



Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

January 30, 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 January 9, 2024. (For possible action)
- IV. Approval of the Agenda for January 30, 2024 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items (for discussion only)
- VI. Planning and Zoning

- 1. **UC-23-0825-USCLP NV SUNSET 1, LLC:**
USE PERMITS for the following: 1) major training facility; and 2) accessory restaurant not associated with a wholesale or industrial use in conjunction with an existing office/warehouse facility on a portion of 9.4 acres in an M-D (Designed Manufacturing) (AE-70) Zone and an M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the east side of Bruce Street and the south side of Sunset Road within Paradise. JG/hw/syp (For possible action) **PC 2/6/24**
- 2. **UC-23-0845-HERBST DEVELOPMENT, LLC:**
USE PERMITS for the following: 1) eliminate pedestrian realms; 2) eliminate open space; 3) modify front setback; 4) modify requirements for building facades; 5) modify drive aisle location; 6) eliminate pedestrian access and pathway; and 7) eliminate way finding signs.
WAIVER OF DEVELOPMENT STANDARDS for alternative driveway standards.
DESIGN REVIEW for a restaurant on a 1.2 acre portion of 2.0 acres in a C-2 (Commercial General) Zone within the Midtown Maryland Parkway District. Generally located on the south side of Tropicana Avenue and the east side of Maryland Parkway within Paradise. JG/bb/jd (For possible action) **BCC 2/7/24**
- 3. **DR-23-0893-J & R LLC ETAL & PROMIT TRUST:**
DESIGN REVIEW for a detached single family residential subdivision in conjunction with an existing detached single family residential controlled access development on 2.5 acres in an R-1 (Single Family Residential) Zone. Generally located on the east side of Pacific Street and the southeast side of Regency Cove Court within Paradise. TS/hw/syp (For possible action) **PC 2/20/24**
- 4. **TM-23-500189-J & R LLC ETAL & PROMIT TRUST:**
TENTATIVE MAP consisting of 16 detached single family residential lots and 1 common lot on 2.5 acres in an R-1 (Single Family Residential) Zone. Generally located on the east side of Pacific Street and the southeast side of Regency Cove Court within Paradise. TS/hw/syp (For possible action) **PC 2/20/24**
- 5. **VS-23-0905-DIRTCO, LLC:**
VACATE AND ABANDON a portion of a right-of-way being Patrick Lane located between Annie Oakley Drive and Green Valley Parkway within Paradise (description on file). JG/sd/syp (For possible action) **PC 2/20/24**

6. **WS-23-0904-DIRTCO, LLC:**
WAIVER OF DEVELOPMENT STANDARDS for reduced throat depth.
DESIGN REVIEW for an office/warehouse building on 1.4 acres in an Industrial Park (IP) (AE-60) Zone. Generally located on the south side of Patrick Lane, 210 feet east of Annie Oakley Drive within Paradise. JG/sd/syp (For possible action) PC 2/20/24

7. **WS-23-0920-PF 4090, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) wall height; 2) alternative landscaping; 3) loading spaces; 4) gate access; and 5) reduce height setback.
DESIGN REVIEW for a mini-warehouse on 1.5 acres in a C-2 (Commercial General) Zone. Generally located on the north side of Flamingo Road and the east side of Eastern Avenue within Paradise. TS/bb/ng (For possible action) PC 2/20/24

8. **AR-23-400186 (UC-19-0814)-GIPSY, LLC:**
USE PERMITS FIRST APPLICATION FOR REVIEW for the following: 1) reduce the separation from an outside dining area (patio) to a residential use; and 2) allow outside dining in conjunction with a tavern.
DESIGN REVIEW for the following an outside dining area (patio) on 0.9 acres in a C-2 (General Commercial) (AE-65) Zone. Generally located on the northwest corner of Paradise Road and Naples Drive within Paradise. JG/dd/ng (For possible action) BCC 2/21/24

9. **DR-23-0909-HCI-CERBERUS 160 EAST FLAMINGO HOTEL OWNER LP:**
DESIGN REVIEW to increase the area of an animated sign in conjunction with an existing hotel (The Westin Las Vegas Hotel & Spa) on 6.8 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the north side of Flamingo Road and the west side of Koval Lane within Paradise. TS/rr/ng (For possible action) BCC 2/21/24

10. **UC-23-0878-POLV, LLC:**
USE PERMIT for deviations as shown per plans on file in conjunction with a resort hotel (Center Strip).
DEVIATIONS for the following: 1) increase the height of directional signs; 2) reduce the vertical (height) clearance for hanging signs; and 3) reduce setback.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback; and 2) allow non-standard improvements within the right-of-way (Las Vegas Boulevard South and Harmon Avenue).
DESIGN REVIEW for a comprehensive sign package in conjunction with a previously approved resort hotel (Center Strip) on 6.3 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Harmon Avenue within Paradise. JG/md/syp (For possible action) BCC 2/21/24

11. **UC-23-0907-PARBALL NEWCO, LLC:**
USE PERMIT for deviations as shown per plans on file in conjunction with a resort hotel (Horseshoe).
DEVIATIONS for the following: 1) eliminate projecting sign height above grade; 2) increase the number of projecting signs; and 3) all other deviations as depicted per plans on file.
DESIGN REVIEW for modifications to a comprehensive sign plan in conjunction with an existing resort hotel (Horseshoe) on a portion of 30.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/hw/ng (For possible action) **BCC 2/21/24**
12. **WC-23-400193 (ZC-0226-00)-GURU NANAK DEV CHARITABLE TRUST ETAL:**
WAIVER OF CONDITIONS of a zone change requiring the design of the driveway access of Pearlite Avenue to be relocated as far north as allowed by Public Works in conjunction with a proposed place of worship on 2.4 acres in a C-P (Office Professional) and an R-E (Rural Estates Residential) Zone in the Russell Road Transition Corridor Design Overlay District. Generally located on the south side of Russell Road and the east side of Pearlite Avenue within Paradise. JG/jor/syp (For possible action) **BCC 2/21/24**
13. **WC-23-400194 (ET-0107-02 (ZC-0226-00))-GURU NANAK DEV TRUST ET AL:**
WAIVER OF CONDITIONS of an extension of time of a zone change requiring a maximum 21 foot high building in conjunction with a proposed place of worship on 2.4 acres in a C-P (Office Professional) and an R-E (Rural Estates Residential) Zone in the Russell Road Transition Corridor Design Overlay District. Generally located on the south side of Russell Road and the east side of Pearlite Avenue within Paradise. JG/jor/syp (For possible action) **BCC 2/21/24**
14. **UC-23-0910-GURU NANAK DEV CHARITABLE TRUST ETAL:**
USE PERMIT for a place of worship.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow an attached sidewalk with alternative landscaping; 2) increase building height; 3) reduce parking; 4) reduce driveway throat depth; 5) reduce driveway departure distance; and 6) reduce driveway width.
DESIGN REVIEW for a place of worship on 2.4 acres in a C-P (Office Professional) and an R-E (Rural Estates Residential) Zone in the Russell Road Transition Corridor Design Overlay District. Generally located on the south side of Russell Road and the east side of Pearlite Avenue within Paradise. JG/jor/syp (For possible action) **BCC 2/21/24**
15. **WS-23-0919-ARVILLE INDUSTRIAL, LLC:**
WAIVER OF DEVELOPMENT STANDARDS for the following: 1) eliminate parking lot landscaping; 2) reduced street landscaping; and 3) alternative driveway geometrics.
DESIGN REVIEWS for the following: 1) an office/warehouse facility; and 2) finished grade on 1.1 acres in an M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the east side of Arville Street and north of Oquendo Road (alignment) within Paradise. MN/sd/syp (For possible action) **BCC 2/21/24**

16. **ZC-23-0930-BOARD REGENTS NEVADA SYSTEM HIGHER EDUCATION:**
ZONE CHANGE to reclassify 1.1 acres from a C-2 (General Commercial) (AE-60) Zone and an R-1 (Single Family Residential) (AE-60) Zone to a P-F (Public Facility) (AE-60) Zone.
WAIVER OF DEVELOPMENT STANDARDS for the following: 1) reduce driveway approach distance; and 2) reduce driveway throat depth.
DESIGN REVIEW for a proposed parking lot and site improvements. Generally located on the east side of Maryland Parkway and the south side of Rochelle Avenue within Paradise (description on file). TS/jor/syp (For possible action) **BCC 2/21/24**

VII. General Business (For possible action)

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: February 14, 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>



Paradise Town Advisory Board

January 9, 2024

MINUTES

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

Judith Rodriguez; Planning, Blanca Vazquez; Community Liaison

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

II. Public Comment:
None

III. Approval of December 12, 2023 Minutes

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

Approval of Agenda for January 9, 2024

Moved by: Williams
Action: Approve with changes
Vote: 5-0 Unanimous

V. Informational Items (For Discussion only)
None

VI. Planning & 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**

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

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**

MOVED BY-Philipp
DENY
VOTE: 5-0 Unanimous

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**

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

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**

Held per the applicant. Return to the 3/12/24 Paradise TAB meeting

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**

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

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**

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

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**

Held per the applicant. Return to the 2/13/24 Paradise TAB meeting

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**

Held per the applicant. Return to the 2/13/24 Paradise TAB meeting

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

Held per the applicant. Return to the 2/13/24 Paradise TAB meeting

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**

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

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**

MOVED BY-Philipp
APPROVE-Subject to staff conditions
Added condition

- **Structure and house to be painted the same color**

VOTE: 5-0 Unanimous

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**

MOVED BY-Williams
APPROVE-Subject to staff conditions
Added condition

- **No Rooster's allowed**

VOTE: 5-0 Unanimous

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**

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

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**

Held per the applicant. Return to the 2/13/24 Paradise TAB meeting

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**

Held per the applicant. Return to the 2/13/24 Paradise TAB meeting

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**

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

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**

MOVED BY-Philipp
APPROVE- Design Review #1 and #3 Subject to staff conditions
DENY- Design Review #3
DENY- Waiver of Standards
Added Condition

- **Design Review as public hearing regarding color palette**

VOTE: 5-0 Unanimous

- VI. General Business (for possible action)
Board reviewed the 2024 TAB meeting calendar, Motion was made by Philipp to cancel the December 31, 2024 meeting, and approve all other meeting dates as presented. Vote was 5-0 unanimous
- VII. Public Comment
None
- VIII. Next Meeting Date
The next regular meeting will be January 30, 2024
- IX. Adjournment
The meeting was adjourned at 8:45 p.m.

DRAFT

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0825-USCLP NV SUNSET 1, LLC:

USE PERMITS for the following: 1) major training facility; and 2) accessory restaurant not associated with a wholesale or industrial use in conjunction with an existing office/warehouse facility on a portion of 9.4 acres in an M-D (Designed Manufacturing) (AE-70) Zone and an M-D (Designed Manufacturing) (AE-65) Zone.

Generally located on the east side of Bruce Street and the south side of Sunset Road within Paradise. JG/hw/syp (For possible action)

RELATED INFORMATION:

APN:

177-02-501-021; 177-02-501-038 ptn

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 6550 S. Bruce Street
- Site Acreage: 9.4 (portion)
- Project Type: Major training facility (flight training school)
- Number of Stories: 2 (existing)
- Building Height (feet): 43 (existing)
- Square Feet: 72,719 (training facility)/69,357 (classroom/simulator)/3,362 (Office)/2,970 (private cafeteria)/171,782 (overall building area)/151,200 (overall building footprint)
- Parking Required/Provided: 253/253

Site Plans

The plans depict an existing 171,782 square foot distribution center consisting of a single building located in the central portion of the site. The site is bounded by public rights-of-way on the north, east, and west sides of the property. Access to the site is provided by 2 driveways on Bruce Street and 2 driveways on Surrey Street. Parking for the facility is located along the west, south, and north perimeters of the parcel. The building is set back 23 feet from Sunset Road, 73 feet from Bruce Street, and 103 feet from Surrey Street. Loading and service areas are located on the east side of the building. The service area that contains overhead doors and loading docks are screened from public view by a 6 foot high masonry wall with 22 feet of intense landscaping. A total of 253 parking spaces are required with the addition of the training facility where previously only 85 spaces would have been required for a distribution center of this size. To

meet the required parking, the applicant has added 7 parking spaces along the southeastern edge of their suite to bring the total provided parking stalls to 253 spaces.

Landscaping

The existing street landscaping consists of a 23 foot wide landscape area behind an existing attached sidewalk along Sunset Road, and a minimum 27 foot wide landscape area behind an attached sidewalk along Bruce Street. Along Surrey Street, a 22 foot wide landscape area with a double row of trees is shown along the street frontage since this project is across the street from a multiple family apartment complex. Additionally, the project provides a 6 foot high masonry wall along a portion of this street frontage. Interior to the site, landscaping is distributed throughout the parking lot and around portions of the building footprints. The landscape materials include large trees, shrubs, and groundcover.

Elevations

The existing building is 43 feet high and constructed of concrete tilt-up panels with glass store fronts, vertical/horizontal reveal lines, and color changes. The height of the building varies slightly from 35 feet to 43 feet and has been designed to break-up the roofline and enhance the overall look of the building. The loading dock area is located on the east side of the building and screened from public view by a wall and intense landscaping.

Floor Plans

The floor plans show that the proposed major training facility will be located in the northern portion of the building closest to Sunset Road. The overall square footage of the training facility will be 79,053 square feet spread across 2 floors. The first floor is shown to be approximately 53,391 square feet and consists primarily of a 25,165 square foot simulator hall that will contain 8 flight simulators. Surrounding the simulator hall are various breakout rooms, workshops, and storage rooms. In addition, the first floor will contain a 2,970 square foot accessory cafeteria located in the northeast portion of the suite along with accompanying lounge and reception areas. The second floor consists of 25,662 square feet of training, briefing, debriefing, and computer rooms along the northern portion of the suite.

Applicant's Justification

The applicant states that the proposed major training facility will serve as a flight training school for commercial and business pilots, as well as a training site for airline cabin crews. They state the training will be a mix of classroom and immersive simulations. The facility will host approximately 50 students at a time and around 125 employees, which include about 80 instructors. The administrative staff will be on site from 8:00 a.m. to 5:00 p.m. with classroom instruction typically occurring between 8:00 a.m. and 6:00 p.m. with flight simulators being available 24 hours a day. The applicant states the accessory café will not be open to the public and will be open between 7:00 a.m. and 2:00 p.m. with prepackaged options available 24 hours a day.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-21-0519	Reclassified a portion of the site from R-E to M-D zoning for a parking lot expansion	Approved by BCC	November 2021
ZC-19-0542	Reclassified the site from R-E to M-D zoning for a distribution center with airspace encroachment	Approved by BCC	September 2019
ZC-321-88	Reclassified a portion of the site to M-1 zoning for an office/warehouse with outside storage	Approved by BCC	December 1988

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Public Use	P-F (AE-75)	Harry Reid International Airport
South	Business Employment	R-E (AE-70 & AE-65)	Undeveloped
East	Business Employment	M-D, C-2, R-4 (AE-75 & AE-70)	Multiple family residential, hotel, office/warehouse, & undeveloped
West	Business Employment	M-D (AE-75 & AE-70)	Office/Warehouse

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.

While staff finds that any proposed training facility has the potential to create a noise problem and nuisance to the surrounding area, given that the nature of the training occurring at the site is classroom and simulator based, staff does not foresee any major issues with the use at this location, as the use of the location as a classroom should not create any additional noise or nuisances beyond that typical of the other office/warehouse facilities in the area. The use should not be more intense of disturbance than the nearby airport runway. In addition, given the proposed use of the site as a flight training school, the location of the site near Harry Reid International Airport would be appropriate. The site appears to have sufficient parking and there should be no issues with stacking on the site as most students will arrive and park, and not be dropped off. Staff also finds that the surrounding area is primarily industrial in nature and the use of the site as a training facility is less intense than the planned use of the site as a distribution

warehouse. Also, sufficient screening and buffering measures were used to reduce impacts to the abutting hotel and multiple family development during the development of the site as a warehouse facility. Finally, provided that the cafeteria remains as an accessory use, and not open to the public, staff does not expect the cafeteria will produce any additional noise, disturbance, or traffic than what is already being produced by the training facility, and is appropriate given the type and timing of instruction on the site. As a result, staff can support these requests.

Department of Aviation

The property lies within the AE- 70 (70 - 75 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

- The cafeteria use shall be limited to the staff and students of the training facility.
- 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.

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.

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: CAE SIMUFLITE, INC.

CONTACT: G. C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210, LAS VEGAS, NV 89014

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 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>VO-23-0825</u> DATE FILED: <u>12/6/23</u> PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: <u>01/9/24</u> PC MEETING DATE: <u>2/6/24</u> BCC MEETING DATE: _____ FEE: <u>\$075</u>
	PROPERTY OWNER NAME: <u>USCLP NV SUNSET 1, LLC c/o D Lanning/Dermody Properties</u> ADDRESS: <u>5500 Equity Ave</u> CITY: <u>Reno</u> STATE: <u>NV</u> ZIP: <u>89502</u> TELEPHONE: <u>775-858-8080</u> CELL: _____ E-MAIL: <u>dlanning@dermody.com</u>
	APPLICANT NAME: <u>CAE Simuflite, Inc.</u> ADDRESS: <u>6550 S Bruce St #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>775-453-6979</u> CELL: _____ E-MAIL: <u>jestina.mahon@cae.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>G.C. Garcia, Inc c/o Melissa Eure</u> ADDRESS: <u>1055 Whitney Ranch Dr, Suite 210</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89014</u> TELEPHONE: <u>702-435-9909</u> CELL: _____ E-MAIL: <u>acole@gcgarciainc.com</u> REF CONTACT ID #: _____



ASSESSOR'S PARCEL NUMBER(S): 177-02-501-038 & 177-02-501-021
 PROPERTY ADDRESS and/or CROSS STREETS: Bruce & Sunset (6550 S Bruce St #100)
 PROJECT DESCRIPTION: Major Training Facility w/ cafeteria for a pilot training school

(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.

See attached _____ USCLP NV Sunset 1, LLC
 Property Owner (Signature)* Property Owner (Print)

STATE OF NEVADA
 COUNTY OF WASHOE

SUBSCRIBED AND SWORN BEFORE ME ON OCT. 27, 2023 (DATE)
 By L. DOUGLAS LANNING

NOTARY PUBLIC: MCKAY KLONICK

MCKAY KLONICK
 Notary Public - State of Nevada
 Appointment Recorded in Washoe County
 No: 20-9601-02 - Expires April 1, 2024



*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.



November 20, 2023

Clark County Current Planning
500 S. Grand Central Pkwy
Las Vegas, NV 89155

RE: Letter of Justification
Request for Special Use Permit for a Major Training Facility with Accessory Cafe
Sunset & Bruce, SEC (6550 S Bruce St #100)
APN#: 177-02-501-038

Dear Sami,

On behalf of the applicant, CAE Simuflite, Inc dba CAE, please accept this letter and attached as materials for a Special Use Permit for a proposed Major Training Facility with an accessory Café. The proposed project is located in a previously approved and constructed industrial building located on the southeast corner of Sunset Road and Bruce Street (6550 S Bruce St #100). The land use designation for the site is Business Employment (BE) and the zoning district is Designed Manufacturing (M-D).

The abutting properties to the south, east and west also have a land use designation of BE, with the property to the north across Sunset designated Public Use (PU). The properties to the west along with a portion of the properties to the south and east are also zoned M-D, most of which already have developed warehouse/distribution centers. To the south is also R-E and to the West R-4 and C-2, which are existing apartments and commercial buildings respectively. To the north is the P-F which is part of the airfield for Reid Airport.

Special Use Permit

Tile 30.44 requires a Special Use Permit for a Training Facility (Major) to be established in an M-D Zoning District.

The proposed Major Training Facility will provide training for a variety of careers in the aviation field, including but not limited to commercial and business pilots, and cabin crew. The training is done through in person instruction in a classroom setting as well as utilizing fully immersive flight simulators. The facility will be run by CAE, who is an international provider of aviation training with locations in 64 cities throughout the world. The facility will have approximately 125 employees, 80 of which are instructors at this location. There are typically 50 students on site each day.

The facility will have administrative staff onsite from 8a-5p. Classroom instruction is typically between 8a-6p; however, the flight simulators are available for scheduled use 24 hours a day by students. There are currently 8 simulators on-site, but there may be more in the future. The facility runs seven days a week.

The accessory café use will not be open to the public and will be run by a third party. It will be for students and staff only. There will be made to order food for breakfast and lunch typically available between the hours of 7am-2pm. There will also be prepackaged food that will be available 24hrs a day as a "grab-and-go" option. The café is fully enclosed within the training facility building.

Special Use Permit Approval Criteria 30.16-4

For a Special Use Permit, the applicant shall establish that the use is appropriate at the proposed location by showing the following:



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com

- A. The proposed use shall be in harmony with the purpose, goals, objectives and standards of the Plan and of this Title;

The proposed Major Training Facility with accessory cafe is in harmony with the purpose, goals, objectives and standards of the Plan and Title 30; the use is across the street from Harry Reid Airport and is located in a large industrial building. It will provide jobs and help to address the pilot shortage within the commercial aviation field.

- B. The proposed 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 rights-of-way, or other matters affecting the public health, safety, and general welfare; and

The use will go into a previously approved and constructed industrial building that provides ample parking for students and staff. It will not unduly affect the adjacent properties nor impact the character of the area in regard to traffic, parking, public improvements, public rights-of-way or the public health, safety, and general welfare.

- C. The proposed use will be adequately served by public improvements, facilities, and services and will not impose an undue burden

The industrial building was previously approved and constructed. The Major training facility with the accessory cafe will be adequately served by the existing public improvements, facilities and services located within and adjacent to the site and will not impose an undue burden.

Summary

The proposed Major Training Facility with accessory cafe will facilitate bringing quality jobs and attracting business to the area. In addition, it will provide training for careers in aviation where there has been a shortage in recent years. The use is consistent with the surrounding uses and will not be detrimental to the surrounding properties; it will not overwhelm infrastructure and services; and will not negatively affect the public health, safety and welfare. We respectfully request your favorable consideration of this request.

Please do not hesitate to contact us if you have any questions or need additional information.

Sincerely,



Melissa Eure
Director of Planning

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0845-HERBST DEVELOPMENT, LLC:

USE PERMITS for the following: 1) eliminate pedestrian realms; 2) eliminate open space; 3) modify front setback; 4) modify requirements for building facades; 5) modify drive aisle location; 6) eliminate pedestrian access and pathway; and 7) eliminate way finding signs.

WAIVER OF DEVELOPMENT STANDARDS for alternative driveway standards.

DESIGN REVIEW for a restaurant on a 1.2 acre portion of 2.0 acres in a C-2 (Commercial General) Zone within the Midtown Maryland Parkway District.

Generally located on the south side of Tropicana Avenue and the east side of Maryland Parkway within Paradise. JG/bb/jd (For possible action)

RELATED INFORMATION:

APN:

162-26-101-001; 162-26-101-002

USE PERMITS:

1.
 - a. Eliminate the pedestrian realm along Maryland Parkway where a 20 foot wide pedestrian realm is required per Section 30.48.1870.
 - b. Eliminate the pedestrian realm along Tropicana Avenue where a 20 foot wide pedestrian realm is required per Section 30.48.1870.
 - c. Eliminate enhanced supplemental pedestrian area between pedestrian realm and building as required per Section 30.48.1870.
2. Eliminate open space where 2,679 square feet (5% of the developed area) is required per Section 30.48.1870 (a 100% reduction).
3.
 - a. Allow the minimum front setback for Building B to not be adjacent to the pedestrian realm per Section 30.48.1880.
 - b. Allow a maximum front setback of 77 feet front where 30 feet (maximum of 10 feet behind the pedestrian realm) is the maximum per Section 30.48.1880 (a 157% increase).
4.
 - a. Allow 209 square feet of transparent glass windows on the north side street facing façade where 610 square feet (75% of the ground floor street facing façade) is required per Section 30.48.1880. (a 33% reduction).
 - b. Eliminate transparent glass windows on south side non-street facing facade where 35% of the ground floor of the facade is required per Section 30.48.1880 (a 100% reduction).
 - c. Allow 60 square feet of transparent glass windows on the east side non-street facing façade where 593 square feet (35% of the ground floor non-street facing façade) is required per Section 30.48.188 (a 90% reduction)

- d. Allow 217 square feet of transparent glass windows on the west non-street facing façade where 593 square feet (35% of the ground floor non-street facing façade) is required per Section 30.48.1880 (a 63% reduction).
5. Allow a drive-thru between street and front of building façade along Tropicana Avenue per Section 30.48.1180.
6. Eliminate 10 foot wide pedestrian access pathway through the site per Section 30.48.1180.
7. Eliminate wayfinding sign along Maryland Parkway as required per Section 30.48.1180.

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the throat depth for the Tropicana Avenue driveway to 13 feet where 25 feet is the minimum per Uniform Standard Drawing 222.1 (a 44% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4910 Maryland Parkway
- Site Acreage: 2 (portion)
- Project Type: Restaurant
- Number of Stories: 1
- Building Height (feet): 19
- Square Feet: 4,210
- Open Space Required/Provided: 2,679/0
- Parking Required/Provided: 52/57

Site Plan

The plan depicts a new restaurant on a 1.2 acre portion of a 2 acre site with shared parking, access, and drive aisles, set back 76 feet from Tropicana Avenue. The 2 lane entrance to the proposed drive-thru is on the south side of the building and the lane extends to the east and to the north for exiting. An existing driveway is located on the southwest corner of the property with an existing drive aisle along the south side of the property wrapping around the perimeter of the site. The drive aisle on the east side of the property is adjacent to the proposed drive-thru lane and is shared with the vehicle wash use east of this site. The drive aisle on the south side of the restaurant is adjacent to the drive-thru lanes and connects with the shared access drive along the east property line. The drive aisle on the west side of the restaurant is between a shared parking area and the restaurant and connects to the drive aisle on the north side of the existing gas station to the west and proposed restaurant. A total of 57 parking spaces are shown on the plan with shared parking available by existing shared parking agreement between the convenience store gas station and restaurant. Of the 57 parking spaces, new spaces are proposed on the west side of the restaurant and along the southern property line.

Public Art

A requirement of the Midtown Maryland Parkway Overlay District is to provide a public art installation. The proposed art component of this project will be included with a future land use application as required by Title 30. A general location of the art installation is shown on the site plan at the southwest corner of the northern access driveway as part of the pedestrian realm.

Landscaping

Existing attached sidewalks are located along Tropicana Avenue and Maryland Parkway with landscape areas behind the sidewalk; however, the plans depict a 20 foot wide landscape area, which is the same area required for a pedestrian realm along the portion of Tropicana Avenue, in front of the proposed restaurant. The landscape plan depicts 9 additional medium size trees planted along Tropicana Avenue. Four additional medium size trees are proposed to be added to the existing planter area at the south side of the west access driveway from Maryland Parkway.

Elevations

The elevations depict a 19 foot high single story restaurant (McDonald's) with Hardieplank® fiber cement lap siding on all 4 sides, and a flat roof with 3.5 foot parapet. The north elevation depicts an 844 square foot façade with 209 square feet of window area that includes a main entrance. A railing protects pedestrians from walking in front of vehicles exiting the drive through at the northeast corner of the building. Decorative aluminum canopy and siding accent the north and west facades. The west façade has a secondary entrance with 217 square feet of window space and 1,693 square feet of total façade area. Three service door entrances are located on the west and east sides facades.

Floor Plans

The plans depict a 4,210 square foot restaurant with a seating area, kitchen, restrooms, service counters, drive through windows, storage, and office space. A covered canopy provides shade along the north and northwest sides of the building.

Applicant's Justification

The applicant is proposing a new restaurant on APN 162-26-101-002 with drive-thru (McDonald's) where a vehicle wash previously existed in association with an existing gas station, restaurant with drive through, and gas station located on APN 162-26-101-001. There is an existing cross access agreement between the gas station/convenience store, and existing restaurant property and this property. The property has access from existing driveways at Maryland Parkway on the west side and Tropicana Avenue on the north side of the property. The drive-thru entrance is on the south side of the building and exits at the northeast corner of the building. The existing sidewalks are attached with a bus turnout located between the gas station and this site, along Tropicana Avenue. There are existing down shielded parking lot light poles along the south, north, and west property lines. The nearest residential property is zoned R-5 with high density apartments located south and east of this site, on the other side of existing commercial buildings.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0317-96 (WC-0449-99)	Waiver of conditions to allow drive-thru in conjunction with alcohol sales elsewhere on the property	Approved by BCC	December 1999
ZC-0317-96	Convenience store and gas station with restaurant	Approved by BCC	March 1996

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use	C-1 & C-2	Gas station & commercial
East	Corridor Mixed-Use	C-2	Vehicle wash
South & West	Corridor Mixed-Use	C-2	Shopping centers

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

This project incorporates both pedestrian oriented uses, such as ground-floor commercial restaurant access, as well as a vehicular oriented use of the proposed restaurant. A modified pedestrian realm (attached sidewalk) is located along Tropicana Avenue on the northern portion of the site adjacent to the north driveway entrance. The existing gas station and convenience store located on the corner does not have a built pedestrian realm along Maryland Parkway or Tropicana Avenue. The small frontage for this property along Maryland Parkway only includes about 30 feet of sidewalk on either side of the existing access driveway. The adjacent properties are developed and have no pedestrian realm improvements or district signage installed. The development incorporates an existing 5 foot attached sidewalk, new 10 foot combined supplemental pedestrian area with landscaping and bench, and existing landscaping up to 15 feet in width at the north property line. A 10 foot wide walkway is shown connecting the street sidewalk to the north entrance of the building, but not continuing through the property as required. Also, an attached sidewalk is included in front of the convenience store along Maryland Parkway and along Tropicana Avenue with shared space for an existing bus turnout.

Although many of the issues described above are existing conditions on the site, there will not be adequate accommodations for pedestrians incorporated on all street frontages and throughout the site. This is not consistent with the intent of the pedestrian realm requirement in the Midtown Maryland Parkway District. Staff cannot support the use permits for alternative pedestrian realms associated with the site design.

Use Permit #2

The open space shown on the plans does not adequately address the requirements of the Midtown Maryland Parkway District with respect to materials, dimensions, or location. The area labeled as open space on the south end of the building and south of the drive through entrance, is interior landscaping and traffic control that is largely not visible to the public. The hard surface area covered by shade canopies along the north and northwest sides of the building are limited to a small area and do not meet the dimension requirement for open space. The other areas of landscaping are either for street frontages or parking areas. Staff cannot support this request.

Use Permits #3 through #7

The "Opt-In" standards are now a required element for development since the beginning of 2023. The Midtown Maryland Parkway District encourages development with access on the opposite side of the building as fronting Tropicana Avenue, including parking spaces, driveway aisles, and building setbacks that minimize front setback areas. The surface parking and drive aisles dominate this proposed plan and encircle the restaurant building. The 77 foot front setback greatly exceeds the maximum front setback of 30 feet after counting required pedestrian realms and building setbacks. The dominance of drive aisles and parking make the proposed site plan non-compliant with the related code requirements identified in the use permit requests. The absence of adequate transparent windows on the non-street facing areas of the building will have a negative impact to this project when considering the west and east facades are visible from Tropicana Avenue. The lack of a pedestrian pathway through the site from Maryland Parkway to Tropicana Avenue creates a situation where pedestrians will have to walk in drive aisles if cutting through the site from one street to another. Elimination of a wayfinding sign at a major corner would reduce the public's ability to understand district boundaries; therefore, staff does not support these requests.

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 uses 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 Review

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 restaurant plan is a traditional drive through design that does not attempt to meet the desired design elements associated with building location and façade improvements of the Midtown Maryland Parkway District. The design of the drive through exit brings vehicles into direct conflict with east bound traffic coming out of the gas station and vehicles trying to exit the site at the north driveway to Tropicana Avenue. Ending the curb controls of the driveway just west of the northeast corner of the building will promote sharp turns for those seeking to travel east to the exit onto Tropicana Avenue. Staff cannot support the proposed design.

Public Works - Development Review

Waiver of Development Standards

The current design has the drive-thru exiting into oncoming traffic trying to access the site from Tropicana Avenue. Vehicles trying to exit the right-of-way will ingress into direct conflict with those trying to leave the drive-thru causing staking and creating potential safety hazards. Therefore, staff cannot support this waiver of development standards to reduce the throat depth.

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:

- 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; 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;
- 30 days to coordinate with Public Works and the Regional Transportation Commission and to dedicate any necessary right-of-way and easements for the Maryland Parkway BRT project.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0463-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: MCDONALDS

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

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)
- (ORIGINAL APPLICATION #)

STAFF

APP. NUMBER: WS-23-0845 DATE FILED: 12/11/23
 PLANNER ASSIGNED: _____
 TAB/CAC: paradise TAB/CAC DATE: 1/9/24
 PC MEETING DATE: 2/6/24
 BCC MEETING DATE: _____
 FEE: \$1,150

PROPERTY OWNER

NAME: Herbst Development, LLC
 ADDRESS: 5195 Las Vegas Blvd
 CITY: Las Vegas STATE: NV ZIP: 89119
 TELEPHONE: 000-000-0000 CELL: 000-000-0000
 E-MAIL: n/a

APPLICANT

NAME: McDonald's Corporation
 ADDRESS: 110 N. Carpenter Street
 CITY: Chicago STATE: IL ZIP: 60607
 TELEPHONE: 000-000-0000 CELL: 000-000-0000
 E-MAIL: n/a REF CONTACT ID #: n/a

CORRESPONDENT

NAME: Kaempfer Crowell - Jennifer Lazovich / ANN PIERCE
 ADDRESS: 1980 Festival Plaza Dr. #650
 CITY: Las Vegas STATE: NV ZIP: 89135
 TELEPHONE: 702-792-7000 CELL: 702-792-7048
 E-MAIL: apierce@kcnvlaw.com REF CONTACT ID #: 164674

ASSESSOR'S PARCEL NUMBER(S): 162-26-101-002
 PROPERTY ADDRESS and/or CROSS STREETS: Maryland Parkway and Tropicana Avenue
 PROJECT DESCRIPTION: new McDonald's restaurant

(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)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 11/2/2023 (DATE)

By Tim Herbst

NOTARY PUBLIC: Debra Bourne Martin

Tim Herbst
Property Owner (Print)



*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.

2

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



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

December 5, 2023

VIA UPLOAD

WS-23-0845

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

**Re: *McDonald's
Justification Letter – Design Review; Waivers of Development Standards to the
Midtown Maryland Parkway District; and Waiver of Development Standards to Reduce
Throat Depth
APN: 162-26-101-002***

To Whom It May Concern:

Please be advised our office represents the Applicant in the above-referenced matter. The Applicant is proposing to develop a new McDonald's restaurant on property located on the southeast corner of Tropicana Avenue and Maryland Parkway, more particularly described as APN: 162-26-101-002 (the "Site"). The Site is approximately 1.23 acres and has frontage on both Tropicana Avenue and Maryland Parkway. The new McDonald's will replace an existing carwash on Site. The Site is zoned C-2 and located within the Midtown Maryland Parkway District. Along with the design review for the McDonald's, the Applicant is requesting waivers related to the design standards associated with the Midtown Maryland Parkway District Design Standards (the "Midtown Standards").

Design Review

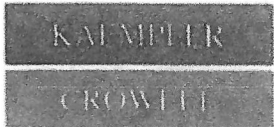
The proposed McDonald's will be located along the northern portion of the Site. The proposed square footage of the McDonald's is 4,210 square feet with a building height of 18-feet and 3-inches. The drive-through will be located along the east elevation with two queuing aisles funneling into one aisle that will run along the building's north elevation. The Site is directly accessed from both Tropicana Avenue and Maryland Parkway. Additionally, there is shared cross-access with the existing quick service restaurant and convenience store uses. The Site is meeting parking by providing 57 parking spaces where 52 parking spaces are required.

The Applicant is complying with the following design criteria:

- Meets the required setbacks on all sides.

2

WS-23-0845



- The Applicant is requesting to defer the art plan, however, the Applicant will conform to the art standard as required by the Midtown Standards.
- Front façade will provide an architectural canopy.
- Enhanced sidewalk is will be provided by providing the required landscaping and enhanced pavement in the amenity zone.
- The Site will have a pedestrian circulation plan.
- The Site exceeds the open space amount by providing 2,722 SF where 2,679 SF are required. However, as further discussed below, the Applicant is requesting to reduce the shaded space requirement.

Waivers to the Midtown Maryland Parkway Design Standards

The Site is located within the Midtown Maryland Parkway District. As such, the Site is required to be developed to the Midtown Standards. Based on Site configuration and existing conditions, unfortunately, the Applicant cannot meet all the Midtown Standards, and; therefore, is requesting the following waivers:

- **Reduce Shaded Space Area**

As mentioned above, the Site will exceed the required 5% of land area in open space (Land Size = 53,578 SF / Min. Req = 2,679 SF / Provided = 2,722 SF). However, the Site does not conform to the 50% required shaded area within the open space. Based on the location of the building, landscaping and shape of the Site; in order to comply the shade area would encroach into the landscaping.

- **Building Facades**

The building cannot meet the required glazing on all sides due to the necessary privacy for the large kitchen and bathrooms. Specifically, the Applicant is requesting the following reductions:

- Front Elevation – Provide 209 SF where 277 SF is required.
- Non-Drive Through Elevation – Provide 217 SF where 308 SF is required.
- Drive Through Elevation – Provide 60 SF where 308 SF is required.

- **Alternative Parking Design**

Due to the necessary drive access on the Site, a drive aisle is required between the street and the front façade, and, therefore, requiring a deviation from the Midtown Standard. Additionally, even though the Site is not providing any parking within the front 20-foot setback, in compliance with the Midtown Standards, but due not the existing parking the side and rear

2

WS-25-090



parking do not fall within the 5-foot setback requirement.

NOT
APP.
IN NEW
T30.

• Trash Enclosure Zone

The Applicant is not proposing to remove the existing trash enclosure location and the current location does not conform to the service zone requirements. However, the trash enclosure will be architecturally compatible with the building as it will have a decorative split-face block with a metal trellis and painted to match the building. The trash enclosure will also have a lock.

Waivers of Development Standards to Reduce Throat Depth

The Applicant is requesting to reduce the throat depth for ingress side of the driveway to 14.3-feet where 25-feet is required. The driveway entrance already exist and the egress side of the driveway is protected from any conflicting on-site turning movements. Therefore, the waiver to reduce the throat depth is reasonable and appropriate.

Sustainability

The Site is designed to meet the 7-point sustainability requirements by providing the following:

- Landscaping
 - The Applicant is providing 14 trees where 10 are required which is greater than 10% than required. As such, this equals 1 point.
 - The plants provided are all categorized under the Very Low or Low water needs. As such, this equals 1 point.
- Building/Site Design
 - The building will have a low-sloping cool roof that provides a solar reflection index greater than 78. As such, this equals 1 point.
 - The building will have awnings over 50% of the window/entrances on the south and west side. As such, this equals 1 point.
 - There will also be awnings or overhead shading over 25% of all windows/entrances. As such, this equals 1 point.
 - There will be an awning along the sidewalk along the front façade. As such, this equals 0.5 points.

2

WS-23-0845



- The building will have glazing along the front and west façade that will incorporate a daylight strategy within the front area. As such, this equals 0.5 points.
- There will be solar ban glass on all south and west facing windows. As such, this equals 0.5 points.
- There will be an awning above all building entrances. As such, this equals 0.5 points.

No design review is required for grade as the Site will not exceed the 36-inch maximum grade increase. Additionally, signage is not part of this application.

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

2

02/20/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

DR-23-0893-J & R LLC ETAL & PROMIT TRUST:

DESIGN REVIEW for a detached single family residential subdivision in conjunction with an existing detached single family residential controlled access development on 2.5 acres in an R-1 (Single Family Residential) Zone.

Generally located on the east side of Pacific Street and the southeast side of Regency Cove Court within Paradise. TS/hw/syp (For possible action)

RELATED INFORMATION:

APN:

162-13-201-040

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.5 (current phase)/9.4 (overall subdivision)
- Project Type: Detached single family residential subdivision
- Number of Lots/Units: 16 with 1 common lot (current phase)/47 with 2 common lots (overall subdivision)
- Density (du/ac): 5.0 (overall subdivision)
- Minimum/Maximum Lot Size (square feet): 5,301/8,276
- Number of Stories: 2
- Building Height (feet): 29.3
- Square Feet: 2,193 (min)/2,934 (max)
- Parking Required/Provided: 36/36

Site Plans, History, & Request

The plans depict a single family residential development totaling 16 detached single family lots and 1 common element on 2.5 acres on the southeastern side of Regency Cove Court and the northwest side of the Flamingo Flood Channel near the southeast corner of Emerson Avenue and Pacific Street. The lots depicted on the plans represent the final phase of the overall Emerson Estates subdivision. When completed, the Emerson Estates subdivision will contain a total of 47 single family home lots with 2 common elements on 9.4 acres for an overall density of 5.0 dwelling units per acre, which is compliant with the underlying R-1 (Single Family Residential)

zoning district. The lots range in size from a minimum of 5,301 square feet to a maximum of 8,276 square feet. All lots within the subdivision will access to the existing Regency Cove Court and will have access to a public street through a gates access driveway to Pacific Street to the northwest of the subject portion of the overall subdivision. A 15 foot wide proposed drainage easement is located between Lots 14 and 15 and will be mapped as the common element. Parking within the development will be provided by 2 car garages and driveways on each lot. The plans also depict that the finished grade of the site will not be increased by more than 3 feet at any point within the graded portion of the subject site.

The overall subdivision was approved in 1998 for R-1a zoning and was limited to 50 lots and a maximum density of 5 dwelling units per acre. Previous phases of the subdivision were developed as a planned unit development through UC-1266-98 and DR-1945-98, which were approved in September and December 1998, respectively. These land use applications permitted Units 1 and 2 of the Emerson Estates Subdivision. Unit 3 of the subdivision was permitted through TM-0373-04 in August of 2004 and amended the 24 lots found in the western and southern portion of the subdivision. The zoning for the overall site was made permanent in April 2000. After the adoption of Title 30, all parcels which were zoned R-1a were rezoned to R-1. The proposed subdivision will be the fourth and final phase of the overall subdivision and completes the development with an overall density and number of lots in conformance with the original zone change.

Landscaping

Overall, no new landscaping is shown and or proposed, however, alternative front yard setbacks will be required to meet the R-1 zone setback standards at the time of construction, which may include 2 trees planted adjacent to the street frontage. Additionally, a 6 foot tall decorative wall is proposed to be placed at the rear of each of the lots adjacent to the Flamingo Flood Channel.

Elevations

The elevations depict 4 proposed models for the proposed development with each model having a standard Spanish/Contemporary style. Models 1, 2, and 4 are shown to be 2 stories high with each model ranging in height from 29.3 feet tall up to 36 feet tall. The 2 story residences are shown to consist of desert toned painted stucco, pitched clay tile roofs with variable rooflines, building pop-outs, stone veneer accents, and architectural enhancements to the windows and doors. All 2 story models are shown to have an 11 foot to 11.5 foot tall balcony and covered patio in the rear of the home. The 1 story residence is shown to be 18.9 feet tall with similar architectural enhancements to the 2 story models with the exception that the balcony is a pitched roof patio cover 9.5 feet in height. All models contain a covered entrance portico except for Model 2 with has an entrance courtyard area. Each residence includes a 2 car garage.

Floor Plans

The floor plans depict 3, two story homes ranging in size from 2,763 square feet to 2,934 square feet, where the 1 story model is approximately 2,193 square feet. The 2 story models shown contain between 5 to 6 bedrooms with a 2 car garage, and options for an additional upstairs living room or sixth bedroom. The first floor primarily contains the main living areas and kitchen with 1 of the bedrooms. The second floor primarily consists of the additional bedrooms and the optional bonus bedroom/living room. The 1 story models contain 3 bedrooms, a 2 car garage, a

kitchen, and living spaces. These homes are similar in size to the presently developed homes. Only 2 of the 31 existing homes in Emerson Estates subdivision are currently single story homes. The average floor area of the existing 31 single family homes are approximately 2,900 square feet.

Applicant's Justification

The applicant is proposing to complete the Emerson Estates subdivision with a 16 lot tentative map and this proposed design review application, which will complete the overall subdivision. The applicant proposes no waivers of development standards, and they state that the proposed homes will match the existing homes within the subdivision with similar stucco exteriors and 2 car garages.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-20-500150	16 lot detached single family residential subdivision	Withdrawn by PC	March 2021
WS-20-0438	16 lot portion of a single family residential development	Withdrawn by PC	March 2021
TM-0373-04	24 lot detached single family residential subdivision map	Approved by PC	August 2004
VC-0104-00	Reduced the street and peripheral setbacks for a detached single-family residential controlled access planned unit development	Approved by PC	March 2000
DR-1945-98	Final plans for a 45 lot detached single family residential controlled access planned unit development	Approved by PC	December 1998
UC-1266-98	Detached single family residential controlled access planned unit development with waivers	Approved by PC	September 1998
TM-0199-98	45 lot detached single-family residential planned unit development subdivision map	Approved by PC	September 1998
V8-1252-98	Vacated and abandoned government patent easements – recorded	Approved by BCC	September 1998
ZC-0016-98	Reclassified the site to R-1a for a single family residential subdivision for up to 50 lots	Approved by BCC	April 1998

* The zoning was changed from R-1a to R-1 after the adoption of Title 30 in July 2000.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Detached single family residential development
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Public Use	R-1 & R-1 (RNP-III)	Attached single family residential development

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Public Use	P-F	Place of worship
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Detached single family residential development

*The Flamingo Flood Channel is located directly to the south of the site.

Related Applications

Application Number	Request
TM-23-500189	A 16 lot detached single family residential subdivision map 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

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 development is consistent with the Master Plan, and supports Policies 1.3.1 and 1.4.4, which encourage both infill development and maintaining the distinct character of existing neighborhoods. Staff finds that the proposed use of the site will enhance the neighborhood by activating a previously vacant space. Site access and circulation will not negatively impact adjacent roadways or neighborhood traffic, as the proposed development will take use of existing roadways and will not contribute more traffic than what is typical of existing such subdivision. The elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance, and create an orderly and aesthetically pleasing environment. Finally, the proposed homes are similar in architecture and in size to those home already constructed within the subdivision and are harmonious and compatible with development in the area. As a result, staff can support this design 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

- 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

- Drainage study and compliance.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and that fire protection may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

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 #0020-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: GABRIEL PROFIR

CONTACT: JAIME LOPEZ, CONCRETE SOLUTIONS, INC., 4515 BALSAM ST, LAS VEGAS, NV 89108



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 type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input 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>DR-23-0893</u> DATE FILED: <u>12-27-2023</u> PLANNER ASSIGNED: <u>BSS</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>1-30-2024</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>2-21-2024</u> FEE: <u>\$ 675</u>
	PROPERTY OWNER NAME: <u>PROMIT TRUST</u> ADDRESS: <u>1440 SILVER GLEN AVE</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: _____ CELL: <u>702-420-4317</u> E-MAIL: <u>SENADITTO.MERIGHT.MO@HOTMAIL.COM</u>
	APPLICANT NAME: <u>PROMIT TRUST</u> ADDRESS: <u>1440 SILVER GLEN AVE</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: _____ CELL: <u>702-420-4317</u> E-MAIL: _____ REF CONTACT ID #: _____ <u>SENADITTO.MERIGHT.MO@HOTMAIL.COM</u>
CORRESPONDENT NAME: <u>M/A</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 162-13-201-040
 PROPERTY ADDRESS and/or CROSS STREETS: REGENCY COVE CT
 PROJECT DESCRIPTION: 16 NEW FAMILY RESIDENCE

(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.



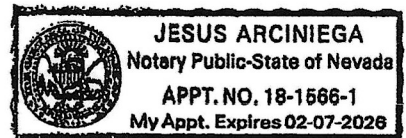
 Property Owner (Signature)* Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON August 8th, 2023 (DATE)

By Gabriel Constantin Probit

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-23-100693

Compelling Justification Letter

Re: Emerson Estates; Parcel #16213201040

We are pleased to present our project after carefully taking all facts into consideration that pertain to our scope of work. Together with our professional team we have closely examined our surroundings and have also consulted with the community Home Owners Association board members. Our gated community currently consists of 31 one story and two story homes with lot sizes ranging from 5227 sq ft to 10193 sq ft in size.

Our proposed project consists of 16 lots with sizes ranging from 5301 to 8276 with one and two story models homes as follows:

Model 1- 2781 sq. ft. livable area, 431 Sq. ft. garage space, 366 sq. ft. patio cover

Model 2- 2934 sq. ft. livable area, 412 sq. ft. garage space, 380 Sq. ft. patio cover

Model 3- 2193 sq. ft. livable area, 406 sq. garage space, 351 Sq. ft. patio cover

Model 4 -2763 sq. ft. livable area, 492 sq. ft. garage space, 423 Sq. ft patio cover.

All planned house models will match the existing community including 2 car garages, stucco exterior, concrete roof tiles and color palette in beige, brown and gray. There are no waivers included with this application as all of our plans meet all requirements for Title 30 of Clark County Municipality Code. We kindly thank you for your time and consideration.

**PLANNER
COPY**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-23-500189-J & R LLC ETAL & PROMIT TRUST:

TENTATIVE MAP consisting of 16 detached single family residential lots and 1 common lot on 2.5 acres in an R-1 (Single Family Residential) Zone.

Generally located on the east side of Pacific Street and the southeast side of Regency Cove Court within Paradise. TS/hw/syp (For possible action)

RELATED INFORMATION:

APN:
162-13-201-040

LAND USE PLAN:
WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.5 (current phase)/9.4 (overall subdivision)
- Project Type: Detached single family residential subdivision
- Number of Lots/Units: 16 with 1 common lot (current phase)/47 with 2 common lots (overall subdivision)
- Density (du/ac): 5.0 (overall subdivision)
- Minimum/Maximum Lot Size (square feet): 5,301/8,276

The plans depict a single family residential development totaling 16 detached single family lots and 1 common element on 2.5 acres on the southeastern side of Regency Cove Court and the northwest side of the Flamingo Flood Channel near the southeast corner of Emerson Avenue and Pacific Street. The lots depicted on the plans represent the final phase of the overall Emerson Estates subdivision. When completed, the Emerson Estates subdivision will contain a total of 47 single family home lots with 2 common elements on 9.4 acres for an overall density of 5.0 dwelling units per acre, which is compliant with the underlying R-1 (Single Family Residential) zoning district. The lots range in size from a minimum of 5,301 square feet to a maximum of 8,276 square feet. All lots within the subdivision will have access to the existing Regency Cove Court and will have access to a public street through a gate access driveway to Pacific Street to the northwest of the subject portion of the overall subdivision. A 15 foot wide proposed drainage easement is located between Lots 14 and 15 and will be mapped as the common element. Parking within the development will be provided by 2 car garages and driveways on each lot. The plans also depict that the finished grade of the site will not be increased by more than 3 feet at any point within the graded portion of the subject site. The existing subdivision consists of 3 previous phases approved in September and December of 1998 and in August of 2004. The

proposed subdivision will be the fourth and final phase of the overall subdivision and completes the development with an overall density and number of lots in conformance with the original zone change.

Landscaping

Overall, no new landscaping is shown and or proposed, however, alternative front yard setbacks will be required to meet the R-1 zone setback standards at the time of construction, which may include 2 trees planted adjacent to the street frontage. Additionally, a 6 foot tall decorative wall is proposed to be placed at the rear of each of the lots adjacent to the Flamingo Flood Channel.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-20-500150	16 lot detached single family residential subdivision	Withdrawn by PC	March 2021
WS-20-0438	Waived setbacks and wall height with a design review for a single family residential development	Withdrawn by PC	March 2021
TM-0373-04	24 lot detached single family residential subdivision map	Approved by PC	August 2004
VC-0104-00	Reduced the street and peripheral setbacks for a detached single family residential controlled access planned unit development	Approved by PC	March 2000
DR-1945-98	Final plans for a 45 lot detached single family residential controlled access planned unit development	Approved by PC	December 1998
UC-1266-98	Detached single family residential controlled access planned unit development with waivers	Approved by PC	September 1998
TM-0199-98	45 Lot detached single family residential planned unit development subdivision map	Approved by PC	September 1998
VS-1252-98	Vacated and abandoned government patent easements - recorded	Approved by BCC	September 1998
ZC-0016-98	Reclassified the site to R-1a zoning for a single family residential subdivision for up to 50 lots	Approved by BCC	April 1998

*The zoning was changed from R-1a to R-1 after the adoption of Title 30 in July 2000.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Detached single family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Public Use	R-1 & R-1 (RNP-III)	Attached single family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Public Use	P-F	Place of worship
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Detached single family residential

*The Flamingo Flood Channel is located directly to the south of the site.

Related Applications

Application Number	Request
DR-23-0893	A design review for a 16 lot single family detached residential subdivision in conjunction with an existing detached single family residential controlled access 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

The proposed tentative map is consistent with the requests of the associated land use application (DR-23-0893), and the request meets the tentative map requirements as outlined in Title 30. In addition, staff finds that the proposed subdivision will be harmonious with the existing and surrounding subdivisions and conforms with the conditions of the previous land use entitlements on the site. Therefore, 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 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; 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 there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance.

Comprehensive Planning - Addressing

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0020-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: GABRIEL PROFIR

CONTACT: JAIME LOPEZ, CONCRETE SOLUTIONS, INC., 4515 BALSAM ST, LAS VEGAS, NV 89108

DRAFT



TENTATIVE MAP APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	TM-23-500189
		APP. NUMBER: _____ DATE FILED: <u>12-27-2024</u>
<input type="checkbox"/> TENTATIVE MAP (TM)	DEPARTMENT USE	PLANNER ASSIGNED: <u>BBB</u>
		TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>1-30-2024</u>
		PC MEETING DATE: _____
		BCC MEETING DATE: <u>2-21-2024</u>
		FEE: <u>\$750</u>

PROPERTY OWNER	NAME: <u>JER LLC</u>
	ADDRESS: <u>4515 BARSAM ST</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89108</u>
	TELEPHONE: <u>702-277-5368</u> CELL: <u>702-277-5368</u>
	E-MAIL: <u>LOPEZ@CSIHV.NET</u>

APPLICANT	NAME: <u>JER LLC</u>
	ADDRESS: <u>4515 BARSAM ST</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89108</u>
	TELEPHONE: _____ CELL: <u>702-277-5368</u>
	E-MAIL: <u>LOPEZ@CSIHV.NET</u>
	REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>N/A</u>
	ADDRESS: _____
	CITY: _____ STATE: _____ ZIP: _____
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____
	REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-13-201-040

PROPERTY ADDRESS and/or CROSS STREETS: REBECCA COVE CT

TENTATIVE MAP NAME: 16 NEW FAMILY RESIDENCE / SOUTH EVERSON ESTATE

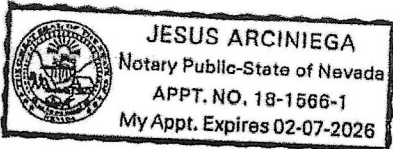
I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and 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>JAMES A. LOPEZ</u>	<u>JAMES A. LOPEZ</u>
<u>REFUGIO E. LOPEZ</u>	<u>REFUGIO E. LOPEZ</u>
Property Owner (Signature)*	Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLACK

SUBSCRIBED AND SWORN BEFORE ME ON AUGUST 10, 2023 (DATE)
 By JAIME A. LOPEZ AND REFUGIO E. LOPEZ

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.

APR-23-100693

Compelling Justification Letter

Re: Emerson Estates; Parcel #16213201040

We are pleased to present our project after carefully taking all facts into consideration that pertain to our scope of work. Together with our professional team we have closely examined our surroundings and have also consulted with the community Home Owners Association board members. Our gated community currently consists of 31 one story and two story homes with lot sizes ranging from 5227 sq ft to 10193 sq ft in size.

Our proposed project consists of 16 lots with sizes ranging from 5301 to 8276 with one and two story models homes as follows:

Model 1- 2781 sq. ft. livable area, 431 Sq. ft. garage space, 366 sq. ft. patio cover

Model 2- 2934 sq. ft. livable area, 412 sq. ft. garage space, 380 Sq. ft. patio cover

Model 3- 2193 sq. ft. livable area, 406 sq. garage space, 351 Sq. ft. patio cover

Model 4 -2763 sq. ft. livable area, 492 sq. ft. garage space, 423 Sq. ft patio cover.

All planned house models will match the existing community including 2 car garages, stucco exterior, concrete roof tiles and color palette in beige, brown and gray. There are no waivers included with this application as all of our plans meet all requirements for Title 30 of Clark County Municipality Code. We kindly thank you for your time and consideration.

PLANNER
COPY

02/20/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0905-DIRTCO, LLC:

VACATE AND ABANDON a portion of a right-of-way being Patrick Lane located between Annie Oakley Drive and Green Valley Parkway within Paradise (description on file). JG/sd/syp
(For possible action)

RELATED INFORMATION:

APN:

161-31-701-003

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

The plans depict a request to vacate 5-feet of right-of-way being Patrick Lane along the street frontage of the parcel. The applicant states that to provide detached sidewalks per Title 30 requirements, a request to vacate the existing right-of-way is necessary.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-0426-08	Industrial building	Approved by PC	June 2008
UC-1161-03	Allowed for temporary construction activities prior to building permit issuance in conjunction with an approved warehouse complex	Approved by PC	September 2003
ZC-1294-00	Reclassified 1.4 acres from R-E (AE-65) to M-1 (AE-65) zoning	Approved by BCC	October 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Neighborhood Commercial	C-P	Undeveloped & single-family residential
South, West & East	Business Employment	M-D	Undeveloped & warehouse facilities

Related Applications

Application Number	Request
WS-23-0904	A waiver of development standards for reduced throat depth; with a design review for an office/warehouse 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 needed for site, drainage, or roadway development and right-of-way for detached sidewalks.

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.

Comprehensive Planning - Addressing

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: NDL GROUP, INC.

CONTACT: NATHAN GODDARD, NDL GROUP, INC, 3830 S. JONES BLVD., LAS
VEGAS, NV 89103

DRAFT



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>VS-23-0905</u>	DATE FILED: <u>12/27/23</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):		PLANNER ASSIGNED: _____	TAB/CAC DATE: <u>1/30/24</u>
		TAB/CAC: <u>Paradise</u>	
		PC MEETING DATE: <u>2/29/24</u>	
		BCC MEETING DATE: _____	
		FEE: <u>\$ 875</u>	

PROPERTY OWNER	NAME: <u>DIRTCO LLC</u>
	ADDRESS: <u>4348 E. Alexander Rd.</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89115</u>
	TELEPHONE: <u>702-657-0742</u> CELL: <u>702-296-9179</u>
	E-MAIL: <u>tstewart@keystonelv.org</u>

APPLICANT	NAME: <u>NDL Group, Inc.</u>
	ADDRESS: <u>3830 S. Jones Blvd.</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u>
	TELEPHONE: <u>702-258-6000</u> CELL: <u>N/A</u>
	E-MAIL: <u>info@ndlgroupinc.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Nathan Goddard - NDL Group, Inc.</u>
	ADDRESS: <u>3830 S. Jones Blvd.</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u>
	TELEPHONE: <u>702-258-6000</u> CELL: <u>702-420-8669</u>
	E-MAIL: <u>ngoddard@ndlgroupinc.com</u> REF CONTACT ID #: <u>136003</u>

ASSESSOR'S PARCEL NUMBER(S): 161-31-701-003

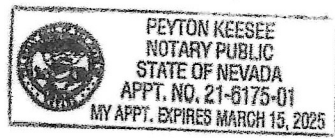
PROPERTY ADDRESS and/or CROSS STREETS: 4055 E. Patrick Lane / Patrick Lane & Annie Oakley Dr.

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.

[Signature]
Property Owner (Signature)*

Thor Stewart
Property Owner (Print)

STATE OF NEVADA
COUNTY OF Clark
SUBSCRIBED AND SWORN BEFORE ME ON 7 August 2023 (DATE)
By Thor Stewart
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.



September 14, 2023

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

VS-23-0905

Subject:

Justification letter for Design Review, Waiver of Development Standards and Vacation and Abandonment of Right-of-Way Applications for a proposed office warehouse building with outside storage located at 4055 E. Patrick Lane, Las Vegas, NV 89120. (A.P.N. 161-31-701-003)

To Whom It May Concern,

On behalf of our client, DIRTCO LLC, we are proposing to offer this Justification Letter for an Administrative Design Review, Waiver of Development Standard, and the Vacation and Abandonment of a right-of-way for a proposed 1.4-acre Office/Warehouse located on E. Patrick Lane within the jurisdiction of Clark County, Paradise.

Currently, the parcel is undeveloped and has been used for limited storage by the owner. The Owner would like to develop the parcel to transform it into a viable partner that will contribute to the overall benefit of the community, thereby increasing property values in the immediate commercial area and surrounding neighborhoods.

Project Description:

The project consists of one 60,861+/- sf parcel, APN: 161-31-701-003, currently zoned as Design Manufacturing (M-D) with a planned land use of Business Employment (BE) with which the proposed development is compliant. All adjoining parcels share the same zoning and planned land use designations. The property will feature a single 14,500 +/- square foot Split-face-CMU 2 story office/single story warehouse building divided into two suites with approximately 7,312 sf (2,427 office-both floors/4,866 warehouse) in suite A and 7,053 sf (2,394 sf office-both floors/4,659 sf warehouse) in suite B and also includes 13,865 sf of outside storage, all of which is appropriate for this current planned land use and zoning. The property will be accessed via a single 36' wide two-way driveway off of E. Patrick Lane and will offer the minimum required parking as well as some additional parking needed for employees. There is a 24' future cross-access area at the Northeast side of the front parking lot. The site will provide full fire department access and feature required landscaping along Patrick Lane and along the Northeast and Northwest sides of the front parking areas and along the West property line parking stalls. The property currently features a 6' high CMU wall at the East, West, and South property lines which will remain and will include the additions of an 8-foot overall height (10' max height allowed) split-face screening CMU fence to the North at each East and West side of the building with (1) motorized rolling gate for vehicle access and (1) pedestrian gate on the West side, and (1) manual swinging double vehicle access gate on the East side of the building. Both gates will be the same overall height as the 8' high North CMU wall. The West rolling gate shall remain open during business hours. The 13,865 sf of outside storage will have a 5,325 sf +/- area sectioned off by 6' high chain-link fence for suite B which will include a rolling gate for fire truck access. No storage will exceed the height of the CMU walls surrounding the property. All outdoor storage shall be accessory to the existing structure and for use by occupying tenants only. No use by offsite lease or non-tenants allowed. The finished grade is less than 36" above existing grade.



LEGAL DESCRIPTION
VACATION OF RIGHT OF WAY
APN 161-31-701-003

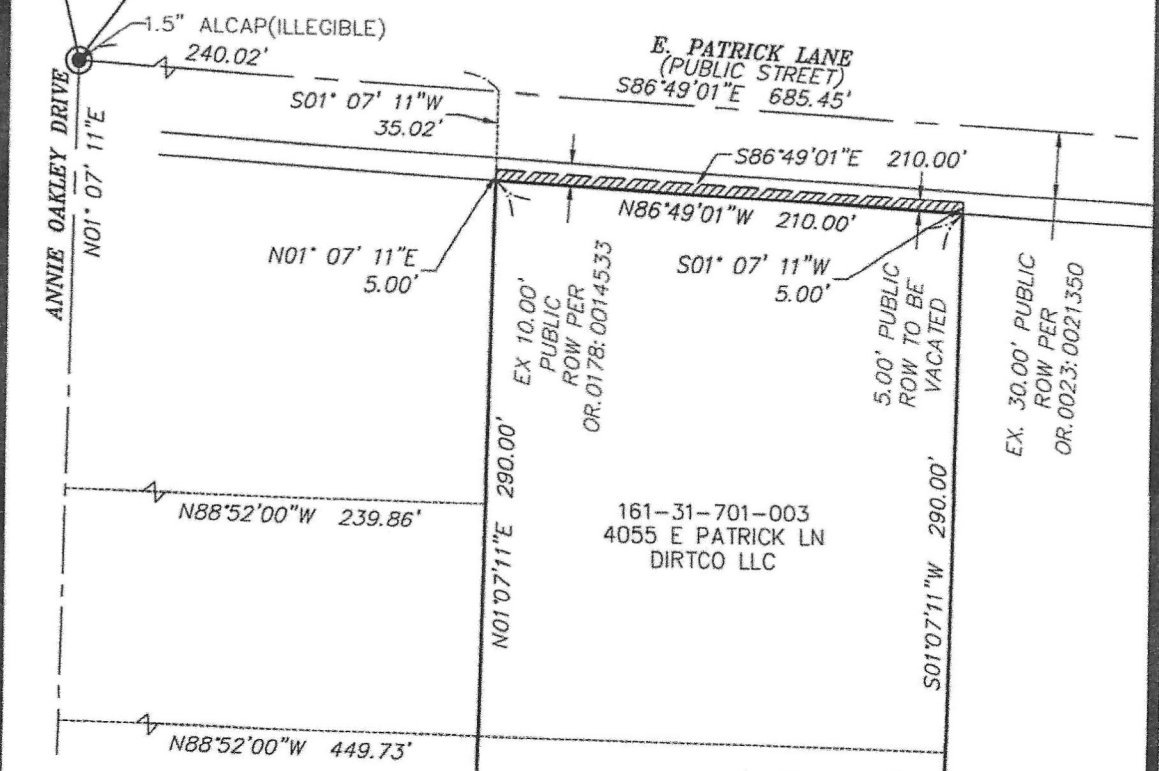
A PORTION OF LAND SITUATE IN THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 31, TOWNSHIP 21 SOUTH, RANGE 62 EAST, M.D.M, CLARK COUNTY, NEVADA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

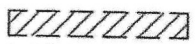
THE SOUTH 5.00 FEET OF THE NORTH 40.00 FEET OF THE EAST 209.86 FEET OF THE WEST 449.72 FEET OF THEREOF.

A handwritten signature in black ink, appearing to read 'Patrick Beebe', is positioned to the left of the digital signature information.

Digitally
signed by
Patrick
Beebe
Date:
2023.08.02
11:44:27
-07'00'


T 2 1 S
E 1 16
C — C
S 31
R 6 2 E




1,050 SQ. FT.
VACATED

● FOUND MONUMENT
AS NOTED

- BOUNDARY
- - - CENTER LINE
- RIGHT OF WAY
- PROPERTY LINE
- - - ADJ. PROPERTY LINE
- - - PROPOSED EASEMENT
- - - TIE LINE

Digitally
Signed by

Patrick Beebe
Date:
2023.12.19
11:07:56
-08'00'



SCALE: 1"=80'

2023	EXHIBIT B	BI POD LAND SURVEYING LLC 10629 CANON PERDIDO STREET LAS VEGAS, NEVADA 89141
	5' ROW VACATION	

02/20/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0904-DIRTCO, LLC:

WAIVER OF DEVELOPMENT STANDARDS for reduced throat depth. **DESIGN REVIEW** for an office/warehouse building on 1.4 acres in an Industrial Park (IP) (AE-60) Zone.

Generally located on the south side of Patrick Lane, 210 feet east of Annie Oakley Drive within Paradise. JG/sd/syp (For possible action)

RELATED INFORMATION:

APN:

161-31-701-003

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the throat depth to 9 feet, 11 inches where 25 feet is the standard per Uniform Standard Drawing 222.1.

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 4055 E. Patrick Lane
- Site Acreage: 1.4
- Project Type: Office/warehouse
- Number of Stories: 2
- Building Height (feet): 32
- Square Feet: 14,500
- Parking Required/Provided: 25/34

Site Plans

The plans depict a proposed office/warehouse building located on the south side of Patrick Lane and east of Annie Oakley Drive. The proposed warehouse facility building is divided into 2 suites and will also include approximately 13,865 square feet of outside storage to be located behind the building. The property will be accessed via a single 36 foot wide, 2 way driveway off of Patrick Lane, and there will be a 24 foot future cross-access area at the northeast side of the front parking lot. The property currently features a 6 foot high CMU block wall at the east, west, and south property lines, which will remain and will include the additions to increase to 8 feet in overall height. The plans note there will be a motorized rolling gate for vehicle access and 1

pedestrian gate on the west side, and 1 manual swinging double vehicle access gate on the east side of the building to the outside storage area. The west rolling gate shall remain open during business hours. The 13,865 square feet of outside storage will have a 5,325 square foot area sectioned off by a 6 foot high chain-link fence for suite B, which will include a rolling gate for fire access. No storage will exceed the height of the CMU walls surrounding the property. All outdoor storage shall be accessory to the existing structure and for use by occupying tenants only.

As part of this application the applicant is requesting a reduced throat depth to less than what is required and is also requesting to vacate a portion of right-of-way for detached sidewalks.

Landscaping

The plans depict landscaping along Patrick Lane with a 5 foot wide detached sidewalk with landscaping along both sides. A 10 foot wide landscaping area is shown along the western property line with trees and shrubs.; and landscape islands are shown within the parking lot.

Elevations

The plans depict an office/warehouse facility up to 32 feet in height with a parapet wall and flat roof line. The facility will have roll-up doors on the west, east, and the south exteriors. The north exterior will be utilizing a split face concrete in gray color. The plans depict store front glazed tinted windows along the north exterior facing the right-of-way and on portion of the western and eastern exteriors. No windows are shown on the south exterior.

Floor Plans

The plans depict the first floor of the with warehouse with an open floor plan with roll-up doors, a center wall separating each suite, and includes offices, storage, restroom, and stairwell to the second floor. The second-floor plan depict the warehouse open to below, but will have offices on the second floor, including a conference room, office space, storage, and a restroom. The plans also show an area noted on the plans being future office space to be completed under a separate permit.

Applicant's Justification

The applicant states the proposed office/warehouse facility will generate short-term temporary traffic, noise, and odor impacts during construction but will subside upon completion. These applications provide no negative impacts to the surrounding commercial uses but will enhance the community by transforming this area into a thriving productive partner.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-0426-08	Industrial building	Approved by PC	June 2008
UC-1161-03	Allowrd for temporary construction activities prior to building permit issuance in conjunction with an approved warehouse complex	Approved by PC	September 2003

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1294-00	Reclassified 1.4 acres from R-E (AE-65) to M-1 (AE-65) zoning	Approved by BCC	October 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Office and Professional	C-P	Undeveloped & single family residential
South, West & East	Design Manufacturing	M-D	Undeveloped & warehouse facilities

Related Applications

Application Number	Request
VS-23-0905	A request to vacate and abandon 10 feet of right-of-way being Patrick Lane 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.

Design Review

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 building's design incorporates several design elements such as varying elevations and exterior materials. Most of those properties adjacent to the applicant property are designed for industrial uses, including warehouses. The proposed use and the overall design are consistent with the existing and planned land uses in the immediate area, similar to those existing

warehouses. The proposed facility meets all setbacks and landscaping requirements and pedestrian access to the building from the street.

Public Works - Development Review

Waiver of Development Standards

Although the throat depth for the commercial driveway does not comply with the minimum standard, the applicant worked with staff to remove parking spaces, which provides more room for vehicles to safely exit the right-of-way to gain access to the site.

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 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

- Drainage study and compliance;
- Full off-site improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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 to show fire hydrant locations on-site and within 750 feet.
- 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; that fire/emergency access must comply with the Fire Code as amended; that fire protection may be required for this facility and to contact Fire Prevention for

further information at (702) 455-7316; and that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

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 #0016-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: NDL GROUP, INC.

CONTACT: NATHAN GODDARD, NDL GROUP, INC, 3830 S. JONES BLVD., LAS VEGAS, NV 89103

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

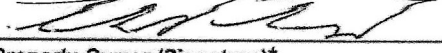
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (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>115-23-0904</u> DATE FILED: <u>12/27/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>1/30/24</u> PC MEETING DATE: <u>2/20/24</u> BCC MEETING DATE: _____ FEE: <u>\$ 1,150</u>
	PROPERTY OWNER NAME: <u>DIRTCO LLC</u> ADDRESS: <u>4348 E. Alexander Rd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89115</u> TELEPHONE: <u>702-657-0742</u> CELL: <u>702-296-9179</u> E-MAIL: <u>tstewart@keystonelv.org</u>
	APPLICANT NAME: <u>NDL Group, Inc.</u> ADDRESS: <u>3830 S. Jones Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>702-258-6000</u> CELL: <u>N/A</u> E-MAIL: <u>info@ndlgroupinc.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Nathan Goddard - NDL Group, Inc.</u> ADDRESS: <u>3830 S. Jones Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>702-258-6000</u> CELL: <u>702-420-8669</u> E-MAIL: <u>ngoddard@ndlgroupinc.com</u> REF CONTACT ID #: <u>136003</u>

ASSESSOR'S PARCEL NUMBER(S): 161-31-701-003

PROPERTY ADDRESS and/or CROSS STREETS: 4055 E. Patrick Lane / Patrick Lane & Annie Oakley Dr.


PROJECT DESCRIPTION: Construction of an office/warehouse building

(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.

 **Thor Stewart**
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 13th of June 2023 (DATE)
 By Thor Stewart

NOTARY PUBLIC: 

PEYTON KEESEE
 NOTARY PUBLIC
 STATE OF NEVADA
 APPT. NO. 21-6175-01
 MY APPT. EXPIRES MARCH 15, 2025

*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



September 14, 2023

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

WS-23-0904

Subject:

APR-23-100623: Justification letter for Design Review, Waiver of Development Standards and Vacation and Abandonment of Right-of-Way Applications for a proposed office warehouse building with outside storage located at 4055 E. Patrick Lane, Las Vegas, NV 89120. (A.P.N. 161-31-701-003)

To Whom It May Concern,

On behalf of our client, DIRTCO LLC, we are proposing to offer this Justification Letter for an Administrative Design Review, Waiver of Development Standard, and the Vacation and Abandonment of a right-of-way for a proposed 1.4-acre Office/Warehouse located on E. Patrick Lane within the jurisdiction of Clark County, Paradise.

Currently, the parcel is undeveloped and has been used for limited storage by the owner. The Owner would like to develop the parcel to transform it into a viable partner that will contribute to the overall benefit of the community, thereby increasing property values in the immediate commercial area and surrounding neighborhoods.

Project Description:

The project consists of one 60,861+/- sf parcel, APN: 161-31-701-003, currently zoned as Design Manufacturing (M-D) with a planned land use of Business Employment (BE) with which the proposed development is compliant. All adjoining parcels share the same zoning and planned land use designations. The property will feature a single 14,500 +/- square foot Split-face-CMU 2 story office/single story warehouse building divided into two suites with approximately 7,312 sf (2,427 office-both floors/4,866 warehouse) in suite A and 7,053 sf (2,394 sf office-both floors/4,659 sf warehouse) in suite B and also includes 13,865 sf of outside storage, all of which is appropriate for this current planned land use and zoning. The property will be accessed via a single 36' wide two-way driveway off of E. Patrick Lane and will offer the minimum required parking as well as some additional parking needed for employees. There is a 24' future cross-access area at the Northeast side of the front parking lot. The site will provide full fire department access and feature required landscaping along Patrick Lane and along the Northeast and Northwest sides of the front parking areas and along the West property line parking stalls. The property currently features a 6' high CMU wall at the East, West, and South property lines which will remain and will include the additions of an 8-foot overall height (10' max height allowed) split-face screening CMU fence to the North at each East and West side of the building with (1) motorized rolling gate for vehicle access and (1) pedestrian gate on the West side, and (1) manual swinging double vehicle access gate on the East side of the building. Both gates will be the same overall height as the 8' high North CMU wall. The West rolling gate shall remain open during business hours. The 13,865 sf of outside storage will have a 5,325 sf +/- area sectioned off by 6' high chain-link fence for suite B which will include a rolling gate for fire truck access. No storage will exceed the height of the CMU walls surrounding the property. All outdoor storage shall be accessory to the existing structure and for use by occupying tenants only. No use by offsite lease or non-tenants allowed. The finished grade is less than 36" above existing grade.

6



Design Review:

1. Design of an Office/Warehouse with outside storage that will be divided into (2) suites consisting of office, warehouse and outdoor storage space for each suite consistent with the current planned land use and zoning of the parcel.

Waiver of Development Standard:

1. Allow a reduction of the driveway throat depth to 9'-11" (entrance) & 18'-6" (exit) distance where 25 feet is required from the point of tangency/point of curvature on the on-site portion of the driveway to the first point of conflict per 30.52.050 #3 & uniform standard drawing 222.1.

A 25-foot throat depth will greatly reduce the usefulness of the parcel as it will limit the required building size and outdoor storage necessary for a successful operation and will greatly reduce the usability of the parcel for the owners and negatively affect their process and business. This design has eliminated one of the two existing driveways, thereby reducing entering and exiting congestion along Patrick Ln. Being that the office/warehouse use of this parcel is not prone to any high traffic use and the majority of all traffic will be employees with less than one outside visitor per month, this will result in very low volumes of traffic entering and exiting throughout the day. Additionally, the property is already burdened with existing infrastructure limiting design options. The existing sidewalk and associated storm drain cannot be relocated so the required detached sidewalks must incorporate this condition into the design in order to protect the mechanism for the control of storm water. Another inhibiting factor of multiple existing power poles in the sight visibility zones does not allow many design options for the driveway. At the discretion of NV Energy, at minimum one power pole will need to be relocated or the power lines will need to go underground to accommodate the only feasible driveway location. Because of the limited design options and the since the nature of this land use does not effectuate heavy traffic throughout the hours of operation or otherwise and the proposed configuration allows multiple patterns for traffic to disperse, a shorter throat distance is suitable and this reduction will not have a negative effect on traffic in this area.

Vacation of Right-of-Way:

1. Vacation

The subject property has a right-of-way in place along Patrick Ln. In order to provide detached sidewalks per Clark County Title 30 requirements, we request to vacate the existing right-of-way as shown on the attached vacation map along with the attached legals and exhibits.

Conclusion:

The Proposed Office/Warehouse will generate short-term temporary traffic, noise and odor impacts during construction but will subside upon completion. The project parcel sits along Patrick Lane where adjacent parcels to the East, West and South have the same (BE) use and (M-D) zoning. Additionally, the proposed development complies with all applicable provisions of the Clark County Development Code, Title 30 standards, and the goals and intent thereof. These applications provide no negative impacts to the surrounding Commercial uses but will enhance the community by transforming this area into a thriving productive partner.

6



NDL GROUP INC.
GENERAL ENGINEERING & GENERAL CONTRACTORS

We appreciate your consideration in reviewing and approving this application so we can develop this parcel in a manner consistent with Clark County's vision. If you have any further questions, please do not hesitate to contact me at nschweigart@ndlgroupinc.com or 702-258-6000 or Nathan Goddard (Senior Project Manager) at ngoddard@ndlgroupinc.com or 702-420-8669.

Sincerely,

Nathan Schweigart

Nathan Schweigart, President
NDL Group, INC

Cc:

Thor Stewart, (DIRTCO LLC, Managing Member)
Jessica Stewart, (DIRTCO LLC, Managing Member)
Nathan Goddard (NDL Group, Inc.)
Ann Mace (NDL Group, Inc.)

6

02/20/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0920-PF 4090, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) wall height; 2) alternative landscaping; 3) loading spaces; 4) gate access; and 5) reduce height setback.

DESIGN REVIEW for a mini-warehouse on 1.5 acres in a C-2 (Commercial General) Zone.

Generally located on the north side of Flamingo Road and the east side of Eastern Avenue within Paradise. TS/bb/ng (For possible action)

RELATED INFORMATION:

APN:

162-13-401-008; 162-13-406-004; 162-13-406-010; 162-13-406-011; 162-13-406-014 through 162-13-406-016

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase retaining wall height to 5 feet where 3 feet is the maximum per Section 30.64.050 (a 67% increase).
2.
 - a. Allow 10 feet of landscaping behind an attached sidewalk along Euclid Street where 15 feet of landscaping is required per Section 30.64.30.
 - b. Allow 24 inch box small Evergreen trees adjacent to a less intense use where 24 inch box large Evergreen trees are required per Figure 30.64-12.
 - c. Allow 24 inch box small evergreen trees every 20 feet where required every 10 feet per Section 30.64.030 K (3).
3. Reduce the number of required loading spaces to zero spaces where 4 spaces are required per Table 30.60-6 (a 100% reduction).
4. Allow an access gate to be 10 feet from street where a minimum of 50 feet is required per Section 30.64.020 (an 80% decrease).
5. Allow a reduction to the height/setback ratio to 38 feet where 87 feet is required adjacent to a less intense use per Figure 30.56-10 (a 56% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4030 Eastern Avenue
- Site Acreage: 1.5
- Project Type: Mini-storage
- Number of Stories: 3

- Building Height (feet): 35
- Square Feet: 28,532 (level 1)/ 28,834 (level 2)/ 28,834 (level 3)/ 88,537 (total)
- Parking Required/Provided: 440/498 (5 spaces for mini-warehouse facility)

Site Plan

The site plan depicts an existing office/retail complex located at the northeast corner of Eastern Avenue and Flamingo Road. The complex was originally approved by UC-0855-98 but was subsequently amended and expanded by UC-0586-00 and DR-0797-04. The complex is comprised of 5 buildings. One L-shaped building in the eastern half of the property and 1 square shaped building in the northern portion of the site that are primarily used for offices. The plan also shows 2 pad site buildings in the southern and southeastern portions of the property that primarily contain retail and restaurant uses. Parking is located throughout the site but is mainly located on the western portion of the site. A parking garage is also provided and is located on the eastern portion of the site. Access is provided by 3 driveways on Eastern Avenue, 1 driveway on Flamingo Road, and 1 driveway that provides cross access to the parcel to the north. The southeastern pad site has 1 access driveway to Euclid Street. The northeast portion of the subject site is the proposed location for the mini-warehouse development. Access is proposed from the existing driveway at the northwest corner of the complex connecting to the subject parcel across the north side of the complex, and exiting at the northeast corner of the property onto Euclid Street. The entrance to the mini-warehouse building is located at the northwest corner of the subject parcel and includes 5 parking spaces. A sliding access gate is shown 10 feet west of the Euclid Street driveway property line and is the subject of a waiver request.

Landscaping

A landscape buffer adjacent to a less intense use is shown on the northeast property line that consists of 24 inch box small trees where 24 inch box large trees are required, and is a waiver requested with this application. Existing street landscaping is also located along the Eastern Avenue and Flamingo Road frontages. Landscaping is also provided throughout the site and within the parking lot areas. A waiver to allow 10 feet of landscaping adjacent to an existing attached sidewalk on the west side of Euclid Street is a part of this application.

Elevations

The plans depict the 35 foot high primary mini-warehouse building #1 with stucco siding, pop out textured enhancements, entrance awning, aluminum storefront entry and windows facing north, and flat roof with parapet walls to conceal mechanical equipment. The east facing façade of the main storage building includes a raised concrete loading dock. Building #2 is 12 feet high and constructed of similar materials and colors as building #1, with 6 roll-up doors facing the interior of the lot on the west side of the building. Building #3 is 12 feet high and constructed of similar materials and colors of building #1, with 4 roll-up doors facing the interior of the lot on the west side of the building.

Floor Plans

The proposed mini-warehouse facility includes building #1 on the site plan, which has an overall area of 86,200 square feet. Level 1 is 28,532 square feet, level 2 is 28,834 square feet, and level 3 is 28,834 square feet. The floor plan of building #1 includes an office, restroom, and utility space of 1,156 square feet. Building #1 includes interior access to storage units, stairways,

elevator, and hallway access to exterior doors on the north, east, west, and south sides of the building. Building #2 is 1,287 square feet and building #3 is 1,050 square feet. The total building area proposed is 88,537 square feet.

Applicant's Justification

The applicant indicates that they intend to use the site as a personal storage mini-warehouse. Improvements were made to Euclid Street after development of the office building on the neighboring parcel to the west and south, including sidewalk, landscape, rough grading, and paving. Access to the site will be gated with an entry and exit from the west and an exit only onto Euclid Street at the east side of the buildings. The storage facility will be open 24 hours for storage access with the office hours to be determined during standard business days.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0390	Major training facility	Approved by PC	September 2022
DR-0797-04	Office/Retail complex with a retail and restaurant building with a drive-thru	Approved by BCC	June 2004
UC-0586-00 (ET-0208-01)	First Extension of Time for an office/retail complex expansion	Approved by BCC	July 2001
VS-1100-00	Vacated patent easements	Approved by BCC	September 2000
UC-0586-00	Office/Retail complex expansion	Approved by BCC	June 2000
ZC-0151-91 (WC-0050-99)	Waived the condition requiring no access to Euclid Street	Withdrawn	June 1999
UC-0855-98	Office/retail complex	Approved by BCC	July 1998
UC-0679-95	Office/retail complex - expired	Approved by BCC	May 1995
VC-1418-94	Restaurant with bar	Approved by PC	September 1994
ZC-0151-91	Reclassified from R-1 to C-2 zoning for an office/retail complex	Approved by BCC	October 1991

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use, Neighborhood Commercial, & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	C-2, C-P, & R-1 (RNP-III)	Retail & single family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
East	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	C-2 & R-3	Hotel & multiple family residential
West	Corridor Mixed-Use	C-1	Retail & commercial office
South	Corridor Mixed-Use & Public Use	C-2 & R-1	Medical office & place of worship

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

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

The proposed retaining wall is located adjacent to an existing building that has a finished floor elevation nearly 5 feet higher than the proposed mini-warehouse building. The retaining wall will retain existing earth that is the foundation for the existing building. While staff does not object to the building foundation retaining wall waiver, staff cannot support other waivers related to this proposal.

Waiver of Development Standards #2

The proposed decrease in Euclid Street landscaping from 15 feet to 10 feet does not provide adequate buffer from this property to existing residential uses to the north and east of this site. The applicant has chosen to maximize the building area and footprint to create a situation that does not allow for the full 15 feet of landscape width in this location, creating a self-imposed hardship. Staff cannot support this waiver request. If approved, in the absence of underground power lines along the north side of the property, the applicant should plant small trees every 10 feet per Section 30.64.030, not every 20 feet as shown on the plan.

Waiver of Development Standards #3

The applicant shows 1 loading dock on the elevations, but does not meet the dimensional requirements of Title 30 loading requirements. Mini warehousing and personal storage facilities have a large number of moving trucks visiting the site at any given time and require dedicated areas to load and unload. The applicant has chosen to maximize the size of the buildings on this

property without providing adequate space for loading and unloading, creating a self-imposed hardship. Staff cannot support this waiver request.

Waiver of Development Standards #4

The exit only gate located at Euclid Street will provide secondary emergency services access and allow storage facility users to exit the site onto a local street that primarily serves residential properties. The applicant has chosen to maximize the size of the buildings on this property without providing an adequate on-site turn around that would only require emergency access from Euclid Street, not pass through one-way egress onto a residential street.

Waiver of Development Standards #5

The proposed waiver for height setback ratio is included because the applicant cannot meet the requirement of Figure 30.64-12 intense landscape buffering with 24 inch box large Evergreen trees, and is proposing small trees. Additionally, required trees can be reduced to small trees if spaced 10 feet apart per Section 30.64.030 K(3), which is the subject of waiver #2c. Staff cannot support the proposed waiver.

Design Review

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 development and building area does not support adequate space for vehicle loading and unloading, vehicle turn around that limits access to a local street, and does not support adequate landscaping or setbacks as a buffer from residential uses to the north. The size and scale of the facility is not compatible or harmonious with surrounding residential development. Site access and circulation is limited by the size and location of buildings and would add traffic to a local street that primarily serves residential areas. Staff cannot support the design review.

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:

- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.

- Plant small evergreen trees every 10 feet along the northeast property line to buffer the residential from this property.
- 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

- Drainage study and compliance;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required.

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 to show fire hydrant locations on-site and within 750 feet.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and that fire protection may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

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 #0017-2024 to obtain your POC exhibit, and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: POINTE FLAMINGO LLC
CONTACT: MIKE PANCIROV, SPARC'S DESIGN, 1604 S. COMMERCE RD., UNIT B,
LAS VEGAS, NV 89101**



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 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>WS-23-0920</u> DATE FILED: <u>12/28/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>1/30/24</u> PC MEETING DATE: <u>2/20/24</u> BCC MEETING DATE: _____ FEE: <u>\$1,150</u>
	PROPERTY OWNER NAME: <u>Pointe Flamingo LLC / DSA Development - Daryl Alterwitz</u> ADDRESS: <u>8695 S. Eastern Ave, # 360</u> CITY: <u>Las Vegas</u> STATE: <u>NV.</u> ZIP: <u>89123</u> TELEPHONE: _____ CELL: <u>702 501-2423</u> E-MAIL: <u>daryl@darylalterwitz.com</u>
	APPLICANT NAME: <u>Jeff Englehart / Developer</u> ADDRESS: <u>1700 Horizon Ridge Pkwy # 102</u> CITY: <u>Henderson</u> STATE: <u>NV.</u> ZIP: <u>89012</u> TELEPHONE: <u>702 932-8813</u> CELL: <u>(702) 501-5107</u> E-MAIL: <u>jeff_englehart@hotmail.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>Mike Pancirov / Sparc's Design Group / Architect</u> ADDRESS: _____ CITY: <u>Las Vegas</u> STATE: <u>NV.</u> ZIP: <u>89101</u> TELEPHONE: _____ CELL: <u>(702) 785-7858</u> E-MAIL: <u>mpancirov@sparc.design</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 162-13-406-015
 PROPERTY ADDRESS and/or CROSS STREETS: E. Flamingo rd. & S. Eastern Avenue / 4030 S. Eastern
 PROJECT DESCRIPTION: New Self Storage Development

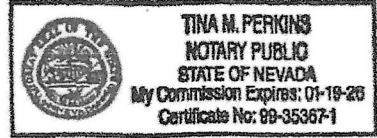
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF NEVADA
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON November 3, 2023 (DATE)

By Daryl Alterwitz
 NOTARY PUBLIC: [Signature]



7

*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.

Justification Letter

WS-23-0920

Project Name: Eastern Storage	Date: 18 December 2023	Project #
Location: 4030 S. Eastern Avenue	Pages: 1 of 6	Arch. Phase: 01

Property Identification Number:

162-13-406-015 (New Building), 162-13-406-014, 162-13-406-016, 162-13-406-010 & 162-13-406-004

The Request:

Is for a Self-Storage complex on this (C2) Commercial General parcel. Subject parcel is within Conforming Zoning District, and self-storage is a permitted "Use" in the Title 30 Land Use plan. We respectfully request approval via the "Design Review" process for Development of a new Mini Warehousing facility.

Project Name:

Eastern Self Storage

Project Location

The projects' general location is on Eastside of S. Eastern Drive and the Northside of E. Flamingo Road. This interior parcel abuts road known as S. Euclid Street on Eastside. The property's APN entitles it to be approximately +/- 1.49 Gross acres of total land. However, the 25' foot road dedication for half street - right of way, has already been dedicated in conjunction with an additional 5 foot for the sidewalk, along the Westside of Euclid street. In addition, developer proposes a 10' landscape buffer on the North and East property lines, in all leaving approximately 1.25 net acres for the buildings and the driveways.

Parcel History – Improvements:

Following construction of office buildings on adjacent parcels, off site improvement were made to the residential collector (Euclid St.). The adjacent parcels are owned by the same owner but are under a different legal entity. In 1998, the Clark County reacted to neighbor complaints about subject parcel still being undeveloped. Thus, Clark County made parcel owner aka (Pointe Flamingo LLC) rough grade, landscape, upgrade fencing, and make half street improvement, including asphalt and sidewalk. These previous Offsite improvements done [ie. Sidewalk] can be reviewed (PW 98-223384).

Parcel Development – Easements:

We acknowledge, that there are power poles on property that must be relocated. These poles are from an old NVE service drop running North and South; however, these two poles have no wires. This old point of service area is identified as a "Right of Entry only" and is designated a non-buildable easement. Moreover, there is the transmission line and underground line on the north property line, that has a ten-foot minimum easement and will demand a (TUA) Transmission Use Agreement application with NVE.

WS-23-0920

Based on proposed site map, power consultant does not believe we will have an issue with this overhead circuit and vertical clearance relative to planned building location. Based on proposed site plan we will meet both NVE and OSHA standards for clearance, so we will not relocate Overhead circuit.

Project Description:

This infill parcel has access limitations and thus must share a cross access driveway from Eastern rd. with adjacent existing office building. Euclid street along the East property line is more or less a "residential collector" at only 50 feet in width; and thus, Eastern Avenue seems more appropriate for this business's primary ingress and egress. There is a dedicated driveway, from Eastern Avenue which is memorialized in the development CC&R's, for office complex and other existing and planned commercial businesses. The owner owns abutting developed parcel to the West and South, of proposed Site. This remaining undeveloped parcel (Site) was always intended to have its primary access via this dedicated driveway. Therefore, our plan illustrates this proposed facilities primary access from Eastern with Euclid right of way being for patrons egress and emergency fire access only.

This Self Storage project is comprised of 2 portions, which is made up of a primary Three-story building, consisting of 97,934 Gross sq. feet and another 2 single story structures creating 2,337 sqft. of drive-up Garages which are adjacent to East property line. These Garages, in conjunction with main building will total 100,271 Gross square feet. In addition, the main building will also have a manager's Office located at the Northwest corner of this metal & block building.

This Landscaping will address area's facing toward public right of way to the East, as well as the area facing residential neighbors to the North. Likewise, the trash enclosure shall also not be visible to residents or from the right-away. The main Building shall be neutral and/or earth tone colored stucco finish with decorative block accents, as illustrated in the elevation drawings. Moreover, this landscaped eastern portion of the parcel will still have the 5-foot-wide sidewalk just adjacent to Euclid St. Lastly, the eastside of parcel shall be an exit only gate, for customers. We plan to have a right turn only sign on gate to mitigate Storage patrons driving into neighborhood.

Project Justification:

We believe there is Justification for Design Review on this parcel for the following reasons:

First, A Self Storage project, is within allowed parameters for General Commercial, under Title 30. This 3-story building along with landscape buffers will serve as a built-in audio-visual barrier to roadway noise and vehicle headlights. This facility will serve the community with Storage of Goods and Drive up Garages with minimal impact on the public facilities, services, access roads, and traffic. Self Storage trip generation is lower than other permitted Commercial Uses currently allowed under General Plan.

Second, the project will feature an extensive planting of Evergreen box Trees (ie. Red Push Pistache) along the East and (North) Property-line, adjacent to neighbors existing entry drive. Once these evergreen trees are fully grown, they will not only block the direct view of the facility, but it will also provide

WS-23-0920

shade, privacy and buffer noise, if any. The improvements proposed along Euclid street will be enhanced by trees, shrubs, and ground cover, which will add an aesthetic or character, to existing neighborhood.

Third, Eastern Self Storage will not have any adverse effect on surrounding public services, and will actually make neighborhood community more secure, in that it will serve as a secure passive vault type of facility that will be monitored 24 hours a day, year-round by a security system on premises.

Fourth, Paradise Land Use plan indicate a Planned Land Use of General Commercial (C2) for this Parcel.

Fifth, this type of enterprise "Self-Storage" will continue to be in very high demand with the significant number of new residents migrating into this centrally located area of the city (Winchester/Paradise). Note, all area self storage facilities within a 3-mile radius around Site, are at capacity and all currently have waiting lists. This C2 zoned property has self storage as a "permitted" Use. Bear in mind, that there are significantly more intense uses permitted, in C2, but this proposed Use is the least intensive, with the lowest trips per day of any type of commercial Use. Despite this subject parcel abutting a RNP III (4 units to the acre); this planned 35 foot tall building will be at least 80 feet away from adjacent structures / residence(s) to the North.

In conclusion, it is our intent to create harmonious development with existing residents and businesses in the immediate area. Moreover, this new business will contribute Tax revenue and increase commerce within the trade area. Lastly, Site development will be consistent with Clark County standards in Title 30

Waiver of Standard/Design Review

Request:

We are requesting waiver of standards as it relates to Setbacks and Retaining Wall. The Net area of structures is now 88,537. Based on this revised design the proportion of Site coverage will now be 53 % where no more than 60 % of parcel maybe covered by all structures in Commercial (C2) Zone.

- 1) Waiver request: 30.64.020 (c) increase retaining wall height in excess of 3'-0" as allowed by code.
- 2) Waiver request: 30.64.030 (I) Reduce street L/S to 10'-0" where 15'-0 is required adjacent to existing attached sidewalk – per 30.64.030.
- 3) Waiver request: 30.64-12 Reduce height of required trees to comply with NV Energy requirements at location beneath overhead power transmission lines.
- 4) Waiver request: Figure 30.60-6 On Site Loading Requirements.
- 5) Waiver request: A waiver for access to a local street and reduced gate setback is needed for the gate along Euclid Street.
- 6) Waiver request: A waiver to reduce the setback ratio for the northern property line.
- 7) Design Review: Relocate exiting tree at northern portion of site to accommodate new self-storage facility. The new design shall install a new tree in a new location to ensure compliance with the landscaping requirements.

Justification:

WS-23-0920

The (C2) district was established to provide for areas appropriate for tracts devoted to various types of business uses. Self Storage development is a permitted in a C2 zone.

These Waiver requests seem more than justified due to the following:

Regarding **Waiver 1** (30.64.020 (c)) the request is for an increase of retaining wall from 3' to 4' 6 inches, which would be a 50 % increase and is justified for the following reasons. This parcel has an irregular topography, we must add "fill" to create appropriate slope in order to meet the ADA requirements. Moreover, this deviation from code or exception is permitted via 30.64.020(c) which states, "retaining walls shall not exceed 3 feet in commercial district, unless required to buffer an adjacent Use". In this case the adjacent Use that is impacted is residential and an adjustment to the "screening standard" is warranted to create minimal impact to adjacent residences.

The waiver for the retaining wall is to allow for the greatest amount of privacy for the neighboring residential neighbors to ensure their greatest use of the intense landscaped buffer provided on the northern property line.

Compensating benefit: # 1.1

This code deviation will increase the compatibility and minimize negative impact of 2 different abutting Uses by screening and/or buffering residences with more landscaping to create a better visual barrier.

Compensating benefit # 1.2

As a result of this code deviation, there is a net benefit to this existing community. This will be achieved by, an improved aesthetic via increased height of perimeter landscaping which will add character to this existing neighborhood near the primary point of ingress and egress for area neighbors.

Compensating benefit: # 1.3

Enhanced visual character adjacent to primary neighborhood (ROW). Once these trees are established, they will create an enhanced appearance by way of obstructing view corridor of this self storage "Use" from area residences. Moreover, this will create shade for pedestrians and generally create a more attractive view corridor approaching this established neighborhood.

Regarding **Waiver 2** (30.64.030) the request is for reduction of code requirement from 15' to 10' to match current / existing offsite improvements to the South and North of subject parcel. Moreover, the property to the South already has a 10'-0" wide landscaping. Our request for the waiver is to provide a consistent and uniform design theme in the community which will actually provide a better design holistically rather than having the additional 5'-0" of landscaping that would then suddenly change character for no apparent reason.

This waiver seems very low impact, in that (1) there is very low or limited foot traffic activity associated with area residences and Self Storage Use. Next, it should be noted that 30.64.030 (l)-3 states, "detached sidewalks are not required on collector streets less than 70' measured from back of curb"; property fronts on 50' ROW. We will have no trees in this landscaped area as the required site visibility zones can not exceed 24" in height.

WS-23-0920

Compensating benefit: # 2.1

Despite this Waiver # 2, violating code requirements for "offsite sidewalks" this deviation from Code, will be a net benefit to neighborhood development. Planned offsite amenity/ sidewalk will better facilitate the connectivity, within the neighborhood pedestrian access realm.

Compensation benefit: # 2.2

This code deviation, will provide a consistent and uniform design theme in the community which will actually provide a better design holistically rather than having the additional 5'-0" of landscaping that would then suddenly change character for no apparent reason."

Regarding **Waiver 3** (30.64-12) the request is for reduction of height of the trees to be located within the intense landscape buffer. This code stipulates 24" box evergreen trees. However, the location of this required intense landscape buffer is directly below the NV Energy power transmission lines. After speaking to NV Energy, they are agreeable that landscaping can be installed here, however the trees to be installed must be limited to a small tree that will not exceed 20'-0" in height at maturity per the Southern Nevada Regional Planning Coalition Regional Plant List. We would be required to meet the NV Energy requirements to plant any landscaping within this easement.

This waiver, while it does reduce the overall height of the trees in the intense landscape buffer, the trees will still appear quite large as they are installed approximately 4'-6" higher than the neighboring parcel. We are meeting code in all other respects.

Compensating benefit: # 3.1

Despite this Waiver # 3, allowing the reduction of plant height still provides an elevated tree while maintaining NV Energy's ability to service the power transmission lines which serve the surrounding community.

Regarding **Waiver 4** (30.60-6) We have researched the requirement for a loading zone. It is our understanding that the loading zones are required for specifically industrial warehousing, not warehouses, mini. Table 30.60-1 specifically identify the two uses as separate entities. However, the planners have requested the waiver so, we are requesting a waiver as this facility will not operate in a manner as described in section 30.60.060. A mini warehouse very rarely if ever has large semi-truck traffic. We do not expect that this facility shall have any instances involving the receipt or distribution by vehicle of material or merchandise. As such we do not think we require any adequate space for standing, loading and unloading in order to avoid undue interference with public use of streets in accordance with Table 30.60-6. We have provided oversized drive aisles that are in excess of the required 27' width as mandated in 30.60.060. We request the waiver of the loading dock from the tabular requirement of 3 spaces down to 1 space which has been identified on the site plans.

WS-23-0920

Regarding **Waiver 5** A waiver for access to a local street and reduced gate setback is needed for the gate along Euclid Street. We request a waiver to reduce the setback as the gate is intended and is specifically marked for exit only traffic. The gate operator actually does not have any automation from Euclid to even open the gate on this side. We request this waiver as the design as provided will not create any burden on the surrounding community have exclusively exit only and more specifically, right turn only out of the facility.

Regarding **Waiver 6** A waiver to reduce the required setback for the northern property line. The calculation is as follows:

$$(\text{Building Height} - \text{Wall Height}) \times 3 = \text{Setback Distance}$$

$$(35'-6') \times 3 = \text{Setback Distance}$$

$$29' \times 3 = 87'$$

We do not have the room to provide the 87' setback distance. We have provided 38' of setback. It was our intention to meet the setback ratio as identified in Title 30 Figure 30.56-4. However as there is an NV Energy easement that does not allow for tall trees to be planted here, we can not meet the required intense landscaped buffer. We will provide evergreen trees in the required formation, they can not however be considered "tall" trees. This NV Energy easement provides a necessary community utility to all of the surrounding properties and we request that this be taken into consideration as this utility serves multiple properties.

02/21/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

AR-23-400186 (UC-19-0814)-GIPSY, LLC:

USE PERMITS FIRST APPLICATION FOR REVIEW for the following: 1) reduce the separation from an outside dining area (patio) to a residential use; and 2) allow outside dining in conjunction with a tavern.

DESIGN REVIEW for the following an outside dining area (patio) on 0.9 acres in a C-2 (General Commercial) (AE-65) Zone.

Generally located on the northwest corner of Paradise Road and Naples Drive within Paradise.
JG/dd/ng (For possible action)

RELATED INFORMATION:

APN:

162-22-301-015

USE PERMITS:

1. Reduce the separation from an outside dining area (patio) to a residential use to approximately 60 feet where a minimum of 200 feet is required per Table 30.44.1 (a 70% reduction).
2. Allow an outside dining area in conjunction with a tavern where only allowed in conjunction with a supper club, tourist club, mixed-use development, or restaurant.

DESIGN REVIEW:

Outside dining area (patio).

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 512 E. Naples Drive
- Site Acreage: 0.9
- Project Type: Outside dining/drinking
- Building Height: 13 feet (patio cover)
- Square Feet: 2,913 (outside dining/drinking area)
- Parking Required/Provided: 51/52 (overall site)

History & Site Plan

This site has functioned as a tavern/night club since at least 1996. The original structure was demolished in late 2020 and a new facility was constructed in a slightly different location on the subject parcel.

The plans approved by UC-19-0814 depicted a 238 square foot first floor outside dining area in conjunction with a proposed 5,093 square foot tavern. In addition, a 1,500 square foot second floor was proposed with a 1,500 square foot rooftop deck. The approved tavern was set back 14 feet from the nearest property line adjacent to Naples Drive. The first floor outside dining area was enclosed by an 8 foot high wall and set back approximately 75 feet west of Paradise Road. Primary access to the outside dining area is through the tavern. The nearest residential use is approximately 60 feet to the southwest, across Naples Drive. Parking is located on the west side of the building and access is provided from Naples Drive. A total of 58 parking spaces were to be provided where 58 parking spaces were required.

Later, in November 2022, an administrative design review (ADR-22-900707) was approved to alter the outdoor dining/drinking area. The approved plans depicted the outdoor patio area located on the east side of the building being expanded from 1,732 square feet to 2,913 square feet. In the middle of the outdoor patio area, where previously a carousel bar was shown, a patio structure had been added which covered the bar area. The structure was approved at 13 feet high, visible from both streets, had a roof pitch and consisted of stucco and decorative wood columns, decorative wood fascia, and metal roof. The proposed outside dining/drinking area met all Title 30 requirements and was set back from the surrounding streets adequately. A combination stucco and wrought iron fence was approved to enclose the outside patio area.

Additionally, in ADR-22-900707, 4 parking spaces were eliminated and the loading space was relocated. With the size increase, 51 parking spaces were now required for this site where 52 parking spaces were provided.

Currently the tavern/night club and the outdoor dining/drinking in conjunction with the project is operating as approved by UC-19-0814 with the modifications from ADR-22-900707 in place.

Landscaping

The original plans depicted a 2 foot to 70 plus foot wide landscape area adjacent to the east property line next to Paradise Road. A 6 foot to 14 foot wide landscape area is located on the south side of the proposed building adjacent to the attached sidewalk along Naples Drive. A 4 foot 5 inch landscape planter was depicted along the north property line and a minimum 6 foot intense landscape area was depicted along the west property line with Italian Cypress trees planted 10 feet on center. An alternative to the required interior parking lot landscaping was approved by planting the required parking lot trees elsewhere on the site.

Later, with the approval of ADR-22-900707, the locations of trees were adjusted on-site and more trees were added to the outside drinking/dining area.

Elevations

The previously approved elevations depicted a 2 story structure approximately 36 feet 8 inches in height. Balconies are located on the north, south and west sides of the building. The west balcony is for emergency egress only. Construction materials consist of decorative CMU block, aluminum window frames, and EIFS finishes in shades of grey with bronze trim features. A combination stucco and wrought iron fence will enclose the outside patio area on the east side of the building.

Floor Plans

The previously approved plans depict the first floor of the tavern having a bar area with access to the outside patio area, restrooms, storage areas, and a stairway to the second floor. The second floor was shown to be composed of another bar area with access to 2 exterior balconies and restrooms.

Previous Conditions of Approval

Listed below are the approved conditions for ET-22-400004 (UC-19-0814):

Current Planning

- Until December 18, 2023 to commence.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; 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 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

- Compliance with previous conditions.

Listed below are the approved conditions for UC-19-0814:

Current Planning

- 2 years to review as a public hearing on all outside dining and drinking areas, which may include the possibility of a change to the limitation on hours of operation;
- Wheel stops to be installed in each parking space on the north side of the parking lot;
- Hours of operation for all outside dining and drinking areas limited to a closing time of 3:00 a.m.;
- No amplified music or live entertainment in any outside dining and drinking areas;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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

- Full off-site improvements;
- Right-of-way dedication to include a minimum of 10 feet for Paradise Road and the associated spandrel;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Owner/Applicant shall be responsible for removing any non-standard improvements within the right-of-way at the direction of the County when Paradise Road is widened;
- Reconstruct any unused driveways with full off-site improvements;
- Grant a 3 foot wide streetlight and traffic control device easement.

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.

Applicant's Justification

The applicant states that Gipsy is an icon for the LGBTQ+ community. The applicant also states that the facility reopened in October 2023, and the project has since been operating with a scaled back design so as to not impact the surrounding area.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-22-900707	Redesign of the outside dining area for a tavern	Approved by ZA	November 2022
ET-22-400004 (UC-19-0814)	First extension of time for the redesign of a tavern with outside dining and drinking	Approved by BCC	March 2022
UC-19-0814	Redesign of a tavern with outside dining and drinking	Approved by BCC	December 2019
UC-18-0803	Outside dining in conjunction with a tavern	Approved by BCC	May 2019

Prior Land Use Requests

Application Number	Request	Action	Date
ET-18-400161 (UC-0458-14)	Second extension of time to reduce the separation from an outside dining area (patio) to a residential use and waivers to allow modified landscaping standards, increased wall height, and reduced parking with design reviews for an outside dining area (patio) with a pool, and freestanding sign in conjunction with an existing tavern and nightclub	Approved by BCC	August 2018
ET-18-400160 (ZC-0183-16)	Second extension of time to reclassify 0.2 acres from R-2 to C-2 zoning for a parking lot in conjunction with an existing tavern with a design review for a parking lot	Approved by BCC	August 2018
UC-0458-14 (ET-0102-16)	First extension of time to reduce the separation from an outside dining area (patio) to a residential use and waivers to allow modified landscaping standards, increased wall height, and reduced parking with design reviews for an outside dining area (patio) with a pool, and freestanding sign in conjunction with an existing tavern and nightclub	Approved by BCC	October 2016
ZC-0183-16 (ET-0101-16)	First extension of time to reclassify 0.2 acres from R-2 to C-2 zoning for a parking lot in conjunction with an existing tavern with a design review for a parking lot	Approved by BCC	October 2016
ZC-0183-16	Reclassified 0.2 acres from R-2 to C-2 zoning for a parking lot	Approved by BCC	May 2016
UC-0458-14	Outside dining area with pool and modified landscaping	Approved by BCC	July 2014
UC-0430-13	Outside dining area with modified landscaping standards - expunged	Approved by BCC	September 2013
ZC-0261-02	Reclassified the property from C-2 to M-1 zoning	Denied by BCC	May 2002
DR-1327-99	Porte-cochere addition and facade changed for the existing building	Approved by PC	October 1999
UC-0448-96	Allowed a nightclub use within the existing tavern	Approved by BCC	March 1996

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	C-2	Motel
South	Entertainment Mixed-Use	C-2, R-2, & R-5	Tavern & multiple family residential
East	Entertainment Mixed-Use	H-1	Restaurant
West	Entertainment Mixed-Use	R-2	Multiple family residential

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 originally required as a condition of UC-19-0814 by December 19, 2021. The applicant has demonstrated compliance with conditions and that the property is not impacting the surrounding neighborhood, community, or streets.

This business has been IN operation since the 1980's until its closure during the Covid-19 pandemic. The business license for the site was re-issued in September 2023, and since its opening in October there have been no Code enforcement violations on the property. For these reasons, staff can support this request and recommend removal of the time limit.

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.

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: GIPSY, LLC

**CONTACT: MAREN PARRY, BALLARD SPAHR, 1980 FESTIVAL PLAZA DRIVE,
SUITE 900, LAS VEGAS, NV 89135**

DRAFT

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

DR-23-0909-HCI-CERBERUS 160 EAST FLAMINGO HOTEL OWNER LP:

DESIGN REVIEW to increase the area of an animated sign in conjunction with an existing hotel (The Westin Las Vegas Hotel & Spa) on 6.8 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the north side of Flamingo Road and the west side of Koval Lane within Paradise. TS/rr/ng (For possible action)

RELATED INFORMATION:

APN:

162-16-410-056

DESIGN REVIEW:

Increase the area of an animated sign to 805 square feet where 150 square feet is permitted per Table 30.72-1 (a 437% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 160 E. Flamingo Road
- Site Acreage: 6.8
- Project Type: Freestanding sign

Site Plan

The plan depicts an existing hotel (The Westin Las Vegas Hotel & Spa) with an existing freestanding sign which is set back 10 feet from the property line along Flamingo Road. The sign is located just to the west of an existing driveway along Flamingo Road. The driveway provides access to the hotel registration area as well as a surface parking area and a parking garage for the hotel.

Signage

The plans depict an existing freestanding sign structure with an overall height of 79 feet and an overall width of 29 feet and 1 inch. The structure is comprised of 2 columns with existing static signage located between the 2 columns as well as on the portion of the structure above the columns. The existing signage located above the columns which advertises "The Westin Las Vegas Hotel & Spa" will not change. However, the plans show that the existing static signage

located between the columns is proposed to be removed. This signage is proposed to be replaced by a 46 feet by 17 feet and 6 inch (805 square foot) double-face animated sign with an LED display. The applicant states that no additional square footage will be added to the sign.

Applicant's Justification

The site is adjacent to the Las Vegas Strip Resort Corridor and across the street from the newly branded Horseshoe Casino. The site is also located just south of the Linq and Caesars Convention Center and is within viewing distance of the MSG Sphere. The property is in the epicenter of the area of The Strip that has been updated and reimaged over the last few years. The adjacent resort properties have larger LED displays and other signage that make the proposed animated sign for The Westin consistent with signage on the surrounding properties. This request will not negatively affect the surrounding area. The LED display will promote branding, partnerships, and upcoming events on this site and will be in conjunction with operations of The Westin.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-23-0126	Monorail (underground people mover system) which will connect to multiple locations including The Westin	Approved by BCC	May 2023
VS-17-0988	Vacated and abandoned unnamed alley between Koval Lane and Linq Lane	Approved by PC	February 2018
UC-0251-16	Restaurants, convention facility, on-premises alcohol consumption, and retail, waiver to reduce parking, and design review to convert an existing resort hotel to a hotel with modifications to convention areas	Approved by BCC	June 2016
UC-0277-04	Expanded an existing resort hotel with a deviation to reduce parking	Approved by PC	Marh 2004
UC-1027-02	Reestablished a casino and reinstated resort hotel status for an existing hotel building	Approved by PC	August 2002
UC-1382-01	Off-site parking for an off-site resort hotel (The Venetian)	Approved by PC	December 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & West	Entertainment Mixed-Use	H-1	Parking lots
South	Entertainment Mixed-Use	H-1	Horseshoe Hotel & Casino & motion picture production use (Battlebots)
East	Entertainment Mixed-Use	H-1	Convenience store with gasoline station & residential condominium development (The Meridian)

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

Design Review

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.

There is no increase in the size of the signage being proposed, only a replacement of an existing static sign with an animated sign with an LED display. The proposed animated sign appears to have a compatible visual character with adjacent developments. The proposed animated sign is consistent with the style, design, and scale of other previously approved freestanding signs with animation for resort hotels within the immediate area and along Las Vegas Boulevard South. Staff finds that the proposed signage will not negatively impact the area or the site; therefore, 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; 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; 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.



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 type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input 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>DR-23-0909</u> DATE FILED: <u>12-27-2023</u> PLANNER ASSIGNED: <u>ASB</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>1-30-2024</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>2-21-2024</u> FEE: <u>\$ 675</u>
	PROPERTY OWNER NAME: <u>HC I-CERBERUS 160 EAST FLAMINGO HOTEL</u> ADDRESS: <u>160 E FLAMINGO ROAD</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: <u>714-474-4764</u> CELL: <u>SAME</u> E-MAIL: <u>Al.Diaz@Highgate.com</u>
	APPLICANT NAME: <u>The Westin Las Vegas Hotel & Spa</u> ADDRESS: <u>160 E FLAMINGO ROAD</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: <u>714-474-4764</u> CELL: <u>SAME</u> E-MAIL: <u>Al.Diaz@Highgate.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>MARK WHITEHOUSE - HIGH IMPACT SIGN</u> ADDRESS: <u>820 S WIGWAM PKWY #100</u> CITY: <u>HENDERSON</u> STATE: <u>NV</u> ZIP: <u>89014</u> TELEPHONE: <u>702-336-3336</u> CELL: <u>SAME</u> E-MAIL: <u>mwhitehouse@high</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 16216410056
 PROPERTY ADDRESS and/or CROSS STREETS: 160 E FLAMINGO RD LAS VEGAS NV 89109
 PROJECT DESCRIPTION: SIGN WAIVER TO ALLOW 791 SF OF LED WHERE 150 SF I:

(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)*
 STATE OF Texas
 COUNTY OF Dallas

Paul R. Womble
 HCI-Cerberus 160 East Flamingo Hotel Owner LP
 By: Paul R. Womble
 Its: Authorized Signatory

 Property Owner (Print)

SUBSCRIBED AND SWORN BEFORE ME ON September 29, 2023 (DATE)
 By Lorna Grove
 NOTARY PUBLIC: Lorna Grove



*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-23-101402



To: Clark Co. Comprehensive Planning Dept.
500 S. Grand Central Pkwy.
Las Vegas NV 89155

From: Mark Whitehouse
High Impact Sign, Steel & Specialties
820 S. Wigwam Parkway #101
Henderson NV 89014

Attn: Clark Co. Comprehensive Planning

Re: Sign Design Review with Waivers

We respectfully submit this request for the approval of a design review with a waiver of development standards to allow additional square footage for an animated sign to be installed on the existing pylon sign for the Westin Hotel located at 160 East Flamingo Las Vegas NV 89109.

This site is adjacent to the Las Vegas Strip Resort Corridor. The Westin Hotel is across the street from the newly branded Horseshoe Casino, just south of the LINQ and Caesars's Convention Center and in viewing distance of the new MSG Sphere project.

This property is in the epicenter of the area of the strip that has been updated and reimaged over the last few years. The Westin is every bit apart of the Las Vegas strip as the surrounding properties.

These adjacent resort properties have larger LED displays and other signage that makes the proposed animated sign for The Westin consistent with signage on the surrounding properties. This request will not negatively affect the surrounding area.

Technology has reached the point where these displays are commonplace and are able to promote branding, partnerships, and upcoming events on this site and in conjunction with operations of The Westin.

The Signage package consist of the following:

Design Review for Sign Package: (See Table for calculations):

- Sign A – Refurbish One (1) existing pylon sign by removing the existing static advertising and adding a new 46' High x 17' 6" Wide Double face standard Full Color LED Display. No additional square footage will be added to the sign, the LED Display will simply replace the static section in between the columns.
 - o Waivers required to allow an 805 square foot LED Display in a freestanding sign where 150 square feet is the maximum allowed.

Thank you in advance for your time and consideration.

Regards,
Mark Whitehouse
702-336-3336

820 Wigwam Parkway, Ste 100
Henderson, NV 89014
(702) 736-7446 office
(702) 644-0678 fax
www.highimpactsign.com

PLANNER
COPY

9

**AGENDA LOG AMENDMENT
PLANNING COMMISSION
TUESDAY, December 19, 2023**

Hold the following to the 01/02/2024 Planning Commission meeting:

- **Item #18 - CP-23-900653** – Per staff

Hold the following to the 01/16/2024 Planning Commission meeting:

- **Item #21 - WS-23-0684** (Moapa Valley – Dane Detommaso) – Per Planning Commission
- **Item #27 - WS-23-0738** (Lone Mountain – Lorna Phegley) – Per commissioner Kirkpatrick's office

Hold the following to the 01/16/2024 Planning Commission meeting. The corresponding Board of County Commissioners meeting date of 1/17/2024 now changes to 02/21/2024:

- **Item #31 - PA-23-700037** (Enterprise - Greg Cerven) – Per the applicant
- **Item #32 - ZC-23-0729** (Enterprise – Mark Donohue) – Per the applicant
- **Item #33 - VS-23-0730** (Enterprise – Mark Donohue) – Per the applicant
- **Item #34 - TM-23-500152** (Enterprise – Mark Donohue) – Per the applicant

Hold the following to the 02/06/2024 Planning Commission meeting. The corresponding Board of County Commissioners meeting date of 1/17/2024 now changes to 03/06/2024:

- **Item #28 - PA-23-700023** (Paradise - Greg Cerven) – Per the applicant
- **Item #29 - ZC-23-0522** (Paradise - Jillee Opiniano-Rowland) – Per the applicant
- **Item #30 - VS-23-0523** (Paradise - Jillee Opiniano-Rowland) – Per the applicant

Hold the following to the 02/20/2024 Planning Commission meeting:

- **Item #07 – ET-23-400145** (Lone Mountain – Michael Huling) – Per the applicant

Hold the following no date:

- **Item #09 – UC-23-0722** (Spring Valley – Nairec Agulian) – Per the applicant

Withdraw the following:

- **Item #24 – WS-23-0732** (Paradise - Dane Detommaso) – Per the applicant

Negar Masoomi

December 20, 2023

[Handwritten initials]

Negar
12-20-23

REVISED
BOARD OF COUNTY COMMISSIONERS
AGENDA LOG AMENDMENT
WEDNESDAY, DECEMBER 20, 2023

Hold to the January 17, 2024 Zoning meeting:

- **Item 26 – PA-23-700026** per the applicant. Enterprise/gc
- **Item 27 – ZC-23-0565** per the applicant. Enterprise/rr
- **Item 28 – VS-23-0566** per the applicant. Enterprise/rr

Hold to the February 7, 2024 Zoning meeting:

- **Item 16 – ET-23-400154 (WS-19-0816)** per the applicant. Enterprise/sd
- **Item 17 – WC-23-400155 (ZC-0339-08)** per the applicant. Enterprise/sd
- **Item 18 – WS-23-0709** per the applicant. Enterprise/sd

Hold to the February 21, 2024 Zoning meeting:

- **Item 15 – ET-22-400017 (UC-1721-06)** per the applicant. Paradise/jor

Hold to the April 17, 2024 Zoning meeting:

- **Item 13 – ET-21-400175 (UC-0492-15)** per the applicant. Winchester and Paradise/sd
- **Item 14 – ET-21-400176 (UC-0045-16)** per the applicant. Winchester and Paradise/sd

Delete from the agenda:

- **Item 36 – AG-23-900648*** per Commissioner Segerblom. Winchester/sr

* deletion of the item requires AG-23-900648 to be closed in Accela and results in the expiration date of September 6, 2023 for the following applications: UC-0568-14, UC-0568-14 (WC-0127-14), UC-0568-14 (ET-0087-17), ET-20-400095 (UC-0568-14), ET-22-400110 (UC-0568-14); UC-0519-17, ET-20-400096 (UC-0519-17), ET-22-400109 (UC-0519-17), and ORD-21-900147.

Sami Real

December 20, 2023



12/20/23

02/21/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0878-POLV, LLC:

USE PERMIT for deviations as shown per plans on file in conjunction with a resort hotel (Center Strip).

DEVIATIONS for the following: 1) increase the height of directional signs; 2) reduce the vertical (height) clearance for hanging signs; and 3) reduce setback.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback; and 2) allow non-standard improvements within the right-of-way (Las Vegas Boulevard South and Harmon Avenue).

DESIGN REVIEW for a comprehensive sign package in conjunction with a previously approved resort hotel (Center Strip) on 6.3 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the east side of Las Vegas Boulevard South and the south side of Harmon Avenue within Paradise. JG/md/syp (For possible action)

RELATED INFORMATION:

APN:

162-21-301-001; 162-21-301-003; 162-21-301-020

DEVIATIONS:

1. Increase the height of directional signs to 13 feet where a maximum of 9 feet is permitted per Table 30.72-1 (a 44.5% increase).
2. Reduce the vertical (height) clearance for hanging signs to 8 feet where a minimum height of 14 feet from grade if subject to vehicular traffic is required per Table 30.72-1 (a 42.9% reduction).
3. Reduce the setback for a freestanding sign to 8 feet where a minimum setback of 10 feet is required per Table 30.72-1 (a 20% reduction).

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the setback from the right-of-way (Harmon Avenue) for a freestanding sign to 8 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).
2. Allow non-standard improvements (directional signs) within the right-of-way (Las Vegas Boulevard South and Harmon Avenue) where not permitted per Chapter 30.52.

DESIGN REVIEWS:

1. Comprehensive sign package in conjunction with a previously approved resort hotel (Center Strip) including the following:
 - a) A proposed freestanding sign measuring 12 feet in height and 64 square feet in area.
 - b) Modifications to an existing directional sign at the corner of Las Vegas Boulevard South and Harmon Avenue.
 - c) Increase the number of directional signs to 11 where a maximum of 2 signs per entrance/exit are permitted per Table 30.72-1.
 - d) Increase the area of directional signs to 377 square feet where a maximum area of 32 square feet is permitted per Table 30.72-1.
 - e) Increase wall sign area to 16,987 square feet where a maximum of 14,430 feet is permitted per Table 30.72-1.
 - f) Increase the number of projecting signs to 3 where a maximum of 1 projecting sign is required per Table 30.72-1.
 - g) Increase the area of projecting signs to 123 square feet where a maximum area of 32 square feet is permitted per Table 30.72-1.
 - h) Increase the number of hanging signs to 8 where a maximum of 1 hanging sign is permitted per Table 30.72-1.
 - i) Increase the area of hanging signs to 56 square feet where a maximum area of 32 square feet is permitted per Table 30.72-1.
 - j) Increase the number of animated signs, including video units, to 5 where a maximum of 1 message/video unit per street per a resort hotel is permitted per Table 30.72-1.
 - k) Increase the area of animated signs to 14,507 square feet where a maximum area of 150 square feet for electronic message/video units is permitted per Table 30.72-1.

LAND USE PLAN:
WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:
Project Description
General Summary

- Site Address: 3725 to 3735 Las Vegas Boulevard South
- Site Acreage: 6.3
- Project Type: Comprehensive sign package for a resort hotel

History & Request

UC-22-0518 was approved by the Board of County Commissioners in October 2022 for a resort hotel (Center Strip) with various components and amenities, and included all associated accessory and incidental commercial uses, buildings, and structures. ADR-23-900294 was a subsequent application to modify a portion of a rooftop area on a lower level of the resort hotel to include a pickleball court as an accessory recreational use. The current proposal consists of a comprehensive sign package for the resort hotel.

Site Plan

The plans depict a resort hotel measuring 572 feet in height that features 2,420 hotel rooms, a theater consisting of 2,536 seats, and a multiple-level parking garage on 6.3 acres. The building is located on the southeast corner of Las Vegas Boulevard South and Harmon Avenue and has been designed as a single tower that is elevated upon a podium. The hotel porte-cochere is located on the north side of the hotel, adjacent to Harmon Avenue, and includes 4 one-way lanes designated for valet and ride-share service drop-off. The above grade parking garage, located on the east side of the resort hotel, has been incorporated into the building design. The project requires 2,401 parking spaces where 1,847 parking spaces are provided within the garage. Access to the project site is granted via 2 proposed commercial driveways and 1 existing commercial driveway adjacent to Harmon Avenue.

Signage

This application is for a comprehensive sign package for a previously approved resort hotel (Center Strip). The plans depict an assortment of proposed signs including, but not limited to, wall, freestanding, directional, projecting, and animated signs. The marquee sign of the development is the animated sign on the north and west elevation measuring 8,189 square feet. A total of 4 additional animated signs are also located on the north, south, east, and west elevation of the resort hotel. An existing directional sign measuring 17 square feet in area, located at the southeast corner of Las Vegas Boulevard South and Harmon Avenue, will be modified to match the signs proposed with this request. A total of 11 directional signs (1 existing and 10 proposed) are positioned around the perimeter of the site. Two directional signs are located within the right-of-way of Las Vegas Boulevard South and 1 directional sign is located within the right-of-way of Harmon Avenue. A freestanding sign measuring 12 feet and 64 square feet in area is located at the westernmost driveway along Harmon Avenue. The freestanding sign is set back 8 feet from Harmon Avenue, necessitating a deviation and waiver of development standards to reduce the setback. A total of 21 wall signs are proposed with the resort hotel located on the north, south, east, and west elevations of the building. Two projecting signs are located along the north side of the building while 1 projecting sign is located on the east elevation. Eight hanging signs are proposed for the resort hotel and are positioned at the entrances to the parking garage at the northeast and east sides of the site. A deviation is necessary to reduce the vertical (height) clearance for the hanging signs to 8 feet above the entrances to the parking garage. Below are the tables reflecting the details of the proposed comprehensive sign package:

Type of Sign	Approved (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	Percent Increase	# of Existing Signs	# of Proposed Signs	Total # of Signs
Wall*	0	16,987	16,987	14,430	17.8%	0	21	21
Freestanding	0	64	64	3,725	-	0	1	1
Directional	17	360	377	32	1078.2%	1	10	11
Projecting	0	123	123	32 per tenant	284.4%	0	3	3
Hanging	0	56	56	32 per tenant	-	0	8	8
Total	17	17,590	17,607	N/A		1	43	44

*Some of 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.)	Percent Increase	# of Existing Signs	# of Proposed Signs	Total # of Signs
Animation	0	14,507	14,507	150	9,571.4%	0	5	5

Applicant's Justification

The clearance height for the proposed hanging signs is consistent with the height of the vehicular entrances previously approved for the resort hotel, intended to provide the permitted vehicle height and to serve as height restrictor bar for vehicles entering the Project. The proposed directional signs to be located within public right-of-way are intended for directional purposes only, with no project branding and consistent with the existing County directional sign located at the base of the escalator on Harmon Avenue and Las Vegas Boulevard South. The request is to provide such signage, while maintaining the same, in order to provide directional information to patrons as established pursuant to Code requirements. The requested reduction in setbacks required in order to provide optimal placement of the proposed signs to allow vehicle traffic visibility for directional information. The freestanding sign will also provide directional information for the project and distance to the right of way is necessary for visibility purposes. The proposed signs will be visually compatible with adjacent developments, and is consistent in design and scale with signage for other resort hotels and uses within the Resort Corridor. Similar requests have been approved for other locations within the Resort Corridor.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-23-0690	Vacated and abandoned a portion of right-of-way being Harmon Avenue	Pending PC	February 2024
ADR-23-900294	Modified a portion of a rooftop area on a lower level of an approved resort hotel to include a pickleball court as an accessory recreational use	Approved by ZA	July 2023
UC-23-0126	Use permit and design review for a monorail	Approved by BCC	May 2023
UC-22-0518	Resort hotel with all associated and accessory uses, structures, and incidental buildings and structures	Approved by BCC	October 2022
UC-19-0922	Tourist club, restaurants, on-premises consumption of alcohol (service bar, supper club, tavern), retail sales and services, and offices, with waivers to reduce parking and alternative landscaping, and design review for modifications to an existing commercial building and parking garage	Approved by BCC	February 2020
UC-0978-14	Deviations to development per plans on file, allowed exterior accent colors with vivid hues, with a design review to demolish entrance façade and exterior remodel/modifications of the entrance façade of an existing shopping center	Approved by BCC	February 2015

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0465-14	Increased the height of antennas attached to an existing parking garage for a communications facility	Approved by PC	July 2014
UC-0095-14	Amusement theme park with restaurants, on-premises consumption of alcohol, outdoor live entertainment with increased building height, reduced parking, non-standard improvements within the right-of-way, and encroachment into airspace	Denied by BCC	November 2014
ZC-0021-12	Reclassified from R-4 and H-2 to C-2 zoning with a use permit for automobile repair and automobile minor paint/body shop, waivers for landscaping and buffering and allowed automobile maintenance uses outside and not within an enclosed building, modified improvement standards, wall enclosed trash enclosure, and reduced drive aisle, and design review for an existing commercial development consisting of automobile repair and maintenance uses, automobile sales, accessory outside storage, and office uses	Approved by BCC	April 2012
WS-0061-12	Allowed an overhead communication line on existing utility structures along a public right-of-way	Approved by PC	April 2012
UC-0924-02	Established a new use tourist club in conjunction with an existing restaurant supper club	Approved by PC	August 2002
UC-1556-01	Office use (timeshare booth) in conjunction with an existing restaurant	Approved by PC	January 2002
UC-1131-00	Outside dining with variance to reduce parking in conjunction with a restaurant	Approved by PC	September 2000
VC-2176-97 (ET-0032-99)	Extension of time to commence a reduction of required parking	Approved by PC	January 1998
VC-1055-97	Permit a wall sign to project 3.5 feet from a wall and allow 4,800 square feet of signage	Approved by PC	September 1998
DR-1461-96	4 story Harley Davidson themed restaurant and lounge with incidental uses	Approved by BCC	October 1996

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	H-1	Harmon Corner, Planet Hollywood Resort Hotel, & Miracle Mile Shopping Center (portions)
South	Entertainment Mixed-Use	H-1	MGM Grand Resort Hotel, Showcase Mall, & Polo Towers
East	Entertainment Mixed-Use	H-1	Marriot Grand Chateau
West	Entertainment Mixed-Use	H-1	City Center, Park MGM Resort Hotels, & CVS Pharmacy

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.

Deviation #2

Staff has no objection to reducing the vertical (height) clearance for hanging signs to 8 feet that are located above the entrance to the garage. The hanging signs will serve as "restrictor bars" that will prevent oversized vehicles from entering the parking garage. Reducing the vertical clearance for the hanging signs should have no impact on standard passenger automobiles and trucks; therefore, staff has no objection to this request.

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 uses 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 & Deviation #3

Staff does not object to the reduced setback for the proposed freestanding sign along Harmon Avenue. The reduced setback from the property line and right-of-way is minimal and does not impact any sight visibility zones. Therefore, staff recommends approval.

Design Review

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 & Deviation #1

Code allows alternative sign standards for resort hotels if the alternative results in the development having a visual character compatible with adjacent developments. The proposed signs are consistent in style, design, and scale with the previously approved resort hotel.

Furthermore, the signs are consistent in scale with other resort hotels within the immediate area and along Las Vegas Boulevard South. The animated signs are integrated into the design of the building and incorporate the design elements of the resort hotel. Staff has no objection to the quantity of directional signs proposed throughout the development as they are integrated into the design of the site providing direction for the resort hotel. The increased directional sign height will provide greater visibility for vehicles entering and exiting the site. Staff finds the proposed comprehensive sign package should not have an adverse or negative impact on the surrounding land use or properties; therefore, recommends approval.

Public Works - Development Review

Waiver of Development Standards #2

The applicant is responsible for maintenance and up-keep of any non-standard improvements; the County will not maintain any directional signs placed in the right-of-way. Staff can support waiver of development standards #2 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

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; 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; 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

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Directional signs to be approved by Public Works.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: POLV, 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	STAFF	STAFF
<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-23-0878</u> DATE FILED: <u>12/21/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>1/30/24</u> PC MEETING DATE: _____ e 7:00 BCC MEETING DATE: <u>2/21/24 @ 9:00 A.M.</u> FEE: <u>\$1,825</u>
	PROPERTY OWNER	NAME: <u>POLV, LLC</u> ADDRESS: <u>1510 West Loop South</u> CITY: <u>Houston</u> STATE: <u>TX</u> ZIP: <u>77027</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>
	APPLICANT	NAME: <u>POLV, LLC</u> ADDRESS: <u>1510 West Loop South</u> CITY: <u>Houston</u> STATE: <u>TX</u> ZIP: <u>77027</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>89106</u> TELEPHONE: <u>702-464-7052</u> CELL: <u>N/A</u> E-MAIL: <u>Rmiltenberger@bhfs.com</u> REF CONTACT ID #: <u>176001</u>

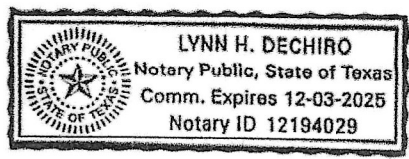
ASSESSOR'S PARCEL NUMBER(S): 162-21-301-001, 162-21-301-003, 162-21-301-020
 PROPERTY ADDRESS and/or CROSS STREETS: 3725, 3729 & 3735 S. Las Vegas Boulevard
 PROJECT DESCRIPTION: Center Strip - Comprehensive Sign Plan

(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] Property Owner (Print) POLV, LLC

STATE OF Texas
 COUNTY OF Harris
 SUBSCRIBED AND SWORN BEFORE ME ON September 6, 2023 (DATE)
 By Jeff Cantwell

NOTARY PUBLIC: Lynn H. Dechiro



*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

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

December 14, 2023

UC-23-0878

VIA ELECTRONIC DELIVERY

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

PLANNER
COPY

RE: Justification Letter – Design Review for Comprehensive Sign Package
APNs: 162-21-301-001; 162-21-301-003 and 162-21-301-020

To Whom It May Concern:

We represent POLV, LLC, a Delaware limited liability company ("Applicant"), owner of that certain real property bearing Clark County Assessor Parcel Numbers ("APNs") 162-21-301-001, 162-21-301-003 and 162-21-301-020 (collectively, the "Property"). Application No. UC-22-0518 was approved by the Board of County Commission on October 19, 2022, for the development of a resort hotel on the Property (the "Project"). In connection with the Project, the Applicant is requesting approval of the following:

Design Review: to a) create a new comprehensive sign package in conjunction with a resort hotel in an H-1 (Limited Resort and Apartment District); b) increase the total number of directional signs to 11; c) increase the total area of directional signs from 17 sq. ft. to 377 sq. ft.; d) increase the total number of wall signs to 21; e) increase the total area of wall signs to 16,987 sq. ft.; f) increase the total number of projecting signs to 3; g) increase the total area of projecting signs to 123 sq. ft.; h) increase the total number of hanging signs to 8; i) increase the total area of hanging signs to 56 sq. ft.; j) increase the total number of animated signs to 5; k) increase the total area of animated signs to 14,507 sq. ft.; and l) modifications to an existing directional sign, each as shown on the enclosed plans.

Use Permit for the following deviations: a) increase total height for the monument signs to approximately 12 feet where 10 feet is permitted; b) increase the hotel height for the directional signs to approximately 13 feet, where 9 feet is permitted; c) reduce the required height clearance for the hanging signs to approximately 8 feet 2 inches, where 14 feet is required, when subject to vehicular traffic; and d) reduce the required setback to 8 feet 6 inches for the monument sign along Harmon Avenue, where 10 feet is required, each as shown on the enclosed plans

Waiver of Development Standards to: allow for nonstandard improvements (directional signage) within an existing right of way.

The proposed signs will consist of the following: a) one (1) monument sign (approximately 64 sq. ft., including the base); b) ten (10) directional signs (approximately 360 cumulative sq. ft.); c) modifications to one (1) existing directional sign (17 sq. ft.); d) sixteen (16) static wall signs (approximately 2,480 cumulative sq. ft.); e) three (3) projecting signs (approximately 123 cumulative sq. ft.); f) eight (8) hanging signs (approximately 56 cumulative sq. ft.); and g) five (5) animated wall signs (approximately 14,507 cumulative sq. ft.), (collectively, the "Proposed Signs").

The clearance height for the proposed hanging signs is consistent with the height of the vehicular entrances approved for the Project by UC-22-0518, intended to provide the permitted vehicle height and to serve as height restrictor bar for vehicles entering the Project. The proposed directional signs to be located within public right of way are intended for directional purposes only, with no Project branding and consistent with the existing County directional sign located at the base of the escalator on Harmon Avenue and Las Vegas Boulevard. The request is to provide such signage, while maintaining the same, in order to provide directional information to patrons as established pursuant to the exceptions under Clark County Code 30.72.040(5)(A).

The requested reduction in setbacks required in order to provide optimal placement of the proposed signs to allow vehicle traffic visibility for directional information. The monument sign will also provide directional information for the Project and distance to the right of way is necessary for visibility purposes. The Proposed Signs will be visually compatible with adjacent developments, and is consistent in design and scale with signage for other resort hotels and uses within the Resort Corridor. Similar requests have been approved for other locations within the 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
Enclosures

**PLANNER
COPY**

Center Strip
Comprehensive Sign Chart

Type of Sign	Approved Sq Ft	Proposed Sq. Ft.	Total Sq Ft	Allowed per Title 30	Percentage Increase	# of Existing Signs	Proposed Signs	Total # Of Signs
Wall*	0	16,987	16,987	Per Design Review	N/A	0	21	21
Monument	0	64	64	70	0.00%	0	1	1
Directional	17	360	377	32	1078.13%	1	10	11
Projecting	0	123	123	32 per tenant	284.38%	0	3	3
Hanging	0	56	56	32 per tenant	N/A	0	8	8
Totals	17	17,590	17,607	N/A	N/A	1	43	44

Animation	0	14,507	14,507	150	9571%	0	5	5
-----------	---	--------	--------	-----	-------	---	---	---

* Some of the wall signs contain animation.

Comprehensive Sign Package APNs:

162-21-301-001; 162-21-301-003 and 162-21-301-020

Revised 12/14/23

**PLANNER
COPY**

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0907-PARBALL NEWCO, LLC:

USE PERMIT for deviations as shown per plans on file in conjunction with a resort hotel (Horseshoe).

DEVIATIONS for the following: 1) eliminate projecting sign height above grade; 2) increase the number of projecting signs; and 3) all other deviations as depicted per plans on file.

DESIGN REVIEW for modifications to a comprehensive sign plan in conjunction with an existing resort hotel (Horseshoe) on a portion of 30.0 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the east side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/hw/ng (For possible action)

RELATED INFORMATION:

APN:

162-21-102-009

DEVIATIONS:

1. Eliminate the minimum height for a projecting sign (dragon sign) above grade where a minimum of 9 feet where subject to pedestrian traffic is required per Table 30.72-1 (a 100% reduction).
2. Increase the number of projecting signs to 5 where 4 signs were previously approved (a 25% increase).
3. All other deviations as depicted per plans on file.

DESIGN REVIEW:

1. Modifications to a comprehensive sign package in conjunction with an existing resort hotel (Horseshoe) including the following:
 - a. Increase the area of animated signs to 35,750 square feet where 15,355 square feet was previously approved (a 133% increase).
 - b. Increase the number of animated signs to 12 where 5 signs were previously permitted (a 140% increase).
 - c. Increase the area of a wall sign along the eastern façade to 2,383 square feet where 1,413 square feet is permitted per Table 30.72-1 (a 69% increase).
 - d. Increase the area of all wall signs to 6,789 square feet where 5,358 square feet was previously approved (a 27% increase).
 - e. Increase the area of projecting signs to 2,102 square feet where 464 square feet was previously approved (a 353% increase).
 - f. Allow a projecting sign to extend 8.2 feet above the top of the parapet where not permitted by Table 30.72-1.

**LAND USE PLAN:
WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE**

BACKGROUND:

Project Description

General Summary

- Site Address: 3645 Las Vegas Boulevard South
- Site Acreage: 30 (portion)
- Project Type: Modifications to a comprehensive sign package

Plans & Request

This application is a request to amend the approved comprehensive sign plan for a resort hotel (Horseshoe) along Las Vegas Boulevard South. More particularly, the proposed signage in this application is for the recently approved accessory 3 story recreational facility building for the "Game of Thrones: Dragons" experience. The plans depict the recreational facility is located immediately to the east of the Horseshoe Resort and features the following setbacks: 1) 12 feet from the north property line and 2 feet from the roadway easement adjacent to Flamingo Road; 2) 710 feet to the south property line; 3) 86 feet to the east property line; and 4) 1,620 feet to the southwest property line adjacent to Las Vegas Boulevard South. Immediately to the west of the recreational facility is an extended pedestrian plaza that connects to Flamingo Road. Two previous applications have been approved for the Horseshoe rebranding which included freestanding signs, wall signs, and directional signs for the hotel itself. There are no proposed changes to the location or design of the existing buildings, landscaping, or uses on the site.

Signage

The proposed additions to signage are as follows:

- Seven wall signs for a total 3,231 square feet, including both pan channel letters and LED video/message boards.
 - Two wall signs will be located along the west elevation of the new building, 4 wall signs will be placed along the north elevation, and 1 wall sign will be placed along the eastern elevation.
- One projecting sign for a total of 1,638 square feet.
 - The projecting sign is in the shape of dragon and will project approximately 15 feet from the building and 8.2 feet above the roof of the building. The dragon sign is 26 feet tall from street level, placed on the northern elevation along Flamingo Road, and has a fire breathing effect.
- 20,395 square feet of animation is included within the above referenced signs. The animated signs include a 15,420 square foot video projected sign on the existing employment center building behind the proposed "Game of Thrones" building.

The applicant indicates that a total of 9 existing wall signs will be removed from the site for a total loss of 1,800 square feet.

The following table is a summary for signage for the resort hotel and associated uses:

Type of Sign	Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	Percent Increase	# of Existing Signs	# of Proposed Signs	Total # of Signs
*Freestanding	21,578	0	21,578	12,905	N/A	5	0	5
*Wall	5,358	3,231 (remove 1,800)	6,789	89,424	27	26	7 (remove 9)	24
*Roof Sign	190	0	190	0	N/A	1	0	1
*Projecting	464	1,638	2,102	**32	353	4	1	5
Directional	706	0	706	32	N/A	20	0	20
Overall Total	28,296	4,869 (remove 1,800)	31,365	N/A	N/A	56	8 (remove 9)	55

*The freestanding, wall, roof, and projecting signs also contain animation. **Per tenant.

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.)	Percent Increase	# of Existing Signs	# of Proposed Signs	Total # of Signs
Animated	15,355	20,395	35,750	***450	133	5	7	12

***150 square feet permitted per street frontage.

Applicant's Justification

The applicant states the proposed signage is a combination of wall and projecting signage, as well as animated video displays. These types of signs currently exist on the property for other tenants. The design, finishes, materials, and colors are all consistent with each of the new buildings as well as the other existing signs.

The requested signage is consistent with the already approved signage on this site. The inclusion of the "Game of Thrones: Dragons" experience will bring renewed interest to this corner and signage is a key part of the branding for both of those businesses. In closing, this signage will fit in perfectly with the surrounding area and will be compatible with the surrounding area.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-23-0218	Reduced setbacks for fencing around accessory retail building (Ole Red)	Approved by PC	June 2023
UC-23-0190	Deviations and sign package for Ole Red and Bottle Blonde signage in Grand Bazaar Shops	Approved by BCC	June 2023
UC-23-0173	Three story "Game of Thrones" recreational facility with motion rides and themed rooms	Approved by BCC	June 2023

Prior Land Use Requests

Application Number	Request	Action	Date
UC-23-0057	Deviations and modifications to the Horseshoe Resort Hotel	Approved by BCC	April 2023
UC-22-0638	Deviations for sign, increased number of directional signs, increased directional signage, and design review for comprehensive sign package	Approved by BCC	January 2023
UC-22-0280	Allowed primary means of access to accessory buildings from exterior and deviation shown on plan, deviation for alternative landscaping and pedestrian realm, waivers for reduced setback, and design review for accessory buildings	Approved by BCC	June 2022
DR-22-0177	Freestanding sign in conjunction with a resort hotel (Horseshoe Hotel)	Approved by BCC	May 2022
ADR-22-900058	Remodeled with modifications to the interior and exterior of existing buildings within a shopping center (Grand Bazaar) in conjunction with a resort hotel (Bally's)	Approved by ZA	February 2022
TM-20-500099	1 lot commercial subdivision	Approved by PC	August 2020
UC-18-0263	Modification to the interior and exterior of an existing building within a shopping center (Bally's Bazaar)	Approved by BCC	January 2018
DR-1035-17	Exterior and interior remodel of an existing building	Approved by BCC	January 2018
UC-0303-16	Signage in conjunction with the Grand Bazaar	Approved by BCC	June 2016
DR-0188-16	Modifications to an approved comprehensive sign package with an increased wall sign area	Approved by BCC	May 2016
UC-0854-14	Grocery store with a design review for signage	Approved by BCC	December 2014
UC-0847-13	Modifications to a comprehensive sign package	Approved by BCC	March 2014
UC-0227-12	Comprehensive sign and lighting plan with modifications to an approved shopping center (Bally's Bazaar)	Approved by BCC	July 2012
UC-0037-12	Outdoor shopping center (Grand Bazaar Shops)	Approved by PC	March 2012
DR-0077-11	Modifications to an approved sign package and reduced the separation between monument signs	Approved by BCC	May 2011
UC-0305-10	Sign package for Bally's and Paris Resort Hotels	Approved by BCC	August 2010
UC-1384-03 (ET-0283-09)	Second extension of time to allow permanent banners	Approved by PC	December 2009

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1384-03	Allowed permanent banners	Approved by PC	October 2003
UC-0855-00	Three sided on/off-premises freestanding sign with deviations to required setbacks	Approved by PC	July 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	H-1	Flamingo Resort Hotel
South	Entertainment Mixed-Use	H-1	Paris Las Vegas Resort Hotel & Parking Lot
East	Entertainment Mixed-Use	H-1 & H-1 (AE-60)	Battle Bots Arena & parking lot
West	Entertainment Mixed-Use	H-1	Bellagio Resort Hotel

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
Deviations

The proposed projecting sign is located within Las Vegas Boulevard South Resort Corridor where there are already several attention drawing signs for the various attractions along the Las Vegas Strip. Staff finds that while the sign is quite large, the sign is in scale for both the building and the signs within site and in the surrounding area. While usually projecting signs require at least 9 feet of clearance for pedestrians, this sign is designed differently than the usual projecting sign and no pedestrians will be walking directly beneath the sign as the sign will run the entire length of the building wall. While staff is concerned that any pyrotechnic effects could cause a safety hazard, there is sufficient pedestrian walking space around the sign, the sign is set back significantly from the street, and provided all fire safety regulations are followed and the pyrotechnic effects are not set off at intervals that could distract motorist along Flamingo Road, staff can support these deviations.

Design Review

Code allows alternative sign standards for resort hotels if the alternative results in the development having a visual character compatible with adjacent developments. In this case, the proposed signs are specifically for the approved "Game of Thrones" recreational facility that is accessory to the Horseshoe. The proposed signs are consistent in style and design of other resort hotels within the immediate area and along Las Vegas Boulevard South along with the other signage within the Horseshoe development. The modifications to the already existing comprehensive sign package comply with Policy 6.2.1 of the Master Plan which states that all new development should be compatible with the established neighborhood in terms of building

styles on-site, and also with surrounding developments. Policy 5.1.3 of the Master Plan also states that tourism is one of the bases of the local economy and should continue to be enhanced where possible. Given that Las Vegas Boulevard South and its surrounding area are designated as a National Scenic Byway, to which signage contributes, staff finds that the proposed signage and modifications to the approved sign package would positively contribute to the existing slate of signage in the Byway. Additionally, the proposed signage is appropriate and compatible with the surrounding uses and should not create any additional negative effects on surrounding residential and neighboring uses given the signage and lighting are already present on the site. For these reasons, staff can support this request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- All pyrotechnic effects shall comply with all applicable fire safety regulations and shall occur at intervals that will not distract motorists.
- 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; 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; 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)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: GOT LAS VEGAS GROUP, LLC

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

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 <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (Nzc) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) 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-23-0907</u> DATE FILED: <u>12/28/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>1/30/24</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>2/21/24</u> FEE: _____	
		PROPERTY OWNER	NAME: <u>Parball Newco, LLC</u> ADDRESS: <u>One Caesars Palace Drive</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u>
		APPLICANT	NAME: <u>GoT Las Vegas Group, LLC</u> ADDRESS: <u>3 Columbus Circle</u> CITY: <u>New York</u> STATE: <u>NY</u> ZIP: <u>10019</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>
		CORRESPONDENT	NAME: <u>Kaempfer Crowell - Jennifer Lazovich</u> ADDRESS: <u>1980 Festival Plaza Dr. #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>8935</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>702-792-7048</u> E-MAIL: <u>apierce@kcnvlaw.com</u> REF CONTACT ID #: <u>164674</u>

ASSESSOR'S PARCEL NUMBER(S): 162-21-102-009

PROPERTY ADDRESS and/or CROSS STREETS: near Flamingo and Koval

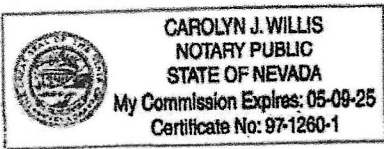
PROJECT DESCRIPTION: Master Sign Plan

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

[Signature]
Property Owner (Signature)*

Marc Paquette, Authorized Signatory
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark
SUBSCRIBED AND SWORN BEFORE ME ON August 16, 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.

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

KAEMPFER

CROWELL

JENNIFER LAZOVICH
jlazovich@kcnvlaw.com
D: 702.792.7050

December 27, 2023

VIA ELECTRONIC UPLOAD

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

UC-23-0907

**Re: Justification Letter: Master Sign Plan
Game of Thrones
A portion of APN: 162-21-102-009 (Flamingo Road/Koval Lane)**

To Whom It May Concern:

Please be advised our office represents the Applicant in the above-referenced matter. The Applicant has been approved (UC-23-0173) to develop a recreational facility on a portion of property located near the southwest corner of Flamingo Road and Koval Lane, more particularly described as APN: 162-21-102-009 (the "Site"). The entire Site is zoned H-1, and is approximately 29.96 acres and is where the Horseshoe (formerly Bally's Resort Hotel) is located. The Applicant now proposes a master sign plan for the development.

MASTER SIGN PLAN

In conjunction with the approved recreational facility, the Applicant is proposing a new master sign plan for the Site. The proposed master sign plan will keep many of the existing signs, remove some existing signs, and add new signage to the Site. Below is a breakdown of the existing signage, signage to be removed, proposed new signage, and proposed new total signage.

• **Existing Signage**

There are currently a total 56 signs on the Site consisting of the following types of signs:

- 26 wall signs
- 5 freestanding signs
- 20 directional signs
- 1 roof sign
- 4 projecting signs

The total existing square footage for the existing 56 signs is 28,296 square feet.

Additionally, there are 5 existing animated signs with a total square footage of 15,175 square feet.

JC-23-0907

KAEMPFER

CROWELL

- **Removal of Signage**

With the proposed master sign plan, the Applicant will be removing 9 existing wall signs for a total 1,800 square feet of wall signage removal.

- **Proposed New Signage**

The Applicant proposes the following new signage:

- 7 animated signs, without sound. The animated signs will be located at the following locations:
 - 3 on the north elevations.
 - 2 on the west elevations.
 - 2 on the east elevations.
- 7 wall signs. The wall signs will be located at the following locations:
 - 2 on the west elevations.
 - 4 on the north elevations.
 - 1 on the east elevations.
- 1 Projecting (Dragon) sign. The Dragon sign will be located along the north elevation of the building at the plaza entrance. The Dragon sign will breath fire, however, it will not constitute a hazard per fire code.

The proposed additional square footage for the 7 wall signs and 1 Dragon sign is 4,869 square feet. The proposed additional square footage for the 7 animated signs is 20,395 square feet.

- **Proposed New Total Signage**

After removing existing signage and replacing with new signage the number of signs reduces from 56 signs to 55 signs with the following type of signs:

- 24 walls signs (2 less than exist)
- 5 freestanding signs (remains unchanged)
- 20 directional signs (remains unchanged)
- 1 roof sign (remains unchanged)
- 5 projecting signs (1 additional projecting sign that includes the Dragon sign)

The proposed total square footage for the 55 signs will be 31,365 square feet.

Additionally, the Applicant is proposing an additional 7 animated signs for a total 12 animated signs. The 7 animated signs square footage will be 20,395 square feet for a total 35,570 square feet of animated signs square footage.

DESIGN REVIEW

The following deviations are required:

VC-23-0907

KAEMPFER

CROWELL

- **Increase Square Footage for All Animated Signs**

The maximum square footage for an animated sign is 150 square feet. All seven (7) proposed animated signs will exceed 150 square feet. The animated signs square footage ranges between 667 square feet to 1,142 square feet. The Applicant is requesting to increase the square footage of the signs. The animated signs are located in conjunction with a resort hotel and within the resort corridor where large animation signs are typical.

- **Increase Square Footage for Two (2) Wall Signs**

The Applicant is requesting to increase the allowed square footage for wall signs labeled as:

- FA-01-01-E: This wall sign will be located on the east elevation. The proposed square footage is approximately 2,383 square feet.
- FA-01-02-N: This wall sign will be located on north elevation. The proposed square footage is approximately 15,420 square feet.

The wall signs will appear more like a mural along the east and north elevations, respectively.

- **Increase Square Footage & Height for Projecting Sign (Dragon) and Separation to Existing Signs**

Since the Dragon Sign is affixed to the building, it is a projecting sign. The proposed height of the Dragon Sign is approximately 26-feet in height and approximately 1,638 square feet, where 70 square feet is allowed. The Dragon sign is located on the north elevation of the building at the plaza entrance and facing towards the interior of the Site. The proposed sign is approximately 6-feet and 6-inches from the existing freestanding sign where a 100-foot separation is required.

- **Permit a Projecting Sign (Dragon) to Project Up to 15-Feet from the Building Where 3-Feet is Permitted**

The Applicant is seeking to design a projecting sign (Dragon) that will enhance and tie into the overall experience. Since the wall sign (dragon) is in the resort corridor, it is compatible.

- **Permit a Projecting Sign (Dragon) to Project Above 1-Foot (+/-) Beyond the Top of the Parapet Wall**

The Applicant is seeking to design a projecting sign (Dragon) that will enhance and tie into the overall experience. Since the projecting sign (dragon) is in the resort corridor, it is compatible.

VG-23-0907

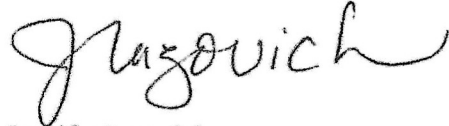
Clark County Comprehensive Planning
December 27, 2023
Page 4

KAEMPFER
CROWELL

As shown on the site plan, there are two existing signs, one monument sign and one wall sign, that are part of the Site's current master sign plan approvals. Those signs are not proposed to be altered or moved.

Sincerely,

KAEMPFER CROWELL



Jennifer Lazovich

JL/ajc

11

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-23-400193 (ZC-0226-00)-GURU NANAK DEV CHARITABLE TRUST ETAL:

WAIVER OF CONDITIONS of a zone change requiring the design of the driveway access of Pearlite Avenue to be relocated as far north as allowed by Public Works in conjunction with a proposed place of worship on 2.4 acres in a C-P (Office Professional) and an R-E (Rural Estates Residential) Zone in the Russell Road Transition Corridor Design Overlay District.

Generally located on the south side of Russell Road and the east side of Pearlite Avenue within Paradise. JG/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-32-103-001 through 161-32-103-004

LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

WINCHESTER/PARADISE - PUBLIC USE

WINCHESTER/PARADISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 4457 E. Russell Road, 4487 E. Russell Road, and 5751 Titanium Avenue
- Site Acreage: 2.4
- Project Type: Place of worship
- Number of Stories: 1
- Building Height (feet): 37 (maximum)
- Square Feet: Phase 1 - 6,914 (community building)/Phase 2 - 6,230 (assembly building)/1,890 (existing priest residence on APN 161-32-103-004)

History & Site Plan

Parcels 161-32-103-001 and 161-32-103-003 (west half of the overall site) were reclassified to C-P zoning via ZC-0226-00; however, the approved office building was never constructed. Parcel 161-32-103-002 (northeast corner) was previously approved for a place of worship via UC-0826-06 and exists today. Parcel 161-32-103-004 includes an existing residence only. Today, the applicant is requesting to redesign all 4 parcels to include a larger place of worship facility with 2 buildings on the western portion of the site (APNs 161-32-103-001 and 161-31-103-003) and integrate on-site improvements. Phase 1 will include a community building (southwest corner) with a kitchen, dining area, and multi-purpose room. A covered breezeway will connect the community building to the proposed assembly building to the north (Phase 2).

The entire eastern half of the site will primarily include the parking lot and the existing residence for the priest (APN 161-32-103-004). Access to the site is provided via 1 driveway along Titanium Avenue and 1 driveway along Pearlite Avenue.

The proposed driveway along Pearlite Avenue is located on the southwest corner of the site. ZC-0226-00 was approved subject to a condition on the Notice of Final Action which stated that the driveway design along Pearlite Avenue to be located as far north as allowed by Public Works. The applicant is applying for a waiver of conditions of a zone change since the proposed driveway along Pearlite Avenue is proposed to be constructed as far south as possible.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-0226-00:

Subject to expunging ZC-1762-98; design driveway access off Pearlite Street to be relocated as far north as allowed by Public Works; no lighting to shine on neighboring properties; rear parking areas to be gated and locked during non-office hours; design review as a public hearing for any significant changes on plans; monument signage only (maximum of 70 square feet, 7 feet x 10 feet with a maximum height of 7 feet); screen any roof mounted mechanical equipment; second story windows (if applicable) that face onto existing residences shall be of an opaque or obscure nature; and if the property to the east converts to commercial, applicant to record reciprocal, perpetual cross access, ingress/egress, and parking agreements; right-of-way dedication of 30 feet for Pearlite Street; drainage study and comply; full off-sites to be coordinated with County project; and all applicable standard conditions for this application type. Applicant is advised that this project must comply with the recently adopted County landscaping ordinance.

Applicant's Justification

Per the applicant, due to the site configuration and building layout the driveway along Pearlite Avenue is proposed at the optimum achievable location.

Prior Land Use Requests for APN 161-32-103-001

Application Number	Request	Action	Date
ZC-0226-00 (ET-0107-02)	First extension of time to reclassify 1.3 acres from R-E and C-P zoning to C-P zoning only for a 6,500 square foot office building - conditions were added to the NOFA regarding maximum building height and landscaping	Approved by BCC	May 2002
ZC-0226-00	Reclassified APNs 161-32-103-001 and 161-32-103-003 (total of 1.4 acres) from R-E and C-P zoning to C-P zoning only for a 6,500 square foot office building	Approved by BCC	April 2000
ZC-1762-98	Reclassified APN 161-32-103-001 from R-E to C-P zoning for a medical office - expunged with ZC-0226-00	Approved by BCC	December 1998

Prior Land Use Requests for APN 161-32-103-002

Application Number	Request	Action	Date
WS-0658-15	Reduced the front setback for a fence and reduced the setback for a fence from the right-of-way (Russell Road)	Approved by PC	November 2015
UC-0826-06 (ET-0175-08)	First extension of time for a place of worship	Approved by PC	August 2008
UC-0826-06	Place of worship	Approved by PC	July 2006
UC-1808-02	Place of worship with waivers related to screening mechanical roof equipment and allowed alternative landscaping with screening in front of the landscape strip - all waivers were withdrawn - expired and ET-400022-05 was held no date - also expired	Approved by PC	January 2003

Prior Land Use Requests for APN 161-32-103-003

Application Number	Request	Action	Date
ZC-0226-00 (ET-0107-02)	First extension of time to reclassify 1.3 acres from R-E and C-P zoning to C-P zoning only for a 6,500 square foot office building - conditions were added to the NOFA regarding maximum building height and landscaping	Approved by BCC	May 2002
ZC-0226-00	Reclassified APNs 161-32-103-001 and 161-32-103-003 (total of 1.4 acres) from R-E and C-P zoning to C-P zoning only for a 6,500 square foot office building	Approved by BCC	April 2000

*No prior land use requests for APN 161-32-103-004 related to any place of worship or commercial use.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E (Russell Transition Corridor Design)	Single family residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
East	Neighborhood Commercial & Ranch Estate Neighborhood (up to 2 du/ac)	C-P (Russell Transition Corridor Design) & R-E	Single family residential
West	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RUD (Russell Transition Corridor Design)	Single family residential

Related Applications

Application Number	Request
UC-23-0910	A use permit for a place worship and associated waivers of development standards and design review is a companion item on this agenda.
WC-23-400194 (ET-0107-02 (ZC-0226-00))	A waiver of conditions of an extension of time of a zone change regarding building height and residential architectural design 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.

The site plan shows that the proposed driveway is located as far south as possible along the applicant's street frontage of Pearlite Avenue. However, since the staff cannot support the applicant's waivers of development standards and the design review under the companion item UC-23-0910, staff cannot support this request.

Public Works - Development Review

Waiver of Conditions

Staff has no objection to waive the condition for the driveway on Pearlite Avenue. The driveway is meeting the minimum required distance per Uniform Standard drawing 222.1. However, since staff cannot approve the site as designed, staff cannot support this request.

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

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0054-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

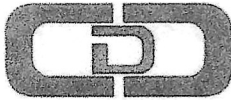
APPROVALS:

PROTEST:

APPLICANT: GURU NANAK DEVELOPMENT CHARITABLE TRUST

CONTACT: CONTINENTAL DEVELOPMENT CONSULTANTS INC, 250 W. MAIN STREET, SUITE 201, WOODLAND, CA 95695

DRAFT



CONTINENTAL DEVELOPMENT CONSULTANTS

Civil Engineering • Land Planning & Zoning Entitlements • Building Design & Improvements • Construction Consulting

JUSTIFICATION LETTER

WC-23-400193

Dec 22, 2023

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

Subject: Request for Use Permit, Waiver of Development Standards, Design Review and Waiver of Conditions
Guru Nanak Gurdwara (Sikh Place of Worship)- Reconstruction
Address: 4487 East Russell Road West of Titanium Avenue
Clark County (Paradise), NV 89120
APN Numbers: 161-32-103-001, 002, 003, 004 (Approx. 2.41 acres)

To whom it may concern:

We respectfully submit the subject application for reconstruction of Guru Nanak Gurdwara on behalf of Guru Nanak Dev Charitable Trust. The proposed site consists of four parcels totaling ± 2.41 acres. Parcel 161-32-103-002, zoned R-E, is currently being used as Place of worship and is designated PU in the Winchester/Paradise Land Use Plan. Parcel 161-32-103-004, Zoned R-E, is currently being used as priest residence and designated RNP in the Land Use Plan. Parcels 161-32-103-001 and 161-32-103-003, zoned C-P, currently vacant and designated OP is the Land Use Plan. The project site is located East of Pearlite Avenue, South of E. Russel Road and West of Titanium Avenue. The project site is in Transitions Overlay District-Russell Road Corridor

Description

We intend to reconstruct Existing Guru Nanak Gurdwara (Sikh Place of Worship) facility into a new code compliant and safe building (approx. 18,218 sq. ft) catering to Religious & Social needs of expanding Sikh Community in Greater Las Vegas area. The proposed single-story building to consist of Assembly Hall and portico towards North Side, Community Building including Multipurpose Hall, Restrooms, Kitchen & Dining towards South Side. All activities to be interconnected with the covered patio/hallways, giving an appearance of one single building.

Existing Assembly building to be demolished upon completion of the Assembly Hall, whereas existing Priest residence to remain. The construction of new building might be phased depending upon the availability of funds and materials. In case, the project construction is phased, Community building-with surrounding patios/hallways to be constructed on Phase-I.

Proposed building setbacks to be 40.5 ft. from E. Russell Road at front North, 39 ft. from Pearlite Avenue at West Side, 139.7 ft. from Titanium Avenue at East and 63.2 ft from the South property line. A total of 134 car parking spaces are required including 18 on-street parking (9 each on both Pearlite & Titanium Avenues) and 12 Bicycle parking spaces are provided, matching the required number of respective spaces. The trash enclosure is located towards South East corner of the proposed building.

A 50 ft. high Flag Pole is also proposed to be installed along E. Russell Road North of Portico, which stands for an exclusive identification of every Sikh Place of Worship along with religious significance. Existing low ht. Flag Pole in the corner of E. Russell and Titanium to be removed.

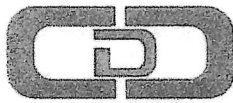
Landscaping

The project site meets or exceeds the minimum Landscaping required along abutting streets towards North, East & West as well as adjacent Single-Family Residences towards South. Parking areas are also landscaped throughout the site. An intense landscaping buffer is proposed along abutting residences. Proposed landscaping materials include trees, shrubs and ground cover.

Building Elevations

The plans depict a building of up to 21 ft high to the top of parapet, whereas large dome ht. goes upto 31 ft. and dome spire ht. to 37 ft. The building design is based on traditional Sikh Architecture with arches, domes, columns and other design motifs. The color scheme with earth tone colors further accentuates the building architecture.

12



CONTINENTAL DEVELOPMENT CONSULTANTS

Civil Engineering • Land Planning & Zoning Entitlements • Building Design & Improvements • Construction Consulting

WC-23-400193

Floor Plan

The single-story building to consist of Assembly Hall (approx. 5,486 sq. ft), Multipurpose Hall (approx. 685 sq.ft.), Kitchen & Dining area (approx. 4,343 sq. ft), Accessory Areas (approx. 2,630 sq.ft.), and covered patio/hallways (approx. 5,074sq.ft.)

Grading, Drainage and Utilities

Site is fairly level sloping towards North East corner (intersection of E. Russell Road and Titanium Avenue). Building finish floor elevations to be established as per the Drainage Study to be approved for compliance with the County Standards. The proposed development will not impact existing drainage patterns and discharge into the existing Public Storm Drain Network on E. Russell Road. There will be no impact on the existing residences towards South. The site is served by Las Vegas Valley Water District (LVVWD) and is having an onsite Private Sewage Systems for the Assembly Building as well as Priest residence. Water connections to be upgraded by LVVWD as per the project requirements. Existing Priest residence and the proposed building to be connected to the nearby Public Sewer System of Clark County Water Reclamation District.

Justification for Use Permit and Design Review requests

As explained above, the proposed project will be used as a Sikh Gurdwara which will include Worship, Prayer and Fellowship activities. The first prayer to begin at 5 am and the second prayer to end at 8 pm on daily basis. There will not be schedule intermittent programs but a priest and other staff to stay on site to attend the guests appearing for prayer or counseling. Most of the members to attend weekly Sunday program scheduled between 9 am to 2 pm.

The proposed use requires a Special Use Permit and Design Review approval as per the Zoning Ordinance and we believe that our application comply with the required findings as explained below-

- 1) The expansion and operation of existing use will not be detrimental to the health, safety, peace, morals, comfort or general welfare of the persons residing in the neighborhood as well the County.
- 2) The Conditions of Approval will regulate the impacts, if any, of the proposed expansion.
- 3) The proposed use will be consistent with the goals of General Plan and all applicable provisions including contribution in the economic development of the County. Existing site features and utilities are sufficient to serve the proposed use.

We are also seeking a design review for the proposed on-street parking. While we have fully maximized onsite parking, accommodating 116 out of the required 134 spaces within the premises, we propose to locate the remaining 18 spaces on the street. This approach to street parking is meticulously planned to be in harmony with the overall architectural design of the Gurdwara, ensuring it addresses the needs of our congregation and community effectively.

The offsite parking not only serves its functional purpose but also blends seamlessly with the surrounding neighborhood. There is a 15ft wide path of travel for vehicles available after the 9ft wide parking upto the centerline. Hence, the proposed on-street parking does not interfere with traffic. This careful integration emphasizes both aesthetic appeal and practical utility.

Justification for Waivers of Development Standards

We hereby request for the Waiver in Development Standards as detailed below

- Detached Sidewalk

County Standards require detached sidewalks where there are no existing attached sidewalks along Pearlite and Titanium Avenues. The standards also requires Right of Way up to back of curb and submit request for Vacation of excess Right Of Way. The attached sidewalk is being proposed due to the reason that the Site already have existing attached sidewalks along Russell Road frontage and the Parcel in North East corner. Moreover, existing sidewalks on the other sides of



CONTINENTAL DEVELOPMENT CONSULTANTS

Civil Engineering • Land Planning & Zoning Entitlements • Building Design & Improvements • Construction Consulting

UC-23-400193

both streets are existing attached sidewalks. So in order to keep the continuity in existing design, our request be considered.

- Throat depth of driveway on Titanium Avenue
Driveway on Titanium Avenue to have throat depth of approximately 58 ft. The site is served by two driveways on side streets. The existing curb return driveway on Russell road is proposed to be removed. Considering the site layout, our design have shown maximum achievable throat depth. Moreover, Titanium is not a major arterial and not a thorough street, handling the local traffic only.
- Departure Dimension at Titanium
The departure dimension from Titanium Avenue is proposed at 126 ft., which is less than the standard 190 ft. This modification is required to accommodate the unique shape of the site and existing buildings, while still providing sufficient space for safe vehicle ingress and egress.
- Pearlite Driveway Width
The driveway width on Pearlite Avenue is proposed to be 29 ft., slightly narrower than the standard 32 ft. This modification is necessary due to the existing site layout and to preserve the integrity of adjacent landscaping and infrastructure. The reduced width still ensures adequate vehicular movement and safety.
- Landscaping Waiver at Pearlite
The existing landscaping buffer along Perlite Avenue is 5 ft. to 10 ft, narrower than the standard 15 ft. We request this waiver due to the limited space available. Despite the reduced width, we ensure that the landscaping will be well managed and aesthetically pleasing, contributing positively to the local environment.
- Building Height
Although Table 30.40 allows maximum 35 height of the structures. However the Transition Overlay Corridor- Russell Road standards allows 21 ft. maximum building ht. The plans depict a 21 ft height to the top of parapet, whereas large dome height goes up to 31 ft. and dome spire to 37 ft. Table 30.44 make a provision for adding the height of Ornamental Spires subject to approval by the Board or Commission. Single building with 21 ft height will not fit in the Architectural Scale as well.

Justification for Waivers of Conditions from ZC-0226-00

Condition requires that the driveway access off Pearlite Avenue to be relocated as far North as allowed by Public Works. Given the site layout with a single building, the driveway is proposed at the optimum and achievable location.

Justification for Waivers of Conditions from ET-0107-02

Conditions requiring waiver includes Maximum 21 ft High Building and Conforming to predominant residential architecture. Justification about the height is already given above. The building design is based on traditional Sikh Architecture with arches, domes, columns and other design motifs. The color scheme with earth tone colors matches the proposed building with residential character of the neighborhood.

Based on the justifications stated above, our request for approval of Special Use Permit, Waiver in Development Standards, Design Review as well Waiver in Conditions may please be granted.

Justification for Vacation

Area designated in O.R. Book 280, document 226673, specifically Parcel III and Parcel IV as illustrated in surveyor stamped exhibits, requires vacation. This step is essential for the planned building and associated sitework, which will be situated within this region. Alternative site plans for the proposed building have been deemed unsuitable.



CONTINENTAL DEVELOPMENT CONSULTANTS
Civil Engineering • Land Planning & Zoning Entitlements • Building Design & Improvements • Construction Consulting

Sincerely,

Singh

Sukhjit "Tony" Singh
Principal Manager
702-287-0347 (Phone); tony@continentaldc.com

WC-23-4/00/93

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-23-400194 (ET-0107-02 (ZC-0226-00))-GURU NANAK DEV TRUST ET AL:

WAIVER OF CONDITIONS of an extension of time of a zone change requiring a maximum 21 foot high building in conjunction with a proposed place of worship on 2.4 acres in a C-P (Office Professional) and an R-E (Rural Estates Residential) Zone in the Russell Road Transition Corridor Design Overlay District.

Generally located on the south side of Russell Road and the east side of Pearlite Avenue within Paradise. JG/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-32-103-001 through 161-32-103-004

LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

WINCHESTER/PARADISE - PUBLIC USE

WINCHESTER/PARADISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 4457 E. Russell Road, 4487 E. Russell Road, and 5751 Titanium Avenue
- Site Acreage: 2.4
- Project Type: Place of worship
- Number of Stories: 1
- Building Height (feet): 37 (maximum)
- Square Feet: Phase 1 - (6,914 community building)/Phase 2 - 6,230 (assembly building)/1,890 (existing priest residence on APN 161-32-103-004)

History & Site Plan

Parcels 161-32-103-001 and 161-32-103-003 (west half of the overall site) were reclassified to C-P zoning via ZC-0226-00; however, the approved office building was never constructed. Parcel 161-32-103-002 (northeast corner) was previously approved for a place of worship via UC-0826-06 and exists today. Parcel 161-32-103-004 includes an existing residence only. Today, the applicant is requesting to redesign all 4 parcels to include a larger place of worship facility with 2 buildings on the western portion of the site (APNs 161-32-103-001 and 161-31-103-003) and integrate on-site improvements. Phase 1 will include a community building (southwest corner) with a kitchen, dining area, and multi-purpose room. A covered breezeway will connect the community building to the proposed assembly building to the north (Phase 2). The entire eastern half of the site will primarily include the parking lot and the existing residence

for the priest (APN 161-32-103-004). Access to the site is provided via 1 driveway along Titanium Avenue and 1 driveway along Pearlite Avenue.

Elevations

The elevation plan shows that the maximum height is 37 feet, where the maximum allowed per code is 21 feet when located in the Russell Transition Corridor Design Overlay District. The applicant is requesting a waiver to increase the building height to 37 feet. There are decorative dome spires at the top of the buildings and decorative patio areas on all 4 sides of the building elevations. There is also a proposed 50 foot high flagpole to be installed in front of the north facing elevation. The color palette includes neutral tones of beige, sand, and brown paint colors. Decorative arches, cornices, and domes are also included in the architectural design.

Previous Conditions of Approval

Listed below are the approved conditions for ET-0107-02 (ZC-0226-00):

Subject to removing the time limit and staff preparing an ordinance to adopt the zoning; maximum 21 foot high building; conform to predominant residential architecture of the surrounding area; if adjacent properties are developed residential, intense landscape buffer per Title 30; compliance with previous conditions; and all applicable standard conditions for this application type. Applicant is advised that any change in circumstances or regulations is justification for the denial of an extension of time; and if this project is not commenced prior to July 1, 2002, the project will be subject to the development standards in effect at the time of construction.

Listed below are the approved conditions for ZC-0226-00:

Subject to expunging ZC-1762-98; design driveway access off Pearlite Street to be relocated as far north as allowed by Public Works; no lighting to shine on neighboring properties; rear parking areas to be gated and locked during non-office hours; design review as a public hearing for any significant changes on plans; monument signage only (maximum of 70 square feet, 7 feet x 10 feet with a maximum height of 7 feet); screen any roof mounted mechanical equipment; second story windows (if applicable) that face onto existing residences shall be of an opaque or obscure nature; and if the property to the east converts to commercial, applicant to record reciprocal, perpetual cross access, ingress/egress, and parking agreements; right-of-way dedication of 30 feet for Pearlite Street; drainage study and comply; full off-sites to be coordinated with County project; and all applicable standard conditions for this application type. Applicant is advised that this project must comply with the recently adopted County landscaping ordinance.

Applicant's Justification

The building design is based on tradition Sikh architecture with arches, domes, columns and other design motifs. The color scheme has earth tone colors which will match the surrounding neighborhood.

Prior Land Use Requests for APN 161-32-103-001

Application Number	Request	Action	Date
ZC-0226-00 (ET-0107-02)	First extension of time to reclassify 1.3 acres from R-E and C-P zoning to C-P zoning only for a 6,500 square foot office building - conditions were added to the NOFA regarding maximum building height and landscaping	Approved by BCC	May 2002
ZC-0226-00	Reclassified APNs 161-32-103-001 and 161-32-103-003 (total of 1.4 acres) from R-E and C-P zoning to C-P zoning only for a 6,500 square foot office building	Approved by BCC	April 2000
ZC-1762-98	Reclassified APN 161-32-103-001 from R-E to C-P for a medical office - expunged with ZC-0226-00	Approved by BCC	December 1998

Prior Land Use Requests for APN 161-32-103-002

Application Number	Request	Action	Date
WS-0658-15	Reduced the front setback for a fence and reduced the setback for a fence from the right-of-way (Russell Road)	Approved by PC	November 2015
UC-0826-06 (ET-0175-08)	First extension of time for a place of worship	Approved by PC	August 2008
UC-0826-06	Place of worship	Approved by PC	July 2006
UC-1808-02	Place of worship with waivers related to screening mechanical roof equipment and allowed alternative landscaping with screening in front of the landscape strip. - all waivers were withdrawn - expired and ET-400022-05 was held no date - also expired	Approved by PC	January 2003

Prior Land Use Requests for APN 161-32-103-003

Application Number	Request	Action	Date
ZC-0226-00 (ET-0107-02)	First extension of time to reclassify 1.3 acres from R-E and C-P zoning to C-P zoning only for a 6,500 square foot office building - conditions were added to the NOFA regarding maximum building height and landscaping	Approved by BCC	May 2002
ZC-0226-00	Reclassified APNs 161-32-103-001 and 161-32-103-003 (total of 1.4 acres) from R-E and C-P zoning to C-P zoning only for a 6,500 square foot office building	Approved by BCC	April 2000

*No prior land use requests for APN 161-32-103-004 related to any place of worship or commercial use.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E (Russell Transition Corridor Design)	Single family residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
East	Neighborhood Commercial & Ranch Estate Neighborhood (up to 2 du/ac)	C-P (Russell Transition Corridor Design) & R-E	Single family residential
West	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RUD (Russell Transition Corridor Design)	Single family residential

Related Applications

Application Number	Request
UC-23-0910	A use permit for a place worship and associated waivers of development standards and design review is a companion item on this agenda.
WC-23-400193 (ZC-0226-00)	A waiver of conditions of a zone change regarding the driveway access along Pearlite Avenue 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.

Section 30.48.460 states that unless remodeling an existing 2 story dwelling, non-residential development shall be limited to a maximum height of 21 feet, including architectural intrusions. Staff finds that the overall height increase is excessive, and the applicant has the opportunity to design the building to meet Code. However, since staff cannot support the applicant's waivers of development standards and the design review under the companion item UC-23-0910, staff cannot support this request.

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

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0054-2023 to obtain your POC exhibit, and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: GURU NANAK DEVELOPMENT CHARITABLE TRUST

CONTACT: CONTINENTAL DEVELOPMENT CONSULTANTS INC, 250 W. MAIN STREET, SUITE 201, WOODLAND, CA 95695

WC-23-400194



Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): #161-32-103-001, 002, 003 & 004

PROPERTY ADDRESS/ CROSS STREETS: 4487 East Russel Road, Las Vegas, NV 89120 @ Titanium Avenue

DETAILED SUMMARY PROJECT DESCRIPTION

Reconstruction of existing Sikh Place of worship on 2.42 acres

PROPERTY OWNER INFORMATION

NAME: Guru Nanak Dev Charitable Trust C/O Harmesh Singh

ADDRESS: 4487 East Russel Road

CITY: Las Vegas

STATE: NV

ZIP CODE: 89120

TELEPHONE: _____

CELL 702 883 3998

EMAIL: harmeshs2@aol.com; amarjitraju@gmail.com

APPLICANT INFORMATION

NAME: Guru Nanak Dev Charitable Trust C/O Harmesh Singh

ADDRESS: 4487 East Russel Road

CITY: Las Vegas

STATE: NV

ZIP CODE: 89120

REF CONTACT ID # _____

TELEPHONE: _____

CELL 702 883 3998

EMAIL: harmeshs2@aol.com; amarjitraju@gmail.com

CORRESPONDENT INFORMATION

NAME: Sukhjot 'Tony' Singh

ADDRESS: PO Box 1924

CITY: Woodland

STATE: CA

ZIP CODE: 95776

REF CONTACT ID # _____

TELEPHONE: _____

CELL (702) 287 0347

EMAIL: Tony@ContinentalDC.com

*Correspondent will receive all project communication

(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 and 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.

A Singh

Property Owner (Signature)*

Amarjit Singh Raju

Property Owner (Print)

2023-12-27

Date

DEPARTMENT USE ONLY:

- | | | | | | | |
|------------------------------|-----------------------------|------------------------------|-------------------------------|-----------------------------|--|-----------------------------|
| <input type="checkbox"/> AC | <input type="checkbox"/> AR | <input type="checkbox"/> ET | <input type="checkbox"/> PUDD | <input type="checkbox"/> SN | <input type="checkbox"/> UC | <input type="checkbox"/> WS |
| <input type="checkbox"/> ADR | <input type="checkbox"/> AV | <input type="checkbox"/> PA | <input type="checkbox"/> SC | <input type="checkbox"/> TC | <input type="checkbox"/> VS | <input type="checkbox"/> ZC |
| <input type="checkbox"/> AG | <input type="checkbox"/> DR | <input type="checkbox"/> PUD | <input type="checkbox"/> SDR | <input type="checkbox"/> TM | <input checked="" type="checkbox"/> WC | OTHER _____ |

ET-0107-02

APPLICATION # (s) WC-23-400194

ACCEPTED BY *JDR*

PC MEETING DATE

DATE

12/27/23

BCC MEETING DATE

2/21/24

TAB/CAC LOCATION

Paradise

DATE

1/30/24



JUSTIFICATION LETTER

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

Dec 22, 2023

Subject: *Request for Use Permit, Waiver of Development Standards, Design Review and Waiver of Conditions*
Guru Nanak Gurdwara (Sikh Place of Worship)- Reconstruction
Address: 4487 East Russell Road West of Titanium Avenue
Clark County (Paradise), NV 89120
APN Numbers: 161-32-103-001, 002, 003, 004 (Approx. 2.41 acres)

To whom it may concern:

We respectfully submit the subject application for reconstruction of Guru Nanak Gurdwara on behalf of Guru Nanak Dev Charitable Trust. The proposed site consists of four parcels totaling ± 2.41 acres. Parcel 161-32-103-002, zoned R-E, is currently being used as Place of worship and is designated PU in the Winchester/Paradise Land Use Plan. Parcel 161-32-103-004, Zoned R-E, is currently being used as priest residence and designated RNP in the Land Use Plan. Parcels 161-32-103-001 and 161-32-103-003, zoned C-P, currently vacant and designated OP is the Land Use Plan. The project site is located East of Pearlite Avenue, South of E. Russel Road and West of Titanium Avenue. The project site is in Transitions Overlay District-Russell Road Corridor

Description

We intend to reconstruct Existing Guru Nanak Gurdwara (Sikh Place of Worship) facility into a new code compliant and safe building (approx. 18,218 sq. ft) catering to Religious & Social needs of expanding Sikh Community in Greater Las Vegas area. The proposed single-story building to consist of Assembly Hall and portico towards North Side, Community Building including Multipurpose Hall, Restrooms, Kitchen & Dining towards South Side. All activities to be interconnected with the covered patio/hallways, giving an appearance of one single building.

Existing Assembly building to be demolished upon completion of the Assembly Hall, whereas existing Priest residence to remain. The construction of new building might be phased depending upon the availability of funds and materials. In case, the project construction is phased, Community building-with surrounding patios/hallways to be constructed on Phase-I.

Proposed building setbacks to be 40.5 ft. from E. Russell Road at front North, 39 ft. from Pearlite Avenue at West Side, 139.7 ft. from Titanium Avenue at East and 63.2 ft from the South property line. A total of 134 car parking spaces are required including 18 on-street parking (9 each on both Pearlite & Titanium Avenues) and 12 Bicycle parking spaces are provided, matching the required number of respective spaces. The trash enclosure is located towards South East corner of the proposed building.

A 50 ft. high Flag Pole is also proposed to be installed along E. Russell Road North of Portico, which stands for an exclusive identification of every Sikh Place of Worship along with religious significance. Existing low ht. Flag Pole in the corner of E. Russell and Titanium to be removed.

Landscaping

The project site meets or exceeds the minimum Landscaping required along abutting streets towards North, East & West as well as adjacent Single-Family Residences towards South. Parking areas are also landscaped throughout the site. An intense landscaping buffer is proposed along abutting residences. Proposed landscaping materials include trees, shrubs and ground cover.

Building Elevations

The plans depict a building of up to 21 ft high to the top of parapet, whereas large dome ht. goes upto 31 ft. and dome spire ht. to 37 ft. The building design is based on traditional Sikh Architecture with arches, domes, columns and other design motifs. The color scheme with earth tone colors further accentuates the building architecture.



NC-23-400194

Floor Plan

The single-story building to consist of Assembly Hall (approx. 5,486 sq. ft), Multipurpose Hall (approx. 685 sq.ft.), Kitchen & Dining area (approx. 4,343 sq. ft), Accessory Areas (approx. 2,630 sq.ft.), and covered patio/hallways (approx. 5,074sq.ft.)

Grading, Drainage and Utilities

Site is fairly level sloping towards North East corner (intersection of E. Russell Road and Titanium Avenue). Building finish floor elevations to be established as per the Drainage Study to be approved for compliance with the County Standards. The proposed development will not impact existing drainage patterns and discharge into the existing Public Storm Drain Network on E. Russell Road. There will be no impact on the existing residences towards South. The site is served by Las Vegas Valley Water District (LVVWD) and is having an onsite Private Sewage Systems for the Assembly Building as well as Priest residence. Water connections to be upgraded by LVVWD as per the project requirements. Existing Priest residence and the proposed building to be connected to the nearby Public Sewer System of Clark County Water Reclamation District.

Justification for Use Permit and Design Review requests

As explained above, the proposed project will be used as a Sikh Gurdwara which will include Worship, Prayer and Fellowship activities. The first prayer to begin at 5 am and the second prayer to end at 8 pm on daily basis. There will not be schedule intermittent programs but a priest and other staff to stay on site to attend the guests appearing for prayer or counseling. Most of the members to attend weekly Sunday program scheduled between 9 am to 2 pm.

The proposed use requires a Special Use Permit and Design Review approval as per the Zoning Ordinance and we believe that our application comply with the required findings as explained below-

- 1) The expansion and operation of existing use will not be detrimental to the health, safety, peace, morals, comfort or general welfare of the persons residing in the neighborhood as well the County.
- 2) The Conditions of Approval will regulate the impacts, if any, of the proposed expansion.
- 3) The proposed use will be consistent with the goals of General Plan and all applicable provisions including contribution in the economic development of the County. Existing site features and utilities are sufficient to serve the proposed use.

We are also seeking a design review for the proposed on-street parking. While we have fully maximized onsite parking, accommodating 116 out of the required 134 spaces within the premises, we propose to locate the remaining 18 spaces on the street. This approach to street parking is meticulously planned to be in harmony with the overall architectural design of the Gurdwara, ensuring it addresses the needs of our congregation and community effectively.

The offsite parking not only serves its functional purpose but also blends seamlessly with the surrounding neighborhood. There is a 15ft wide path of travel for vehicles available after the 9ft wide parking upto the centerline. Hence, the proposed on-street parking does not interfere with traffic. This careful integration emphasizes both aesthetic appeal and practical utility.

Justification for Waivers of Development Standards

We hereby request for the Waiver in Development Standards as detailed below

- Detached Sidewalk

County Standards require detached sidewalks where there are no existing attached sidewalks along Pearlite and Titanium Avenues. The standards also requires Right of Way up to back of curb and submit request for Vacation of excess Right Of Way. The attached sidewalk is being proposed due to the reason that the Site already have existing attached sidewalks along Russell Road frontage and the Parcel in North East corner. Moreover, existing sidewalks on the other sides of



CONTINENTAL DEVELOPMENT CONSULTANTS

Civil Engineering • Land Planning & Zoning Entitlements • Building Design & Improvements • Construction Consulting

NC-23-400194

both streets are existing attached sidewalks. So in order to keep the continuity in existing design, our request be considered.

- Throat depth of driveway on Titanium Avenue
Driveway on Titanium Avenue to have throat depth of approximately 58 ft. The site is served by two driveways on side streets. The existing curb return driveway on Russell road is proposed to be removed. Considering the site layout, our design have shown maximum achievable throat depth. Moreover, Titanium is not a major arterial and not a thorough street, handling the local traffic only.
- Departure Dimension at Titanium
The departure dimension from Titanium Avenue is proposed at 126 ft., which is less than the standard 190 ft. This modification is required to accommodate the unique shape of the site and existing buildings, while still providing sufficient space for safe vehicle ingress and egress.
- Pearlite Driveway Width
The driveway width on Pearlite Avenue is proposed to be 29 ft., slightly narrower than the standard 32 ft. This modification is necessary due to the existing site layout and to preserve the integrity of adjacent landscaping and infrastructure. The reduced width still ensures adequate vehicular movement and safety.
- Landscaping Waiver at Pearlite
The existing landscaping buffer along Perlite Avenue is 5 ft. to 10 ft, narrower than the standard 15 ft. We request this waiver due to the limited space available. Despite the reduced width, we ensure that the landscaping will be well managed and aesthetically pleasing, contributing positively to the local environment.
- Building Height
Although Table 30.40 allows maximum 35 height of the structures. However the Transition Overlay Corridor- Russell Road standards allows 21 ft. maximum building ht. The plans depict a 21 ft height to the top of parapet, whereas large dome height goes up to 31 ft. and dome spire to 37 ft. Table 30.44 make a provision for adding the height of Ornamental Spires subject to approval by the Board or Commission. Single building with 21 ft height will not fit in the Architectural Scale as well.

Justification for Waivers of Conditions from ZC-0226-00

Condition requires that the driveway access off Pearlite Avenue to be relocated as far North as allowed by Public Works. Given the site layout with a single building, the driveway is proposed at the optimum and achievable location.

Justification for Waivers of Conditions from ET-0107-02

Conditions requiring waiver includes Maximum 21 ft High Building and Conforming to predominant residential architecture. Justification about the height is already given above. The building design is based on traditional Sikh Architecture with arches, domes, columns and other design motifs. The color scheme with earth tone colors matches the proposed building with residential character of the neighborhood.

Based on the justifications stated above, our request for approval of Special Use Permit, Waiver in Development Standards, Design Review as well Waiver in Conditions may please be granted.

Justification for Vacation

Area designated in O.R. Book 280, document 226673, specifically Parcel III and Parcel IV as illustrated in surveyor stamped exhibits, requires vacation. This step is essential for the planned building and associated sitework, which will be situated within this region. Alternative site plans for the proposed building have been deemed unsuitable.

02/21/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0910-GURU NANAK DEV CHARITABLE TRUST ETAL:

USE PERMIT for a place of worship.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow an attached sidewalk with alternative landscaping; 2) increase building height; 3) reduce parking; 4) reduce driveway throat depth; 5) reduce driveway departure distance; and 6) reduce driveway width.

DESIGN REVIEW for a place of worship on 2.4 acres in a C-P (Office Professional) and an R-E (Rural Estates Residential) Zone in the Russell Road Transition Corridor Design Overlay District.

Generally located on the south side of Russell Road and the east side of Pearlite Avenue within Paradise. JG/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-32-103-001 through 161-32-103-004

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Allow an attached sidewalk with alternative landscaping along Pearlite Avenue where detached sidewalks with landscaping is required per Figure 30.64-17 and Section 30.64.030.
- b. Allow an attached sidewalk with alternative landscaping along Titanium Avenue where detached sidewalks with landscaping is required per Figure 30.64-17 and Section 30.64.030.
2. Increase the building height to 37 feet where 21 feet is the maximum allowed within the Russell Transition Corridor Design Overlay District per Section 30.48.460 (a 76% increase).
3. Reduce required parking to 127 parking spaces where 134 parking spaces are required per Chapter 30.60 (a 5% reduction).
4. Reduce the driveway throat depth on Titanium Avenue to 58 feet where 75 feet is the standard per Uniform Standard Drawing 222.1 (a 23% reduction).
5. Reduce the driveway departure distance to 126 feet where 190 feet is the standard per Uniform Standard Drawing 222.1 (a 34% reduction).
6. Reduce the driveway width along Pearlite Avenue to 29 feet where 32 feet is the standard per Uniform Standard Drawing 222.1 (a 9% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

WINCHESTER/PARADISE - PUBLIC USE

WINCHESTER/PARADISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 4457 E. Russell Road, 4487 E. Russell Road, and 5751 Titanium Avenue
- Site Acreage: 2.4
- Project Type: Place of worship
- Number of Stories: 1
- Building Height (feet): 37 (maximum)
- Square Feet: Phase 1 - 6,914 (community building)/Phase 2 - 6,230 (assembly building)/1,890 (existing priest residence on APN 161-32-103-004)
- Parking Required/Provided: 127/134

History

Parcels 161-32-103-001 and 161-32-103-003 (west half of the overall site) were reclassified to C-P zoning via ZC-0226-00; however, the approved office building was never constructed. Parcel 161-32-103-002 (northeast corner) was previously approved for a place of worship via UC-0826-06 and exists today. Parcel 161-32-103-004 includes an existing residence only.

Site Plan

Today, the applicant is requesting to redesign all 4 parcels to include a larger place of worship facility with 2 buildings on the western portion of the site (APNs 161-32-103-001 and 161-31-103-003) and integrate on-site improvements. Phase 1 will include a community building (southwest corner) with a kitchen, dining area, and multiple purpose room. A covered breezeway will connect the community building to the proposed assembly building to the north (Phase 2).

The entire eastern half of the site will primarily include the parking lot and the existing residence for the priest (APN 161-32-103-004). Access to the site is provided via 1 driveway along Titanium Avenue and 1 driveway along Pearlite Avenue. Both driveways will be gated and closed during non-business hours.

The plans show 116 parking spaces on-site, and a total 22 parking spaces are shown along the street frontages of Pearlite Avenue and Titanium Avenue. However, code only allows 50% of street parking to be utilized as part of the provided parking count. Therefore, the applicant is providing 127 parking spaces where 134 parking spaces are required, hence the request for a waiver of development standards to reduce parking.

Landscaping

The plans show an attached sidewalk along Russell Road (north property line) will remain, and 20 feet of landscaping will be implemented along the north property line with an area for a flagpole installation. The east property line will include a reconstructed attached sidewalk adjacent to an existing decorative fence (previously approved via WS-0658-15) in front of a proposed 7 foot wide landscape strip. The south property lines include an intense landscape buffer with a double row of trees since there are existing residential uses to the south. The west property line will include a proposed attached sidewalk with a landscape strip that has a saw-tooth shape due to the angled parking spaces. The applicant is requesting waivers of

development standards to allow attached sidewalks with alternative landscaping where detached sidewalks with landscaping is required per Title 30. The plan shows that 94 trees will be planted throughout the site, and over 500 shrubs will also be planted.

Elevation

The plan shows that the maximum height is 37 feet, where the maximum allowed per code is 21 feet when located in the Russell Transition Corridor Design Overlay District. The applicant is requesting a waiver to increase the building height to 37 feet. There are decorative dome spires at the top of the buildings and decorative patio areas on all 4 sides of the building elevations. There is also a proposed 50 foot high flag pole to be installed in front of the north facing elevation. The color palette includes neutral tones of beige, sand, and brown paint colors. Decorative arches, cornices, and domes are also included in the architectural design.

Floor Plans

The residence for the priest will remain and the residence has an overall area of 1,890 square feet. The Phase 1 building will include a dining area, restrooms, multiple purpose area, mechanical rooms, laundry room, and storage areas. This building has an overall area of 6,914 square feet. Phase 2 will include the assembly building which has separate seating areas for men and women and storage rooms. This building has an overall area of 6,230 square feet.

Applicant's Justification

The existing Guru Nanak Gurdwara (Sikh Place of Worship) facility caters to religious and social needs of expanding Sikh Community in the greater Las Vegas area. The morning program is from 4:00 a.m. to 7:45 a.m., and the evening program is from 6:00 p.m. to 9:15 p.m., Monday through Saturday. There will not be any scheduled intermittent programs; however, a priest and other staff stay on-site to attend to the guests appearing for prayer or counseling. Most of the members attend weekly Sunday programs scheduled between 9:00 a.m. to 2:00 p.m. The proposed 1 story building consists of an assembly hall and portico towards the north side. A community building including a multiple purpose hall, restrooms, kitchen area, and dining area are located towards the south side of the building. All activities are interconnected with the covered patio/hallway, giving an appearance of one single building. The existing assembly building will be demolished upon completion of the assembly hall, and the existing priest residence will remain. The construction of the new buildings might be phased depending upon the availability of funds and materials. A 50 foot high flag pole is also proposed to be installed along Russell Road, north of the main entrance portico. This flagpole is an exclusive identification of every Sikh Place of Worship along with religious significance. The existing low height flagpole in the corner of Russell Road and Titanium Avenue will be removed. The building design is based on traditional Sikh Architecture with arches, domes, columns and other design motifs. The color scheme with earth tone colors further accentuates the building architecture.

Prior Land Use Requests for APN 161-32-103-001

Application Number	Request	Action	Date
ZC-0226-00 (ET-0107-02)	First extension of time to reclassify 1.3 acres from R-E and C-P zoning to C-P zoning only for a 6,500 square foot office building - conditions were added to the NOFA regarding maximum building height and landscaping	Approved by BCC	May 2002
ZC-0226-00	Reclassified APNs 161-32-103-001 and 161-32-103-003 (total of 1.4 acres) from R-E and C-P zoning to C-P zoning only for a 6,500 square foot office building	Approved by BCC	April 2000
ZC-1762-98	Reclassified APN 161-32-103-001 from R-E to C-P for a medical office - expunged with ZC-0226-00	Approved by BCC	December 1998

Prior Land Use Requests for APN 161-32-103-002

Application Number	Request	Action	Date
WS-0658-15	Reduced the front setback for a fence and reduced the setback for a fence from the right-of-way (Russell Road)	Approved by PC	November 2015
UC-0826-06 (ET-0175-08)	First extension of time for a place of worship	Approved by PC	August 2008
UC-0826-06	Place of worship	Approved by PC	July 2006
UC-1808-02	Place of worship with waivers related to screening mechanical roof equipment and allowed alternative landscaping with screening in front of the landscape strip - all waivers were withdrawn - expired and ET-400022-05 was held no date - also expired	Approved by PC	January 2003

Prior Land Use Requests for APN 161-32-103-003

Application Number	Request	Action	Date
ZC-0226-00 (ET-0107-02)	First extension of time to reclassify 1.3 acres from R-E and C-P zoning to C-P zoning only for a 6,500 square foot office building - conditions were added to the NOFA regarding maximum building height and landscaping	Approved by BCC	May 2002
ZC-0226-00	Reclassified APNs 161-32-103-001 and 161-32-103--003 (total of 1.4 acres from R-E and C-P zoning to C-P zoning only for a 6,500 square foot office building	Approved by BCC	April 2000

**No prior land use requests for APN 161-32-103-004 related to any place of worship or commercial use.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E (Russell Transition Corridor Design)	Single family residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
East	Neighborhood Commercial & Ranch Estate Neighborhood (up to 2 du/ac)	C-P (Russell Transition Corridor Design) & R-E	Single family residential
West	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RUD (Russell Transition Corridor Design)	Single family residential

Related Applications

Application Number	Request
WC-23-400193 (ZC-0226-00)	A waiver of conditions of a zone change regarding the driveway access along Pearlite Avenue is a companion item on this agenda.
WC-23-400194 (ET-0107-02 (ZC-0226-00))	A waiver of conditions of an extension of time of a zone change regarding building height and residential architectural design 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. With appropriate building siting, proper building massing and scale, and appropriate buffering; a place of worship can be consistent and compatible with residential neighborhoods in accordance with Title 30 and the Master Plan. Other places of worship have been approved and developed in residential areas with little or no adverse impact to the community. Staff does not have an issue with the proposed use; therefore, can support the request. However, staff is concerned with the numerous waiver requests and design of the site.

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 uses 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.

Waivers of Development Standards #1

The applicant has the opportunity to construct detached sidewalks with landscaping along Pearlite Avenue and Titanium Avenue since all 4 parcels are subject to a major redesign for the place of worship. Detached sidewalks create a space area for pedestrians to utilize, especially when the proposed project is a place of worship. Landscaping implemented on either side of the detached sidewalk promotes a physical and visual buffer and enhances the streetscape of both Pearlite Avenue and Titanium Avenue. Staff finds that these waivers cannot be supported since the applicant has not provided compelling justification to waive Figure 30.64-17.

Waiver of Development Standards #2

Although the proposed buildings are 1 story, the increased building height is due to decorative domes and spires on top of the building. Staff finds that the height increase is excessive, and the buildings can be redesigned to be lower than 37 feet, where 21 feet is the maximum building height allowed. Staff does not support this request.

Waiver of Development Standards #3

Title 30 states that the purpose of complying with parking regulations is to establish the provision of safe and efficient parking and loading facilities in amounts sufficient to meet existing and/or proposed land uses. Although staff finds that reducing the parking count by 7 parking spaces is minimal, staff cannot support this request since staff does not support any of the waivers of development standards or the design review within this application.

Design Review

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. However, staff is concerned with the cumulative impact the requested waivers may have on the surrounding residential neighborhood. Specifically, lack of detached sidewalks resulting in reduced landscaping, increase building height, and sub-standard driveway geometrics. Staff is not supporting the waiver of development standard requests, and therefore, recommends denial of the design review.

Public Works - Development Review

Waiver of Development Standards #4

Staff finds that the reduced throat depth for the driveway on Titanium Avenue will result in on street stacking of vehicles. It is important that traffic can flow without the impediment of vehicles attempting to access the parking lot. Therefore, staff cannot support this request.

Waiver of Development Standards #5

Staff cannot support the reduction of the departure distance to the commercial driveway along Titanium Avenue. Staff has concerns with the traffic coming off Russell Road as well as the residential traffic to the south being in conflict with movement from the commercial driveways on Russell Road.

Waiver of Development Standards #6

Staff cannot support the reduction in driveway width for the Pearlite Avenue commercial driveway. A narrower driveway will result in more vehicles stopping in the right-of-way while drivers attempt to negotiate the tight turns that will be required, further complicating off-site to on-site movements. Staff finds that since this site is being redeveloped, the site has enough room to meet the minimum standards. Therefore, staff cannot support this request.

Staff Recommendation

Approval of the use permit; denial of waivers of development standards and the design review.

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; 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; 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

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

- Right-of-way dedication to include 30 feet for Pearlite Avenue.

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 fire/emergency access must comply with the Fire Code as amended; and to show fire hydrant locations on-site and within 750 feet; and that fire protection may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised that there are active septic permits on APNs 161-32-103-001, 161-32-103-002, and 161-32-103-004; to connect to municipal sewer and remove the septic systems in accordance with Section 17 of the SNHD *Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management*; and to submit documentation to SNHD showing that the systems have been properly removed.

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 #0054-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: GURU NANAK DEVELOPMENT CHARITABLE TRUST
CONTACT: CONTINENTAL DEVELOPMENT CONSULTANTS, INC. 250 W. MAIN STREET, SUITE 201, WOODLAND, CA 95695

02/21/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0919-ARVILLE INDUSTRIAL, LLC:

WAIVER OF DEVELOPMENT STANDARDS for the following: **1)** eliminate parking lot landscaping; **2)** reduced street landscaping; and **3)** alternative driveway geometrics.

DESIGN REVIEWS for the following: **1)** an office/warehouse facility; and **2)** finished grade on 1.1 acres in an M-1 (Light Manufacturing) (AE-60) Zone.

Generally located on the east side of Arville Street and north of Oquendo Road (alignment) within Paradise. MN/sd/syp (For possible action)

RELATED INFORMATION:

APN:

162-31-510-004

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate parking lot landscaping where required per Figure 30.64-14.
2. Allow 10 feet of landscaping with an attached sidewalk where landscaping with a detached sidewalk is required per Figure 30.64-17.
3. Allow commercial pan driveways where commercial curb return driveways are required per Uniform Standard Drawing 222.1.

DESIGN REVIEWS:

1. Office/warehouse facility.
2. Increase finished grade to 76 inches where a maximum of 36 inches is the standard per Section 30.32.040 (an 112% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.1
- Project Type: Warehouse facility
- Number of Stories: 1
- Building Height: 32 feet, 3 inches
- Square Feet: 17,338
- Parking Required/Provided: 26/38

Site Plans

The plans depict a 1 story, 17,338 square foot office warehouse complex with 26 parking spaces where 38 parking spaces are required. There will be 2 access points onto Arville Street and are labeled on the plans as an exit gate only and from a driveway at the end of an existing cul-de-sac. This is an in-fill parcel and is similar to other industrial developments to the north. The proposed loading zone is located on the northern exterior that faces towards an existing warehouse facility on the adjacent parcel to the north. To the east is an existing 118 acre detention basin and a railroad line. The plans depict the proposed warehouse facility to be located along the eastern property line with parking located along Arville Street, southern property lines and the north property lines. The applicant is requesting to waive parking lot landscaping to eliminate landscape islands for every 6 spaces per Figure 30.64-14. Likewise, the application also includes a request to waive required street landscaping per Figure 30.64-17. The trash enclosure is located along the north property line across from the loading zone.

Landscaping

The plans depict perimeter landscaping along Arville Street with an existing attached sidewalk with 10 feet of landscape behind the sidewalk. Landscaping is shown in other areas of the property including areas in the northeast corner, southeast corner and the northwest corner of the parcel. In addition, landscaping is shown along the south and west exterior of the building. Landscaping consist of trees and shrubs.

Elevations

The plans depict a warehouse facility with a Mezzanine up to 33 feet in height with design elements including concrete tilt-up panels with roll-up doors, flat roof line, aluminum storefront framed glass and door with 3 different color schemes as noted on the plans.

Floor Plans

The proposed spec building has a 15,213 square footprint with proposed 13,088 square feet of warehouse with 2 loading dock bays, 2 grade level roll-up doors (one with ramp access), and 2,125 square foot of floor area designated for supporting office space.

Applicant's Justification

The applicant states that this parcel is 1.1 acre irregular shaped site is fronted by a lightly travelled portion of the 2 streets and bounded on the south by Clark County owned drainage facilities and property known as the "Tropicana Detention Basin", to the west (across Arville St.) by the LVMPD private police fleet vehicle storage yard, and on the north by a multiple tenant single story office building that is part of the Russell Commerce Center. On the east, the properties are all bounded by the Union Pacific Railroad tracks.

Additionally, the proposed building has an attached fenced secured parking lot and truck yard to its north and west that provides secured parking, screened truck maneuvering, as well as exterior yard storage area. Like the surrounding buildings to the north, the proposed building construction is painted tilt-up concrete panels with flat roof behind parapet walls. Due to its shallow configuration, and location on Arville Street it is a difficult site to develop as access for parking and on-site circulation as well as typical driveway entrances is limited.

As mentioned above, providing the on-site circulation, maneuverability and parking required is challenging due to the shallow depth of the site. However, by using the Clark County standard drawing 224 for our driveway configurations, as it has been used at several similar 90 degree street intersection locations in the area, the applicant is able to provide the necessary driveway width and throat depth at 1 of the 2 driveways. Additionally, it should be noted, that while the typical curb returns are not achievable, the effective curb return configuration space is provided in the belly of the street at the south driveway as shown on the site plan. The applicant is requesting a waiver from the typically required driveway curb returns and the use of the Commercial and Industrial Driveway (Option A) Standard Drawing No. 224 instead.

Likewise, the applicant is requesting a waiver for parking lot landscaping. Due to the space constraints as well as the practicalities of having a secured parking area with truck maneuvering, and possible outdoor storage capabilities, the maintenance and sustainability of landscaping would be severely compromised. Therefore, to maintain the maximum utility of the site and secured yard area, we request a waiver to any and all parking lot landscape requirements within the fenced area to the north and west of the building.

The proposed improvements have been designed in a way to maximize the positive impact and improvements to both the project and the neighboring area with the limited site area and configuration available.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1279-05	Allowed an office as principal use and shopping center, waiver to modify landscaping standards, and design review for an office/warehouse facility	Approved by PC	September 2005
UC-1411-02	Minor school in conjunction with an existing warehouse facility	Approved by PC	November 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	M-D	Office/warehouse facility
South, East, & West	Public Use	P-F	Undeveloped/Clark County 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

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 uses 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

The applicant is requesting to waive all required parking lot landscaping per Figure 30.64-14, to eliminate required landscape islands. The applicant has not provided for these amenities per the Code due to the constraints of the site and to maximize on-site parking without the need of a waiver. Review of the plans the applicant has submitted they could re-design the proposed building to be smaller in size to accommodate parking lot landscaping. Required parking is calculated upon the square footage of the building. Should the building be redesigned on-site parking will be reduced in total numbers, thus will be able to accommodate parking lot landscaping. Staff finds that the redesign could provide the required parking lot landscaping as per Policy 3.6.1 of the Master Plan, which encourages reducing the footprint of hardscaped areas and providing shade to help reduce heat absorption by exterior surfaces. Therefore, cannot support this request.

Waiver of Development Standards #2

The plans submitted show an existing attached sidewalk with a proposed 10 foot wide landscape are behind the sidewalk, where 15 feet is required. Staff is unable to support requests for alternative street landscaping that include allowing for A 10 foot wide landscape area. Street and parking lot landscaping are provided for not only community beautification, but to also reduce the urban heat island effect. Therefore, staff is unable to support this request.

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 proposed office/warehouse facility incorporates design elements often found with other existing office/warehouse uses throughout the County. Overall the office/warehouse facility is an appropriate use for this site; however, staff is not supporting the waivers of development standards which impact the proposed site design. Therefore, staff cannot support the project layout and design.

Public Works - Development Review

Waiver of Development Standard #3

Commercial curb return driveways help mitigate traffic by allowing a smooth transition from the road into the commercial site, whereas pan driveways require vehicles to nearly come to a stop to negotiate a turn into a site. As such, pan driveways are not an acceptable standard for any driveways other than emergency access driveways only. With the development of the on-site

portions of the site, staff finds that it is imperative to improve the driveways as public safety is more important than the on-site redevelopment. Therefore, staff cannot support this request.

Design Review #2

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval. However, since staff cannot support the application in its entirety, staff cannot support this request.

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 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

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:

- 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; 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; 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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;

- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and 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 30.02.26B 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; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment./kc

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; to show fire hydrant locations on-site and within 750 feet; that fire/emergency access must comply with the Fire Code as amended; and that fire protection may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

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 #0029-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: ARVILLE INDUSTRIAL, LLC
CONTACT: NICHOLAS LEVENTIS, 4749 W. POST ROAD, LAS VEGAS, NV 89118

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 <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input 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 checked="" 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>WS/DR-23-0919</u> DATE FILED: <u>12-27-2023</u> PLANNER ASSIGNED: <u>RBB</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>1-30-2024</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>2-21-2024</u> FEE: <u>\$1,150</u>
	PROPERTY OWNER NAME: <u>ARVILLE INDUSTRIAL LLC</u> ADDRESS: <u>4749 W POST ROAD</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-547-9000</u> CELL: _____ E-MAIL: <u>CHAASE@BURNETTHAASE.COM</u>
	APPLICANT NAME: <u>NICHOLAS LEVENTIS</u> ADDRESS: <u>4749 W POST ROAD</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-547-9000 X224</u> CELL: _____ E-MAIL: <u>NLEVENTIS@BURNETTHAASE.COM</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>Same as Applicant</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 162-31-510-004

PROPERTY ADDRESS and/or CROSS STREETS: NE CORNER OF ARVILLE STREET AND OQUENDO RD

PROJECT DESCRIPTION: WAREHOUSE/OFFICE TILT UP CONC. BUILDING - 15,213 SF FOOTPRINT , 2,125 SF MEZZ, 38 PKG SPACES

(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.



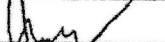
 Property Owner (Signature)*

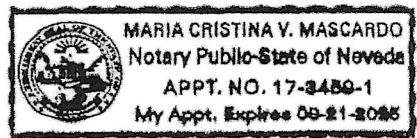
CHRISTIAN D HAASE

 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON November 09, 2022 (DATE)
 By Christian D Haase

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.

REVISED December 14, 2022

Clark County
Department of Comprehensive Planning
500 S. Grand Parkway
Las Vegas, Nevada 89155

RE: WAIVER OF DESIGN STANDARDS AND DESIGN REVIEW
ARVILLE INDUSTRIAL
APN: 162-31-510-004

To Whom It May Concern:

We are submitting this Design Review Application packet and Waiver of Development Standards request for the proposed building and site improvements at the northeast corner of where Arville St. meets W. Oquendo Rd.

DESCRIPTION

The small 1.05 acre irregular shaped site is fronted by a lightly travelled portion of the 2 streets and bounded on the south by Clark County owned drainage facilities and property known as the "Tropicana Detention Basin", to the west (across Arville St.) by the LVMPD private police fleet vehicle storage yard, and on the north by a multi-tenant single story office building that is part of the Russell Commerce Center. On the east, the properties are all bounded by the Union Pacific Rail Road tracks.

The proposed spec building has a 15,213 sf footprint with proposed 13,088 sf of warehouse with 2 loading dock bays, 2 grade level roll up doors – one with ramp access, and 2,125 sf of floor area designated for supporting office space. There is a potential for an additional 2,125 sf of mezzanine with office or storage to be built over the designated ground floor office space should a tenant require it.

Additionally, the proposed building has an attached fenced secured parking lot and truck yard to its north and west that provides secured parking, screened truck maneuvering, as well as exterior yard storage area. Similar to the surrounding buildings to the north, the proposed building construction is painted tilt-up concrete panels with flat roof behind parapet walls. Due to its shallow configuration, and location on Arville St., it is a difficult site to develop as access for parking and on-site circulation as well as typical driveway entrances is limited.

DESIGN REVIEW / JUSTIFICATION

1. The proposed building and site development is appropriate and consistent with the BE land use designation.
2. The proposed building and site development is appropriate and consistent with the M-1 zoning classification. Consistent with typical light manufacturing M-1 developments, the proposed site provides for typical loading dock access (2 ea) for the receipt and delivery of materials and products.
3. The locations and configuration of the driveways provide adequate on-site maneuverability and assures no negative impact to the traffic patterns on the adjacent streets.
4. The proposed building is of appropriate size and height and compatible with the surrounding developments.
5. The location of the loading docks and roll up doors are appropriately screened by the secured fence wall.
6. The proposed parking is adequate to handle the proposed uses and square footage of the building.
7. The landscaping around the building and outside the secured parking area will be in compliance with the requirements of Title 30.
8. There are adequate public safety, transportation, utility facilities and services existing to provide for the proposed development and therefore those services will not be negatively impacted.
9. The proposed development will benefit the surrounding areas by providing a compatible use, an attractive and appropriate design and development of the undeveloped site, and benefit to the residents of southern Nevada by providing additional business opportunities and employment for the future tenants.
10. Currently, we don't have a full topographical survey of the existing grades, but just some general shots of the grades at various points on the site, and measuring those in relation to the existing finished curb and sidewalk improvements along Arville St. The site has a large area that is mostly level but has varying grades towards the north and east ends where the grades slope lower to meet the adjacent sites. There are also some dirt berms that are mounded on the site behind the sidewalk along the Arville St. frontage. Generally, since the curb and sidewalk improvements are already in place at the Arville St. frontage, and the current highest average site grade is approximately no more than 30" above the curb line at midpoint of the site along the Arville frontage, there is no need to raise the grade of the site more than 36" above the current highest average site grade. In fact, based on our proposed design, the current highest average site grade will be lowered somewhat for the building finish pad height, and lowered then graded from there for the southern parking and the northern truck yard.

WAIVERS REQUESTED / JUSTIFICATIONS

Curb Returns at Driveways/Use of Driveway Standard Drawing 224 - As mentioned above, providing the onsite circulation, maneuverability and parking required is challenging due to the shallow depth of the site. However, by using the Clark County standard drawing 224 for our driveway configurations, as it has been used at several similar 90-degree street intersection locations in the area, we are able to provide the necessary driveway width and throat depth at one of the two driveways. Additionally, it should be noted, that while the typical curb returns are not achievable, the effective curb return configuration space is provided in the belly of the street at the south driveway as shown on the site plan. On the north driveway, there is room to provide the out bound radius, but not the inbound, however, we are proposing this driveway as an exit only driveway to mitigate this issue. We are requesting a waiver from the typically required driveway curb returns and the use of the Commercial and Industrial Driveway (Option A) Standard Drawing No. 224 instead.

Reduced Driveway Throat Depth at North Driveway – For the north driveway, we are requesting a waiver from the required 25' driveway throat depth for sites with less than 50 parking spaces. As noted above providing the typical driveway curb returns is not possible for this site. Additionally, to maintain the on-site truck maneuverability, the security gate at the north driveway is a sliding gate set 10' from the back of the sidewalk. If the standard 25' inbound curb return radius, and the additional 25' throat depth were provided from the end of that radius as defined, it would effectively eliminate any on-site truck or fire lane access and make the site virtually undevelopable for the typical M-1 type use. To offset this limitation, we have designated this north driveway as an exit only driveway that is accessed through the secured gate thus eliminating any potential stacking of vehicle stacking at the street. The south driveway, as shown on the plan has approximately a 25'-6" driveway throat.

Parking Lot Landscaping – Due to the space constraints as well as the practicalities of having a secured parking area with truck maneuvering, and possible outdoor storage capabilities, the maintenance and sustainability of landscaping would be severely compromised. As the secured parking and truck yard are screened by 6' high decorative fence wall, and all of the other areas outside of the secured parking and truck yard are fully landscaped in compliance with Title 30 requirements, aesthetically, there is no negative impact to the surrounding areas, nor to the public visibility of the site. Therefore, to maintain the maximum utility of the site and secured yard area, we request a waiver to any and all parking lot landscape requirements within the fenced area to the north and west of the building.

CONCLUSION

The work proposed and contemplated in this Design Review Application and associated Waivers of Development Standards will undoubtedly improve all aspects of this development, and consequently be a vast improvement for the neighborhood as compared to an undeveloped and littered site that has been there for the past few decades. The proposed improvements have been designed in a way to maximize the positive impact and improvements to both the project and the neighboring area with the limited site area and configuration available. We respectfully request your consideration and approval of the proposed design and waivers.

Thank you for your consideration. Please call 547-9000 x224 with questions or comments.

Sincerely,
Burnett Haase Construction

Nicholas Leventis
Director of Design | Build

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0930-BOARD REGENTS NEVADA SYSTEM HIGHER EDUCATION:

ZONE CHANGE to reclassify 1.1 acres from a C-2 (General Commercial) (AE-60) Zone and an R-1 (Single Family Residential) (AE-60) Zone to a P-F (Public Facility) (AE-60) Zone.

WAIVER OF DEVELOPMENT STANDARDS for the following: 1) reduce driveway approach distance; and 2) reduce driveway throat depth.

DESIGN REVIEW for a proposed parking lot and site improvements.

Generally located on the east side of Maryland Parkway and the south side of Rochelle Avenue within Paradise (description on file). TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:

162-23-201-001; 162-23-201-002

LAND USE PLAN:

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the driveway approach distance to 131 feet where 150 feet is the standard per Uniform Standard Drawing 222.1 (a 13% reduction).
2. Reduce the driveway throat depth to 5 feet where 75 feet is the standard per Uniform Standard Drawing 222.1 (a 93% reduction).

BACKGROUND:

Project Description

General Summary

- Site Address: 4300 S. Maryland Parkway
- Site Acreage: 1.1
- Existing Land Use: Corridor mixed-use
- Project Type: Rezone to P-F zoning and proposed parking lot to the east
- Square Feet: 15,500
- Parking (Required/Provided): 62/130

Site Plan & Request

The site consists of 2 parcels located east of Maryland Parkway and south of Rochelle Avenue. Parcel 162-23-201-001 to the west was reclassified from R-1 zoning to C-2 zoning via ZC-0037-81 and the eastern parcel 162-23-201-002 is zoned R-1. There is an existing office building on western parcel which will remain.

Today, the applicant is requesting to rezone both parcels to P-F zoning for a proposed parking lot on the eastern parcel (162-23-201-002) and to modify the parking lot on the east side of the office building. Waivers of development standards for driveway approach distance and driveway throat depth is also a part of this application, as well as a design review for the site.

The site plan shows a proposed driveway along the north property line. Vehicles entering the parking lot can head south and turn west through the southernmost proposed sliding gate and maneuver in a clockwise direction and exit through the northern sliding gate. The easternmost portion of the parking lot adjacent to Escondido Street is not gated. Lastly, the applicant will coordinate with the Clark County Parks and Recreation Department to install a public art piece along the west property line adjacent to Maryland Parkway to comply with a portion of the Maryland Parkway Overlay District public art requirement.

Landscaping

The landscape plan shows a proposed 5 foot wide landscape strip adjacent to an existing sidewalk along the north property line adjacent to the new parking lot area. A landscape strip which varies in width from 2 feet to 4.5 feet is proposed along the east property line adjacent to Escondido Street. Parking lot landscaping is also shown on the plans.

Elevation

A proposed 7 foot high wrought iron fence will be installed along the north property line to connect to the sliding gates on the western side of the new parking lot. The existing building has an overall height of 18 feet and is a 1 story office building with neutral colored stucco walls. The main entrance to office building is on the north facing elevation.

Applicant's Justification

The project consists of restriping the parking lot under parcel 162-23-201-001 and modifying the lot's entry driveway to a combined access point for both parcels. The gated parking area will be adjacent to the east facing elevation of the office building. This will be a secured area with a card reader at the access gate. The entry gate will be installed at the southern end of the parcel to allow 2 vehicles to queue on-site. There is a waiver of development standards to reduce the driveway approach distance to 131 feet. Lastly, the second waiver is to reduce the driveway throat depth to 5 feet where 75 feet is required. A design review for the improvements are a part of this application.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0037-81 VC-0043-81	Reclassified APN 162-23-201-001 from R-1 zoning to C-2 zoning and a variance to construct an 83,000 square foot, 14 story office building and a 3 story parking garage - variance was denied	Approved by BCC	March 1981

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use	C-2	UNLV online education building, & office complex
South	Corridor Mixed-Use	C-2	The Public Education Foundation office building
East	Urban Neighborhood (up to 18 du/ac)	R-5	Multiple family residential
West	Public Use	P-F	UNLV

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Zone Change

In addition to the standards for approval, the applicant must demonstrate the zoning district is compatible with the surrounding area. Staff finds that since the existing building and existing use for the site is associated with the State of Nevada and UNLV Campus, the request to P-F (Public Facility) zoning is appropriate. P-F zoning is located immediately west of the parcels and is the primary zoning district for UNLV. For these reasons, staff finds the request for the P-F Zone is appropriate for this location.

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.

Design Review

The proposed site improvements are compatible with what currently exists on-site. In comparison to the surrounding office buildings, staff finds that the restriping of the parking lot and new landscaping will improve the surrounding streetscapes of the neighborhood.

Public Works - Development Review

Waiver of Development Standards #1

Staff cannot support the reduction of the approach distance along Rochelle Avenue. The minimum required distances from driveways to intersections is intended to provide a safe transition from private property to public roads while reducing the chance for accidents. There is plenty room on the site to design a driveway that meets the minimum distance. Therefore, staff cannot support this request.

Waiver of Development Standards #2

Staff cannot support the reduction to throat depth in that it could result in stacking of vehicles into Rochelle Avenue. Vehicles will come in to conflict with vehicles exiting the parking stalls opposite the driveway, vehicles exiting the gate, and those trying to enter the gated parking area. Combined with Waiver #1 increases the potential for collisions.

Staff Recommendation

Approval of the zone change and design review; denial of waivers of development standards.

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:

- Evidence of public art shall be provided to staff prior to operation of the parking lot.
- 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 has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Reconstruct any unused driveways with full off-site improvements.
- Applicant is advised that off-site improvement permits may be required.

Fire Prevention Bureau

- 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.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: UNIVERSITY OF NEVADA LAS VEGAS
CONTACT: CARPENTER SELLERS DEL GATTO ARCHITECTS, 8882 SPANISH RIDGE AVENUE, LAS VEGAS, NV 89148

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 checked="" type="checkbox"/> ZONE CHANGE (ZC) <input 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>26-23-0930</u> DATE FILED: <u>12/07/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>11/30/24</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>2/21/24</u> FEE: <u>Waived</u>
	PROPERTY OWNER NAME: <u>Board of Regents Nevada System of Higher Education</u> ADDRESS: <u>4300 South Maryland Parkway</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: <u>University of Nevada Las Vegas</u> ADDRESS: <u>4505 South Maryland Parkway</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89154</u> TELEPHONE: <u>702.895.5993</u> CELL: _____ E-MAIL: <u>kenneth.faron@unlv.edu</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Carpenter Sellers Del Gatto Architects</u> ADDRESS: <u>8882 Spanish Ridge Avenue</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702.251.8896</u> CELL: _____ E-MAIL: <u>hholmstrom@csdarchitecture.com</u> REF CONTACT ID #: _____

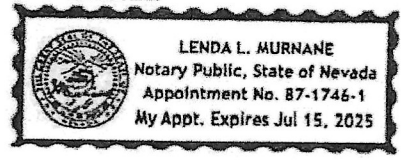
ASSESSOR'S PARCEL NUMBER(S): 162-232-01-001 and 162-232-01-002
 PROPERTY ADDRESS and/or CROSS STREETS: Maryland Parkway and East Rochelle Avenue
 PROJECT DESCRIPTION: Modification of existing parking lot entry and develop additional surface parking.

(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)*
 Patricia Charlton, Chancellor, NSHE DS
Kew
 Property Owner (Print)

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

NOTARY PUBLIC: Lenda L. Murnane



*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.



PRINCIPALS
W. RICK SELLERS, AIA
MICHAEL A. DEL GATTO, AIA, LEED AP
MICHELE K. BRIGIDA, AIA, LEED AP BD+C
PRINCIPAL EMERITUS
STEVEN R. CARPENTER, AIA, RETIRED

PLANNER
COPY
2023-0930

December 11, 2023. Revised, December 28, 2023
Clark County Comprehensive Planning
500 S Grand Central Parkway
Las Vegas, NV 89155

RE: UNLV MAB2 North Lot Justification Letter APN's 162-23-201-001 and 162-23-201-002

Dear Clark County Comprehensive Planning Reviewer,

The project is located at Rochelle Avenue and Escondido Street and impacts three parcels: APN 162-23-201-001 and APN 162-23-201-002. The main project consists of the restriping of the NSHE lot (APN 162-23-201-001) and modification of the lot's entry driveway to be combined as a singular street access point into the NSHE lot and the proposed surface lot (APN 162-23-201-002). Additionally, the NSHE lot is designed to be secured by a motorized card reader access point. The entry gate has been planned at the south end of the fencing to allow for two cars to stack within the property.

This application is for Design Review, zoning change to P-F, and the following waivers:

- A) We request a waiver for clearance from the intersection as defined in CCAUSD 222.1 for 131.54' from the required distance of 150'-0". This driveway is placed to provide access to the parking lot along Rochelle Avenue. During design, the frontage along Escondido was reviewed as an option for an entry. However, the frontage is significantly shorter than the required distance from the intersection at the departure side. Along Rochelle Avenue, placing the driveway at the required distance would infringe on the existing development at the west end of the parcel and beyond the property line between the parcel and its neighbor to the west.
- B) We request a waiver for the throat depth as defined in CCAUSD 222.1 for 5.32' from 75' required throat depth. The driveway is anticipated to supplementary access to the parking lot. It is anticipated that primary access to the lot will be from parcel 162-23-201-003, which the lot serves as additional parking for.

Should you require further information, please do not hesitate to contact our office.

Sincerely,

Michele K. Brigida, AIA
Principal

16