to an office building	Approved by BCC	June 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	C-P	Office building
South	Neighborhood Commercial	R-1	Single family residence
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential townhomes
West	Public Use & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Golf course & single family residence

STANDARDS FOR ADOPTION:

The applicant shall demonstrate the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

The applicant shall establish the request is consistent with the overall intent of the Master Plan by demonstrating the proposed amendment 1) is based on changed conditions or further studies; 2) is compatible with the surrounding area; 3) will not have a negative effect on adjacent properties or on transportation services and facilities; 4) will have a minimal effect on service provision or is compatible with existing and planned service provision and future development of the area; 5) will not cause a detriment to the public health, safety, and general welfare of the people of Clark County; and 6) adherence to the current goals and policies of the Master Plan would result in a situation neither intended by nor in keeping with other core values, goals, and policies.

The applicant requests a change from Neighborhood Commercial (NC) to Mid-Intensity Suburban Neighborhood (MN) (up to 8 du/ac). Intended primary land uses in the proposed MN land use category include single family attached and detached, and duplexes. Supporting land uses include accessory dwelling units and neighborhood serving public facilities, such as parks, trails, open space, places of assembly, schools, libraries, and other complementary uses.

The planned land use for this stretch of Eastern Avenue has been a commercial designation to support the conversion of single family residences to office uses. This is, in part, due to how Eastern Avenue has grown to be a 100 foot wide arterial street where there is a lack of desire of people wanting to live and have a single family home on such a busy street; primarily because of noise and safety issues. The vast majority of properties along this portion of Eastern Avenue have already been approved for C-P zoning and have converted the single family residence to an office use. A return to a residential land use designation would be counter to the primary trend of conversion to office uses in the area.

Additionally, if this Plan Amendment were to be approved, when the applicant applies for a zone change to residential, waivers of development standards would be required since the property in its current state would not comply with Title 30 requirements. Such waivers would include a waiver to allow single family residential access to an arterial street, and a waiver to allow the front and side yards of a detached single family dwelling to have more than 60% hardscape. Furthermore, staff does not believe the request to change the planned land use to MN is for family enjoyment purposes as the applicant states in the justification letter, since there is a pending business license application on file to use the property for short term rental. The request does not comply with Policy 1.4.4 which encourages in-fill development and redevelopment in established neighborhoods while promoting compatibility with the scale and intensity of the surrounding area. For these reasons, staff finds the request for the MN land use category not appropriate for this location.

Staff Recommendation

Denial. If approved, adopt and direct the Chair to sign a resolution adopting the amendment. This item will be forwarded to the Board of County Commissioners' meeting for final action on February 21, 2024 at 9:00 a.m., unless otherwise announced.

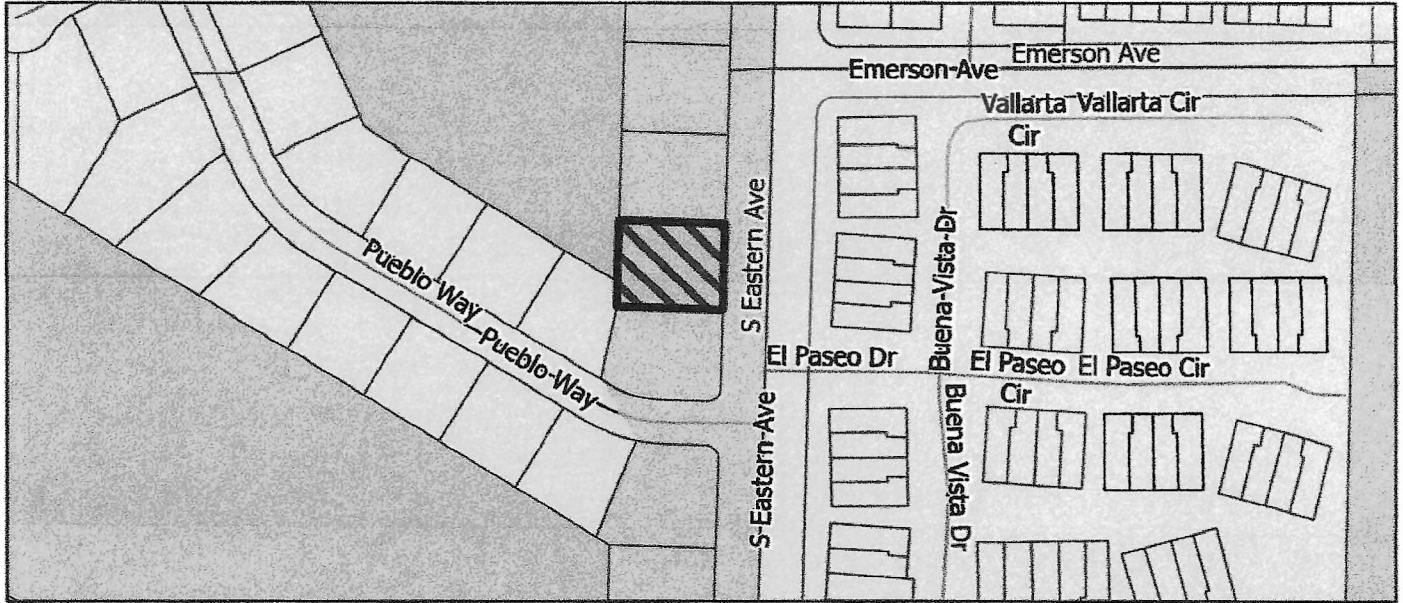
If this request is adopted, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

TAB/CAC:
APPROVALS:
PROTEST:

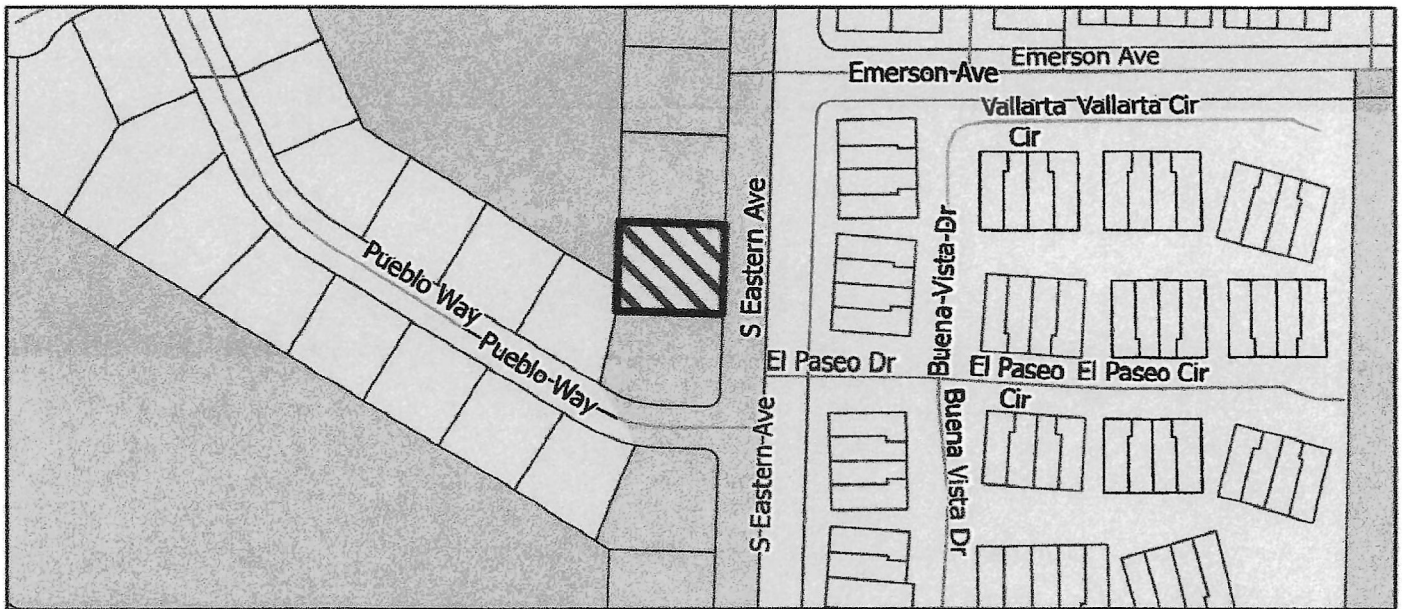
APPLICANT: NANCY KULICS

CONTACT: NANCY KULICS, 3525 S. EASTERN AVENUE, LAS VEGAS, NV 89169

Planned Land Use Amendment PA-23-700041



Current



Requested

Neighborhoods

- Outlying Neighborhood (ON)
- Edge Neighborhood (EN)
- Ranch Estate Neighborhood (RN)
- Low-Intensity Suburban Neighborhood (LN)
- Mid-Intensity Suburban Neighborhood (MN)
- Compact Neighborhood (CN)
- Urban Neighborhood (UN)

Employment

- Business Employment (BE)
- Industrial Employment (IE)

Commercial and Mixed Use

- Neighborhood Commercial (NC)
- Corridor Mixed-Use (CM)
- Entertainment Mixed-Use (EM)

Other

- Agriculture (AG)
- Open Lands (OL)
- Public Use (PU)
- Major Projects (MP)

Requested Area To Change

Planning Areas

2

Winchester Paradise
Clark County, Nevada

Note: Categories denoted in the legend may not apply to the presented area.



MASTER PLAN AMENDMENT APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

PROCESS AND SUBMITTAL REQUIREMENTS INCLUDED

APPLICATION TYPE		APP. NUMBER: <u>PA-23-700041</u>	DATE FILED: <u>11-13-23</u>
<input type="checkbox"/> MASTER PLAN AMENDMENT (PA) <input checked="" type="checkbox"/> MAP <input type="checkbox"/> TEXT	STAFF	PLANNER ASSIGNED: <u>AL</u>	
		TAB/CAG: <u>PARADISE</u>	TAB/CAG MTG DATE: <u>1-9-24</u>
		PC MEETING DATE: <u>1-16-24</u>	
		BCC MEETING DATE: <u>2-7-24</u>	
		TRAILS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
FEE: _____			

PROPERTY OWNER	NAME: <u>Nancy Kulics</u>
	ADDRESS: <u>3525 S Eastern Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89169</u>
	TELEPHONE: <u>702-384-2255</u> CELL: <u>801-420-6315</u>
	E-MAIL: <u>nancykulics@gmail.com</u> REF CONTACT ID #: _____

APPLICANT	NAME: <u>Nancy Kulics</u>
	ADDRESS: <u>3525 S Eastern Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89169</u>
	TELEPHONE: <u>702-3842255</u> CELL: <u>801-4206315</u>
	E-MAIL: <u>nancykulics@gamil.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Nancy Kulics</u>
	ADDRESS: <u>3525 S Eastern Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89169</u>
	TELEPHONE: <u>702-384-2255</u> CELL: <u>801-420-6315</u>
	E-MAIL: <u>nancykulics@gmail.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 16214613021

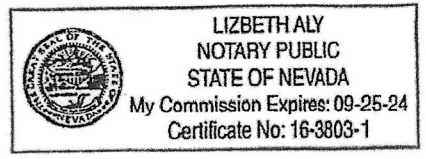
CURRENT LAND USE PLAN DESIGNATION: Commercial NEIGHBORHOOD COMMERCIAL

REQUESTED LAND USE PLAN DESIGNATION: Residential MID-INTENSITY SUBURBAN NEIGHBORHOOD & DU/AC

PROPERTY ADDRESS and/or CROSS STREETS: 3525 S Eastern Ave Las Vegas NV 89169

(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.

	<u>Nancy Kulics</u>	PLANNER COPY
Property Owner (Signature)*	Property Owner (Print)	
STATE OF <u>NEVADA</u>		
COUNTY OF <u>CLARK</u>		
SUBSCRIBED AND SWORN BEFORE ME ON <u>06/22/23</u> (DATE)		
By <u>Nancy Kulics</u>		
NOTARY PUBLIC:		



*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

To whom it may concern;

10/03/2023

Justification Letter

In this justification letter state the request to change the Master Plan designation for the property from Neighborhood Commercial (NC) to Mid-Intensity Suburban Neighborhood (MN) (up to 8 du/ac).

Where my property is located there are residential houses and there are also commercial properties.

My yard overlooks the golf course and almost all properties facing the golf course are residential.

I would like to give a more familiar atmosphere to the neighborhood.

My property has a very nice area next to the golf course to enjoy it with the family and neighbors.

Currently my property was used as an office but I want to change it to residential to enjoy it as a family.

Since I bought it I have only maintained and fixed the backyard but never made any changes to the bedrooms or the property.

Being a residential property we would be aware 24 hours of what happens around.

Thanks in advance for your help,



Nancy Kulics

3525 S Eastern Ave

Las Vegas NV 89169

PLANNER COPY

2

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0719-MEOW LLC:

USE PERMIT for a personal services business (wellness consulting and cryotherapy) within an existing office/warehouse building on a portion of 3.5 acres within an M-1 (Light Manufacturing) (AE-65) Zone.

Generally located on the west side of McLeod Drive and the south side of Patrick Lane within Paradise. JG/mh/syp (For possible action)

RELATED INFORMATION:

APN:

162-36-310-017; 162-36-310-019 ptn

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 6255 McLeod Drive, Suite 26
- Site Acreage: 3.5 (portion)
- Project Type: Personal services (wellness consulting and cryotherapy)
- Number of Stories: 1
- Building Height (feet): 27
- Square Feet: 702 (lease area)
- Parking Required/Provided: 115/115

Site Plans

The plans depict a 57,643 square foot office/warehouse building on 3.5 acres that is located between McLeod Drive and Harrison Drive, and south of Patrick Lane. The site is accessible from both Harrison Drive and McLeod Drive. The building features 26 separate suites, and the proposed personal services (wellness consulting and cryotherapy) business will be located in Suite 26 in the far west part of the building. Parking is located around the building on all sides, providing 115 parking spaces where 115 parking spaces are required per Title 30.

Landscaping

The applicant is not proposing any changes to the existing on-site or street landscaping nor are there any changes required. The existing landscaping is along the north, east, and west property lines, consisting of shrubs and trees. There is additional landscaping along the east and west sides of the building, serving as a buffer between the building and parking lot.

Elevations

The plans and provided photos show a building that is 27 feet tall at its peak, with commercial and industrial storefronts. There are several roll-up doors and loading bays around the building, as well as typical office doors for customers and employees. The exterior colors are primarily white and desert tones, with a flat roof that is elevated in some areas.

Floor Plans

The plans depict a 702 square foot commercial lease space located on the far west side of the building. The plans show a reception area, 3 offices, and a restroom.

Applicant's Justification

The applicant states that the following personal services will be provided: wellness promotion, non-invasive cryotherapy, and health education related to diet, exercise, and lifestyle. The applicant adds that clients will benefit from the safe, comfortable, and non-retail environment of the suite.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-0301-96	Office/warehouse building	Approved by PC	May 1996

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, & West	Business Employment	M-1 (AE-65)	Office/warehouse complex
East	Business Employment	M-D (AE-65)	Office/warehouse complex

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

The existing office/warehouse building was approved in 1996 via DR-0301-96 and thus already contains several businesses that would typically not be located within an M-1 Zone. Staff finds that a personal services business featuring wellness consulting and cryotherapy services would

not have negative impacts on the surrounding uses. Also, the new use will not result in a parking deficiency for this site. Finally, the proposal is consistent and supported by Policy 5.5.3 of the Master Plan, which encourages development of small and local businesses within Clark County. For these reasons, staff can support the use permit request.

Department of Aviation

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

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and that the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Department of Aviation

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

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: DENNIS CARLSON

CONTACT: DENNIS CARLSON, BEST BODY LV, 6315 CAROL BUTTE CT, LAS VEGAS, NV 89141

DRAFT

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0801-RK VEGAS CIRCLE, LLC:

USE PERMITS for the following: 1) place of worship; 2) on-premises consumption of alcohol (service bars, supper clubs, and tavern) with outside dining and drinking; 3) allow outside dining and drinking in conjunction with a tavern; 4) alcohol sales (beer and wine - packaged only); 5) alcohol sales (liquor - packaged only); 6) restaurants with outside dining and drinking; 7) day spa; 8) banquet facility with outside uses; 9) retail sales and service; and 10) convention facilities/exposition halls.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increased building height; 2) permit encroachment into airspace; 3) reduced setbacks; 4) reduced parking; 5) reduced loading spaces; 6) allow alternative street landscaping; 7) allow modified street standards; 8) allow modified driveway design standards; and 9) allow non-standard improvements within the right-of-way.

DESIGN REVIEWS for the following: 1) hotel; 2) place of worship; 3) day spa; 4) retail sales and service; 5) restaurants and tavern with outside dining and drinking; 6) on-premises consumption of alcohol (service bars, supper clubs, and tavern); 7) convention facilities/exposition halls; 8) parking garage with subterranean levels; and 9) outdoor deck with pool area on 0.6 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the south side of Black Canyon Avenue and the west side of Vegas Plaza Drive within Paradise. TS/md/syp (For possible action)

RELATED INFORMATION:

APN:

162-17-610-002

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 648 feet where a maximum height of 100 feet is permitted per Table 30.40-7 (a 548% increase).
2. Permit encroachment into airspace.
3.
 - a. Reduce the front setback along Vegas Plaza Drive to zero feet where 10 feet is required per Table 30.40-7 (a 100% reduction).
 - b. Reduce the side street (corner) setback along Black Canyon Avenue to zero feet where 10 feet is required per Table 30.40-7 (a 100% reduction).
 - c. Reduce the side street (corner) setback along Pershing Avenue to zero feet where 10 feet is required per Table 30.40-7 (a 100% reduction).
 - d. Reduce the setback from the right-of-way (Vegas Plaza Drive) to zero feet where a minimum setback of 10 feet shall be maintained between a street or future right-of-way line and a structure per Section 30.56.040 (a 100% reduction).

- e. Reduce the setback from the right-of-way (Black Canyon Avenue) to zero feet where a minimum setback of 10 feet shall be maintained between a street or future right-of-way line and a structure per Section 30.56.040 (a 100% reduction).
- f. Reduce the setback from the right-of-way (Pershing Avenue) to zero feet where a minimum setback of 10 feet shall be maintained between a street or future right-of-way line and a structure per Section 30.56.040 (a 100% reduction).
4. Reduce parking to 531 parking spaces where 854 parking spaces are required per Section 30.60.035 and Table 30.60-3 (a 37.9% reduction).
5. Reduce the number of loading space to 3 spaces where 8 spaces are required per Table 30.60-6 (a 62.5% reduction).
6. Allow alternative street landscaping, including an attached sidewalk, along Vegas Plaza Drive, Black Canyon Avenue, and Pershing Avenue where landscaping and detached sidewalks are required per Figure 30.64-17.
7.
 - a. Reduce the approach distance to the intersection of Black Canyon Avenue and Vegas Plaza Drive to zero feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).
 - b. Reduce the departure distance from the intersection of Vegas Plaza Drive and Pershing Avenue to zero feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).
8.
 - a. Reduce throat depth to 51 feet for the loading area on Black Canyon Avenue where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 and Chapter 30.52 (a 66% reduction).
 - b. Reduce throat depth to 103 feet for the self-parking garage on Black Canyon Avenue where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 and Chapter 30.52 (a 31.4% reduction).
 - c. Reduce throat depth to 20 feet for the drop-off area on Pershing Avenue where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 and Chapter 30.52 (an 86.7% reduction).
 - d. Reduce the ingress back of curb radius to 18 feet for the southwest side of the western drive aisle where a minimum radius of 25 feet is required per Uniform Standard Drawing 222.1 (a 28% reduction).
 - e. Reduce the ingress back of curb radius to 15 feet for the west sides of the eastern drive aisle where a minimum radius of 25 feet is required per Uniform Standard Drawing 222.1 (a 40% reduction).
 - f. Reduce the width for a two-way driveway to 24 feet where a minimum width of 32 feet is required per Uniform Standard Drawing 222.1 (a 25% reduction).
9. Allow non-standard improvements (landscaping) within the right-of-way where not permitted per Chapter 30.52.

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3601 Vegas Plaza Drive

- Site Acreage: 0.6
- Project Type: Hotel and place of worship
- Number of Stories: 46
- Number of Rooms: 486
- Building Height (feet): 648
- Square Feet: 955,831
- Parking Required/Provided: 854/531

Site Plans

The plans depict a proposed 46 story hotel consisting of 486 rooms with an overall area measuring 955,831 square feet. A place of worship (synagogue) is a primary component of the hotel, located on levels 45 and 46, with additional uses inside the hotel consisting of on-premises consumption of alcohol, alcohol sales, restaurants with outside dining and drinking, day spa, banquet facility, retail sales and service, and convention facilities/exposition halls. The hotel is located at the northwest corner of Pershing Avenue and Vegas Plaza Drive, immediately north of the Mirage Resort Hotel and west of the Tropicana Resort Hotel. The hotel is set back zero feet from Black Canyon Avenue, Vegas Plaza Drive, and Pershing Avenue requiring waivers of development standards to eliminate building and right-of-way setbacks. A one-way only entrance (north/south), measuring 18 feet in width, is located at the northwest corner of the site, adjacent to Black Canyon Avenue requiring a waiver of development standards to reduce the throat depth to 51 feet. The same one-way only vehicle drive aisle exits onto Pershing Avenue. The "self parking only" entrance and exit ramp is located at the northwest corner of the hotel adjacent to Black Canyon Avenue, while the "valet parking only" ramp is located at the southwest corner of the hotel along Pershing Avenue. The hotel porte-cochere with drop-off/valet service is situated on the east side of the hotel with a one-way only entrance (north/south), measuring a minimum of 24 feet in width, located adjacent to Pershing Avenue. Vehicles exit the valet service area from the 1-way drive aisle onto Black Canyon Avenue. Waivers of development standards are requested to reduce the approach and departure distances to the intersection of Black Canyon Avenue and Vegas Plaza Drive, and from the intersection of Vegas Plaza Drive and Pershing Avenue, respectively. Additional waivers are requested to reduce the width and ingress radii for the commercial driveways. The hotel is designed with 5 levels of subterranean parking and 7 above ground levels designated for parking. The mix of commercial and institutional uses within the hotel require 854 parking spaces where 531 parking spaces are provided, necessitating a waiver of development standards. The shared parking schedule, per Table 30.60-3 within Code, was utilized to calculate the parking requirements for the non-residential development. Eight loading spaces are required for the development where 3 loading spaces are provided, necessitating a waiver of development standards. The loading spaces are located on west side of the hotel, accessed from the western one-way vehicle drive aisle. Attached sidewalks measuring between 7 feet to 10 feet in width are located along the perimeter of the hotel, adjacent to Black Canyon Avenue, Vegas Plaza Drive, and Pershing Avenue. No increase to finished grade is proposed with this development.

Landscaping

The plans depict an alternative street landscaping consisting of planter boxes measuring between 2.5 feet to 3 feet in height located behind attached sidewalks measuring between 7 feet to 10 feet in width along Black Canyon Avenue, Vegas Plaza Drive, and Pershing Avenue. Three planter

boxes are located along Pershing Avenue and a single planter box, containing 5 trees, is located adjacent to Black Canyon Avenue. Planter boxes containing trees are located at the northeast and northwest corners of the site, along Vegas Plaza Drive. Some of the trees, shrubs, and groundcover encroach into the right-of-way, necessitating a waiver for non-standard improvements within the right-of-way.

Elevations

The plans depict a proposed hotel with a place of worship measuring up to 648 feet in height to the top of the roof and screened mechanical areas. The exterior building materials consist of concrete columns, iron/steel columns, blue tinted glass, limestone, and decorative metal screens. The structure will be clad with aluminum panels and limestone and a diagrid non-reflective window system. A metal porte-cochere will cover the drop-off area along the frontage. The first grade level, lobby, and the check-in level from levels 11 through 14 show a metal screen enclosed area with metal beams and columns with architectural detailing that is different from the other portions of the tower.

Floor Plans

The plans depict variety of hotel room sizes measuring between 487 square feet and 1,562 square feet located between levels 14 through 40. Levels 45 through 46 feature the place of worship, with a cumulative area measuring 28,754 square feet. The place of worship consists of a synagogue, interstitial space, a mikveh, kitchen, and supporting offices. Below is a table reflecting the gross floor area for each level of the building:

Building Gross Area (square feet)		
Level	Use	Square Feet
B5 to B1	Lower parking	88,083
Level 1	Ground entrance	8,998
Level 2	Mezzanine	6,982
Levels 3 to 9	Upper parking	134,460
Level 10	Interstitial	19,335
Level 11*	Amenities (fitness center, gift shop, café, ad lounge area)	19,486
Level 12	Lobby	14,872
Level 13	Restaurant with outside dining and drinking	18,080
Level 14	Guest rooms	465,218
Level 41	Interstitial	17,230
Level 42	VIP Lounge and day spa	17,230
Level 43	Restaurant and tavern with outside dining and drinking	17,230
Level 44	Banquet and meeting area/convention facilities	17,230
Level 45	Place of worship (synagogue)	17,230
Level 46	Place of worship (synagogue)	11,524
Service Areas	-	931
Vertical Circulation	Elevators	54,272
Vertical Circulation	Stairs	27,439
Total		955,831

*An outdoor swimming pool measuring 900 square feet in area is located on Level 11 of the hotel.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the proposed uses, including the place of worship, are appropriate within the proposed hotel and are appropriate for the area which is in close proximity to the Resort Corridor. These requests and the proposed hotel are actually less intense than the surrounding resort hotels adjacent to this project. The parcel is 0.6 acres, therefore, any building on the site will have a small footprint. The proposed height of the tower will allow a viable project in the area. Additionally, the proposed height is similar to the height of the resort hotels in the area on large acres of land including Treasure Island, the Mirage, and the recently approved tower in conjunction with the Mirage Resort. This project is embedded in the middle of the existing hotels and even with the proposed height will be appropriate for the area and compatible with existing uses in the area. The site is half an acre in size and is adjacent to 3 rights-of-way and a private drive which is an inherent constraint of the site. Although the reduction is to zero feet, there are existing sidewalks to the north, south, and east sides of the site to allow pedestrians to access the site which is an existing condition for the current development (hotel) on the site. A 10 foot wide landscaping area is proposed on the Vegas Plaza frontage (east) of the site and will enhance the site. Based on the size of the lot, providing a 10 foot front setback for the building will reduce the buildable area of the lot. The requested setback will not impact the site or the adjacent street. The 10 foot wide landscaping provided along the frontage of the site and the attached sidewalk does provide a set back to the tower at grade level. Based on the size of the lot, providing a 10 foot side/corner setback for the building will further reduce the lot size that will further reduce the buildable area of the lot. The requested setback will not impact the site or the adjacent street. Based on the size of the lot, providing a 10 foot side/corner setback for the building will further reduce the buildable area of the lot. The requested setback will not impact the site or the adjacent street. The 10 foot wide landscaping provided along a portion of the frontage of the site and the attached sidewalk does provide a set back to the tower at grade level. The requested reduction in parking will not have an impact on the site and uses proposed because of the close proximity of the hotel to the Las Vegas Strip and the Resort Corridor. Since this is a niche hotel including a place of worship many of the hotel guests will use the place of worship, restaurants, amenities offered by the hotel. A parking analysis is also included with the application. The parking provided is adequate for the site because there are specific Jewish Holidays with specific requirements where vehicular access to the site is not allowed because of religious requirements. The Sabbath starts from Friday at sundown to Saturday night sundown. Driving, the use of phones and computers and work of any kind are not allowed during this period. The following holidays consisting of 2 days and last 2 days are like any Sabbath: 1) Passover Holiday - 8 days; 2) Sukkah Holiday - 8 days; 3) Rosh Hashanah is the Jewish New Year which consists of 2 days, which are considered the Sabbath; 4) Yom Kippur - Day of atonement which is considered a Sabbath, and 5) Shavoot - Holiday Celebration for receiving of the 10 commandments consists of 2 days like the Sabbath. The alternative landscaping request is necessary to accommodate both landscaping and off-site for this 0.6 acre. The design which consists of reduced landscaping within raised planters is more appropriate for the site and will be in scale with the site and design of the hotel. Due to the lot size, size of the building and uses proposed 3 loading areas are adequate for the use and site. The loading areas are located in the most accessible area of the site for loading and unloading. The reduced number of loading zones will not impact the proposed

hotel and uses. The loading zones are located on the east side of the property on a single drive aisle for seamless maneuvering through the site. The approach to the hotel is immediately to the valet area and the garage. The size of the lot will not allow the required distance. This is the same condition as the existing development on the site. The width of the lot is 125 feet. The design allows for no stacking or stalling in the design and allows easy access in and out of the proposed development. The off-site circulation in the area exists based on the development on the site with the adjacent existing developments which makes for an easier integration of the proposed development into the area without changing the circulation patterns. The departure from the hotel is immediately to Black Canyon Avenue or Perishing Avenue. The size of the lot will not allow the required distance. This is the same condition as the existing development on the site. The width of the lot is 190 feet. The design allows for no stacking or stalling in the design and allows easy access in and out of the proposed development. The site circulation proposed exists and is established with the adjacent existing developments which makes for an easier integration of the proposed development. The reductions in the throat depths for the entries into the garage and the valet drop-off lane will not impact the streets adjacent to the proposed development. The depth of the lot is 150 feet; therefore, the standard throat depths cannot be met based on the design for the project. The streets and areas surrounding the site have limited traffic, circulation, and traffic patterns with the existing developments in the area and on the site, therefore, the proposed project will not impact the area because the patterns will remain the same. The mitigating factor for this request is that this is a specialized hotel that will not have large volumes of traffic entering or exiting the site at the same time. The design allows for vehicular traffic to circulate on one-way only driveways within the garage efficiently when guests access the garage to park. As designed with a valet drop-off as the main access to the hotel, most guests are likely to use the valet area for drop-offs and pick-ups. Based on the size of the lot all the waivers requested are necessary to accommodate the design of the project. The lot is not only small but is also shallow, therefore, impossible to comply with typical off-site standards. Additionally, the site is surrounded on 3 sides by public streets, which is not a typical situation for most projects. Attempting to comply with all off-site standards will reduce the developable area of the lot. This request is necessary due to the size of the lot, the plans depict a minimum of 7 feet up to 10 feet of sidewalks along the 3 street frontages. The alternative landscape design includes multiple raised planters to provide additional landscaping that will enhance the street frontages along sides of the site. The design is appropriate based on the area, the adjacent development, and the size of the lot. This request will not impact site and provided additional pedestrian access to the site. Based on the size of the lot the reduced driveway width is necessary to accommodate the design of the project. The lot is not only small but is also shallow; therefore, impossible to comply with typical off-site standards. Additionally, the site is surrounded on 3 sides by public streets, which is not a typical situation for most projects. Attempting to comply with all off-site standards will reduce the developable area of the lot. Additionally, because of the specialized nature of the project, which serves a niche, most guests will use the valet drop-off once they arrive at the hotel and are not likely to use their cars during most of their stay on the property. The entries will be used mostly by valet who know will know how to navigate the driveway entries.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-0217-06 (DR-1170-04)	First extension of time to commence a 9 story, 100 foot high 148 room hotel/timeshare	Denied by BCC	September 2006
DR-1170-04	9 story, 100 foot high, 148 room hotel/timeshare	Approved by BCC	August 2004
UC-0305-03	Off-premises advertising sign with waivers to increase sign height and area	Denied by BCC	April 2003
ET-0289-99 DR-1295-97	Second extension of time to commence a 9 story, 100 foot high, 150 room timeshare hotel	Denied by BCC	September 1999
ET-0228-98 DR-1295-97	First extension of time to commence a 9 story, 100 foot high, 150 room timeshare hotel	Approved by BCC	August 1998
DR-1295-97	9 story, 100 foot high, 150 room timeshare hotel	Approved by BCC	August 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	H-1	Outside storage/employee break area
South	Entertainment Mixed-Use	H-1	Mirage resort hotel
East	Entertainment Mixed-Use	H-1	Treasure Island parking garage
West	Entertainment Mixed-Use	H-1	Mirage/Treasure Island employee parking garage

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Use Permits

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare, and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Use Permit #1

With appropriate building siting, proper building massing and scale, required parking, and appropriate buffering; a place of worship can be consistent and compatible with neighborhoods in accordance with Title 30 and the Master Plan. Other places of worship have been approved and developed in non-residential areas with little to no impact on surrounding land uses and properties. Staff does not object to the proposed use; therefore, can support the request.

However, staff is concerned with the multiple waivers of development standards associated with this request.

Use Permits #2 through #10

The Entertainment Mixed-Use category encourages a mix of retail, entertainment, gaming, lodging, and other tourist-oriented services. The purpose of the H-1 zoning district is to provide for the development of gaming enterprises, compatible commercial, and mixed commercial and residential uses, and to prohibit the development of incompatible uses that are detrimental to gaming enterprises. Policy 5.1.3 of the Master Plan emphasizes tourism, conventions, trade shows, and gaming as one of the region's economic pillars. Retail uses, restaurants with outside dining and drinking, on-premises consumption of alcohol, and convention facilities are common amenities associated with both gaming and non-gaming hotels located within the Gaming Corridor. Staff finds the proposed uses comply with the aforementioned policy from the Master Plan and should not have a negative or detrimental impact on the surrounding land uses or properties. However, since staff is not supporting the waivers of development standards and design reviews associated with this request, staff recommends denial.

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

Policy 6.2.1 of the Master Plan aims to ensure the design and intensity of new development is compatible with the surrounding area and uses in terms of height, scale, and the overall mix of uses. The requested height increase is similar to, and consistent with, other resort hotel requests that have been approved within the immediate area. However, since staff is not supporting waivers of development standards #3 through #9 and the design reviews; staff recommends denial of this request.

Waiver of Development Standards #3

The intent of building setbacks is to ensure a uniform development pattern of structures, especially along streets, and to prevent the massing of continuous building facades immediately adjacent to streets. The reduced building and right-of-way setbacks are a self-imposed burden, which can be eliminated through a redesign of the site. Therefore, staff recommends denial.

Waiver of Development Standards #4

The intent of the parking and loading requirements is to establish regulations for the provision of safe and efficient parking and loading facilities in amounts sufficient to meet existing and/or proposed land uses in unincorporated Clark County. Staff acknowledges the parking associated with the hotel and place of worship has been calculated in accordance with the observance of religious holidays prohibiting the operation of motor vehicles. Furthermore, staff recognizes that

out-of-town visitors utilize alternative modes of transportation such as ride-share programs, taxis, and public transit. However, the significant reduction to the required number of parking spaces may have an adverse impact on the available parking for the resort hotels to the east and south of the site. The reduction to the required number of parking spaces is a self-imposed hardship; therefore, staff recommends denial of this request.

Waiver of Development Standards #5

Staff finds the reduction to the number of loading spaces should have minimal to no impact on the proposed hotel development. Three loading spaces are located on west side of the hotel, between the one-way drive aisle and the refuse/loading dock area. The proposed number of loading spaces should adequately serve the hotel and the associated commercial uses. However, since staff is not supporting other waivers of development standards and design review requests, staff recommends denial.

Waiver of Development Standards #6

The intent of street landscaping is to enhance the perimeter of the project site, improve the aesthetics of the site along public rights-of-way, and to provide a buffer between parking areas and the adjacent streets. Furthermore, the intent of the detached sidewalk requirement is to ensure a proper buffer exists between the sidewalk and the adjacent streets, and to prevent conflict with pedestrians and vehicles. Although there are not any detached sidewalks within the immediate area, staff finds eliminating the detached sidewalk requirement along the public right-of-way is a self-imposed burden. Furthermore, the request for alternative landscaping, consisting of landscape planter boxes and attached sidewalks is a self-imposed burden. Therefore, staff cannot support this request.

Design Reviews #1 through #9

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The proposed design of the hotel consists of contemporary architecture that is aesthetically pleasing and architecturally diverse, which is appropriate for the immediate area. However, when evaluating the overall design of a project, site circulation for the development must accommodate efficient circulation and access as well as high volumes of pedestrian traffic. When the numerous waiver requests including reduced parking, reduced setbacks, alternative landscaping, modified street and design standards are taken into consideration, staff cannot support the design reviews as the site is being over built. The requested waivers of development standards associated with the hotel and place of worship are a self-imposed burden. The majority of the waiver requests can be eliminated, or significantly reduced, through the redesign of the site. Therefore, staff cannot support these requests.

Public Works - Development Review
Waiver of Development Standards #7
Pending Review

Waiver of Development Standards #8

Waiver of Development Standards #9

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

More importantly, the development will penetrate the Part 77 airspace surface (Airport Airspace Overlay District), as defined by Section 30.48.100 of the Clark County Unified Development Code. Therefore, as required by Section 30.16.210(12)(D) of the Clark County Unified Development Code, final action cannot occur until the FAA has issued an airspace Determination of No Hazard and the Department of Aviation has reviewed the determination. (Note that Section 30.16.210(12)(D) requires that the FAA Determination of No Hazard shall be submitted two weeks prior to final approval for any proposed structure that intrudes into Airport Airspace Overlay District [see Chapter 30.48 Part B].)

Staff Recommendation

Approval of use permit #1; denial of use permits #2 through #10, waivers of development standards, and design reviews.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; approval of this application does not constitute or imply approval of a liquor or gaming

license or any other County issued permit, license or approval; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- No parking signs on all public streets adjacent to the site.
- Applicant is advised that off-site improvement permits may be required.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

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 and reference POC Tracking #0436-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: RAY KOROGHLI

CONTACT: CASSANDRA WORRELL, 520 S. FOURTH STREET, LAS VEGAS, NV
89101

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <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 type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>LC-23-0801</u> DATE FILED: <u>11/16/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>1/9/24</u> PC MEETING DATE: _____ @ 7:00 BCC MEETING DATE: <u>1/17/24 @ 9:00 AM.</u> FEE: <u>\$1,825.00</u>
	PROPERTY OWNER NAME: <u>RK Vegas Circle, LLC</u> ADDRESS: <u>3055 Via Sarafina Drive</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: <u>702-260-2013</u> CELL: <u>702-493-5858</u> E-MAIL: <u>koroghli@msn.com</u>
	APPLICANT NAME: <u>Ray Koroghli</u> ADDRESS: <u>3055 Via Sarafina Drive</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: <u>702-260-2013</u> CELL: <u>702-493-5858</u> E-MAIL: <u>koroghli@msn.com</u> REF CONTACT ID #: <u>N/A</u>
	CORRESPONDENT NAME: <u>Jay Brown/Lebene Ohene</u> ADDRESS: <u>520 South Fourth Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u> E-MAIL: <u>lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>

ASSESSOR'S PARCEL NUMBER(S): 162-17-610-002

PROPERTY ADDRESS and/or CROSS STREETS: Vegas Plaza Drive & Black Canyon Avenue

PROJECT DESCRIPTION: Hotel, Synagogue, Supper Club, Banquet Facility and additional accessory and incidental uses.

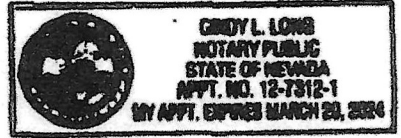
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and 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] Ray Koroghli
Property Owner (Signature)* Property Owner (Print)

STATE OF NEVADA
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON June 5, 2023 (DATE)

By Ray Koroghli
NOTARY PUBLIC: Cindy St. Jones



*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.

LAW OFFICE

Brown, Brown & Premsrirut

JAY H. BROWN
DAVID T. BROWN
PUOY K. PREMSRIRUT

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS
520 SOUTH FOURTH STREET
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EMAIL: jbrown@brownlawlv.com

October 25, 2023

Clark County Comprehensive Planning
Current Planning Division
500 Grand Central Parkway
Las Vegas, Nevada 89155

**PLANNER
COPY**

- Re: RK Vegas Circle, LLC - Justification Letter – Revision 5**
- **Special Use Permits: Place of Worship, Commercial/Retail & Restaurants/On & Off- Premises Alcoholic uses etc.**
 - **Waivers of Development Standards: Parking, Off-Sites etc.**
 - **Design Reviews: Hotel, Place of Worship, and other incidental and accessory uses, etc.**

Assessor's Parcel Numbers: 162-17-610-002

To Whom It May Concern:

On behalf of our Client, RK Vegas Circle LLC, please accept this application package for a hotel, place of worship (synagogue), commercial uses including on and off premises consumption of alcohol, restaurant, service bars, tavern, supper club, banquet facility, convention/meeting rooms, offices, retail uses, services, and other accessory and incidental uses. The required applications will include Special Use Permits, Waivers of Standards and Design Reviews. The proposed hotel is located west of Vegas Plaza Drive and 282 feet south of Spring Mountain Road on a total of 0.53 acres in an H-1 zone. The proposed hotel includes a place of worship (synagogue) with uses and amenities aligned with the Jewish faith and culture. The uses and amenities provided in the hotel will include the standard fare as well as kosher restaurants and amenities which are otherwise unavailable in the immediate area. The closest synagogue to the subject area is approximately four miles from the Las Vegas Strip and the resort corridor.

Project Description:

This proposed project is a hotel tower with a place of worship and other Jewish related faith and cultural amenities, on-premised consumption of alcohol, retail, restaurants, accessory, incidental and associated uses typically associated with hotel projects within the resort corridor. The hotel will consist of 486 rooms with 46 (floors) and up to 648 feet high to the top of the roof. The occupied portion of the hotel tower is up to level 46 including the rooms and commercial areas, places of worship and accessory and amenity areas, and the parking levels. The design of the towers depicts five (5) levels of subterranean parking, 2 levels for valet parking and 2 levels for self-parking, a drop-off area, entrance to the lobby, back of house, accessory, and incidental areas at the grade level. The hotel check-in lobby and lounge, gift shop, restaurants with outside dining, pool, fitness center, and other amenity areas are depicted from level 11 through 13. The hotel rooms and suites are on levels 14 through 40. Additional restaurants, personal services, convention/meeting rooms; and place of worship areas (synagogue) are depicted on levels 42 through 46 with the roof and mechanical areas occupying the top level of the tower. Level 10 and 41 are both interstitial levels for mechanical and electrical maintenance. The hotel site is embedded in the middle of the TI and Mirage hotels and located on the west side of Vegas Plaza Drive, south of Black Canyon Avenue and north of Pershing Avenue. Primary access to the site is from Sammy Davis Drive via Vegas Plaza Drive. Additional access is provided via private streets and driveways from both Las Vegas Boulevard South and Spring Mountain Road. A total of 531 parking spaces are provided where 854 spaces are required per the shared parking table. Loading and trash areas are provided along the western portion of the building. Access to the subterranean portion of the garage is provided from both Pershing Avenue (valet only) and Black Canyon Avenue (self-parking only).

Landscaping:

The alternative landscaping proposed consists of up to a minimum of seven (7) feet up to ten (10) feet of sidewalks along the three (3) street frontages. With raised and at grade planters within portions of the right-of-way. Cross sections are provided to depict the design of the landscaping provided along the street frontages.

Elevations Plan:

The proposed hotel tower is 648 feet high to the top of the roof and mechanical areas. The building materials consist of concrete columns, iron/steel columns, blue tinted glass, limestone, and decorative metal screens. The structure will be clad with aluminum panels and limestones and a diagrid non-reflective window system. A metal porte cochere will cover the drop-off area along the frontage. The first at grade level and the lobby, check-in level from level 11 through 14 show a metal screen enclosed area with metal beams and columns with architectural detailing that is different from the other portions of the tower.

Floor Plans:

The square footage of the occupied floor is the same based on the footprint of the tower. Total building square footage is 955,831 square feet. The commercial and amenity levels are divided into various uses including the place of worship areas that are depicted on floors 42 through 46. The hotel rooms on levels 14 to 26 have eighteen rooms that are 516 square feet, and four rooms are 1,043 square feet with 22 rooms on each floor. Levels 27 through 38 have seven rooms that are 1,052 square feet, 4 rooms that are 516 square feet and 4 rooms that are 1,043 square feet with a total of 15 on each floor. Levels 39 and 40 have 4 rooms that are 1,562 square feet, 4 rooms that are 1,500 square feet and 2 rooms that are 487 square feet with a total of 10 rooms on both floors. Level 10 and Level 41 will both accommodate the mechanical and electrical components for the building.

The following are applications required for the project:

Special Uses.

- 1) Place of Worship (synagogue)
- 2) On-Premises consumption of alcohol, including a tavern, supper clubs, service bars etc. (primary access is through the interior of the supper club and restaurant)
- 3) Alcohol Sales, beer, wine, and liquor (packaged only)
- 4) Restaurants.
- 5) Banquet facility.

- 6) Retail uses (gift shop).
- 7) Convention facilities.

Justification:

The uses requested are appropriate within the proposed hotel and are appropriate for the area which is in close proximity to the resort corridor. These requests and the proposed hotel are actually less intense than the surrounding resort hotels adjacent to this project.

Waivers of Development Standards:

1. **Increase the height of the hotel tower to 648 feet where 100 feet is the standard.**

Justification:

The parcel is 0.52 acres, therefore, any building on the site will have a small footprint. The proposed height of the tower will allow a viable project in the area. Additionally, the proposed height is similar to the height of the resort hotels on the area on large acres of land including the TI, Mirage, and recently approved tower in conjunction with the Mirage Resort. This project is embedded in the middle of the existing hotels and even with the proposed height will be appropriate for the area and compatible with existing uses in the area.

2. **Encroachment into Airspace:**

Justification:

The height proposed is appropriate for the area. There are other hotels in the area in the area with similar heights. The FAA determination of height is provided with the submittal.

3. **Reduce setbacks from the rights-of-way to "zero" feet where a ten (10) foot wide setback is required by Code.**

Justification:

The site is half an acre in size and is adjacent to three (3) rights-of-way and a private drive which is an inherent constraint of the site. Although the reduction is to zero feet, there are existing sidewalks to the north south and east sides of the site to allow pedestrians to access the site which is an existing condition for the current development (hotel) on the site. A ten (10) foot wide Landscaping area is proposed on the Vegas Plaza frontage (east) of the site and will enhance the site.

4) Reduce the front building setback to zero feet along Vegas Plaza Drive where ten (10) feet is required per Code.

Justification:

Based on the size of the lot, providing a ten (10) foot front setback for the building will reduce the buildable area of the lot. The requested setback will not impact the site or the adjacent street. The ten (10) foot wide landscaping provided along the frontage of the site and the attached sidewalk does provide a set back to the tower at grade level.

5) Reduce the side/corner building setback to zero feet along Black Canyon Avenue where ten (10) feet is required per Code.

Justification:

Based on the size of the lot, providing a ten (10) foot side/corner setback for the building will further reduce the lot size that will further reduce the buildable area of the lot. The requested setback will not impact the site or the adjacent street.

6) Reduce the side/corner building setback to “zero” feet along Pershing Avenue East where ten (10 feet) is required per Code.

Justification:

Based on the size of the lot, providing a ten (10) foot side/corner setback for the building will further reduce the buildable area of the lot. The requested setback will not impact the site or the adjacent street. The ten (10) foot wide landscaping provided along a portion of the frontage of the site and the attached sidewalk does provide a set back to the tower at grade level.

- 7) Reduce parking to 531 parking spaces where 854 parking spaces are required per the shared use table.**

Justification:

The requested reduction in parking will not have an impact on the site and uses proposed because of the close proximity of the hotel to the Las Vegas Strip and the resort corridor. Since this is a niche hotel including a place of worship many of the hotel guests will use the place of worship, restaurants, amenities offered by the hotel. A parking analysis is also included with the application. The parking provided is adequate for the site because there are specific Jewish Holidays with specific requirements where vehicular access to the site is not allowed because of religious requirements. Please see below.

The Sabbath starts from Friday at sundown to Saturday night sundown. Driving, the use of phones and computers and work of any kind are not allowed during this period.

The following holidays consisting of two (2) days and last two (2) days are like any Sabbath.

- Passover Holiday - 8 days.
- Sukkah Holiday - 8 days.

- Rosh Hashanah is the Jewish New Year which consist of two (2) days both days are considered Sabbath.

- Yom Kippur. Day of atonement one which is a Sabbath.

- Shavoot: Holiday Celebration for receiving of the 10 commandments consists of two (2) days like Sabbath.

8) Allow alternative landscaping along the street frontages (Perishing Avenue, Vegas Plaza Drive and Black Canyon Avenue).

Justification:

This request is necessary to accommodate both landscaping and off-site for this 0.5 acre. The design which consists of reduced landscaping within raise planters is more appropriate for the site and will be in scale with the site and design of the hotel.

9) Reduce the number of loading spaces to three (3) where eight (8) loading spaces are required per Code.

Justification:

Due to the lot size, size of the building and uses proposed 3 loading areas are adequate for the use and site. The loading areas are located in the most accessible area of the site for loading and unloading. The reduced number of loading zones will not impact the proposed hotel and uses. The loading zones are located on the east side of the property on a single drive aisle for seamless maneuvering through the site.

10) Reduce the approach distance to 'zero' feet where a distance of 150 feet is the standard.

Justification:

The approach to the hotel is immediately to the valet area and the garage. The size of the lot will not allow the required distance. This is the same condition as the existing development on the site. The width of the lot is 125 feet. The design allows for no stacking or stalling in the design and allows easy access in and out of the proposed development. The off-site circulation in the area exists based on the development on the site with the adjacent existing developments which makes for an easier integration of

the proposed development into the area without changing the circulation patterns.

- 11) **Reduce the departure distance to 'zero feet' where 190 feet is the standard.**

Justification:

The departure from the hotel is immediately to Black Canyon Avenue or Perishing Avenue. The size of the lot will not allow the required distance. This is the same condition as the existing development on the site. The width of the lot is 190 feet. The design allows for no stacking or stalling in the design and allows easy access in and out of the proposed development. The site circulation proposed exists and is established with the adjacent existing developments which makes for an easier integration of the proposed development.

- 12a) **Reduce throat depth to 51 feet where 150 feet is the standard for the loading area located off Black Canyon Avenue.**

- 12b) **Reduce throat depth to 103 feet 3 inches where 150 feet for the driveway ramp for the self-parking portion of the garage located on along Black Canyon Avenue.**

- 12c) **Reduce the throat depth to 20 feet 5 inches where 150 feet is the standard at the drop-off area along Pershing Avenue.**

Justification:

The reductions in the throat depths for the entries into the garage and the Valet drop-off lane will not impact the streets adjacent to the proposed development. The depth of the lot is 150 feet; therefore, the standard throat depths cannot be met based on the design for the project. The streets and areas surrounding the site have limited traffic, circulation, and traffic patterns with the existing developments in the area and on the site, therefore, the proposed project will not impact the area

because the patterns will remain the same. The mitigating factor for this request is that this is a specialized hotel that will not have large volumes of traffic entering or exiting the site at the same time. The design allows for vehicular traffic to circulate on one-way only driveways within the garage efficiently when guests access the garage to park. As designed with a valet drop-off as the main access to the hotel, most guests are likely to use the valet area for drop-offs and pick-ups.

13a) Reduce the ingress curb return radius to 18 feet where 25 feet is the standard on the south side of the western drive aisle.

13b) Reduce the ingress curb return radius to 15 feet where 25 feet is the standard on the west side of the eastern drive aisle.

Justification:

Based on the size of the lot all the waivers requested are necessary to accommodate the design of the project. The lot is not only small but is also shallow, therefore, impossible to comply with typical off-site standards. Additionally, the site is surrounded on three sides by public streets, which is not a typical situation for most projects. Attempting to comply with all off-site standards will reduce the developable area of the lot.

14) Waive the required detached sidewalks along Black Canyon Avenue, Vegas Plaza Drive and Pershing Avenue.

Justification:

This request is necessary due to the size of the lot, the plans depict a minimum of seven (7) feet up to ten (10) feet of sidewalks along the three (3) street frontages. The alternative design includes multiple raised planters to provide additional landscaping that will enhance the street frontages along sides of the site. The design is appropriate based on the area, the adjacent development, and the size of the lot. This request will not impact site and provided additional pedestrian access to the site.

15) Allow non-standard improvements within the right-of-way along Pershing Avenue, Vegas Plaza Drive and Black Canyon Avenue.

16) Reduce the setback from the right-of-way to the three (3) foot high landscape planters to 'zero' foot where a ten (10) foot setback is required.

Justification:

Due to the size of the lot the applicant has provided as much landscaping as possible in the given areas. Due to site visibility standards and sidewalk for pedestrians the typical tree planting cannot be met to Code. This request will not impact the site visibility zones and will enhance the area around the building.

17) Reduce the width of the two way driveway entries into the garage to 24 feet where a minimum of 32 feet to 40 feet is required.

Justification:

Based on the size of the lot this waiver is necessary to accommodate the design of the project. The lot is not only small but is also shallow, therefore, impossible to comply with typical off-site standards. Additionally, the site is surrounded on three sides by public streets, which is not a typical situation for most projects.

Attempting to comply with all off-site standards will reduce the developable area of the lot. Additionally, because of the specialized nature of the project, which serves a niche, most guests will use the valet drop-off once they arrive at the hotel and are not likely to use their cars during most of their stay on the property. The entries will be used mostly by the Valets who know will know how to navigate the driveway entries.

Design Reviews:

Permit a 648 foot high hotel with 486 rooms (standard rooms and suites) with requested special uses and accessory/incidental uses.

LAW OFFICE

Brown, Brown & Premsrirut

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

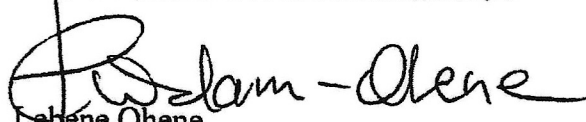
Justification:

This project consisting of a hotel and place of worship is unique within the resort corridor. This infill opportunity provides a new and distinctive use within Clark County. The hotel will fill a need and provide specific service for a niche of customers to the Las Vegas and the Strip. This project will bring culturally specific amenities in close proximity to the resort corridor and enhance the world-class resort neighbors and shopping (TI, Mirage, Venetian, Palazzo, Wynn, and the Fashion Show Mall). The proposed hotel named the King David Hotel will significantly enrich and provide substantial value to the area because of its proximity to the Las Vegas "Strip" and or the resort corridor.

We appreciate your review, consideration and positive recommendation of the application as submitted. Please contact me at 702-598-1429 if you have questions or clarification of the submittal.

Sincerely,

BROWN, BROWN & PREMSRIRUT


Lebene Ohene
Land Use and Development Consultant

01/17/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0874-WESTWYNN, LLC:

USE PERMITS for the following: 1) allow a temporary outdoor commercial event not in conjunction with an existing licensed business; and 2) allow live entertainment or amplified sound beyond daytime hours on 35.0 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 Fashion Show Drive within Winchester and Paradise. TS/jor/xx (For possible action)

RELATED INFORMATION:

APN:

162-09-403-004; 162-16-101-009; 162-16-101-011

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3120 Las Vegas Boulevard South
- Site Acreage: 35
- Project Type: Temporary outdoor commercial event with live entertainment
- Building Height (feet): 73 (main tent)/43 (sponsor tent)
- Square Feet: 41,300 (main tent)/12,000 (sponsor tent)
- Parking Provided: 153

Site Plan

The plan depicts a proposed temporary outdoor commercial event located on the 3 parcels west of Las Vegas Boulevard South, north of Fashion Show Drive, and south of Genting Boulevard. The northern portion of the site includes temporary parking for staff and patrons (northwest corner) and a walkway that connects to the main area. The center of the event site includes temporary structures for the event which includes a sponsor tent, main event tent, portable restroom areas, back of house tent areas, and VIP queueing areas. Access to the site will be via Genting Boulevard and Fashion Show Drive. There is also a 20 foot wide fire lane surrounding the event area.

Landscaping

Landscaping is neither required nor a part of this request.

Elevations

The proposed main event tent has an overall height of 73 feet. The proposed sponsor tent has an overall height of 45 feet. All proposed structures are temporary.

Applicant's Justification

The applicant will be hosting entertainment events in connection with the Super Bowl 2024 called Homecoming Series & Taco Bell Innovation Summit on February 8, 2024 to February 11, 2024. The event will comprise of around 4,000 curated guests.

The build schedule consists of the following dates:

- Start Date: January 25, 2024
- Setup: January 26, 2024 to February 7, 2024
- Breakdown: February 13, 2024 - ongoing

Each day there will be a live performer/DJ present at the event. The hours will be the following:

- February 8, 2024, February 10, 2024, and February 11, 2024 from 9:00 p.m. to 1:00 a.m.
- February 9, 2024 at 11:00 a.m. to 1:00 a.m.

Throughout the day, there will be live sound checks with the various performers.

Dates	Hours	Number of attendees (estimated)
February 8, 2024	9:00 p.m. to 1:00 a.m.	2,500
February 9, 2024	11:00 a.m. to 1:00 a.m.	4,000
February 10, 2024	9:00 p.m. to 1:00 a.m.	4,000
February 11, 2024	9:00 p.m. to 1:00 a.m.	2,500

Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0267	Temporary construction storage for the MSG Sphere	Approved by BCC	June 2022
UC-21-0575	Accessory structure prior to the construction of a principal structure	Approved by BCC	November 2021
WS-21-0465	Landscape improvements and increased finished grade	Approved by BCC	October 2021
WS-21-0035	Increased fence height including a design review for a fence and lighting in conjunction with undeveloped lots	Approved by BCC	March 2021
AR-19-400154 (UC-18-0784)	First application to review a temporary parking lot - expired	Approved by BCC	January 2020
UC-18-0784	Temporary parking lot and waived landscaping along right-of-way, including Fashion Show Drive - expired	Approved by BCC	November 2018
UC-18-0592	Temporary parking lot on an adjacent parcel to the west - expired	Approved by BCC	September 2018

Prior Land Use Requests

Application Number	Request	Action	Date
ET-18-400113 (UC-0045-16)	First extension of time to commence the expansion of the Gaming Enterprise District	Approved by BCC	June 2018
ET-18-400092 (UC-0492-15)	First extension of time to commence a High Impact Project/resort hotel (Alon)	Approved by BCC	June 2018
AG-0744-16	Performance Agreement and Decommissioning Plan	Accepted by BCC	October 2016
UC-0045-16	Expansion of the Gaming Enterprise District	Approved by BCC	April 2016
UC-0492-15	High Impact Project/resort hotel (Alon)	Approved by BCC	October 2015
UC-0491-15	Offices within an existing modular building	Approved by BCC	September 2015
UC-0013-12	Temporary offices within an existing modular building - expired	Approved by BCC	March 2012
UC-0471-11	Art gallery with retail sales and an outdoor display area - expired	Approved by PC	November 2011
WS-0301-10	Reduced setbacks for a temporary fence and increased fence height in conjunction with an approved resort hotel - expired	Approved by BCC	August 2010
UC-1378-07	Resort hotel (The Plaza) - expired	Approved by BCC	March 2008
DR-0944-06	Modular building for a temporary sales center in conjunction with Trump Tower	Approved by PC	August 2006
UC-1476-04	Temporary sales center in conjunction with Trump Tower - expired	Approved by BCC	September 2004
WS-1084-04	Temporary off-site parking lot for the Venetian Resort Hotel - expired	Approved by BCC	July 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	H-1	Resorts World Resort Hotel
South	Entertainment Mixed-Use	H-1	Fashion Show Mall
East	Entertainment Mixed-Use	H-1	Wynn & Encore Resort Hotels, place of worship, & retail center
West	Entertainment Mixed-Use	H-1	Parking lot, Trump Tower, office building and parking garage, & adult cabaret (Déjà Vu Showgirls)

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

The proposed temporary outdoor commercial event is a common use which occurs throughout the Resort Corridor, and similar outdoor temporary events occur throughout the year. The site is located in the Entertainment Mixed-Use Planned Land Use. Staff finds that the proposed use is in an area that is tourist-focused with amenity rich public spaces and pedestrian amenities. Furthermore, there is no residential in the area; therefore, there should not be a negative impact due to proposed live entertainment beyond daytime hours. The Master Plan encourages uses that provide opportunities for a mix of uses which are connected and integrated into nodes such as entertainment. For these reasons, staff can support these use permit requests.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: STEPHANIE HOLLAND

CONTACT: STEPHANIE HOLLAND, 272 M STREET SW, WASHINGTON, DC 20024

02/06/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

AR-23-400176 (UC-22-0554)-AJ SPRING MOUNTAIN, LLC:

USE PERMITS FIRST APPLICATION FOR REVIEW for the following: 1) restaurant; and 2) on-premises consumption of alcohol (service bar).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; and 2) throat depth on 1.1 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the north side of Spring Mountain Road, 500 feet west of Wynn Road within Paradise. JJ/nai/syp (For possible action)

RELATED INFORMATION:

APN:

162-18-505-008

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce parking to 65 spaces where a minimum of 88 spaces are required per Table 30.60-1 (a 26% reduction).
2. Reduce the throat depth to zero feet where 75 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4240 Spring Mountain Road
- Site Acreage: 1.1
- Project Type: Restaurant/on-premises consumption of alcohol
- Number of Stories: 1
- Building Height (feet): 17
- Square Feet: 5,675 (Building A)/5,386 (Building B)
- Parking Required/Provided: 88/65

Site Plans

The approved plans depict 2 existing buildings on the west side of the site with parking to the east of the buildings. Access to the site is from Spring Mountain Road. The building on the northwest portion of the site was previously approved by use permit (UC-0342-15) and converted to a restaurant with on-premises consumption of alcohol. Previously, a use permit

(UC-0196-14) for a restaurant and on-premises consumption of alcohol was approved for the building in the southwest portion of the site. Both applications included waivers to reduce parking. In 2015, WS-0844-15 was approved to reduce the overall parking for the site due to a redesign of the parking lot to accommodate requirements per the Fire Department. The parking was reduced to 65 parking spaces where 100 parking spaces were required. While the original use permits had review periods imposed, the reviews were subsequently waived, and WS-0844-15 was approved with a 2 year review to ensure there was adequate parking for the site. The applicant did not file an application for review as conditioned, and WS-0844-15 expired. The applicant is seeking to re-establish the restaurant and on-site consumption of alcohol as was previously approved in 2015 and to allow the parking to exist as it has been for several years. Modifications have been made to the buildings, to account for the new parking calculations.

Landscaping

The approved plans show an existing 15 foot to 26.5 foot wide landscape area along Spring Mountain Road.

Elevations

The approved plans depict a 17 foot high, single story building with stone veneer, stucco finish, and a parapet roof. The roof is designed to give a pagoda appearance. The existing building matches the design of the other buildings on-site and those immediately adjacent to the project site.

Floor Plans

The approved plans show Building A is 5,675 square feet for a restaurant. Building B includes 1,400 square feet of restaurant, 2,986 square feet of karaoke, and 1,000 square feet of warehouse. The buildings show space for a restaurant, karaoke rooms, service bar, office and storage, kitchen, and entrance lobby.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for UC-22-0554:

Current Planning

- 1 year to review as a public hearing.
- Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit, license or approval; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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

- Remove any landscaping in the right-of-way prior to the issuance of a building permit or business license.

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.

Applicant's Justification

The applicant states that there were no issues with parking nor with outgoing and incoming traffic. Applicant is requesting that no more applications for review be required.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0554	Restaurant and on-premise consumption of alcohol (service bar); with waivers for reduced parking and throat depth to zero feet	Approved by PC	November 2022
AR-400041-18 (WS-0844-15)	First application for review for reduced parking, waived conditions of use permit (UC-0342-15) for 1 year to commence and review, and design review for parking lot layout - expired	Approved by PC	April 2018
WS-0844-15	Reduced parking for restaurant, with waiver of conditions for time limit, and design review for parking lot layout - expired	Approved by PC	March 2016
UC-0342-15	Restaurant and on-site consumption of alcohol, with waiver for reduced parking, waiver of conditions (UC-0196-14) requiring plans on file, and design review for restaurant for the northwest building	Approved by PC	July 2015
UC-0196-14	Restaurant and on-site consumption of alcohol, with waivers to reduce parking and parking lot landscaping, and design review for an addition to the southwest building	Approved by PC	June 2014

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Corridor Mixed-Use	M-1	Warehouse/manufacturing
South & West	Corridor Mixed-Use	C-2	Shopping center

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Staff finds that during the Planning Commission meeting on November 15, 2022, the commissioners were worried about the zero foot throat depth and the reduced parking. This property is located in the Asian Design Overlay where there is constant heavy traffic. There was a previous waiver application submitted for this property to waive the parking from 100 required spaces to 65 spaces (WS-0844-15). The previous applicant did not submit their second application review requirement listed in the Notice of Final Action for AR-18-400041 (WS-0844-15). As a result, the applicant submitted a new request to waive the parking to 65 spaces. The zero foot throat depth was already existing. As a result, the commissioners approved the original application (UC-22-0554) with a 1 year application for review as a public hearing. Staff can support this application since there are no known issues with parking nor with entering and exiting the property.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this application for review.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Remove the time limit.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

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:
PROTEST:

APPLICANT: MIN YOUNG CHAI

CONTACT: MIN YOUNG CHAI, 4240 SPRING MOUNTAIN RD. #A, LAS VEGAS, NV
89102

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE

- TEXT AMENDMENT (TA)
- ZONE CHANGE (ZC)
- USE PERMIT (UC)
- VARIANCE (VC)
- WAIVER OF DEVELOPMENT STANDARDS (WS)
- DESIGN REVIEW (DR)
- 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)
UC-22-0554
(ORIGINAL APPLICATION #)

STAFF

APP. NUMBER: AR-23-400176 DATE FILED: 11/30/2023
 PLANNER ASSIGNED: _____
 TAB/CAC: Paradise TAB/CAC DATE: 1/9/2024
 PC MEETING DATE: 2/16/2024
 BCC MEETING DATE: _____
 FEE: _____

PROPERTY OWNER

NAME: AT Spring Mountain LLC
 ADDRESS: 5300 W. Spring Mountain Rd #104
 CITY: Las Vegas STATE: NV ZIP: 89146
 TELEPHONE: _____ CELL: _____
 E-MAIL: joey1820@gmail.com

APPLICANT

NAME: Min Young Chai
 ADDRESS: 133 Lakewood Garden Dr
 CITY: Las Vegas STATE: NV ZIP: 89148
 TELEPHONE: _____ CELL: 714-323-2191
 E-MAIL: jennymchai@gmail.com REF CONTACT ID #: _____

CORRESPONDENT

NAME: Same as applicant
 ADDRESS: _____
 CITY: _____ STATE: _____ ZIP: _____
 TELEPHONE: _____ CELL: _____
 E-MAIL: _____ REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-18-505-008
 PROPERTY ADDRESS and/or CROSS STREETS: Spring Mountain and Arville
 PROJECT DESCRIPTION: review for use permit

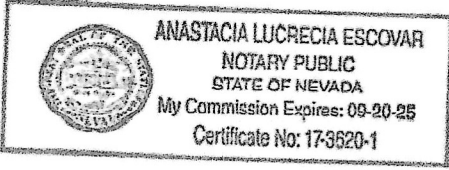
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and 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.

Property Owner (Signature)* [Signature] Joe Sihong Yi
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON November 27, 2023 (DATE)
 By Joe Sihong Yi

NOTARY PUBLIC: Anastacia Escovar



*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.

6

JUSTIFICATION LETTER FOR REVIEW OF SPECIAL USE PERMIT

November 11, 2023

Original Application # UC-22-0554

APN 162-18-505-008

PLANNER
COPY

We are requesting our continued Special Use Permit that we received last year to be instated permanently. We have had 2 waivers from the Development Standards: (1) reduce the number of parking spaces and (2) non-complying driveway throat depth. We have been in business for almost a year and throughout this time we have had no issues with parking or any issues with the ongoing and outgoing traffic onto Spring Mountain Blvd.

Below is the original Justification letter for your reference.

Thank you,



Min Young Chai

JUSTIFICATION LETTER FOR SPECIAL USE PERMIT

DATE: September 23, 2022
 PERMIT APP#: APR22-100822
 APN: 162-18-505-008
 PROJECT: Mr. BBQ @ 4240 Spring Mountain Road , Las Vegas, NV 89102
 PROPERTY OWNER: AJ Spring Mountain LLC
 PROJECT OWNER: Min Young (Jenny) Chai
 REQUEST: Special Use Permit with 2 Waivers on the Planning Development Standards

We are requesting a Special Use Permit for Mr. BBQ and Mama Chai's located at 4240 Spring Mountain Road. We would like to propose keeping the current site layout, and hence request 2 waivers from the Development Standards: (1) Reduce the number of parking spaces and (2) the non-complying driveway throat depth.

(1) We are asking to reduce the number of parking spaces required from 88 to the 74 that are existing. There are three businesses within the same property which have been in the same exact use since 2014. There have been no changes made to the building areas or the site layout since. All three businesses will exist and operated as the same types being (1) Korean restaurant (2) Tea Shop and (3) Karaoke Bar. The current landlord also being the owner of the previous business, has not been aware of any significant issues with the existing number of parking spaces. Mr BBQ will only have a service bar serving beer and wine and will not require a full liquor license and will also limit the party size to not include large parties or group events. We also implement an online system where guests will not have to wait at the property until their table is ready. If ever needed the owners of the businesses and the landlord will provide valet parking as well.

(2) We ask to waive the 75ft needed for the complying driveway throat depth to 0ft as is what is existing at this property. To be in compliance with this standard with greatly reduce the number of parking spaces that are existing. The two waivers that we are asking for are opposite to their needs. We feel that the number of parking spaces would be more beneficial of the two.

As we are not changing the business types at this property and since these businesses have been issued a special use permit in the past, we are requesting that we will be allowed these two waivers and issued a special use permit. With the experience of more than 25 years in the restaurant business and ownership, I can assure that these businesses will be responsible and attentive to the City and County's needs and concerns regarding any public and safety issues.

PLAN AMENDMENT
(TITLE 30)

UPDATE
DESERT INN RD/MOJAVE RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
PA-23-700023-AUTOZONE INC:

HOLDOVER PLAN AMENDMENT to redesignate the existing land use category from Neighborhood Commercial (NC) to Business Employment (BE) on 2.0 acres.

Generally located on the southwest corner of Desert Inn Road and Mojave Road within Paradise.
TS/gc (For possible action)

RELATED INFORMATION:

APN:
162-13-503-017

LAND USE PLAN:
WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description
General Summary

- Site Address: 3185 E. Desert Inn Road
- Site Acreage: 2

Applicant's Justification

The applicant states the site is increasingly surrounded by employment areas and commercial uses, and that designating the site for Business Employment (BE) uses is in-line with the uses existing in the area. The site is underutilized as a large portion of the parcel is undeveloped. Designating the site as BE would revitalize the site. The site is located along a 100 foot wide arterial street (Desert Inn Road) that can support a land use designation of BE. The change in land use designation will not alter current traffic patterns. The proposed plan amendment will not result in any additional impacts on surrounding infrastructure not already contemplated or existing in the area.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0307-97	Reclassified the site from R-1 to C-1 zoning with a use permit for an auto parts store	Approved by BCC	April 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-2	Commercial center
South	Public Use	R-1	Place of worship
East	Neighborhood Commercial & Compact Neighborhood (up to 18 du/ac)	C-1 & R-3	Convenience store with gas pumps & multiple family residential
West	Urban Neighborhood (greater than 18 du/ac)	R-4	Multiple family residential

Related Applications

Application Number	Request
ZC-23-0522	Zone change to reclassify the site from C-1 to M-D zoning, with a use permit to allow retail as a primary use; waivers for reduced throat depth, reduced approach and departure distances, and reduced landscaping; and a design review for a warehouse building addition is a companion item on this agenda.
VS-23-0523	A request to vacate and abandon government patent easements is a companion item on this agenda.

STANDARDS FOR ADOPTION:

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

Analysis

Comprehensive Planning

The applicant requests a change from Neighborhood Commercial (NC) to Business Employment (BE). Intended primary land uses in the proposed BE land use designation include office, distribution centers, warehouse/flex space, technology, and light industry. Supporting land uses include small-scale commercial services, such as restaurants, athletic clubs, service-commercial, and other similar uses.

Staff finds the request to redesignate the site to Business Employment (BE) to be too intense for, and not compatible with, the surrounding area. The site is adjacent and abutting to multiple family residential uses to the west and east, and an R-1 zoned place of worship to the south. The other corners at the intersection of Desert Inn Road and Mojave Road are developed with commercial uses. There are currently no industrial zoned or planned uses in the area. The nearest industrial zoned property is a 0.65 acre, M-D zoned property that is less than a mile to the east at the intersection of U.S. Highway 95 and Desert Inn Road. Even though that property is zoned M-D, it is undeveloped and designated as Corridor Mixed-Use (CM) in the Master Plan. The nearest industrial planned use in the Master Plan is approximately a mile to the northeast on the northeast corner of Boulder Highway and the Flamingo Wash.

The request to BE does not comply with Policy 6.2.1 of the Master Plan which promotes ensuring the design and intensity of new development is compatible with established neighborhoods and uses. The request is also not consistent with Policy 1.4.4 of the Master Plan

which encourages in-fill development that is compatible with the scale and intensity of the surrounding area. Furthermore, the Master Plan states that BE uses should be concentrated near airports, major transportation corridors, and railroads. The site is located on an arterial street (Desert Inn Road) but at an intersection with a local road (Mojave Road), where Desert Inn Road does not have any direct access to major highways in the area such as I 15 or U.S. Highway 95. For these reasons, staff cannot support the proposed request.

Staff Recommendation

Denial. If approved, adopt and direct the Chair to sign a resolution adopting the amendment. This item will be forwarded to the Board of County Commissioners' meeting for final action on **March 6, 2024 at 9:00 a.m.**, unless otherwise announced.

If this request is adopted, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

STAFF ADVISORIES:

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that Overlength dead end in excess of 150 feet is not allowed, and that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS: 1 card

PROTEST: 1 card, 1 letter

PLANNING COMMISSION ACTION: October 3, 2023 – HELD – To 10/17/23 – per the applicant.

PLANNING COMMISSION ACTION: October 17, 2023 – HELD – To 12/19/23 – per the applicant.

PLANNING COMMISSION ACTION: December 19, 2023 – HELD – To 02/06/24 – per the applicant.

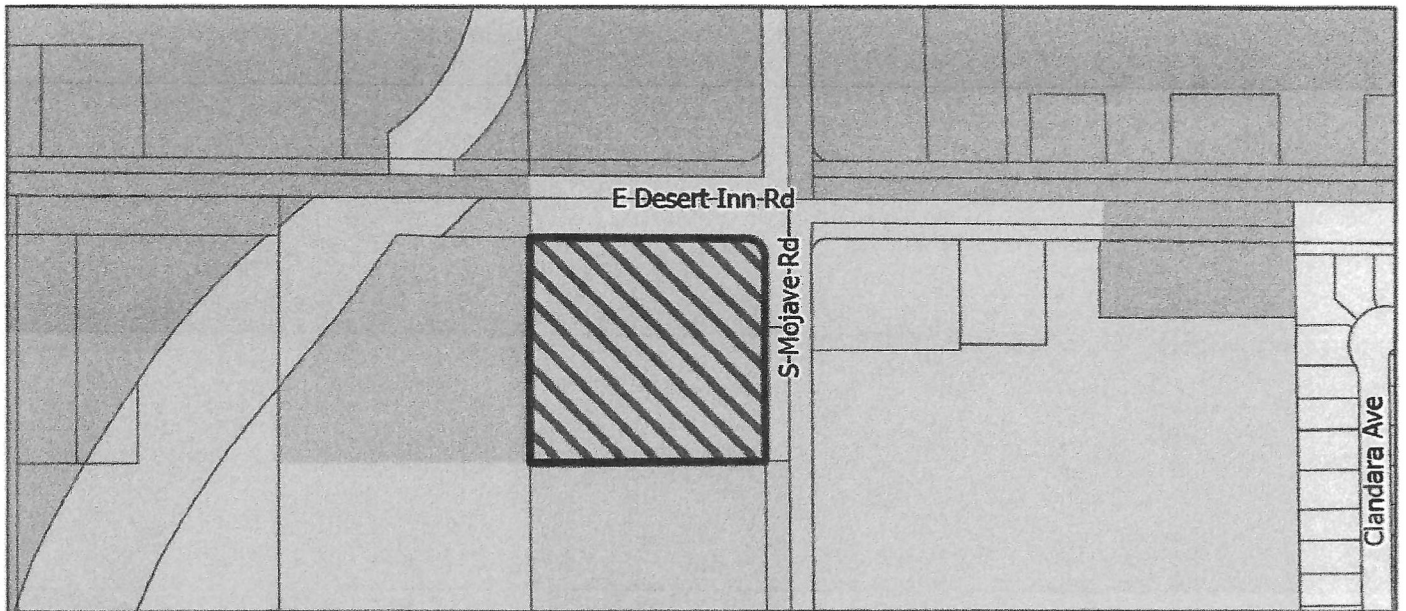
APPLICANT: AUTOZONE INC

CONTACT: BOB GRONAUER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135

Planned Land Use Amendment PA-23-700023



Current



Requested

Neighborhoods

- Outlying Neighborhood (ON)
- Edge Neighborhood (EN)
- Ranch Estate Neighborhood (RN)
- Low-Intensity Suburban Neighborhood (LN)
- Mid-Intensity Suburban Neighborhood (MN)
- Compact Neighborhood (CN)
- Urban Neighborhood (UN)

Employment

- Business Employment (BE)
- Industrial Employment (IE)

Commercial and Mixed Use

- Neighborhood Commercial (NC)
- Corridor Mixed-Use (CM)
- Entertainment Mixed-Use (EM)

Other

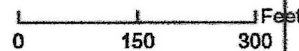
- Agriculture (AG)
- Open Lands (OL)
- Public Use (PU)
- Major Projects (MP)
- Requested Area To Change
- Planning Areas

DRAFT

**Winchester Paradise
Clark County, Nevada**

7

Note: Categories denoted in the legend may not apply to the presented area.



Map created on: August 07, 2023

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



WAREHOUSE BUILDING ADDITION
(TITLE 30)

UPDATE
DESERT INN RD/MOJAVE RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ZC-23-0522-AUTOZONE, INC.:

HOLDOVER ZONE CHANGE to reclassify 2.0 acres from a C-1 (Local Business) Zone to an M-D (Designed Manufacturing) Zone.
USE PERMIT to allow retail sales.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative street landscaping; 2) landscaping; 3) increase retaining wall height; and 4) driveway geometrics.
DESIGN REVIEW for a warehouse/storage building addition in conjunction with an existing retail building.

Generally located on the southwest corner of Desert Inn Road and Mojave Road within Paradise (description on file). TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:
162-13-503-017

USE PERMIT:
Allow retail sales as a primary use within an M-D Zoning district.

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce the landscape strip adjacent to Desert Inn Road to 11 feet behind an attached sidewalk where 15 feet is required per Chapter 30.64 (a 27% reduction).
 - b. Reduce the landscape strip adjacent to Mojave Road to 8 feet behind an attached sidewalk where 15 feet is required per Chapter 30.64 (a 47% reduction).
2.
 - a. Eliminate landscaping along the west property line where landscaping per Figure 30.64-11 is required per Table 30.64-2.
 - b. Reduce the required amount of landscape finger islands within existing parking spaces on the east facing elevation of the existing retail building, and on the southwest corner of the site where required per Figure 30.64-14.
3. Increase the proposed retaining wall height along the south property line to 5 feet where 3 feet is the maximum allowed per Chapter 30.64 (a 66% increase).
4.
 - a. Reduce the driveway throat depth to 11 feet, 9 inches where 25 feet is required per Uniform Standard Drawing 222.1 (a 52% reduction).
 - b. Reduce the driveway approach distance to 79 feet, 8 inches where 150 feet is required per Uniform Standard Drawing 222.1 (a 47% reduction).

- c. Reduce the driveway departure distance to 155 feet, 6 inches where 190 feet is required per Uniform Standard Drawing 222.1 (a 47% reduction).

DESIGN REVIEW:

A proposed warehouse/storage building addition in conjunction with an existing retail building (AutoZone).

PROPOSED LAND USE PLAN:

WINCHESTER/PARADISE – BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 3185 E. Desert Inn Road
- Site Acreage: 2
- Project Type: Proposed warehouse/storage building addition in conjunction with an existing retail building (AutoZone)
- Number of Stories: 1
- Building Height (feet): 18 (Existing AutoZone retail building)/21 (Proposed warehouse/storage building addition)
- Square Feet: 8,153 (Existing AutoZone retail building)/18,340 (Proposed warehouse/storage building addition)
- Parking Required/Provided: 61/68

History and Site Plan

ZC-0307-97 reclassified the site from R-1 to C-1 zoning for an auto parts store. The existing building was constructed on the eastern half of the parcel, and 49 parking spaces were provided north and east of the building. Access is provided via 1 driveway along Desert Inn Road to the north, and a second driveway along the east property line adjacent to Mojave Road.

Today, the applicant is proposing to reclassify the entire site to M-D zoning, to add a proposed warehouse/storage building addition on the west and a portion of the south side of the existing retail building. Provided parking will increase to 68 parking spaces, where 61 parking spaces are required. Additional parking will be installed to the north and west of the building addition. The site plan also depicts a new screened loading area on the southeast corner of the proposed building addition. The proposed addition will be set back 47 feet, 2 inches from the west property line, 85 feet, 5 inches from the north property line, and 20 feet, 3 inches from the south property line. There is an existing 6 foot high CMU block wall along the west and south property lines. This application includes waivers to increase retaining wall height along the south property line to 5 feet where 3 feet is the maximum allowed, landscaping, and driveway geometrics.

Landscaping

Aerial photographs show that there is an existing attached sidewalk with landscape planters along Desert Inn Road and Mojave Road. The northeast corner of the site currently does not have parking lot landscaping.

The new landscape plan shows that the existing landscape planters adjacent to the attached sidewalks will remain, and 1 new landscape finger island will be installed along the east property line. North and northwest of the building will include parking lot landscaping per Figure 30.64-14. However, the parking spaces on the east facing elevation of the existing retail building and new parking spaces on the southwest corner will be missing 1 landscape finger island each. In these areas, there will be 7 continuous parking spaces without a landscape finger island after the sixth parking space. The landscape plan shows that the site does not provide the required amount of trees.

A 20 foot wide landscape planter will be constructed along the south property line, with 24 inch box trees spaced every 20 feet. The west property line does not include a landscape planter, the only landscaping adjacent to the west property line are the 3 landscape finger islands.

The applicant is requesting to eliminate landscaping along the west property line where landscaping per Figure 30.64-11 is required. In addition, the applicant is requesting to reduce the required amount of landscape finger islands within existing parking spaces on the east facing elevation of the existing retail building, and on the southwest corner of the site (adjacent to the new parking spaces) where required per Figure 30.64-14. Furthermore, the applicant is also requesting to reduce the landscape strip adjacent to Desert Inn Road to 11 feet where 15 feet is required per Code. Lastly, the applicant is requesting to reduce the landscape strip adjacent to Mojave Road to 8 feet where 15 feet is required per Chapter 30.64.

Elevations

The existing retail building for AutoZone has an overall height of 18 feet. The proposed building addition has an overall height of 21 feet. The proposed color scheme of the building addition includes white, orange, dark grey, red, and light grey. The plan shows that the proposed exterior finish includes split face CMU walls.

Floor Plans

The existing retail building floor plan of 8,153 square feet will remain the same, however, the building addition will allow 18,340 square feet of warehouse/storage space. The new addition will also include a breakroom and restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The primary retail use of the existing AutoZone store will remain, a zone change is required due to the size of the proposed warehouse space. Per Code, the cumulative area of accessory buildings shall not exceed the footprint of the principal building. The proposed 18,340 square foot warehouse addition is more than double the size of the 8,152 square foot retail store. As a result, the applicant requests a zone change to M-D, to allow for an accessory warehouse use. The proposed zone change to M-D will not result in a change in the applicant's use of the site. Retail will remain the primary use of the site, with a larger scale storage/warehouse area as an accessory use. The additional warehouse space will allow AutoZone to continue its current operations, while better meeting the needs of the community. The site fronts onto East Desert Inn

Road, which is a highly trafficked, 100 foot right-of-way, with existing commercial and retail uses in both directions. Therefore, the site remains appropriate for retail and warehouse uses. This AutoZone location has been operating with the existing driveways for more than 2 decades, with no reported on-site traffic issues. The design of the site will allow for sufficient on-site circulation, in that there are 2 points of ingress and egress. The applicant proposes five, 24 inch box Acacia Stenophylla Trees and one, 24 inch box Acacia Aneura tree along the western property line. Although not up to Code, the proposed landscaping will provide an adequate buffer between the retail use and the existing multiple family use to the west. The applicant also requests a waiver to reduce landscaping along East Desert Inn Road and South Mojave Road. The applicant proposed 11 feet of landscaping along East Desert Inn Road and 8 feet of landscaping along South Mojave Road, where 15 feet is required when adjacent to attached sidewalks. This landscaping is existing, and the applicant is not proposing any changes. Therefore, the proposed landscaping will not negatively impact the site or the surrounding uses. Additionally, the reduced landscaping will reduce water consumption, and therefore, support valley wide, water conservation efforts.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0307-97	Reclassified the site from R-1 to C-1 zoning with a use permit for an auto parts store	Approved by BCC	April 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-2	Commercial center
South	Public Use	R-1	Place of worship
East	Neighborhood Commercial & Compact Neighborhood (up to 18 du/ac)	C-1 & R-3	Convenience store with gas pumps & multiple family residential
West	Urban Neighborhood (greater than 18 du/ac)	R-4	Multiple family residential

Related Applications

Application Number	Request
RA-23-700023	A plan amendment request to redesignate the existing land use category from Neighborhood Commercial (NC) to Business Employment (BE) on 2.0 acres is a companion item on this agenda.
VS-23-0523	A request to vacate and abandon government patent easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Zone Change

The applicant is requesting to reclassify the subject parcel from C-1 zoning to M-D zoning. There are 3 multiple family residential complexes (R-3 and R-4 zoning) to the west, southwest, and to the east. South of the subject parcel is an R-1 zoned place of worship. Although there are C-1 and C-2 zoned parcels to the north and east, there are no industrial zoned parcels or planned land use designations within a 5,000 foot radius. The nearest industrial planned use in the Master Plan is approximately a mile to the northeast on the northeast corner of Boulder Highway and Flamingo Wash. The request is also not consistent with Policy 1.4.4 of the Master Plan which encourages in-fill development that is compatible with the scale and intensity of the surrounding area. Staff does not support this request.

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 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. Retail use is an active business model on the site, however, since the applicant is requesting to reclassify the site's zoning from C-1 to M-D a use permit request is required. Staff determines that since the zone change is not supported by staff, the use permit also cannot be supported.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waivers of Development Standards #1 & #2

Staff finds that reducing or eliminating any required landscaping on the site does not support the visual image desired by the community when a commercial use expansion is adjacent to a less intense use. Landscaping provides a physical and visual buffer between a potential warehouse building addition and an existing multiple family complex to the west, and a place of worship to the south. With this information and since staff does not support the zone change or the use permit, staff also cannot support these waivers.

Waiver of Development Standards #3

Plans show that the proposed retaining wall height of 5 feet where 3 feet is the maximum allowed per Code is only along the south property line. The landscape plan shows that trees will be planted within a 20 foot wide landscape strip, and the retaining wall will be incorporated north of this planter area. Staff does not foresee a negative impact of raising the retaining wall height to 5 feet, however since staff does not support the request in its entirety, staff cannot support this request.

Design Review

Staff finds that a warehouse/storage building addition to the existing retail building is not a compatible site design for the neighborhood. Staff cannot support the design review since the aforementioned applications do not garner staff's support.

Public Works - Development Review

Waiver of Development Standards #4a

Staff cannot support the reduction in throat depth for the driveway on Mojave Road. The Mojave driveway has the loading dock opposite the driveway, so trucks will have to back into the dock from the right-of-way, as well as trucks turning will block the driveway, both causing stacking of vehicles and increasing the potential for collisions.

The Applicant worked with staff to provide extra landscape buffer and removed spaces to help mitigate the reduced throat depth for the Desert Inn driveway. However, since staff cannot support this application in its entirety, staff cannot support this request.

Waiver of Development Standards #4b & #4c

Staff cannot support the reduction in approach and departure distance for both driveways. Combined with waiver #4a the reductions will increase the potential for collisions as vehicles will not have enough distance to stop if vehicles are stacked in the right-of-way.

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on **March 6, 2024 at 9:00 a.m.**, unless otherwise announced.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- 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 the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permit, waivers of development standards, and design review must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Right-of-way dedication to include an additional 5 feet concentric to the radii at the northeast corner of the site.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that overlength dead end in excess of 150 feet is not allowed; and that fire/emergency access must comply with the Fire Code as amended.

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: 1 card

PROTESTS: 2 cards

PLANNING COMMISSION ACTION: October 3, 2023 – HELD – To 10/17/23 – per the applicant.

PLANNING COMMISSION ACTION: October 17, 2023 – HELD – To 12/19/23 – per the applicant.

PLANNING COMMISSION ACTION: December 19, 2023 – HELD – To 02/06/24 – per the applicant.

APPLICANT: AUTOZONE, INC.

CONTACT: PARKER SIECK, 1980 FESTIVAL PLAZA DR., SUITE 650, LAS VEGAS, NV 89135

EASEMENTS
(TITLE 30)

UPDATE
DESERT INN RD/MOJAVE RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-23-0523-AUTOZONE, INC.:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Desert Inn Road and Segoe Drive and between Pecos-Mcleod Interconnect and Mojave Road within Paradise (description on file). TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:
162-13-503-017

PROPOSED LAND USE PLAN:
WINCHESTER/PARADISE – BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

The applicant is requesting to vacate a 33 foot wide government patent easement along the west property line of the subject parcel, and a 3 foot wide patent easement along the east property line. These easements are no longer necessary for development of the site.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0307-97	Reclassified the site from R-1 to C-1 zoning with a use permit for an auto parts store	Approved by BCC	April 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-2	Commercial center
South	Public Use	R-1	Place of worship
East	Neighborhood Commercial & Compact Neighborhood (up to 18 du/ac)	C-1 & R-3	Convenience store with gas pumps & multiple family residential
West	Urban Neighborhood (greater than 18 du/ac)	R-4	Multiple family residential

Related Applications

Application Number	Request
PA-23-700023	A plan amendment to redesignate the existing land use category from Neighborhood Commercial (NC) to Business Employment (BE) on 2.0 acres is a companion item on this agenda.
ZC-23-0522	A zone change to reclassify the site from C-1 to M-D zoning; with a use permit to allow retail as a primary use; waivers for reduced throat depth, reduced approach and departure distances, and reduced landscaping; and a design review for a warehouse building addition is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Staff has no objection to the vacation of patent easements that are not necessary for site, drainage, or roadway development.

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on **March 6, 2024 at 9:00 a.m.**, unless otherwise announced.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Right-of-way dedication to include an additional 5 feet concentric to the radii at the northeast corner of the site;

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that overlength dead end in excess of 150 feet is not allowed; and that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS: 1 card

PLANNING COMMISSION ACTION: October 3, 2023 – HELD – To 10/17/23 – per the applicant.

PLANNING COMMISSION ACTION: October 17, 2023 – HELD – To 12/19/23 – per the applicant.

PLANNING COMMISSION ACTION: December 19, 2023 – HELD – To 02/06/24 – per the applicant.

APPLICANT: AUTOZONE INC

CONTACT: PARKER SIECK, 1980 FESTIVAL PLAZA DR., SUITE 650, LAS VEGAS, NV 89135

02/06/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0782-BKMHAC 222 LLC & GROUP 206 HAC LLC:

USE PERMIT to allow a financial services specified (deferred deposit and high interest loan) business in conjunction with an existing office building on a portion of 9.9 acres in an M-1 (Light Manufacturing) zone and an M-1 (Light Manufacturing) (AE-60) Zone.

Generally located on the east side of Pilot Road, approximately 2,270 feet south of Sunset Road within Paradise. MN/nai/syp (For possible action)

RELATED INFORMATION:

APN:

177-03-610-009 & 177-03-714-009 ptn

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 750 Pilot Road
- Site Acreage: 9.9 (portion)
- Project Type: Financial services, specified (deferred deposit and high interest loan)
- Square Feet: 56,077 (Building 31)/8,961 (lease space)
- Parking Required/Provided: 211/312 (subject parcel)/532 (entire complex)

Site Plan

The applicant's site plan shows a proposed financial service specified (deferred deposit and high interest loan) business within Building 31, Suite A under the subject parcel APN 177-03-610-009. The lease space has an overall area of 8,961 square feet which requires 8 parking spaces where 211 parking spaces are provided for the subject parcel. In addition, the complex provides 532 parking spaces. The site plan also shows that the property has more than 200 feet of separation from any residential use.

Landscaping

Landscaping exists throughout the site and is neither required nor a part of this request.

Elevations

The previously approved elevation plans for Building 31 shows a 1 story, 24 foot high office building made from painted concrete. The exterior materials include neutral tan colors, light grey, and bright orange accents. The building has black steel detailing along with glazed windows that have aluminum framing.

Floor Plans

Building 31 has a total area of 56,077 square feet. The applicant's leased office is 8,961 square feet.

Applicant's Justification

Cash Factory USA is the applicant for the proposed use permit. The applicant would like to move their corporate office to this new location, 750 Pilot Road, Suite A. This new office will be used as a call center and offer deferred deposit and loan services to customers on-line only. The applicant also states that the property is more than 200 feet away from any residential uses.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-0485-97	Office/warehouse in an M-1 (AE-65) zone	Approved by PC	April 1997
DR-1652-96	Office/warehouse building in an M-1 zone	Approved by PC	November 1996

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Business Employment	M-1	Office buildings
South	Business Employment	M-D	Office buildings & I 215
West	Business Employment	M-1	Office buildings

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Staff finds that the proposed use will have a minimal impact to the site since the lease space will be utilized by staff only. Per the applicant, no customers will be present at the location since Cash Factory USA services are only available via the internet and the phone. Also, the nearest residential use is an R-4 zoning that is approximately 1,000 feet east from the site, measured from property line to property line. This separation distance meets the Title 30.44-1 requirement for financial services, specified to have a 200 feet separation from residential uses. As a result, staff can support this request.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- 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: 2233 PARADISE ROAD LLC DBA CASH FACTORY USA
CONTACT: M. MICHELLE NISCE, 750 PILOT RD, STE A, LAS VEGAS, NV 89119

CashFactoryUSA

JL

750 Pilot Rd., Ste. A, Las Vegas, NV 89119 | 702-637-7020 | www.cashfactoryusa.com

November 3, 2023

Department of Business License
500 S. Grand Central Parkway
Las Vegas, NV 89155-1810

RE: Justification Letter for Special Use Permit

Please let this letter serve as 2233 Paradise Road LLC dba Cash Factory USA's ("Applicant") formal request for a Special Use Permit with respect to its Deferred Deposit Loans/High-Interest Loans license, # 2000385-198. Applicant has been a licensed lender in Clark County since 2012 and has operated exclusively from its corporate office at 101 Convention Center Drive, Ste. 700, Las Vegas, NV 89109, since 2019. Applicant now seeks to move its corporate offices to the following address:

750 PILOT RD, STE A
LAS VEGAS, NV 89119
APN: 177-03-610-009

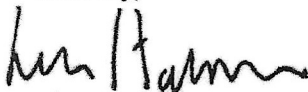
("Location"). The Applicant also maintains an Admin & Support Services – Group 1 license, # 2000973-056-101 for its call center services.

The Applicant is requesting Special Use Permits to use the Location, located in an M-1 zoning perimeter but is more than 200 feet away from the nearest residential zoning perimeter, for office use and to provide financial services. Applicant offers deferred deposit and installment loan services to customers online, and has not operated a storefront location since 2019. Historically, consumer traffic at the corporate office has been non-existent as services are provided solely online. The state of affairs at the new location will remain unchanged.

The Applicant included parcel number 177-03-714-009 in its Land Use Application to provide parking analysis, however; the Applicant will be occupying Suite A of the Location, which is not located in an AE-60 overlay. Further, the existing landscape of Suite A will not be changed.

If you have any questions or concerns, please do not hesitate to contact me at the information above.

Sincerely,



John Hashman
Chief Executive Officer

PLANNER
COPY

VC-23-0782

10

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0821-GUZMAN DAVID & CRUZ SILVIA YANIRA:

USE PERMIT to allow an accessory structure not architecturally compatible with the existing residence.

WAIVER OF DEVELOPMENT STANDARDS to increase the height of an accessory structure in conjunction with an existing single family residence on 0.3 acres in an R-1 (Single Family Residential) Zone.

Generally located on the south side of San Rafael Avenue and the east side of Palm Street (alignment) within Paradise. JG/rp/syp (For possible action)

RELATED INFORMATION:

APN:

161-29-212-043

USE PERMIT:

Allow a metal accessory structure which is not architecturally compatible with the principal residence where architectural compatibility is required per Table 30.44-1.

WAIVER OF DEVELOPMENT STANDARDS:

Increase the height of an accessory structure to 16 feet where a maximum of 14 feet is allowed per Table 30.40-2 (a 14.3% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 4411 San Rafael Avenue
- Site Acreage: 0.3
- Project Type: Accessory structure (garage)
- Building Height (feet): 16
- Square Feet: 912 (accessory structure)/1,914 (residence)

Site Plans

The plans depict an existing single family residence located on the east half of the site. The site plan further depicts an existing 1,914 square foot, 1 story single family residence with an attached patio cover and a proposed accessory structure (garage). The accessory structure is

proposed to be set back 5 feet 9 inches from the south (rear) property line, 12 feet 9 inches from west (side) property line, and 40 feet from the northern property line.

Landscaping

Landscaping is not required nor is it a part of this application.

Elevations & Floor Plans

The plans show a metal garage that is 16 feet in height, 24 feet in width, and 38 feet in length. The total square footage of the garage is 912 square feet with an open floor plan. The exterior material is charcoal gray metal wall and roof panels. The garage has one, 21 foot by 12 foot overhead door, a 10 foot by 10 foot overhead door, 2 person-doors, and 1 street facing window.

Signage

Signage is not a part of this request.

Applicant's Justification

Per the submittal of the justification, the applicant is requesting to have a new detached structure that will be used as a garage for extra storage. The applicant indicates that the garage will be a steel frame and wall panel structure with a new slab. The applicant states that the garage is prefabricated with stamped engineering drawings to meet the building code.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential
South & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-E	Single family residential & undeveloped

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis
Comprehensive Planning
Use Permit**

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Staff reviews use permit requests to ensure compatibility with existing development in the area and finds the structure will be visually obtrusive on adjacent properties. Although the structures meet all required setbacks, staff is also concerned with the lack of compatibility with the

residential uses in the area. In addition, the accessory structure is not architecturally compatible with the principal building. Staff finds this request constitutes a self-imposed hardship; therefore, staff cannot support this application.

Waiver of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Staff finds the increase in height should not impact the surrounding properties as the height increase being requested is minimal. However, since staff cannot support the use permit, staff cannot support this request.

Staff Recommendation

Denial.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines

Public Works - Development Review

NOT READY TO MERGE

Fire Prevention Bureau

- 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: DAVID GUZMAN

CONTACT: DAVID GUZMAN, 4411 SAN RAFAEL AVE, LAS VEGAS, NV 89120

DRAFT



LAND USE APPLICATION


DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <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 type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>UC-23-0821</u> DATE FILED: <u>12/05/2023</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>01/09/2024</u> PC MEETING DATE: <u>02/06/2024</u> BCC MEETING DATE: <u>X</u> FEE: <u>\$675</u>
	PROPERTY OWNER NAME: <u>David Guzman</u> ADDRESS: <u>4411 San Rafael St</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>(702) 468-9039</u> CELL: <u>(702) 468-9039</u> E-MAIL: <u>davidg11487@aol.com</u>
	APPLICANT NAME: <u>David Guzman</u> ADDRESS: <u>4411 San Rafael St</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>(702) 468-9039</u> CELL: <u>(702) 468-9039</u> E-MAIL: <u>davidg11487@aol.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>David Guzman</u> ADDRESS: <u>4411 San Rafael St</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>(702) 468-9039</u> CELL: <u>(702) 468-9039</u> E-MAIL: <u>davidg11487@aol.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 16129212043
 PROPERTY ADDRESS and/or CROSS STREETS: 4411 San Rafael
 PROJECT DESCRIPTION: New Detached Garage & Existing Garage conversion

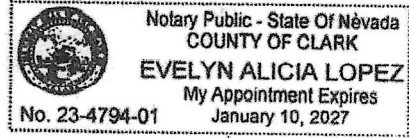
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and 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.


 Property Owner (Signature)* David Guzman
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 11/13/2023 (DATE)
 By DAVID GUZMAN

NOTARY PUBLIC: 



*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.

LAND USE APPLICATION SUBMITTAL REQUIREMENTS

Application	Disclosure Form ^C	Assessor's Map ^D	Deed ^F	Legal Description ^H	Justification Letter	Site Plans and applicable checklist ^G	Site Plans - Floor Plans ^I	Site Plans - Elevations ^J	Landscape Plan	Parking Analysis ^K	Cross Section ^L	Fees ^{BB}	Grading Plans ^{LV}	List & Quantities of Hazardous Materials ^P	DOA and/or FAA Submittal ^{NO}	Record of Survey ^W	Residential Impact Statement ^X	Certified Evidence of Separation ^{LA}	RISE Reports ^S	Concurrence from a Member of the Board
Text Amendment ^B	1	1	PDF	PDF	2	Site Plans and applicable checklist ^G	Site Plans - Floor Plans ^I	Site Plans - Elevations ^J	Landscape Plan	Parking Analysis ^K	Cross Section ^L	Fees ^{BB}	Grading Plans ^{LV}	List & Quantities of Hazardous Materials ^P	DOA and/or FAA Submittal ^{NO}	Record of Survey ^W	Residential Impact Statement ^X	Certified Evidence of Separation ^{LA}	RISE Reports ^S	PDF
Zone Boundary Amendment ^A	1	1	PDF	PDF	2	Site Plans and applicable checklist ^G	Site Plans - Floor Plans ^I	Site Plans - Elevations ^J	Landscape Plan	Parking Analysis ^K	Cross Section ^L	Fees ^{BB}	Grading Plans ^{LV}	List & Quantities of Hazardous Materials ^P	DOA and/or FAA Submittal ^{NO}	Record of Survey ^W	Residential Impact Statement ^X	Certified Evidence of Separation ^{LA}	RISE Reports ^S	PDF
Use Permit ^{A, T, U, DD}	1	1	PDF	PDF	2	Site Plans and applicable checklist ^G	Site Plans - Floor Plans ^I	Site Plans - Elevations ^J	Landscape Plan	Parking Analysis ^K	Cross Section ^L	Fees ^{BB}	Grading Plans ^{LV}	List & Quantities of Hazardous Materials ^P	DOA and/or FAA Submittal ^{NO}	Record of Survey ^W	Residential Impact Statement ^X	Certified Evidence of Separation ^{LA}	RISE Reports ^S	PDF
Variance ^A	1	1	PDF	PDF	2	Site Plans and applicable checklist ^G	Site Plans - Floor Plans ^I	Site Plans - Elevations ^J	Landscape Plan	Parking Analysis ^K	Cross Section ^L	Fees ^{BB}	Grading Plans ^{LV}	List & Quantities of Hazardous Materials ^P	DOA and/or FAA Submittal ^{NO}	Record of Survey ^W	Residential Impact Statement ^X	Certified Evidence of Separation ^{LA}	RISE Reports ^S	PDF
Waiver of Development Standards ^{A, CC, DD}	1	1	PDF	PDF	2	Site Plans and applicable checklist ^G	Site Plans - Floor Plans ^I	Site Plans - Elevations ^J	Landscape Plan	Parking Analysis ^K	Cross Section ^L	Fees ^{BB}	Grading Plans ^{LV}	List & Quantities of Hazardous Materials ^P	DOA and/or FAA Submittal ^{NO}	Record of Survey ^W	Residential Impact Statement ^X	Certified Evidence of Separation ^{LA}	RISE Reports ^S	PDF
Design Review ^{A, X, Z}	1	1	PDF	PDF	2	Site Plans and applicable checklist ^G	Site Plans - Floor Plans ^I	Site Plans - Elevations ^J	Landscape Plan	Parking Analysis ^K	Cross Section ^L	Fees ^{BB}	Grading Plans ^{LV}	List & Quantities of Hazardous Materials ^P	DOA and/or FAA Submittal ^{NO}	Record of Survey ^W	Residential Impact Statement ^X	Certified Evidence of Separation ^{LA}	RISE Reports ^S	PDF
Administrative Design Review ^{A, X, Z}	1	1	PDF	PDF	2	Site Plans and applicable checklist ^G	Site Plans - Floor Plans ^I	Site Plans - Elevations ^J	Landscape Plan	Parking Analysis ^K	Cross Section ^L	Fees ^{BB}	Grading Plans ^{LV}	List & Quantities of Hazardous Materials ^P	DOA and/or FAA Submittal ^{NO}	Record of Survey ^W	Residential Impact Statement ^X	Certified Evidence of Separation ^{LA}	RISE Reports ^S	PDF
Street Name or Numbering System Change ^{A, M}	1	1 ^R	PDF	PDF	2	Site Plans and applicable checklist ^G	Site Plans - Floor Plans ^I	Site Plans - Elevations ^J	Landscape Plan	Parking Analysis ^K	Cross Section ^L	Fees ^{BB}	Grading Plans ^{LV}	List & Quantities of Hazardous Materials ^P	DOA and/or FAA Submittal ^{NO}	Record of Survey ^W	Residential Impact Statement ^X	Certified Evidence of Separation ^{LA}	RISE Reports ^S	PDF
Waiver of Conditions ^B	1	1	PDF ^E		2	Site Plans and applicable checklist ^G	Site Plans - Floor Plans ^I	Site Plans - Elevations ^J	Landscape Plan	Parking Analysis ^K	Cross Section ^L	Fees ^{BB}	Grading Plans ^{LV}	List & Quantities of Hazardous Materials ^P	DOA and/or FAA Submittal ^{NO}	Record of Survey ^W	Residential Impact Statement ^X	Certified Evidence of Separation ^{LA}	RISE Reports ^S	PDF
Annexation Requests ^{B, Q}	1	1	PDF	PDF	2	Site Plans and applicable checklist ^G	Site Plans - Floor Plans ^I	Site Plans - Elevations ^J	Landscape Plan	Parking Analysis ^K	Cross Section ^L	Fees ^{BB}	Grading Plans ^{LV}	List & Quantities of Hazardous Materials ^P	DOA and/or FAA Submittal ^{NO}	Record of Survey ^W	Residential Impact Statement ^X	Certified Evidence of Separation ^{LA}	RISE Reports ^S	PDF
Extension of Time ^B	1	1	PDF ^G		2	Site Plans and applicable checklist ^G	Site Plans - Floor Plans ^I	Site Plans - Elevations ^J	Landscape Plan	Parking Analysis ^K	Cross Section ^L	Fees ^{BB}	Grading Plans ^{LV}	List & Quantities of Hazardous Materials ^P	DOA and/or FAA Submittal ^{NO}	Record of Survey ^W	Residential Impact Statement ^X	Certified Evidence of Separation ^{LA}	RISE Reports ^S	PDF
Application Review ^B	1	1	PDF	PDF	2	Site Plans and applicable checklist ^G	Site Plans - Floor Plans ^I	Site Plans - Elevations ^J	Landscape Plan	Parking Analysis ^K	Cross Section ^L	Fees ^{BB}	Grading Plans ^{LV}	List & Quantities of Hazardous Materials ^P	DOA and/or FAA Submittal ^{NO}	Record of Survey ^W	Residential Impact Statement ^X	Certified Evidence of Separation ^{LA}	RISE Reports ^S	PDF
Revised Plans ^{EE}	1	1			2	Site Plans and applicable checklist ^G	Site Plans - Floor Plans ^I	Site Plans - Elevations ^J	Landscape Plan	Parking Analysis ^K	Cross Section ^L	Fees ^{BB}	Grading Plans ^{LV}	List & Quantities of Hazardous Materials ^P	DOA and/or FAA Submittal ^{NO}	Record of Survey ^W	Residential Impact Statement ^X	Certified Evidence of Separation ^{LA}	RISE Reports ^S	PDF

Footnotes on next page

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0846-UNOWSKY JONATHAN M & BARBARA A & WEAVER DALE A:

USE PERMITS for the following: **1)** allow agriculture-livestock, small (chickens & turkeys) in conjunction with a single family residence not in Community District 5; and **2)** allow for a greater number of agriculture-livestock, small (chickens & turkeys) in conjunction with a single family residence on 0.5 acres in an R-1 (Single Family Residential) RNP-III Zone.

Generally located on the north side of Viking Road and the west side of Robar Street within Paradise. TS/dd/syp (For possible action)

RELATED INFORMATION:

APN:

162-13-705-010

USE PERMIT:

1. Allow agriculture-livestock, small (chickens & turkeys) on a residential property in an R-1 zone that is not located in Community District 5 per Table 30.44-1.
2. Allow 35 agriculture-livestock, small animals (chickens & turkeys) on a residential property in an R-1 zone where none are allowed or a maximum of 10 are allowed if in Community District 5 per Table 30.44-1.

LAND USE PLAN:

WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 3020 E. Viking Road
- Site Acreage: 0.5
- Project Type: Agriculture-livestock, small (chickens & turkeys)
- Square Feet: 100 (Coop #1)/60 each (Coops #2 & #3)

Site Plans

The site plans depict an existing single family residence on the north side of Viking Road and the west side of Robar Street. The applicant is requesting to maintain 3 chicken/turkey coops in the rear yard on the north side of the property, north and northeast of the garage. One coop is 100 square feet, while the other 2 are 60 square feet each. All coops on the property meet minimum setback requirements, and a 6 foot high wall is located on the property line separating the owner's property from the neighbors to the north and the west.

Landscaping

There is existing landscaping in the front, side, and rear yards of the residence, and additional landscaping is neither required nor a part of this request.

Applicant's Justification

The applicant states that they were originally given some of the chickens & turkeys as part of a gift, and later received more of them from an animal rescue foundation. The applicant only uses the chickens and turkeys for eggs, and does not plan to slaughter them or replace them as they pass away. One rooster was previously kept on-site, but the applicant claims to have given it away as it was too loud. Additionally, the applicant states that there is mature landscaping throughout the site that helps to buffer the chicken/turkey coops from neighboring properties, and has provided photos to support this claim.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1 (RNP-III)	Single Family Residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-1 (RNP-III)	Undeveloped

Clark County Public Response Office (CCPRO)

CE23-21559 is an active case for housing farm animals.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Staff would not normally support a small livestock use in an R-1 zone outside of Community District 5, but based on satellite imagery and photographs submitted by the applicant there does appear to be dense landscaping throughout the property that helps act as a buffer between the existing coops and the surrounding neighbors. The lot is the size of an R-E zoned parcel, being just over 20,000 square feet, and there are screen walls around the perimeter of the property. Additionally, the applicant has stated that the chickens and turkeys will not be replaced as they pass away so that the use will be lessened over time. For these reasons, staff can support this request.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Chickens and turkeys are not to be replaced when they pass away.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- 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: JONATHAN MICHAEL UNOWSKY
CONTACT: JONATHAN UNOWSKY, 3020 EAST VIKING ROAD, LAS VEGAS, NV
89121



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input checked="" 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"/> 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 type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>UC-23-0846</u> DATE FILED: <u>12/12/2023</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>1/9/2024</u> PC MEETING DATE: <u>2/16/2024</u> BCC MEETING DATE: _____ FEE: <u>\$675 + 500 (BASE-CE23-21559)</u>
	PROPERTY OWNER NAME: <u>Jonathan Michael Unowsky</u> ADDRESS: <u>3020 East Viking Rd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: <u>702-528-8750</u> CELL: _____ E-MAIL: <u>jonbarbu@yahoo.com</u>
	APPLICANT NAME: <u>Same</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Same</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-13-705-010
 PROPERTY ADDRESS and/or CROSS STREETS: 3020 East Viking Rd. Las Vegas NV 89121
 PROJECT DESCRIPTION: Use permit for chickens and more than 10.

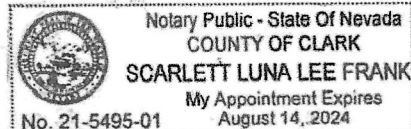
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and 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.

Jonathan Michael Unowsky Jonathan Michael Unowsky
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 30th Aug 2023 (DATE)

By Jonathan Unowsky
 NOTARY PUBLIC: _____



*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.

APR-23-101225

December 11, 2023

Disclosure of the Purpose for Chickens at 3020 East Viking Road- 89121

1. We own 33 hens and 2 turkeys solely for the purpose of enjoying their eggs. We are not using these birds for meat. We use our eggs and if we have too many, we give them away.
2. Our property is zoned A-1, and the lot is 20,037.6 square feet. It is surrounded by mature landscaping on all sides of the property.
3. We are requesting a special use permit to allow small livestock where 10 are allowed. We have also had 2 neighbors who have had pigs and chickens at some time in the past. One of the residences has been demolished from the property for new buildings and the other no longer has livestock.
4. We would also like to be allowed to have 35 birds instead of the initial 10.
5. We do not have a rooster because we gave away the one, we had, and we do not plan to have another one. We are not going to increase the flock. As the birds pass away, they will not be replaced because they can live 8-10 years.
6. Our collection started initially as a "Bucket List" item with 4 chicks in April of 2021 for Dale's 70th birthday. We then added 7 chicks from Tractor Supply. Then 2 hens were given to us because their owners were moving away. We received a call from some young men in Boulder City who wanted someone to take their 5 hens and promise not to kill them. One of the original 4 ended up being a Silkie rooster so we were able to get 2 Silkie hens from the Animal Foundation. The Animal Foundation called us about 3 weeks later and asked us to take 14 hens that were going to be euthanized and we couldn't say no. After that, I was given 2 turkeys (a Tom and a hen). A few have died because they were older, and we are not replacing them. We gave the rooster away just because he was too noisy. We have had the collection for more than 1 ½ years and were not aware that we needed a permit.
7. This is in response to CE 23-21559 active complaint with Code Enforcement. The poultry is contained in 3 large pens and plastic sheeting is surrounding them to protect the birds from the cold wind. The pens were placed to get natural shade from Oleander and African Sumac Trees with additional shade covers added.
8. Please consider our permit so that we can continue keeping the poultry.

Sincerely,



Jonathan M. Unowsky

jonbarbu@yahoo.com

702-528-8750



Dale A. Weaver

dweaver515521@gmail.com

702-265-0938

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0837-LV STADIUM EVENTS COMPANY, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Dewey Drive and Hacienda Avenue; and between Valley View Boulevard and Polaris Avenue; a portion of right-of-way being Dewey Drive located between Valley View Boulevard and Polaris Avenue; and a portion of right-of-way being Polaris Avenue between Dewey Drive and Hacienda Avenue within Paradise (description on file). MN/rp/syp (For possible action)

RELATED INFORMATION:

APN:

162-29-401-010; 162-29-401-011

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

The plan depicts the vacation and abandonment of a 33 foot wide patent easement along the east and north property lines of the western parcel; an 8 foot wide patent easement on the south side of the western parcel; and five feet of the rights-of-way along Dewey Drive and Polaris Avenue. The applicant indicates that during the zoning meeting on June 21, 2023 with the Board of County Commissioners, the applicant withdrew a waiver which was 15 feet of landscaping abutting the existing attached sidewalk and agreed to install a detached sidewalk instead. The applicant indicates to complete all 3 segments of the proposed off-site street improvements, existing rights-of-way and easements will need to be vacated and abandoned so street facing landscaping can be installed and maintained.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-23-0238	Waived landscape, reduced setback, and trash enclosure, with a design review for a parking lot	Approved by BCC	June 2023
WS-22-0463	Waived landscape, reduced setback, and trash enclosure, with a design review for a parking lot	Approved by BCC	November 2022
DR-0731-01	Two 1,440 square foot modular office buildings	Approved by PC	July 2001
WS-0572-01	Waived off-site improvement	Approved by PC	July 2001

Prior Land Use Requests

Application Number	Request	Action	Date
DR-1748-00	Waived a conditions of a design review requiring the drainage study and compliance and construction of full off-sites	Approved by PC	December 2000
ZC-0056-98	Reclassified 2 acres from R-E to M-1 zoning	Approved by BCC	March 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	M-1	Warehouse
South	Public Use & Entertainment Mixed-Use	M-1	Electric substation & parking garage with restaurants
East	Entertainment Mixed-Use	H-1	Stadium
West	Entertainment Mixed-Use	M-1	Warehouse

STANDARDS FOR APPROVAL:

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

Analysis

**Public Works - Development Review
NOT READY TO MERGE**

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LV STADIUM EVENTS COMPANY, LLC

CONTACT: DON BURNETTE, 12125 LOS ARROYOS CT, LAS VEGAS, NV 89138

DRAFT



CIVIL ENGINEERING

VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>162-29-0037</u>	DATE FILED: <u>12/11/23</u>
		PLANNER ASSIGNED: _____ TAB/CAC: <u>Paradise</u>	TAB/CAC DATE: <u>1/9/23</u>
		PC MEETING DATE: <u>2/6/23</u>	
		BCC MEETING DATE: _____	
		FEE: <u>1675</u>	

PROPERTY OWNER	NAME: <u>LV Stadium Events Company, LLC</u>
	ADDRESS: <u>1475 Raiders Way</u>
	CITY: <u>HENDERSON</u> STATE: <u>NV</u> ZIP: <u>89052</u>
	TELEPHONE: <u>(510) 775-4886</u> CELL: <u>N/A</u>
	E-MAIL: <u>Crotirapulos@Raiders.com</u>

APPLICANT	NAME: <u>LV Stadium Events Company, LLC</u>
	ADDRESS: <u>1475 RAIDERS WAY</u>
	CITY: <u>HENDERSON</u> STATE: <u>NV</u> ZIP: <u>89052</u>
	TELEPHONE: <u>(510) 775-4886</u> CELL: <u>N/A</u>
	E-MAIL: <u>Crotirapulos@RAIDERS.COM</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Don Burnette</u>
	ADDRESS: <u>12125 Los Arroyos Ct.</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89138</u>
	TELEPHONE: <u>(702) 606-0804</u> CELL: _____
	E-MAIL: <u>DBurnette@aol.com</u> REF CONTACT ID #: _____

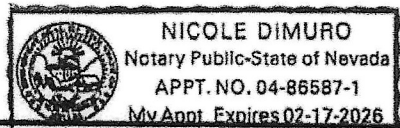
ASSESSOR'S PARCEL NUMBER(S): 162-29-401-010, 162-29-401-011
162-29-499-024

PROPERTY ADDRESS and/or CROSS STREETS: POLARIS AVE & DEWEY DR.

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.

Justin L. Carley (Signature)
 JUSTIN CARLEY (Print)

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON November 29, 2023 (DATE)
 By Justin L. Carley
 NOTARY PUBLIC: Nicole Dimuro



*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.

REVISED

ENGINEERING
CIVIL

October 3, 2023

Current Planning Division
Department of Comprehensive Planning
500 Grand Central Pkwy
Las Vegas, Nevada 89155-1841

CIVIL
ENGINEERING

Re: Justification Letter – Vacation and Abandonment of Right-of-Way and Easements;

Assessors' Parcel Numbers: 162-29-401-010

To Whom It May Concern:

On behalf of my client, LV Stadium Events Co, LLC. (Stadco), please accept this justification letter for a Vacation and Abandonment of Right-of-Way and Easements abutting the eastern and southern parcel boundaries for parcel number 162-29-401-011 and the southern boundary of parcel number 162-29-401-010.

Project Description and Justification:

At the Board of County Commissioners June 21, 2023 Zoning meeting, Stadco requested and received approval of WS-23-0238, which was a Design Review and Waiver of Development Standards for an off-site parking lot to support the needs of Allegiant Stadium. During the course of the meeting, Stadco withdrew waiver #1, which was 15 ft of landscaping abutting the existing attached sidewalk, and agreed to install a detached sidewalk instead. Additionally, Stadco agreed to continue the proposed detached sidewalk further east to Polaris Ave, and has subsequently offered to remove the existing attached sidewalk on Polaris Ave abutting the eastern boundary of parcel 162-29-401-011. To complete all 3 segments of the proposed off-site improvements, existing right-of-way and easements will need to be vacated and abandoned so street facing landscaping can be installed and maintained by Stadco.

I appreciate your consideration of the application. Please call me at 702-606-0804 if you have any questions or need additional information.

Sincerely,



Donald G. Burnette
Burnette Consulting

VOID

October 3, 2023

Current Planning Division
Department of Comprehensive Planning
500 Grand Central Pkwy
Las Vegas, Nevada 89155-1841

Re: Justification Letter – Vacation and Abandonment of Right-of-Way and Easements;

Assessors' Parcel Numbers: 162-29-401-010

To Whom It May Concern:

On behalf of my client, Las Vegas Stadium Events Co, LLC. (Stadco), please accept this justification letter for a Vacation and Abandonment of Right-of-Way and Easements abutting the eastern and southern parcel boundaries for parcel number 162-29-401-011 and the southern boundary of parcel number 162-29-401-010.

Project Description and Justification:

At the Board of County Commissioners June 21, 2023 Zoning meeting, Stadco requested and received approval of WS-23-0238, which was a Design Review and Waiver of Development Standards for an off-site parking lot to support the needs of Allegiant Stadium. During the course of the meeting, Stadco withdrew waiver #1, which was 15 ft of landscaping abutting the existing attached sidewalk, and agreed to install a detached sidewalk instead. Additionally, Stadco agreed to continue the proposed detached sidewalk further east to Polaris Ave, and has subsequently offered to remove the existing attached sidewalk on Polaris Ave abutting the eastern boundary of parcel 162-29-401-011. To complete all 3 segments of the proposed off-site improvements, existing right-of-way and easements will need to be vacated and abandoned so street facing landscaping can be installed and maintained by Stadco.

I appreciate your consideration of the application. Please call me at 702-606-0804 if you have any questions or need additional information.

Sincerely,



Donald G. Burnette
Burnette Consulting

02/07/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-23-0811-FLAMINGO LV OPERATING CO, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Las Vegas Boulevard South and Linq Lane and between Flamingo Road and Caesars Palace Drive within Paradise (description on file). TS/jor/xx (For possible action)

RELATED INFORMATION:

APN:

162-16-410-051; 162-16-412-004

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

The applicant submitted plans to a companion application (UC-23-0810) which depict on-site and façade improvements for the Flamingo Resort and Hotel. There is an existing outside dining and drinking area on the west facing building elevation adjacent to Las Vegas Boulevard South. The applicant is requesting to expand this outside dining and drinking area which will encroach into the existing pedestrian access easement. This request is to vacate a total of 694 square feet of the easement.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-23-0636	Facade remodel, building addition, modification to a previously approved sign plan for the Flamingo Resort Hotel	Approved by BCC	November 2023
DR-21-0477	Exterior remodel, modified existing comprehensive sign plan, increased wall sign, increased number of animated signs, increased area for animated signs	Approved by BCC	October 2021
VS-20-0508	Vacated and abandoned easements (pedestrian access)	Approved by PC	January 2021
DR-0021-17	Modification to an approved comprehensive sign plan (Margaritaville and various wall wraps)	Approved by BCC	March 2017

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0153-12	Signage, reduced setbacks, and design review for modifications to a previously approved comprehensive sign package in conjunction with existing resort hotels (Flamingo, The LINQ, and Harrah's)	Approved by BCC	July 2012
DR-0336-10 (ET-0074-12)	First extension of time for a comprehensive sign package for 4 contiguous resort hotels - expired	Approved by BCC	July 2012
DR-0336-10	Comprehensive sign package for 4 contiguous resort hotels (Imperial Palace, Flamingo, O'Sheas, & Bills Gamblin' Hall) - expired	Approved by BCC	September 2010
UC-1548-00	Outside dining with a restaurant fronting Las Vegas Boulevard South and various deviations	Approved by BCC	November 2000

Applications listed pertain to this portion of the property. Various other applications have been approved on the site and are available in department records.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	H-1	LINQ Promenade & LINQ Resort Hotel
South	Entertainment Mixed-Use	H-1	Cromwell Resort Hotel
East	Entertainment Mixed-Use	H-1	Hilton Grand Vacation Timeshare, LINQ parking lot, & commercial center
West	Commercial Tourist	H-1	Caesars Palace Resort Hotel

Related Applications

Application Number	Request
UC-23-0810	A use permit for outside dining requirements, waivers to reduce the special setback adjacent to Las Vegas Boulevard South, and design reviews for an addition to the comprehensive sign package and an expansion to an outside dining and drinking area, and new façade changes to the Flamingo Resort Hotel is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Staff Recommendation
Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: FLAMINGO LAS VEGAS OPERATING COMPANY, LLC
CONTACT: REBECCA MILTENBERGER, BROWNSTEIN, HYATT, FARBER, &
SCHREC, 100 N. CITY PARKWAY, SUITE 1600, LAS VEGAS, NV 89106



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>VS-23-0811</u>	DATE FILED: <u>12/06/23</u>
		PLANNER ASSIGNED: _____ TAB/CAC: <u>Paradise</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>02/07/24</u> FEE: <u>\$875⁰⁰</u>	TAB/CAC DATE: <u>01/09/24</u>

PROPERTY OWNER	NAME: <u>Flamingo Las Vegas Operating Company, LLC</u>
	ADDRESS: <u>3555 S Las Vegas Boulevard</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u>
	TELEPHONE: <u>N/A</u> CELL: <u>N/A</u>
	E-MAIL: <u>N/A</u>


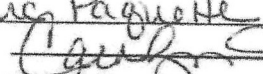
APPLICANT	NAME: <u>Flamingo Las Vegas Operating Company, LLC</u>
	ADDRESS: <u>3555 S Las Vegas Boulevard</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u>
	TELEPHONE: <u>N/A</u> CELL: <u>N/A</u>
	E-MAIL: <u>N/A</u> REF CONTACT ID #: <u>N/A</u>


CORRESPONDENT	NAME: <u>Rebecca Miltenberger - Brownstein Hyatt Farber Schreck, LLP</u>
	ADDRESS: <u>100 North City Parkway, Suite 1600</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u>
	TELEPHONE: <u>702-464-7058</u> CELL: <u>N/A</u>
	E-MAIL: <u>Rmiltenberger@bhfs.com</u> REF CONTACT ID #: <u>176001</u>

ASSESSOR'S PARCEL NUMBER(S): 162-16-412-004

PROPERTY ADDRESS and/or CROSS STREETS: 3555 S. Las Vegas Boulevard

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.


 Property Owner (Signature)*
 STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON October 11, 2023 (DATE)
 By Marc Paquette
 NOTARY PUBLIC: 

MARC PAQUETTE
 Property Owner (Print)
 AUTHORIZED SIGNATORY

 CAROLYN J. WILLIS
 NOTARY PUBLIC
 STATE OF NEVADA
 My Commission Expires: 05-09-25
 Certificate No: 97-1280-1

*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.

Brownstein

Brownstein Hyatt Farber Schreck, LLP
702.382.2101 main
100 North City Parkway, Suite 1600
Las Vegas, Nevada 89106

VS-230811

October 24, 2023

Rebecca L. Miltenberger
Attorney at Law
702.464.7052 direct
rmiltenberger@bhfs.com

VIA ELECTRONIC DELIVERY

Clark County Comprehensive Planning Department
500 S. Grand Central Parkway, First Floor
Las Vegas, NV 89155

RE: Justification Letter – Vacation of a Portion of an Existing Pedestrian Access Easement (Book 143
Page 38 of Plats)
APNs: 162-16-412-004 & 162-16-410-051

To Whom It May Concern:

We represent Flamingo Las Vegas Operating Company, LLC, a Nevada limited liability company (the "Applicant"), owner and operator of the Flamingo Las Vegas Hotel & Casino, located at 3555 S. Las Vegas Boulevard, Las Vegas, Nevada 89109, bearing Clark County Assessor Parcel Numbers ("APNs") 162-16-412-004 & 162-16-410-051 (the "Property"), in connection with the land use application enclosed herewith. The Applicant is requesting to vacate a portion of an existing pedestrian access easement dedicated per Book 143 Page 20 in Plats, in connection with the remodel of an existing outdoor patio and dining space at the Property (the "Project"), and more specifically to:

Vacate and Abandon a portion of an easement of interest to Clark County for pedestrian access located along Las Vegas Boulevard (legal description provided).

The Applicant is undergoing improvements at the Property and is looking to remodel an existing outdoor patio space, which was previously approved in connection with application no. UC-11-0200 (the "Approvals"). The Board of County Commissioners previously approved the existing outdoor patio space, and as a condition to such Approvals, the Applicant was to modify the then-existing pedestrian access easement area necessary for the outdoor dining patio to be excluded from the area granted thereunder. Such modification has yet to be recorded. The Applicant is seeking to further modify the existing pedestrian access easement to allow for the proposed expanded patio and enter into one modification for the patio space. The total area to be vacated is approximately 694 square feet, as more particularly described on the legal description and exhibit enclosed herewith. The removal of the adjacent planters as concurrently requested in connection with the Project, will offset the modification to the existing pedestrian access easement.

The requested vacation is consistent with the prior Approvals. The overall Project necessitating the vacation and abandonment of a portion of the existing pedestrian access easement will complement the Property's existing design and façade and will provide a new amenity to visitors at the Property and Resort Corridor.

Thank you in advance for your consideration of this application. Please contact me should you have any questions or require additional information.

Sincerely,



Rebecca L. Miltenberger

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0810-FLAMINGO LV OPERATING CO, LLC:

USE PERMIT to allow the primary means of access to an existing outside dining and drinking area from an exterior entrance.

DEVIATIONS for the following: 1) reduce landscaping; 2) reduce the special setback; and 3) deviations as shown per plans on file.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback; and 2) allow a modified non-standard improvements within a right-of-way.

DESIGN REVIEWS for the following: 1) expansion of an existing outside dining and drinking area; 2) exterior façade upgrades; 3) modifications to a previously approved comprehensive sign plan on a portion of 19.4 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the east side of Las Vegas Boulevard South, 200 feet north of Flamingo Road within Paradise. TS/jor/xx (For possible action)

RELATED INFORMATION:

APN:

162-16-410-051; 162-16-412-004

USE PERMITS:

Allow an exterior primary means of access to an existing outside dining and drinking area where on-premises consumption of alcohol (outside) shall require primary means of access through the interior of the establishment per Table 30.44-1.

DEVIATIONS:

1. Reduce street landscaping adjacent to Las Vegas Boulevard South where Figure 30.64-17 is the standard.
2. Reduce the special setback of an existing outside dining patio along Las Vegas Boulevard South to back of curb to 15 feet where 25 feet is required per Section 30.56.060 (a 40% reduction).
3. Deviations as shown per plans on file.

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the setback of an existing outside dining patio adjacent to a street (Las Vegas Boulevard South) to 7 feet where 10 feet is required per Chapter 30.56 (a 30% reduction).
2. Allow a modified non-standard improvement within the right-of-way.

DESIGN REVIEWS:

1. Expansion of an existing outside dining and drinking area (Bird Bar).
2. Exterior façade upgrades for the Flamingo Resort hotel.
3. Modifications to a previously approved comprehensive sign plan.

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3555 Las Vegas Boulevard South
- Site Acreage: 19.4
- Project Type: Expansion of an existing outside dining and drinking patio (Bird Bar), façade upgrades, and update to a comprehensive sign plan
- Square Feet: 578 (existing outside dining area)/ 930 (addition to the existing outside dining area)/ 955 (total for 5 new wall signs)/ 52 (total for 2 new roof signs)/ 500 (new freestanding sign)/ 1,430 (total for 4 new animated signs)
- Parking Provided: 8,026

History, Site Plan, & Request

UC-0200-11 was previously approved for an outside dining and drinking patio area on the exterior façade of the Flamingo Resort Hotel. The patio was approved to be set back 8 feet from the property line. This application also included a non-standard improvements within the right-of-way (Las Vegas Boulevard South).

Today the applicant is proposing to expand the existing outside dining and drinking patio area. The northern portion of the patio will expand by 500 square feet, and the southern portion will expand by 430 square feet for a proposed total patio area of 1,508 square feet. A setback reduction from the property line and the setback from Las Vegas Boulevard South will be reduced to 7 feet where 8 feet was previously approved via UC-0200-11. The expansion of the patio requires a modified non-standard improvement (landscape planters) within the right-of-way. The applicant is also requesting for modified street landscaping and deviations per plans on file.

The applicant is also requesting a design review for new signage and exterior façade changes to the Flamingo Resort Hotel.

Landscaping

The plans depict landscape planters adjacent to Las Vegas Boulevard South will be modified and a portion to be removed to expand the 15 foot wide pedestrian realm. The plan shows that new concrete will be installed to ensure that the walkway will have a consistent walking area for pedestrians.

Elevations

The elevation plans for the façade upgrades for the Flamingo Resort Hotel include the following: new paint on the façade columns, new windows, new building trim, new canopies, new concrete platform, and new doors.

Floor Plans

The existing outside dining area is currently 578 square feet, with the new addition to the patio the new total area is 1,508 square feet.

Signage

Per the applicant, signage that was approved via DR-0021-17 will be removed:

Signage to be Removed		
Via DR-0021-17	Type	Square Feet
Sign #56	Wall Sign	60
Sign #57	Wall Sign	357
Sign #59	Wall Sign	37
Sign #60	Wall Sign	38
	Total:	492

The provided renderings depict the following:

New wall signs will be added to the exterior of the west facing façade, above the outside dining and drinking patio. New roof signs will be added to the top of the canopies of the patio area. The center column will include a curved LED column wrap, thus resulting as a new wall sign.

The following table is an updated summary for signage:

Type of sign	Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	# of Existing Signs	# of Proposed Signs	Total # of Signs
Freestanding	297	0	297	7,590	5	0	5
Wall*	81,111	963	82,074	12,550	45	2	47
Roof	182	52	234	0	1	2	3
Overall Total	81,590	1,015	83,105	20,140	51	4	55

*The wall signs also contain animation.

The details for animated signs are listed below:

Type of sign	Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	# of Existing Signs	# of Proposed Signs	Total # of Signs
Animated	18,700	1,430	20,130	300	4	4	8

Applicant's Justification

The proposed project will complement the property's existing design and façade. Moreover, the modifications to the existing outside dining area is consistent and harmonious with the previously approved color scheme and design for the Flamingo Resort Hotel. The proposed upgrades are consistent with other projects in the area and within the Resort Corridor.

Furthermore, the proposed signs are consistent with other signage approved along Las Vegas Boulevard and are compatible and harmonious with other existing resorts within the Resort Corridor.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-23-0636	Façade remodel, building addition, modification to a previously approved sign plan for the Flamingo Resort Hotel	Approved by BCC	November 2023
DR-21-0477	Exterior remodel, modified existing comprehensive sign plan, increased wall sign, increased number of animated signs, increased area for animated signs	Approved by BCC	October 2021
VS-20-0508	Vacated and abandoned easements (pedestrian access)	Approved by PC	January 2021
DR-0021-17	Modification to an approved comprehensive sign plan (Margaritaville and various wall wraps)	Approved by BCC	March 2017
UC-0153-12	Signage, reduced setbacks, and design review for modifications to a previously approved comprehensive sign package in conjunction with existing resort hotels (Flamingo, The LINQ, and Harrah's)	Approved by BCC	July 2012
DR-0336-10 (ET-0074-12)	First extension of time for a comprehensive sign package for 4 contiguous resort hotels - expired	Approved by BCC	July 2012
DR-0336-10	Comprehensive sign package for 4 contiguous resort hotels (Imperial Palace, Flamingo, O'Sheas, & Bills Gamblin' Hall) - expired	Approved by BCC	September 2010
UC-1548-00	Outside dining with a restaurant fronting Las Vegas Boulevard South and various deviations	Approved by BCC	November 2000

Applications listed pertain to this portion of the property. Various other applications have been approved on the site and are available in department records.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	H-1	LINQ Promenade & LINQ Resort Hotel
South	Entertainment Mixed-Use	H-1	Cromwell Resort Hotel
East	Entertainment Mixed-Use	H-1	Hilton Grand Vacation Timeshare, LINQ parking lot, & commercial center
West	Commercial Tourist	H-1	Caesars Palace Resort Hotel

Related Applications

Application Number	Request
VS-23-0811	Vacation and abandonment of a pedestrian access easement is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Staff does not object the proposed exterior entrance to the existing outside dining and drinking area. Allowing multiple points of entry to this establishment allows for better pedestrian circulation and a positive customer experience when navigating through the Resort Hotel. Staff recommends approval.

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Design Reviews

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Deviations, Waiver of Development Standards #1, & Design Reviews

Staff finds that the proposed façade remodel and outside dining and drinking patio expansion is architecturally complementary of what is existing within the Resort Corridor. Furthermore, Code allows alternative sign standards within the Resort Corridor that can be approved if the signs result in the development having a visual character which is compatible with the adjacent

development. The proposed signs are compatible with other signs in the area and are in harmony with the unique nature of signage along Las Vegas Boulevard South and within the Resort Corridor. Therefore, staff finds that the proposed signage modifications are compatible with the existing developments and resort hotels in the area. For the reasons stated above, staff can support these requests.

Public Works – Development Review
Waiver of Development Standards #2

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Approval of this application does not constitute or imply approval of any other County issued permit, license or approval, within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and 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: FLAMINGO LAS VEGAS OPERATING COMPANY, LLC
CONTACT: REBECCA MILTENBERGER, BROWNSTEIN, HYATT, FARBER, &
SCHREC, 100 N. CITY PARKWAY, SUITE 1600, LAS VEGAS, NV 89106

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <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 type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>UC-23-0810</u> DATE FILED: <u>12/06/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>01/09/24</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>02/07/24</u> FEE: <u>\$1825⁰⁰</u>
	PROPERTY OWNER NAME: <u>Flamingo Las Vegas Operating Company, LLC</u> ADDRESS: <u>3555 S Las Vegas Boulevard</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>
	APPLICANT NAME: <u>Flamingo Las Vegas Operating Company, LLC</u> ADDRESS: <u>3555 S Las Vegas Boulevard</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u> REF CONTACT ID #: <u>N/A</u>
CORRESPONDENT NAME: <u>Rebecca Miltenberger - Brownstein Hyatt Farber Schreck, LLP</u> ADDRESS: <u>100 North City Parkway, Suite 1600</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: <u>702-464-7058</u> CELL: <u>N/A</u> E-MAIL: <u>Rmiltenberger@bhfs.com</u> REF CONTACT ID #: <u>176001</u>	

ASSESSOR'S PARCEL NUMBER(S): 162-16-412-004 & 162-16-410-051

PROPERTY ADDRESS and/or CROSS STREETS: 3555 S. Las Vegas Boulevard

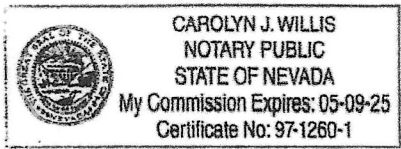
PROJECT DESCRIPTION: Remodel of existing tenant space and exterior patio (Bird Bar)

(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] Marc Paquette, Authorized Signatory
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON October 11, 2023 (DATE)
 By Marc Paquette

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.

Brownstein

Brownstein Hyatt Farber Schreck, LLP
702.382.2101 main
100 North City Parkway, Suite 1600
Las Vegas, Nevada 89106

October 24, 2023

UC-23-0810

Rebecca L. Miltenberger
Attorney at Law
702.464.7052 direct
rmiltenberger@bhfs.com

VIA ELECTRONIC DELIVERY

Clark County Comprehensive Planning Department
500 S. Grand Central Parkway, First Floor
Las Vegas, NV 89155

RE: Justification Letter – Flamingo Las Vegas Hotel & Casino Remodel and Façade Update
APNs: 162-16-412-004 & 162-16-410-051

To Whom It May Concern:

We represent Flamingo Las Vegas Operating Company, LLC, a Nevada limited liability company (the "Applicant"), owner and operator of the Flamingo Las Vegas Hotel & Casino, located at 3555 S. Las Vegas Boulevard, Las Vegas, Nevada 89109, bearing Clark County Assessor Parcel Numbers ("APNs") 162-16-412-004 & 162-16-410-051 (the "Property"), in connection with the land use application enclosed herewith. The Applicant is requesting the following in connection with the remodel of an existing outdoor patio and dining space (the "Project"):

Use Permit for the following deviations from development standards: (a) reduce on-site parking requirements; (b) allow an expansion of previously approved outside dining and drinking areas with on-premises consumption of alcohol; (c) allow primary access to outside dining and drinking areas from the exterior of a resort hotel; (d) a deviation to reduce landscaping where required per Figure 30.64-17; (e) reduce setback to 7 feet where 10 feet is required along Las Vegas Boulevard right-of-way per 30.56.060; and (e) for all other deviations per the plans on file.

Waiver of Development Standards for the following: (a) to reduce the special setback from the back of curb along Las Vegas Boulevard South to a minimum of 7 feet from property line; and (b) to allow for the removal and modification of certain existing non-standard improvements (landscaping and fencing) within a right-of-way.

Design Review for the following: (a) modifications to an existing outside patio/dining area in conjunction with an approved restaurant within a resort hotel in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District; (b) new exterior doors of the resort hotel; (c) modifications to an existing comprehensive sign package; (d) to increase the total wall sign area.; (e) to increase the total animated sign area; (f) to increase the total number of animated signs; (g) to increase the total area of roof signs; (h) to increase the total number of roof signs; (i) to increase the total area of freestanding signs; and (j) increase the total number of freestanding signs, each as shown on the enclosed plans.

The Applicant is undergoing improvements at the Property and is looking to remodel an existing outdoor patio space, which was previously approved in connection with application no. UC-11-0200 (the "Approvals"). The Board of County Commissioners previously approved, among other things, (1) approval of the outside patio/dining area in conjunction with the resort hotel, (2) a reduction to the special setbacks from right-of-way (Las Vegas Boulevard South) for the outside dining area to 8 feet from property line, and (3) approval for nonstandard improvements within an existing and dedicated right-of-way.

The proposed Project will include an expansion of the existing outdoor patio space by approximately 930 square feet, as more particularly shown on the enclosed plans. The additional 930 square feet of outdoor dining space will require approximately four (4) additional parking spaces at the Property. However, the Applicant is requesting that no additional parking spaces be required due to the fact that the patio space is an accessory use to an existing resort hotel and caters to patrons already within the Resort District. Accordingly the Applicant is requesting a deviation of design standards to reduce on-site parking by four (4) parking spaces. Additionally, the Applicant is requesting approval to reduce the required setbacks for the expanded outdoor dining area to 7 feet from property line (an additional reduction of 1 foot from the prior Approvals) to be consistent with the existing outdoor dining area. As part of the redesign, an additional doorway entry will be provided at the Property, located on the southern end of the Project which will be utilized for egress only.

With the proposed expansion, in order to accommodate additional pedestrian realm space adjacent to the Project, the Applicant is requesting approval to remove and modify existing non-standard improvements (landscaping planters) within the existing right-of-way in order to provide a minimum of fifteen (15) feet of pedestrian realm space adjacent to the Project, as more particularly shown on the enclosed plans. There is an existing license and maintenance agreement in place for the Property, recorded on August 27, 2004, as Instrument No. 20040827-0005775 in the Office of the County Recorder, Clark County, Nevada

Concurrent with this application, the Applicant has further requested for a vacation of a portion of an existing pedestrian access easement, in order to accommodate the Project, and the request for the removal of the adjacent planters is to offset the modification to the existing pedestrian access easement.

Lastly, the Applicant is requesting approval for new signage to enhance the area and revitalize the Property. As part of the remodel, certain existing signage will be removed resulting in a net increase of (a) one (1) wall sign and approximately 463 sq. ft. of additional wall sign area, (b) four (4) animated signs and approximately 1,430 sq. ft. of additional animated sign area, (c) one freestanding sign (approximately 500 sq. ft.), and (d) two (2) roof signs (approximately 52 sq. ft.). Enclosed herewith is an updated comprehensive sign chart reflecting the proposed modifications.

Below is a brief summary chart of the signage being removed (previously approved per DR-17-0021), and new signage to be added:

Signage to be Removed		
DR-17-0021	Type	Sq. Ft.
Sign 56	Wall Sign	60 sq. ft.
Sign 57	Wall Sign	357 sq. ft.
Sign 59	Wall Sign	37 sq. ft.
Sign 60	Wall Sign	38 sq. ft.

New Signage to be Added		
Type	Quantity	Sq. Ft.
Wall	5	955 sq. ft.
Roof	2	52 sq. ft.
Freestanding	1	500 sq. ft.
Animated	4	1,430 sq. ft.

The Project will complement the Property's existing design and façade. Moreover, the modifications to the existing outside dining area is consistent and harmonious with the previously approved color scheme and design for the Property. The Project is consistent with other projects in the area and within the Resort District. The proposed signs are consistent with other signage approved along Las Vegas Boulevard, and are compatible and harmonious with other existing resorts within the Resort District.

Thank you in advance for your consideration of this application. Please contact me should you have any questions or require additional information.

Sincerely,


 Rebecca L. Miltenberger

**FLAMINGO HOTEL CASINO
Comprehensive Sign Chart**

Type of Sign	Approved Sq Ft	Bird Bar Remodel Sq Ft	Total Sq Ft	Allowed per Title 30	Proposed Increase Sq Ft	# of Existing Signs	# Proposed Signs Bird Bar Remodel	Total # Of Signs
Wall*	81,111	463	81,574	12,550	0.57%	45	1	46
Freestanding*	297	500	797	7,590	168%	5	1	6
Directional	0	0	0	32	N/A	0	0	0
Roof	182	52	234	0	N/A	1	2	3
Projecting	0	0	0	32 per tenant	N/A	0	0	0
Totals	81,590	1,015	82,605	20,204	N/A	51	4	55

Animation	18,700	1,430	20,130	300	7.65%	4	4	8
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animation.

Includes Approved Applications:

DR-17-0021 (Flamingo Signage)

UC-19-0388 (Margaritaville)

DR-21-0477 (Purple Zebra)

DR-23-0636 (Purple Zebra)

revised 11/27/23

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-23-400181 (ZC-0184-04)-4725 HOLDINGS, LLC:

WAIVER OF CONDITIONS of a zone change requiring planting of shrubs and trees and stone riprapping on the slopes to stabilize the slopes in conjunction with a proposed multiple family residential development on 3.8 acres in an R-4 (Multiple Family Residential District - High Density) Zone.

Generally located on the south side of Russell Road and the west side of Nellis Boulevard within Paradise. JG/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-29-803-007

LAND USE PLAN:

WINCHESTER/PARADISE - PUBLIC USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4725 E. Russell Road
- Site Acreage: 3.8
- Project Type: Multiple family residential development
- Number of Units: 82
- Density: 21 du/ac where 25 du/ac is the maximum
- Number of Stories: 5
- Building Height (feet): 65
- Square Feet: 170,030
- Open Space Required/Provided: 8,200/87,925
- Parking Required/Provided: 129/133

Site Plan & Request

The subject parcel is a unique shaped lot that was reclassified to R-4 zoning via ZC-0184-04. Access to the proposed multiple family residential development is via 1 existing shared private driveway on the southwest corner of the site adjacent to Russell Road. The private drive aisle runs west to east, in an upward direction towards the pad site that was graded prior to the applicant's purchase of the lot. The applicant is proposing 1 building, centrally located on the subject parcel. ZC-0184-04 was approved with a condition of approval which required planting

of shrubs and trees and stone riprapping on the slopes to stabilize the slopes. The applicant is requesting to waive this condition.

Landscaping

The landscape plan depicts 24 inch box trees throughout the site and a 5 foot wide landscape strip along the south property line. 218 Purple Training Lantana will be planted along with 54 Desert Willow trees.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-0184-04:

Subject to no resolution of intent and staff preparing an ordinance to adopt the zoning; the planting of trees, provision of additional usable area and/or recreational areas/spaces within the building; planting of shrubs and trees and stone riprapping on the slopes to stabilize the slopes; drainage and traffic studies and compliance; traffic study to also address access onto Russel Road; project may qualify for an exception to traffic analysis with Civil Engineering Division approval; and all applicable standard conditions for this application type. Applicant is advised that the slope areas must be stabilized per Title 30.56.100 (d) requirements; it is strongly encouraged to issue a noise disclosure statement to the purchaser of each residential unit in the proposed development and to forward the completed noise disclosure statements to the Department of Aviation's Noise Office for recordation; the Federal Aviation Administration (FAA) 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 homes purchased or have the units soundproofed.

Applicant's Justification

The applicant's justification letter states that the slopes of the subject parcel are not graded with lifted infill dirt but are rock face. Historical aerial data shows that the slopes have remained in stable condition since 2002.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0184-04	Subject parcel for this application was reclassified (4 acres) from R-E and R-4 zoning to R-4 zoning for a multiple family residential (PUD) site, use permits for a PUD, condominium/apartments, modify hillside/foothill developments with a design review - only use permits and design review expired, and hard zoned 4 acres to R-4 zoning	Approved by BCC	March 2004
UC-1292-03	21, four plex buildings and one, 2 plex building in conjunction with a PUD development containing 86 units on the easternmost portion (east of Mesa Ridge Village)	Approved by PC	September 2003

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0037-03	168 unit apartment complex on the northern portion of a 17.5 acre site south of Russell Road, waivers to reduce parking, reduced back-up distance for garages to zero feet where 8 is required	Approved by PC	February 2003
TM-500534-02	86 single family residential development (townhomes)	Approved by PC	January 2003
UC-1827-02	Allowed a PUD for townhomes on a 7.3 acre portion of 15.0 acre site with a design review of 86 town homes and 2 common elements (east portion of the 15 acre site)	Approved by PC	January 2003
VS-1810-02	Vacated a portion of right-of-way being Nellis Boulevard - recorded	Approved by PC	January 2003
WS-0628-02	Increased building height, waived parking lot landscaping for a multiple family residential complex	Approved by PC	June 2002
ZC-1108-01	Reclassified 17.5 acres from C-2 to R-4 zoning for a senior housing complex	Approved by BCC	October 2001
ZC-0925-99 (ET-0293-01)	First extension of time of a zone change for a 19 acre site for C-2 zoning for a proposed office complex, shopping center, commercial pad sites, and mini warehouse complex - expired	Approved by BCC	September 2001
ZC-0925-99 (WC-0064-01)	Waiver of conditions of a zone change requiring dedication of 50 feet for Nellis Boulevard and full off-sites	Approved by PC	June 2001
DR-0961-00	127,000 square foot shopping center on 19 acres - expired	Approved by PC	July 2000
TM-0324-99	Mesa Ridge Towne Center Commercial Subdivision (1 lot)	Approved by PC	January 2000
ZC-0925-99	Reclassified 19 acres from R-E and C-1 zoning to C-2 zoning for a 138,122 square foot office complex and shopping center with restaurant/retail building pad sites and a mini warehouse complex - expired	Approved by BCC	August 1999
ZC-2009-98	Reclassified 16.7 acres from R-E to C-1 zoning for a 155,000 square foot office complex, with a variance to reduce the setbacks from the section line - expired	Approved by BCC	February 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Urban Neighborhood (greater than 18 du/ac)	R-4	Multiple family residential
South	Public Use	PF	SECTA High School
West	Urban Neighborhood (greater than 18 du/ac) & Public Use	RUD	Single family residential & Flood Channel

Related Applications

Application Number	Request
WS-23-0829	A waiver of development standards for increased building height, color palette, and design review for a proposed multiple family residential project within a Hillside Development is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

A waiver of conditions may be approved upon a finding that the condition will no longer fulfill its intended purpose.

Staff finds that the mesa was graded without proper grading permits sanctioned by the Clark County Building Department. Staff recommends that the even though grading commenced on the pad site, proper inspections and permits must be completed by the applicant. Requesting to waive the condition of approval tied to ZC-0184-04 which states: "planting of shrubs and trees and stone riprapping on the slopes to stabilize the slopes" is pre-mature since permits were not completed.

Staff Recommendation

Denial.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the conditions will no longer fulfill its intended purpose.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Applicant is advised 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions; and that fire/emergency access must comply with the Fire Code as amended.

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 and reference POC Tracking #0466-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: SIEGEL COMPANIES

CONTACT: GREG BORGEL, 4725 HOLDINGS, LLC, 3790 PARADISE ROAD, SUITE 250, LAS VEGAS, NV 89169

02/07/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0829-4725 HOLDINGS, LLC:

WAIVER OF DEVELOPMENT STANDARDS for alternative building color palette within Hillside Development.

DESIGN REVIEWS for the following: 1) Hillside Development; 2) increase building height; and 3) a multiple family residential development on 3.8 acres in an R-4 (Multiple Family Residential District - High Density) Zone.

Generally located on the south side of Russell Road and the west side of Nellis Boulevard within Paradise. JG/jor/xx (For possible action)

RELATED INFORMATION:

APN:

161-29-803-007

WAIVER OF DEVELOPMENT STANDARDS:

Allow an alternative color palette for a proposed multiple family residential building within Hillside Development where all exterior walls and roofs shall be colored to blend with the desert environment per Section 30.56.100(g).

DESIGN REVIEWS:

1. Preliminary grading plan for a Hillside Development where required per Section 30.56.100.
2. Increase the building height to 65 feet where 35 feet is the maximum height allowed per Table 30.40-3 (an 86% increase).
3. A multiple family residential development.

LAND USE PLAN:

WINCHESTER/PARADISE -PUBLIC USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4725 E. Russell Road
- Site Acreage: 3.8
- Project Type: Multiple family residential development
- Number of Units: 82
- Density: 21 du/ac where 25 du/ac is the maximum
- Number of Stories: 5
- Building Height (feet): 65

- Square Feet: 170,030
- Open Space Required/Provided: 8,200 / 87,925
- Parking Required/Provided: 129/133

Site Plan

The subject parcel is a unique shaped lot that was reclassified to R-4 zoning via ZC-0184-04. Access to the proposed multiple family residential development is via 1 existing shared private driveway on the southwest corner of the site adjacent to Russell Road. The private drive aisle runs west to east, in an upward direction towards the pad site that was graded prior to the applicant's purchase of the lot. The applicant is requesting a design review for a proposed multiple family residential development, with 82 units. No documentation was provided showing that early grading was properly permitted through the Clark County Building Department, however, since the sight is within hillside development a design review is a part of this request. The applicant is proposing 1 building, centrally located on the subject parcel. The apartment building with the attached parking garage is set back 56 feet, 11 inches from the northwest property line; 128 feet from the north property line; 92 feet, 7 inches from the east property line and 29 feet from the south property line.

The applicant is proposing a 6 foot high wrought-iron fence along the north, northwest, and east side of the complex. Furthermore, there will be a 6 foot high CMU wall along the south property line. Amenities such as a gym, walking path, and swimming pool is also a part of the development.

Landscaping

The landscape plan depicts 24 inch box trees throughout the site and a 5 foot wide landscape strip along the south property line. 218 Purple Training Lantana will be planted along with 54 Desert Willow trees.

Elevations

The overall height of the building is 65 feet (5 stories) where a maximum of 35 feet is allowed per Code. The applicant is requesting a waiver of development standards to increase the building height to 65 feet. The exterior architectural details of the building include vertical and horizontal stucco popout accents, balcony areas for the tenants, and a yellow and blue color scheme. Varied rooflines are also provided to add a visual interest to the top of the building.

Floor Plan

The plan depicts a total of 82 units. There will be 23 studio units; 39, one bedroom units; and 20, two bedroom units. The plans depict that the overall area for the project is 170,030 square feet.

Applicant's Justification

The project was previously approved in March 2004, by the Board of County Commissioners under ZC-0184-04. The project is hard zoned with no resolution of intent. The parcel is currently zoned R-4 which allows for up to 25 units per acres. The applicant is requesting a design review and a waiver of development standard for a 5 story, 82 unit multiple family building located on Mesa Ride with the closest cross streets of Russell Road and Nellis Boulevard. Prior to 2003, the subject parcel along with the multi-family project, Now Citron Apartments, and Mesa Ridge

Villages were under single ownership that ultimately divided the 17.0 acre parcel into 3 distinct projects. During the grading and construction of Citron Apartments and Mesa Ridge Village the subject parcel (3.83 acres) was created. The applicant will utilize the existing pad at the existing finish grade elevations and will not be make any additional cuts into the hillside area as part of this application. This project sits on top of a mesa, and no hillside sits higher than the building slab. As such, the building blends with the sky and not hillside or mountains. Additionally, this development is being developed with an aviation theme, thus the color palette matches both the blue sky behind the proposed building and overall project theme.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0184-04	Subject parcel for this application was reclassified (4 acres) from R-E and R-4 zoning to R-4 zoning for a multiple family residential (PUD) site, use permits for a PUD, condominium/apartments, modify hillside/foothill developments with a design review – only use permits and design review expired. Hard zoned 4 acres to R-4 zoning	Approved by BCC	March 2004
UC-1292-03	21 four-plex buildings and one, 2 plex building in conjunction with a PUD development containing 86 units on the easternmost portion (east of Mesa Ridge Village)	Approved by PC	September 2003
WS-0037-03	168 unit apartment complex on the northern portion of a 17.5 acre site south of Russell Road, waivers to reduce parking, reduce back-up distance for garages to zero feet where 8 is required	Approved by PC	February 2003
TM-0534-02	86 single family residential development (townhomes)	Approved by PC	January 2003
UC-1827-02	Allowed a PUD for townhomes on a 7.3 acre portion of 15.0 acre site with a design review of 86 town homes and 2 common elements (east portion of the 15 acre site)	Approved by PC	January 2003
VS-1810-02	Vacated a portion of right-of-way being Nellis Boulevard – recorded	Approved by PC	January 2003
WS-0628-02	Increased building height, waived parking lot landscaping for a multiple family residential complex	Approved by PC	June 2002
ZC-1108-01	Reclassified 17.5 acres from C-2 to R-4 zoning for a senior housing complex	Approved by BCC	October 2001
ZC-0925-99 (ET-0293-01)	First extension of time of a zone change for a 19 acre site for C-2 zoning for a proposed office complex, shopping center, commercial pad sites, and mini warehouse complex - expired	Approved by BCC	September 2001

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0925-99 (WC-0064-01)	Waiver of conditions of a zone change requiring dedication of 50 feet for Nellis Boulevard and full off-sites	Approved by PC	June 2001
DR-0961-00	127,000 square foot shopping center on 19 acres - expired	Approved by PC	July 2000
TM-0324-99	Mesa Ridge Towne Center Commercial Subdivision (1 lot)	Approved by PC	January 2000
ZC-0925-99	Reclassified 19 acres from R-E and C-1 zoning to C-2 zoning for a 138,122 square foot office complex and shopping center with restaurant/retail building pad sites and a mini warehouse complex - expired	Approved by BCC	August 1999
ZC-2009-98	Reclassified 16.7 acres from R-E to C-1 zoning for a 155,000 square foot office complex, with a variance to reduce the setbacks from the section line - expired	Approved by BCC	February 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Urban Neighborhood (greater than 18 du/ac)	R-4	Multiple family residential
South	Public Use	PF	SECTA High School
West	Urban Neighborhood (greater than 18 du/ac) & Public Use	RUD	Single family residential & Flood Channel

Related Applications

Application Number	Request
WC-23-400181 (ZC-0184-04)	A waiver of conditions of a zone change is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the

immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Staff finds the color palette to be unobtrusive to the surrounding area. The building will be setback over 128 feet south of Russell Road and will be constructed on a mesa pad site. Staff can support this request since the proposed blue and yellow colors are accent colors only.

Design Reviews

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Design Review #1

The purpose of the Hillside Development restrictions is to provide for the reasonable, safe and aesthetic use of the steep and inconsistent topography of natural hillsides within unincorporated Clark County. Staff finds the preliminary grading plan complies with the development restrictions as the drawings indicate that slopes greater than 12% will not be disturbed by the proposed development. Although the site was graded without proper approvals, staff finds that the aerial photos show that the pad site is relatively flat. Therefore, staff recommends approval of the preliminary grading plan.

Design Review #2

The applicant is requesting to increase the proposed building height to 65 feet where 35 feet is the maximum allowed per Code. The existing high school to the south that was also constructed on a mesa was approved with building heights at a maximum of 55 feet. Staff finds that the site was previously approved via ZC-0184-04 for a maximum building height of 97 feet with a 6 story apartment building that was never constructed. Today, the applicant is proposing a 5 story building with a maximum height of 65 feet. Staff finds that applicants request to be suitable and may be supported by staff since the proposed project is less intense in terms of scale and height than what was previously approved in 2004.

Design Review #3

Staff finds that the proposed project is compatible to the existing multiple family residences immediately located to the north and east. Since staff supports the waivers of development standards, staff can also support this request.

Department of Aviation

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

Staff Recommendation
Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised that a design review is required as a public hearing for final grading plans, approval of this application does not constitute or imply approval of any other County issued permit, license or approval; applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Department of Aviation

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

Fire Prevention Bureau

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