



Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

February 8, 2022

7:00pm

AGENDA

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: John Williams, Chairperson
 Susan Philipp, Vice Chairperson
 Jon Wardlaw
 Katlyn Cunningham
 Roger Haywood

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 25, 2022. (For possible action)
- IV. Approval of the Agenda for February 8, 2022 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning
 - 1. **NZC-22-0005-SHARET HOLDINGS II, LLC:**
ZONE CHANGE to reclassify 1.3 acres from an R-E (Rural Estates Residential) Zone to an R-3 (Multiple Family Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increased building height; and 2) reduced street landscaping.
DESIGN REVIEW for a proposed multiple family residential development. Generally located on the east side of Pecos Road and the south side of Oquendo Road (alignment) within Paradise (description on file). JG/rk/jo (For possible action) **PC 3/1/22**
 - 2. **NZC-22-0015-7405 SS, LLC ETAL & DCL REVOCABLE LIVING TRUST:**
ZONE CHANGE to reclassify 3.9 acres from a C-P (Office & Professional) Zone to an R-2 (Medium Density Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) establish alternative yards; and 2) increase wall height.
DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade. Generally located 150 feet north of Twain Avenue and 230 feet east of Eastern Avenue within Paradise (description on file). TS/rk/jo (For possible action) **PC 3/1/22**
 - 3. **TM-22-500009-SIGNATURE LAND HOLDINGS, LLC:**
TENTATIVE MAP consisting of 30 single family residential lots and common lots on 3.9 acres in an R-2 (Medium Density Residential) Zone. Generally located 150 feet north of Twain Avenue and 230 feet east of Eastern Avenue within Paradise. TS/rk/jo (For possible action) **PC 3/1/22**
 - 4. **UC-22-0018-EDGAR FAYE, LLC:**
USE PERMIT for a proposed food cart not within an enclosed building.
WAIVER OF DEVELOPMENT STANDARDS to reduce parking.
DESIGN REVIEW for a proposed food cart in conjunction with an existing tavern on 0.3 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone within the Midtown Maryland Parkway District. Generally located on the west side of Maryland Parkway, 135 feet south of Dumont Boulevard within Paradise. TS/jgh/jo (For possible action) **PC 3/1/22**

5. **DR-22-0019-ELDORADO SPRINGS, LLC:**
DESIGN REVIEWS for the following: **1)** single family residential development; and **2)** finished grade on 6.3 acres in an R-E (Rural Estates Residential) Zone and an R-2 (Medium Density Residential) Zone. Generally located 200 feet east of Mcleod Drive (alignment) and 210 feet north of Eldorado Lane within Paradise. JG/md/jo (For possible action) **BCC 3/2/22**
6. **TM-22-500011-ELDORADO SPRINGS, LLC:**
TENTATIVE MAP consisting of 43 lots and common lots on 6.3 acres in an R-E (Rural Estates Residential) Zone and an R-2 (Medium Density Residential) Zone. Generally located 200 feet east of Mcleod Drive (alignment) and 210 feet north of Eldorado Lane within Paradise. JG/md/jo (For possible action) **BCC 3/2/22**
7. **ET-22-400004 (UC-19-0814)-GIPSY, LLC:**
USE PERMITS FIRST EXTENSION OF TIME for the following: **1)** reduce the separation from an alcohol, on-premises consumption (tavern) to a residential use; **2)** reduce the separation from an outside dining area (patio) to a residential use; and **3)** allow outside dining in conjunction with a tavern.
WAIVER OF DEVELOPMENT STANDARDS to reduce throat depth.
DESIGN REVIEWS for the following: **1)** alcohol, on-premises consumption (tavern); **2)** an outside dining area (patio); and **3)** alternative parking lot landscaping 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/jvm/ja (For possible action) Paradise (description on file). TS/nr/jo (For possible action) **BCC 3/16/22**

- VII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

- VIII. Next Meeting Date: February 22, 2022.

- IX. 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 25, 2022

MINUTES

Board Members : John Williams –Chair-**PRESENT**
 Susan Philipp - Vice Chair- **PRESENT**
 Jon Wardlaw- **PRESENT**
 Katlyn Cunningham – **PRESENT**
 Roger Haywood- **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

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

II. Public Comment:
None

III. Approval of January 11, 2022 Minutes

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

Approval of Agenda for January 25, 2022

Moved by: Philipp
Action: Approve with the holding item #2
Vote: 5-0 Unanimous

IV. Informational Items (For Discussion only)
None

V. Planning & Zoning

1. **UC-21-0742-RENO-ARVILLE ASSOCIATES LP & PENTACON LP:**
USE PERMIT for retail sales (hobby store) in conjunction with an existing office/warehouse building on 1.1 acres in an M-1 (Light Manufacturing) Zone. Generally located on the northwest corner of Arville Street and Reno Avenue within Paradise. MN/bb/jo (For possible action)

PC 2/15/22

MOVED BY-Wardlaw

APPROVE-Subject to staff conditions

VOTE: 5-0 Unanimous

2. **UC-21-0752-525 E TWAIN, LLC:**
USE PERMITS for the following: 1) on-premises consumption of alcohol (supper club); and 2) reduce the separation from an on-premises consumption of alcohol use and a residential use in conjunction with a shopping center on a portion of 2.1 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the southwest corner of Palos Verdes Street and Twain Avenue within Paradise. TS/jvm/jo (For possible action)

PC 2/15/22

Held per applicant. Return to the Paradise TAB 2/22/22

3. **VS-21-0732-BREIT CAMF FLAMINGO OWNER, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Flamingo Road and Rochelle Avenue and between Pecos Road and Mojave Road (alignment), and a portion of right-of-way being Flamingo Road between Pecos Road and Mojave Road (alignment) within Paradise (description on file). TS/nr/jo (For possible action)

PC 2/15/22

MOVED BY-Philipp

APPROVE-Subject to staff conditions

VOTE: 5-0 Unanimous

VI. General Business (for possible action)

None

VII. Public Comment

None

VIII. Next Meeting Date

The next regular meeting will be February 8, 2022

IX. Adjournment

The meeting was adjourned at 7:10 p.m.

MULTIPLE FAMILY DEVELOPMENT
(TITLE 30)

PECOS RD/OQUENDO RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-22-0005-SHARET HOLDINGS II, LLC:

ZONE CHANGE to reclassify 1.3 acres from an R-E (Rural Estates Residential) Zone to an R-3 (Multiple Family Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increased building height; and 2) reduced street landscaping.

DESIGN REVIEW for a proposed multiple family residential development.

Generally located on the east side of Pecos Road and the south side of Oquendo Road (alignment) within Paradise (description on file). JG/rk/jo (For possible action)

RELATED INFORMATION:

APN:

161-31-201-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 40.5 feet where a maximum of 35 feet is permitted per Table 30.40-3 (a 16% increase).
2. Reduce street landscaping behind an attached sidewalk on an arterial street (Pecos Road) to 10 feet where 15 feet is required per Section 30.64.030 (a 33% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 5904 S. Pecos Road
- Site Acreage: 1.3
- Number of Units: 22
- Density (du/ac): 17.5
- Project Type: Multiple family residential development
- Number of Stories: 3
- Building Height (feet): Up to 40.5
- Open Space Required/Provided: 8,800/11,950
- Parking Required/Provided: 58/58

Neighborhood Meeting Summary

The applicant conducted a neighborhood meeting on November 3, 2021, as required by the nonconforming amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. There were 2 attendees present at the virtual (Zoom) meeting for this item. The attendees had concerns about traffic along Pecos Road (especially the left center turning lane) and general questions on the design and layout of the project. Further issues that were discussed were related to the building height, density, short term rentals, and if there will be an HOA for maintenance.

Site Plans

The plans depict a gated multiple family residential development that is adjacent to an existing R-3 zoned senior housing complex to the east and south. The complex will provide 3 bedroom units and 2 car garages. There will be 1 point access to the development from Pecos Road to the west. More specifically, the plans depict 22 dwelling units within three, 3 story buildings, surrounding a dog park with parking on 3 sides. The site is 1.3 acres with a density of 17.5 dwelling units per acre. The setbacks of the buildings are as follows: 20 feet to the north property line; 20 feet to the south property line; 15 feet to the east property line; and 15 feet to the west property line (Pecos Road). Internal circulation within the project consists of 24 foot to 31 foot wide drive aisles. A swimming pool is located in the southeastern portion of the site. Parking will consist of garage and surface parking spaces for both residents and visitors.

Landscaping

The street landscape area is shown at a width of 10 feet along Pecos Road behind an existing 5 foot wide attached sidewalk, necessitating the waiver request. The north, south, and east perimeters of the site depict 6 foot to 10 foot wide landscape buffers. Screening consists of a 6 foot high decorative wall along the perimeter of the development. Interior to the site, open space and landscaping are equitably distributed throughout the development and consist of active and passive open space areas which include a swimming pool, gazebo, dog park area, and open space walking path around the perimeter of the development. The amount of passive and active open space is depicted at 11,950 square feet where 8,800 square feet is required.

Elevations

The residential buildings are 3 story structures with a maximum height of 40.5 feet. However, the general ridgeline of the roof is 34.5 feet in height. The plans depict enhanced architecture on each side of the buildings consisting of pop-outs, recesses, window fenestrations, and other enhancements to break-up the vertical and horizontal surfaces of the buildings. Additionally, a roof top deck is shown above the penthouse level of each unit.

Floor Plans

There will be a total of 3 buildings with Buildings 1 and 3 having 8 units and Building 2 having 6 units. The residential units are 3 stories, 2,045 square feet in area and will have 3 bedrooms and a 2 car garage.

Applicant's Justification

According to the applicant the change in zoning to R-3 would not substantially change the character or conditions of the area. The development is adjacent to a major road (Pecos Road)

and is surrounded by multiple family and commercial properties. Property to the north is zoned office professional use and properties to the east and south are already zoned R-3. The existing R-3 zoned property to the east and south is a 3 story senior housing apartment complex that is a more intense use than what is proposed; therefore, the applicant believes this project will complement existing uses in the area.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	C-P	Office building
South & East	Compact Neighborhood (up to 18 du/ac)	R-3	Senior housing apartment complex
West	Neighborhood Commercial	R-E	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

The applicant shall provide Compelling Justification that approval of the nonconforming zoning boundary amendment is appropriate. A Compelling Justification means the satisfaction of the following criteria as listed below:

- 1. A change in law, policies, trends, or facts after the adoption, readoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate.*

Staff finds substantial changes have occurred in the past in this immediate area which makes the proposed nonconforming zone boundary amendment appropriate. The nonconforming zone boundary amendment process allows for identification of land use trends or changes in a particular area that may not be consistent with the subject planned land use designations. Although this site is planned for a commercial use, staff finds the development patterns have changed in the area, which developed toward higher density residential uses, in particular the multiple family senior housing complex to the east and south.

- 2. The density and intensity of the uses allowed by the nonconforming zoning is compatible with the existing and planned land uses in the surrounding area.*

With the project essentially being surrounded by multiple family development, the density and intensity of this proposed use are compatible with the surrounding area. As such, the site is uniquely situated to provide the additional housing needs, not only to the area, but also to commercial and industrial areas farther to the south; therefore, the density and intensity for this application are consistent and compatible with the existing and approved nearby developments.

- 3. There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed by the nonconforming zoning.*

Various Clark County service departments have reviewed this development proposal and based on the information submitted by the applicant and comments received from those service providers, the project is not anticipated to have substantial adverse effects on services and facilities. Additionally, most services and infrastructure exist in the area and the project has fully integrated, recreational amenities on-site, which will help minimize any impacts to Clark County recreational facilities.

However, based on information received from the Clark County School District, the elementary school located within the corresponding school zone is over-capacity for the 2021-2022 school year. Staff is concerned that the cumulative impact from the individual student yield of this project and future projects in the immediate area may further exacerbate the existing capacity situations.

- 4. The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies.*

Staff finds the proposed zoning is consistent with Goal 5.1 of the Master Plan that encourages diversification of the economic base. The multiple family development is adjacent to development of similar use and intensity. The request also complies with the Master Plan to provide opportunities for a mix of uses such as commercial, office, recreational, entertainment, public facilities, multiple family residential, and other activities within proximity to each other; therefore, this request conforms to applicable policies of the Master Plan.

Summary

Zone Change

Based on the analysis above, the request is consistent and compatible with existing land uses in the area and the request conforms to other applicable goals in the Master Plan. This project should be complementary and similar in scale and intensity to the surrounding land uses. Staff finds that the applicant has provided a compelling justification to warrant approval of this nonconforming zone change request.

Waivers of Development Standards

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

Waiver of Development Standards #1

Staff does not have an objection to the increased building height as it should have minimal to no impact on the surrounding land uses. The increased building height is necessary to

accommodate the enclosed stairs that leads onto roof decks and is not for habitable area. The building elevations are substantially enhanced with architectural detailing and treatments that make for a more interesting streetscape; therefore, staff does not anticipate any adverse impacts from the increased height and can support this waiver.

Waiver of Development Standards #2

The proposed 10 foot wide landscape area adjacent to the existing attached sidewalk along Pecos Road is consistent with existing landscape areas along this roadway and is compatible with the development in the area.

Design Review

The plans depict a development that is compliant with all applicable policies contained within the Master Plan regarding the design of multiple family residential developments. The residential buildings are designed with various pop-outs, recesses, and varying roof heights on all sides of the buildings, to break-up the vertical and horizontal lines of the buildings. Finally, the overall design of the multiple family residential development is sensitive to the surrounding properties since all buildings are set back a minimum of 15 feet to 20 feet from property lines which ensures the site will be appropriately buffered by adequate transitional space.

Department of Aviation

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

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 6, 2022 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Resolution of Intent to complete in 3 years;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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 new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; 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

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements.
- Applicant is advised that the egress gates will need to be redesigned so they do not block the turn around area.

Department of Aviation

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

Fire Prevention Bureau

- Applicant is advised to 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; that fire/emergency access must comply with the Fire Code as amended; and 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)

- 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 #0183-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: M-SQUARE DEVELOPMENT
CONTACT: SUZANA RUTAR ARCHITECT LTD., 1950 E. WARM SPRINGS RD., LAS VEGAS, NV 89119



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 <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC) <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>NZC-22-0005</u> DATE FILED: <u>1-4-22</u> PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>2-8-22</u> PC MEETING DATE: <u>3-1-22</u> R.E to R-3 BCC MEETING DATE: <u>4-6-22</u> Neighborhood Commercial FEE: <u>\$3,115.00</u> JG
	PROPERTY OWNER NAME: <u>SHARET HOLDINGS II L L C</u> ADDRESS: <u>2530 Silver Beach Dr.</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: <u>702-595-6244</u> CELL: <u>702-992-7534</u> E-MAIL: <u>markanthonyru9@gmail.com</u>
	APPLICANT NAME: <u>Mr. Todd Megrath – M Square Development</u> ADDRESS: <u>10450 W. Cheyenne Avenue, Suite 130</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u> TELEPHONE: <u>702-372-0128</u> CELL: _____ E-MAIL: <u>tmegrath@msquareddevelopment.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Simona Stephens-SUZANA RUTAR Architect, Ltd.</u> ADDRESS: <u>1950 E. Warm Springs Rd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-263-6176</u> CELL: _____ E-MAIL: <u>simona@srutar.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): A161-31-201-001

PROPERTY ADDRESS and/or CROSS STREETS: 5904 S Pecos Rd., Las Vegas, NV 89120

PROJECT DESCRIPTION: Non conforming zone change for MULTI-FAMILY DEVELOPMENT - SS

(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)* Sharet Davidyan, Manager
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 8/11/2021 (DATE)
 By Gregg Alan Corlyn
 NOTARY PUBLIC: Gregg Alan Corlyn

GREGG ALAN CORLYN
 NOTARY PUBLIC
 STATE OF NEVADA
 My Commission Expires: 03-30-2025
 Certificate No: 01-71748-1

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

RUTAR

SUZANA RUTAR, Architect Ltd.,
A Professional Corporation

November 9, 2021

Clark County Comprehensive Planning
Current Planning Division
500 South Grand Central Pky.
P.O. Box 551744
Las Vegas, Nevada 89155-1744

NZP-22-0005

Re: **Nonconforming Zone Boundary Amendment, Waiver of Development
Standards & Design Review
Justification Letter**
APN # 161-31-201-001, Address: 5904 S. Pecos Rd. Las Vegas, NV 89120

To Whom It May Concern:

This is a Justification Letter for the above referenced property. The above referenced property is zoned R-E (Rural Estates) with planned land use as CN (Commercial Neighborhood). We are proposing to amend the zone to R-3 (Multi Family Residential). The site is going to be adjacent to another multi-family residential (RH) to the East and South sides and Office Professional (OP) to the north.

We are proposing to build a multi-family community. There would be total of three (3) building each having multiple units. Buildings 1 and 3 would have eight (8) units and Building 2 has six (6) units for the total of twenty-two (22) units. Each unit consists of 3 bedrooms, 3.5 baths and 2 car garage. Each unit also has access to the roof deck to provide private outdoor space.

The overall building height including penthouse is 40'-6", however, the top of the parapet is at 34'-6" which is under 35'-0" as maximum allowed. The penthouse encloses stairs that leads onto the roof deck. We are requesting for a waiver to allow the overall height increase, as described below. The building facades will include multiple materials, finishes and colors to provide elevation variations. The material will include smooth stucco, Nichiha panel siding that resemble vintage wood, stone veneer, and metal canopy. The color proposed are natural tones and no bright colors.

The community will be gated and provide amenities to its residence, such as pool with open spaces and gazebo, as well as a dog park. The property is also surrounded by landscape and a sidewalk that allows residence to walk the entire perimeter and access the right-of-way though man-gate.

Parking is provided per Table 30.60-1, each unit requires 2 parking spaces, for units with more than two bedrooms. Each unit has 2 parking spaces within a garage. Guest parking is provided on site as well. Total of 5 guest spaces are required and 8 spaces are provided.

1950 E. Warm Springs Road · Las Vegas, Nevada 89119
Phone: (702) 263-6176 · Fax: 1 (844) 361-2582
Email: Simona@SRutar.com

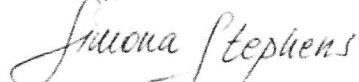
SUZANA RUTAR, Architect Ltd.,
A Professional Corporation

We are asking for Waivers of Development Standards as follows:

- Reduce landscape to 10'-0" along the Pecos Road that has existing detached sidewalk from 15'-0" as required per 30.64.030. We are showing 10'-0" landscape to match the location of the fence/ wall to the property to the south. Their fence/ wall is located approximately 10'-0" from the back of the sidewalk, therefore the fence/ wall would not jog.
- Increase overall height to 40'-6" where 35'-0" is maximum allowed. The buildings consist of 3-stories and a roof deck. The parapet height is under 35'-0", however, the stair enclosure that leads to a roof deck is enclosed and therefore the height is increased. The deck access will provide additional outdoor space. The community does have pool area, however, no personal outdoor space is provided, other than a roof deck.

Thank you for your consideration of this request. If you have any questions or if you require additional information, please call me at 702-263-6176.

Sincerely,



Simona Stephens
Project Architect

SINGLE FAMILY DEVELOPMENT
(TITLE 30)

TWAIN AVE/EASTERN AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-22-0015-7405 SS, LLC ETAL & DCL REVOCABLE LIVING TRUST:

ZONE CHANGE to reclassify 3.9 acres from a C-P (Office & Professional) Zone to an R-2 (Medium Density Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) establish alternative yards; and 2) increase wall height.

DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade.

Generally located 150 feet north of Twain Avenue and 230 feet east of Eastern Avenue within Paradise (description on file). TS/rk/jo (For possible action)

RELATED INFORMATION:

APN:

162-13-202-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Establish alternative yards for 1 single family residence where yards are established per Chapter 30.56.
2. Increase block wall height to 11 feet (up to 5 foot retaining with 6 foot screen wall) where a maximum of 9 feet (3 foot retaining with 6 foot screen wall) is permitted per Section 30.64.050 (a 22% increase).

DESIGN REVIEWS:

1. Single family residential development.
2. Increase finished grade to 60 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 67% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 3.9
- Number of Lots: 30

- Density (du/ac): 7.7
- Minimum/Maximum Lot Size (square feet): 3,500/5,955
- Project Type: Single family development
- Number of Stories: 2
- Building Height (feet): 25
- Square Feet: 1,845/2,555

Neighborhood Meeting Summary

The applicant conducted a neighborhood meeting at the Paradise Community Center on July 19, 2021, as required by the nonconforming amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. There were 8 attendees present at the open house meeting for this project. The attendees had general questions about access, layout, setbacks, and wall height. According to the applicant no opposition was expressed about the overall project.

Site Plans

The plans depict a single family residential development totaling 30 single family lots and 3 common area lots on 3.9 acres. The density of the residential subdivision is 7.7 dwelling units per acre. The lots range in size from a minimum of 3,500 square feet to a maximum of 5,955 square feet. The access point for the proposed development will cross the Flamingo Wash Flood Channel and connect to Twain Avenue, 150 feet south of the main entrance. The lots within the subdivision will be served by 41 foot wide internal private streets, which include a 4 foot wide sidewalk on 1 side of the street. The applicant is requesting to establish an alternative yard for 1 residential lot, specifically Lot 7. The front of the proposed home on that lot will face what would traditionally be a side property line. The establishment of the alternative yards would make the side property line into a front property line. The other waiver associated with this request is for over height retaining walls over portions of the site.

Landscaping

Two landscaped areas are proposed at the entrance to the subdivision, and both are over 2,500 feet in size.

Elevations

The development will provide 2 story model homes with the maximum height shown at approximately 25 feet. The plans submitted by the applicant depict 4 different models with each model having potential elevation variations. The building materials consist of concrete tile roofs, stucco finished walls with decorative pop-outs, and fenestration on windows and doors on all sides of the models.

Floor Plans

The plans consist of 4 floor models that include 2 car front loaded garages and range in size from 1,845 square feet to 2,555 square feet.

Applicant's Justification

The applicant indicates that the proposed development will blend well with the developed R-2 zoned subdivisions in the area, and that the proposed density will result in a land use that is

consistent with the surrounding neighborhood. The site plan and design of the homes adhere to all Title 30 standards, including but not limited to, meeting all setbacks. Furthermore, the alternative yards (side loaded) will be internal to the site and will not impact the adjacent properties; and the increase in wall height is needed because the elevation changes due to adjacency to the wash.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-0077-08	30 single family residential lots on 3.9 acres - expired	Approved by PC	June 2008
NZC-1101-04 (ET-0001-08)	First extension of time for a single family residential subdivision - expired	Approved by BCC	March 2008
DR-1370-05 (ET-0335-07)	First extension of time for a 30 lot single family residential development - expired	Approved by BCC	November 2007
DR-1370-05	Design review for 30 lot single family residential development - expired	Approved by BCC	October 2005
NZC-1104-04	Reclassified this site to R-2 zoning for a single family residential subdivision -expired	Approved by BCC	January 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family townhome development
South*	Ranch Estate Neighborhood (up to 2 du/ac)	R-1	Assisted living facility
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
West	Neighborhood Commercial	C-P	Office complex

*Immediately south is the Flamingo Wash Flood Channel.

Related Applications

Application Number	Request
TM-22-500009	Tentative map for a 30 lot single family residential development is a companion item on the agenda.

STANDARDS FOR APPROVAL:

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

Analysis
Current Planning
Zone Change

The applicant shall provide Compelling Justification that approval of the nonconforming zoning boundary amendment is appropriate. A Compelling Justification means the satisfaction of the following criteria as listed below:

1. *A change in law, policies, trends, or facts after the adoption, readoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate.*

The applicant indicates that the lack of demand for additional Office and Professional development in the immediate area is evidence by the parcel having remained unimproved.

Increased demand for residential development in the area is a changing trend since this property was re-zoned to C-P in 1980. As a result, office professional use is no longer appropriate for the site. With the prior development of residential subdivisions to the north and east, it is now more appropriate to rezone the property to R-2, which matches the zoning of the surrounding subdivisions.

2. *The density and intensity of the uses allowed by the nonconforming zoning is compatible with the existing and planned land uses in the surrounding area.*

According to the applicant, the proposed single family residential development is similar intensity when compared to adjacent residential developments to the north and east of the project site. Furthermore, the applicant states the project is meeting most of the R-2 zone development standards when it comes to lot area and setback requirements.

The request is appropriate and compatible with the existing land use patterns in the immediate area. The general area on both sides of Eastern Avenue has primarily been built-out with single family residential uses. The density proposed by this request will result in a land use that will be developed at the same or similar densities of the existing subdivisions within this neighborhood; therefore, staff finds the proposed zoning is compatible with the existing development in the area.

3. *There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed by the nonconforming zoning.*

According to the applicant, technical studies will be prepared to address any drainage and water related impacts as part of the civil plan review process.

There has been no indication from service providers that this request will have a substantial adverse effect on public facilities and services. The school district has indicated this

development would generate 5 additional elementary school students, 3 middle school students, and 4 high school students.

4. *The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies.*

The applicant states that the proposed development satisfies the general policies of the Master Plan by providing housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. The applicant also states the site is designed to be compatible with adjacent land use and off-site circulation patterns.

The proposed development complies with Goal 1.1 of the Master Plan that encourages opportunities for diverse housing options to meet the needs of residents of all ages, income levels and abilities. Staff finds the project also complies with Policy 1.3.2 that encourages a mix of housing options, product types, and unit sizes.

Summary

Zone Change & Design Review #1

Staff finds the single family residential development, as proposed by the applicant, is more compatible and consistent with the existing uses in the immediate area. The immediate area has a predominant land use pattern of residential uses. Based on the analysis above the applicant has provided a sufficient compelling justification for this nonconforming zone boundary amendment request; therefore, staff recommends approval of these requests.

Waivers of Development Standards

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

Waiver of Development Standard #1

Staff finds that the alternative yard for 1 lot will not have any adverse effects on the overall development or surrounding parcels. The proposal to rotate the home 90 degrees to the east will allow the property to have a larger corner side setback and the home can potentially have a better front yard aesthetic. Similar requests have been approved with no known adverse impacts to the adjacent properties; therefore, staff can support this portion of the request.

Waiver of Development Standard #2

Portions of this site will have combination screen/retaining walls that are increased to accommodate street drainage, natural topography, and corresponding pad heights; therefore, due to site constraints an increase to the overall wall height along portions of the boundary of the development are warranted.

Public Works - Development Review

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.

Department of Aviation

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

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 6, 2022 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Resolution of Intent to complete in 4 years;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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 new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; 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

- 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;
- Full off-site improvements.

- 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.

Department of Aviation

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

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 #0024-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: KATHRINE LOGAN
CONTACT: KATHRINE LOGAN, ACTUS, 3283 EAST WARM SPRINGS ROAD, SUITE 300, LAS VEGAS, NV 89120

October 21, 2021



3283 E. Warm Springs Rd. Suite 300
Las Vegas, NV 89120
(702) 586-9296

Clark County Comprehensive Planning
500 South Grand Central Parkway
Box 551744
Las Vegas, NV 89155-1744

N2C-22-0015

**Re.: Eastern and Twain
Justification for Letter for Design Review, Waiver of Development Standards, and Non-Conforming Zone Boundary Amendment
APN 162-13-202-001**

Dear Staff,

On behalf of our client, Signature Homes, we are requesting review and approval of a Zone Boundary Amendment (non-conforming), Waiver of Development Standards, and Design Review for the subject property. Eastern and Twain will consist of thirty (30) single family detached residential lots and three (3) common lots encompassing the entire 3.86 acre site for a density of 7.8 dwelling units per acre. A summation of the requests is stated below and are presented in detail after the summation.

Summary of Requests:

Non-Conforming

Zone Change: C-P to R-2
Vacation: Per separate application
Design Review:

1. Increase Finished Grade to 60 inches where 18 inches is standard.

Waiver of Development Standards:

1. Overall Wall Height up to a total of 11' (6' block wall on top of maximum 5' retaining wall) on the southeast side of the site, adjacent to the Flamingo Wash. The request for said waiver is due to the existing elevation within the project site and the required sewer design for the project site. Minimum sewer slopes have been utilized with the project design, hence raising the overall elevation of the project several feet to allow for said design.
2. Lot Configuration for Lot 7 will align with the western property line, and will not face, as required per Title 30.56.080 (f).

Project Description

The project consists entirely of 3.86 acres (gross) on APN 162-13-202-001, and is generally located near the northeast corner of the intersection of South Eastern Avenue and East Twain Road. Being a portion of Government Lots Twenty-Three (23) and Twenty-Four (24) in the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section 13, Township 21 South, Range 61 East, M.D.B.&M., Clark County, Nevada, formerly known as APN: 162-13-202-001.

The project site is currently zoned Office and Professional (C-P) and has a land use of Office Professional (OP). The subject site is bounded to the west and south by developed land zoned OP (Office Professional) with land use C-P (Office and Professional) and to the north and east by developed land with a land use of RS (Residential Suburban) and zoning district of R-2 (Medium Density Residential [8 Units per Acre]).

Non-Conforming Zone Change

The applicant is respectfully requesting a nonconforming zone change from C-P to R-2 for the subject parcel in support of the proposed residential development.

The proposed zoning does not adhere to the planned land use plan for this parcel, however, the proposed use will be compatible with the surrounding land uses and zoning. Growth and development factors in the community indicate the need for additional options for single family residential units. Street facilities providing access to the property are adequate in size to meet the requirements of the proposed zoning. Please see the Compelling Justification Letter for further discussion of the Non-Conforming Zone Change.

Neighborhood Meeting

On Monday, July 19, 2021, the applicant conducted a neighborhood meeting at Paradise Community Center. Approximately, eight (8) neighbors attended and asked questions about access, bridge across flood channel, wall height and rear yard setbacks. No opposition was expressed about the project.

Design Review

The applicant is proposing to construct thirty (30) residential lots with a density of 7.8 dwelling units per acre. Said density meets the maximum density of 8 units per acre allowed within the R-2 zoning district. The project site will utilize internal private streets (41-foot wide with r-curb with 4-foot sidewalk on one side of the street) that will have a single point of access to East Twain Road. While the potential of a bridge at the proposed access point on Twain Road was considered in the design and construction of the channel, it should be noted that there is considerable work to be done to ascertain the economic feasibility and design criteria of utilizing this access, partially due to the ±15 years since the construction was done. If the access becomes prohibitive, utilizing the existing access from Eastern Avenue through the existing office development would become necessary.

Lot sizes range from 3,500 sf and 5,864 sf with the average lot size being 3,832 sf. Since the minimum lot size will be over 3,500 sf, the plan is in compliance with the proposed R2 zoning requirements. The proposed setbacks will comply with Clark County Title 30 with respect to R-2 zoning:

- Front Setback (garage): 20 feet
- Front Setback (living): 10 feet (for 50% of structure)
- Side Setback: 5 feet
- Corner Setback: 10 feet
- Rear Setback: 15 feet

The proposed two-story homes will range in livable square footage from 1,845 square feet to 2,555 square feet. The maximum height of the buildings is 24 feet-2 inches, well below the 35-foot maximum height stipulated in *Title 30 Table 30.40-2* for R-2 zoning. Future buyers will be offered a choice of three different elevations per plan that offer varying roof lines and architectural elements on all four sides of the home per Title 30. The elevation materials consist of stucco finished walls with decorative stone veneer accents, window articulation, and concrete tile roofs.

Cross sections provided with the submittal illustrate the elevations along the project perimeters to the adjacent properties. There will be several areas where the fill proposed to be raised more than 36 inches vertically along portions of the northern, southern and eastern boundaries, with a maximum of 60 inches at the south side of the site, adjacent to the Flamingo Wash. The fill is required to provide sanitary sewer to the site.

Tentative Map

The applicant is submitting a tentative map for a 30 lot residential subdivision.

Waiver of Development Standards

The applicant is requesting a waiver for overall wall height up to a total of 11' (6' block wall on top of maximum 5' retaining wall), where 9' is allowed by code, on the southeast side of the site, adjacent to the Flamingo Wash. The request for said waiver is due to the existing elevation within the project site and the required sewer design for the project site. Minimum sewer slopes have been utilized with the project design, hence raising the overall elevation of the project several feet to allow for said design.

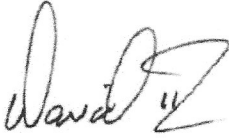
The applicant is requesting a waiver for the house alignment on Lot 7, which is an irregular lot configuration, and does not meet the Title 30.56.080 (f) requirement.

30.56.080 (f) Single family residential lots shall face into a subdivision or front a local street and shall not face, front, or have direct access without an intervening street or access easement to a collector or arterial street. A single family residential lot on a cul-de-sac street shall face into the cul-de-sac unless located on the intersecting corner of the cul-de-sac and a local street, in which case the lot may face or front the intersection local street (See Figure 30.56-6).

Conclusion

We are hopeful that this letter clearly describes the project and the intent of the proposed development. If you have any questions or need any additional information, please feel free to call our office at (702) 586-9296.

Sincerely,

A handwritten signature in black ink, appearing to read "David Logsdon II". The signature is fluid and cursive, with a large initial "D" and "L".

David Logsdon II
Principal

EASTERN & TWAIN
(TITLE 30)

TWAIN AVE/EASTERN AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-22-500009-SIGNATURE LAND HOLDINGS, LLC:

TENTATIVE MAP consisting of 30 single family residential lots and common lots on 3.9 acres in an R-2 (Medium Density Residential) Zone.

Generally located 150 feet north of Twain Avenue and 230 feet east of Eastern Avenue within Paradise. TS/rk/jo (For possible action)

RELATED INFORMATION:

APN:
162-13-202-001

LAND USE PLAN:
WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:
Project Description
General Summary

- Site Address: N/A
- Site Acreage: 3.9
- Number of Lots: 30
- Density (du/ac): 7.7
- Minimum/Maximum Lot Size (square feet): 3,500/5,955
- Project Type: Single family development

The plans depict a single family residential development totaling 30 single family lots and 3 common area lots on 3.9 acres. The density of the residential subdivision is 7.7 dwelling units per acre. The lots range in size from a minimum of 3,500 square feet to a maximum of 5,955 square feet. The access point for the proposed development will cross the Flamingo Wash Flood Channel and connect to Twain Avenue, 150 feet south of the main entrance. The lots within the subdivision will be served by 41 foot wide internal private streets, which include a 4 foot wide sidewalk on 1 side of the street.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-0077-08	30 single family residential lots on 3.9 acres - expired	Approved by PC	June 2008
NZC-1101-04 (ET-0001-08)	First extension of time for a single family residential subdivision - expired	Approved by BCC	March 2008

Prior Land Use Requests

Application Number	Request	Action	Date
DR-1370-05 (ET-0335-07)	First extension of time for a 30 lot single family residential development - expired	Approved by BCC	November 2007
DR-1370-05	30 lot single family residential development - expired	Approved by BCC	October 2005
NZC-1104-04	Reclassified this site to R-2 zoning for a single family residential subdivision - expired	Approved by BCC	January 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family townhome development
South*	Ranch Estate Neighborhood (up to 2 du/ac)	R-1	Assisted living facility
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
West	Neighborhood Commercial	C-P	Office complex

*Immediately south is the Flamingo Wash Flood Channel.

Related Applications

Application Number	Request
NZC-22-0015	A nonconforming zone change to reclassify this site to R-2 zoning for a single family residential development is a companion item on the agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

This request meets the tentative map requirements as outlined in Title 30.

Department of Aviation

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

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 6, 2022 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that 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; 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 a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

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;
- Full off-site improvements.
- 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.

Current Planning Division - Addressing

- Streets shall have approved street names and suffixes;
- Approved street name list from the Combined Fire Communications Center shall be provided.

Department of Aviation

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

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 #0024-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: KATHRINE LOGAN

CONTACT: KATHRINE LOGAN, ACTUS, 3283 EAST WARM SPRINGS ROAD, SUITE
300, LAS VEGAS, NV 89120

DRAFT

FOOD CART
(TITLE 30)

MARYLAND PKWY/DUMONT BLVD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-22-0018-EDGAR FAYE, LLC:

USE PERMIT for a proposed food cart not within an enclosed building.
WAIVER OF DEVELOPMENT STANDARDS to reduce parking.
DESIGN REVIEW for a proposed food cart in conjunction with an existing tavern on 0.3 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone within the Midtown Maryland Parkway District.

Generally located on the west side of Maryland Parkway, 135 feet south of Dumont Boulevard within Paradise. TS/jgh/jo (For possible action)

RELATED INFORMATION:

APN:
162-15-602-002

WAIVER OF DEVELOPMENT STANDARDS:
Reduce parking to 10 spaces where 21 spaces are required per Table 30.60-1 (a 52% decrease).

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

BACKGROUND:
Project Description
General Summary

- Site Address: 3557 S. Maryland Parkway
- Site Acreage: 0.26
- Project Type: Food cart (trailer)
- Food Cart Height (feet): 9
- Food Cart Square Feet: 184
- Parking Required/Provided: 21/10

Site Plan

The plan depicts a proposed food cart (trailer) that will take up 2 parking spaces in the front of an existing tavern. The food cart is set back 150 feet from the south property line and 40 feet from the front property line along Maryland Parkway.

Landscaping

No new landscaping is proposed or required.

Elevations

The 9 foot high food cart is an enclosed trailer with a hitch and wheels. The exterior of the food cart is blue, red, and orange, with chrome accents, painted signage, logos, and windows.

Floor Plans

The 184 square foot food cart includes a prep counter, commercial heating tools, and a refrigerator.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the use of the food truck is to serve Mexican food at this location. His business will not negatively impact the surrounding area and he has a total of 2 employees. The hours of operation will be 11:00 a.m. to 2:00 a.m.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Corridor Mixed-Use	H-1	Retail
East	Corridor Mixed-Use	C-2	Shopping Center
West	Urban Neighborhood	H-1 & R-5	Multiple Family Residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit & Design Review

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

Staff finds that the food cart will not create any negative impacts to the existing community. The food cart is located in front of an existing tavern, and the location is within the designated commercial corridor along Maryland Parkway. Furthermore, the licensed business on the site (Champagne's Café) has not had any reported issues since its inception in 1966. Older aerial photos of this site indicate that parking has not been a problem; therefore, staff can support these requests.

Waiver of Development Standards

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

The reduction in parking does not appear to have a negative impact to the site or the surrounding uses as there is additional parking on the side and in the rear of the tavern. 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:

Current Planning

- Applicant is advised that approval of this application does not constitute or imply approval of any County issued permit, license, or approval; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that upon approval of change in use of the property, applicant to update CCWRD Customer Service account for change in existing plumbing fixtures use codes, as well as for any needed additional capacity and/or connection fees that need to be addressed.

TAB/CAC: ✓

APPROVALS:

PROTESTS:

APPLICANT: OMEL VERA BORGES

CONTACT: OMEL VERA BORGES, VERA KITCHEN LLC, 3557 S. MARYLAND PARKWAY, LAS VEGAS, NV 89169

DRAFT



LAND USE APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

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) VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)	DATE FILED: <u>1/12/22</u> PLANNER ASSIGNED: <u>JGH</u> ACCEPTED BY: <u>JGH</u> FEE: <u>\$1,575</u> CHECK # _____ COMMISSIONER: <u>TS</u> OVERLAY(S)? <u>/</u> PUBLIC HEARING? <input checked="" type="radio"/> N TRAILS? <input checked="" type="checkbox"/> Y / <input checked="" type="checkbox"/> N PFNA? <input checked="" type="checkbox"/> Y / <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>UC-22-0018</u> TAB/CAC: <u>Paradise</u> TAB/CAC MTG DATE: <u>2/8/22</u> TIME: <u>7pm</u> PC MEETING DATE: <u>March 1st</u> BCC MEETING DATE: _____ ZONE / AE / RNP: <u>H-1</u> PLANNED LAND USE: <u>CM</u> NOTIFICATION RADIUS: <u>500</u> SIGN? <input type="checkbox"/> Y / <input type="checkbox"/> N LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____	
	DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING ADMINISTRATIVE DESIGN REVIEW (ADR) STREET NAME / NUMBERING CHANGE (SC) WAIVER OF CONDITIONS (WC)	NAME: <u>Craig Robinson</u> ADDRESS: <u>111 W Fairway Rd</u> CITY: <u>HENDERSON</u> STATE: <u>NV</u> ZIP: <u>89015</u> TELEPHONE: _____ CELL: <u>702-717 4054</u> E-MAIL: <u>NOLCIXELSYD21@icloud.com</u>	
	(ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	NAME: <u>Omel Vera</u> ADDRESS: <u>4325 S BRUCE APT # 20</u> CITY: <u>LAS VEGAS</u> STATE: <u>NEVADA</u> ZIP: <u>89119</u> TELEPHONE: <u>702 587 7597</u> CELL: _____ E-MAIL: <u>OmelVera2882@gmail.com</u> CONTACT ID # _____	
	NAME: <u>Omel Vera</u> ADDRESS: <u>4325 S BRUCE APT # 20</u> CITY: <u>LAS VEGAS</u> STATE: <u>NEVADA</u> ZIP: <u>89119</u> TELEPHONE: <u>702 587 7597</u> CELL: _____ E-MAIL: <u>OmelVera2882@gmail.com</u> CONTACT ID # _____		

ASSESSOR'S PARCEL NUMBER(S) 162-156-02-002

PROPERTY ADDRESS and/or CROSS STREETS 3557 S Maryland Pkwy

PROJECT DESCRIPTION: Food Cart

I, the undersigned swear and say that I am: We are the owners of record on the Tax Rolls of the property involved in this application, or I 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.

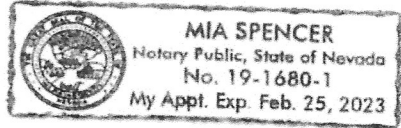
Craig Robinson
Property Owner (Signature)

Craig Robinson
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON September 25th, 2021 (DATE)
By Craig Robinson

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.

JUSTIFICATION LETTER

Omel Vera Borges
4325 S Bruce Apt 20
Las Vegas, NV 89119
October 1, 2021

**PLANNER
COPY**

To whom it may concern

I, Omel Vera Borges am requesting the space located in 3557 S Maryland parkway, Las Vegas, NV 89169 to park my food truck and sell Mexican food. The hours of operation would be 15 hours in total, since 11am when we open until 2am, I have a total of two employees.

I have all my documentation in form to legally operate and I assure that the neighborhood will not be affected in any negative way or otherwise detrimental to the public welfare.

My Nevada business identification number is: NV20212108787



Omel Vera Borges
(702)587 75 97
omelvera2882@gmail.com

SINGLE FAMILY RESIDENTIAL DEVELOPMENT
(TITLE 30)

ELDORADO LN/MCLEOD DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

DR-22-0019-ELDORADO SPRINGS, LLC:

DESIGN REVIEWS for the following: 1) single family residential development, and 2) finished grade on 6.3 acres in an R-E (Rural Estates Residential) Zone and an R-2 (Medium Density Residential) Zone.

Generally located 200 feet east of Mcleod Drive (alignment) and 210 feet north of Eldorado Lane within Paradise. JG/md/jo (For possible action)

RELATED INFORMATION:

APN:

177-12-523-006

DESIGN REVIEWS:

1. Single family residential development.
2. Increase finished grade to 78 inches where a maximum of 36 inches is the standard per Section 30.32.040. (a 116.7% increase)

LAND USE PLAN:

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

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 6.3
- Number of Lots/Units: 43
- Density (du/ac): 7.3
- Minimum/Maximum Lot Size (square feet): 3,533 (gross & net)/8,025 (gross & net)
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): Up to 28
- Square Feet: 1,896 to 2,417

Site Plans

The plans depict a single family residential development consisting of 43 lots on 6.3 acres with a density of 7.3 dwelling units per acre. The density calculation is based on the 5.95 acre portion of the project site that is zoned R-2. Common element Lot A, measuring .35 acres in area, is zoned R-E and R-2, and is located immediately north of Lot 15 through Lot 26. The minimum and maximum lot sizes are 3,533 square feet and 8,025 square feet, respectively. The sole means of ingress and egress to the proposed development is via a private street that connects to a north/south private street, Aquarena Way, located immediately north of Eldorado Lane. Two east/west private streets measuring 37 feet in width, Pelky Lane and Starchild Lane, and 2 north/south private streets measuring 37 feet in width, Grasso Street and Proctor Street, service the interior of the development. Sidewalks are not provided nor are sidewalks required within the proposed development. The increase in finished grade will occur throughout the project site with the deepest portion of the fill, measuring 6.5 feet in depth, located at Lot 28 adjacent to the eastern boundary of the development.

Landscaping

The plans depict landscaping along the west and south boundaries of the proposed development, consisting of 24 inch box trees planted 30 feet on center.

Elevations

The plans depict 2 story model homes with multiple elevations with a maximum height of 28 feet. The proposed models consist of a pitched, concrete tile roof featuring stucco siding, stone veneer, composite siding, and varying rooflines. Architectural enhancements are featured on all elevations including window fenestration and stucco pop-outs.

Floor Plans

The plans depict 2 story model homes with several floor plans ranging from 1,896 square feet to 2,417 square feet. The models feature multiple bedrooms, bathrooms, dining room, kitchen, and a great room. All models feature 2 car garages.

Applicant's Justification

The applicant states the increase in finished grade is necessary to match the developments to the east and west. The greatest depth of fill measures 6.5 feet while the average fill over the site is 3.5 feet.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-19-400045 (TM-0122-12)	First extension of time for a tentative map consisting of 52 single family residential lots - expired	Approved by PC	May 2019
WS-19-0255	Reduced side yard setbacks and a design review for a single family residential development - expired	Approved by PC	May 2019
NFM-0121-15	Final map for 5 single family residential R-E zoned lots	Approved by ZA	Recorded in April 2016

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0791-15	Vacated and abandoned a portion of right-of-way being McLeod Drive - recorded	Approved by PC	January 2016
WS-0751-12 (ADET-0344-15)	Administrative extension of time to reduce lot size until April 23, 2016 to complete	Approved by ZA	April 2015
ZC-1660-02 (ADET-0343-15)	Administrative extension of time for a zone change to R-E and R-2 zoning until April 23, 2016 to complete	Approved by ZA	April 2015
TM-0122-12	Original application for 52 single family residential lots	Approved by PC	February 2013
WS-0751-12	Reduced lot size to 15,000 square feet in the R-E zoned portion of the subdivision	Approved by PC	February 2013
ZC-1660-02 (ET-0124-11)	Third extension of time approved until January 22, 2015 to complete	Approved by BCC	February 2012
ZC-1660-02 (ET-0300-08)	Second extension of time approved until January 22, 2012 to complete	Approved by BCC	December 2008
WS-1176-07	Reduced 3 R-E zoned lots to a minimum 18,000 square feet with the condition that Lot 48 be 15,000 square feet - expired	Approved by BCC	January 2008
TM-0280-07	52 lot single family residential subdivision - expired	Approved by BCC	January 2008
ZC-1660-02 (ET-0313-05)	First extension of time approved until January 22, 2009 to complete	Approved by BCC	February 2006
TM-0346-05	61 lot single family residential subdivision - expired	Approved by PC	January 2005
ZC-1660-02 (WC-0036-03)	Waived conditions requiring right-of-way dedication to include 30 feet for McLeod Drive and a spandrel at the intersection of McLeod Drive and Eldorado Lane	Approved by BCC	March 2003
ZC-1660-02	Reclassified the site to R-E and R-2 zoning for a single family residential subdivision	Approved by BCC	January 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	C-P	Office complex
South	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	R-E	Single family residential
East	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential

Related Applications

Application Number	Request
TM-22-500011	A tentative map for a 43 lot single family residential development is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Design Review #1

Architectural enhancements are provided on all sides of the proposed residences. Staff finds that the design of the residences provide varied neighborhood design and/or innovative architecture that includes varied setbacks from residences to front property lines, reduced visual dominance of garages, varied rooflines, and/or architectural enhancements on all sides. The design of the proposed development is compatible with the surrounding residential development in the area; therefore, staff recommends approval.

Public Works - Development Review

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.

Department of Aviation

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that 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; 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 4 years of approval date or it will expire.

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;
- Traffic study and compliance.
- 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.

Department of Aviation

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

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LANDON CHRISTOPHERSON

CONTACT: DLC CONSULTING, 2885 E. QUAIL AVENUE, LAS VEGAS, NV 89120

May 20, 2021

Clark County
Comprehensive Planning
500 South Grand Central Parkway
P.O. Box 551744
Las Vegas, Nevada 89155-1744

APN: 177-12-523-006

Re: Tentative Map & Design Review

To Whom It May Concern:

We respectfully submit this application for a Tentative Map and design Review for APN 177-12-523-006. This request was previously approved May 21, 2019 under ET-19-400045 (TM-0122-12). As staff has requested that those applications can no longer be extended we are submitting a new one. The Tentative map has been revised to 43 lots in which all lots meet the requirements of code and no waivers are being requested.

Per Section 30.56.040, page 30.56-2 a residential building shall not be erected within 50 feet of the right-of-way of any railroad line, non-depressed freeway or drainage channel. The Tentative map shows the 100 foot Railroad right-of-way and the owner has granted a 50 foot easement. There is a 14 foot drainage easement as well giving a 64 foot separation from the Railroad to the back of the residential lots which exceeds the required 50 feet. The site is being raised so the finish grade matches the developments to the east and west. The deepest fill is 6.3 feet but the average fill over the site is 3.5 feet. The raising of the site does not exceed code where the maximum allowed is 18 inches above the adjacent centerline of the street.

At this time we are also submitting the design review for the homes to be built on the project. These homes range in size from 2,177 square feet to 1,847 square feet. If you have any questions or need further information please feel free to contact me at 702-521-7021

Respectfully Submitted,


Landon Christopherson, P.E.

PLANNER
COPY

ELDORADO SPRINGS PHASE III
(TITLE 30)

ELDORADO LN/MCLEOD DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-22-500011-ELDORADO SPRINGS, LLC:

TENTATIVE MAP consisting of 43 lots and common lots on 6.3 acres in an R-E (Rural Estates Residential) Zone and an R-2 (Medium Density Residential) Zone.

Generally located 200 feet east of Mcleod Drive (alignment) and 210 feet north of Eldorado Lane within Paradise. JG/md/jo (For possible action)

RELATED INFORMATION:

APN:
177-12-523-006

LAND USE PLAN:
WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)
WINCHESTER/PARADISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 6.3
- Number of Lots/Units: 43
- Density (du/ac): 7.3
- Minimum/Maximum Lot Size (square feet): 3,533 (gross & net)/8,025 (gross & net)
- Project Type: Single family residential development

The plans depict a single family residential development consisting of 43 lots on 6.3 acres with a density of 7.3 dwelling units per acre. The density calculation is based on the 5.95 acre portion of the project site that is zoned R-2. Common element Lot A, measuring .35 acres in area, is zoned R-E and R-2, and is located immediately north of Lot 15 through Lot 26. The minimum and maximum lot sizes are 3,533 square feet and 8,025 square feet, respectively. The sole means of ingress and egress to the proposed development is via a private street that connects to a north/south private street, Aquarena Way, located immediately north of Eldorado Lane. Two east/west private streets measuring 37 feet in width, Pelky Lane and Starchild Lane, and 2 north/south private streets measuring 37 feet in width, Grasso Street and Proctor Street, service the interior of the development.

Landscaping

The plans depict landscaping along the west and south boundaries of the proposed development, consisting of 24 inch box trees planted 30 feet on center.

Prior Land Use Requests

Application Number	Request	Action	Date
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WS-19-0255	Reduced side yard setbacks and a design review for a single family residential development - expired	Approved by PC	May 2019
NFM-0121-15	Final map for 5 single family residential R-E zoned lots	Approved by ZA	Recorded in April 2016
VS-0791-15	Vacated and abandoned a portion of right-of-way being McLeod Drive - recorded	Approved by PC	January 2016
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TM-0122-12	Original application for 52 single family residential lots	Approved by PC	February 2013
WS-0751-12	Reduced lot size to 15,000 square feet in the R-E zoned portion of the subdivision	Approved by PC	February 2013
ZC-1660-02 (ET-0124-11)	Third extension of time approved until January 22, 2015 to complete	Approved by BCC	February 2012
ZC-1660-02 (ET-0300-08)	Second extension of time approved until January 22, 2012 to complete	Approved by BCC	December 2008
WS-1176-07	Reduced 3 R-E zoned lots to a minimum 18,000 square feet with the condition that Lot 48 be 15,000 square feet - expired	Approved by BCC	January 2008
TM-0280-07	52 lot single family residential subdivision - expired	Approved by BCC	January 2008
ZC-1660-02 (ET-0313-05)	First extension of time approved until January 22, 2009 to complete	Approved by BCC	February 2006
TM-0346-05	61 lot single family residential subdivision - expired	Approved by PC	January 2005
ZC-1660-02 (WC-0036-03)	Waived conditions requiring right-of-way dedication to include 30 feet for McLeod Drive and a spandrel at the intersection of McLeod Drive and Eldorado Lane	Approved by BCC	March 2003
ZC-1660-02	Reclassified the site to R-E and R-2 zoning for a single family residential subdivision	Approved by BCC	January 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	C-P	Office complex
South	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	R-E	Single family residential
East	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential

Related Applications

Application Number	Request
DR-22-0019	A design review for a single family residential development consisting of 43 lots is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

This request meets the tentative map requirements as outlined in Title 30.

Department of Aviation

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that 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; 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 a final

map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

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;
- Traffic study and compliance.
- 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.

Current Planning Division - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Department of Aviation

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

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 #0026-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: LANDON CHRISTOPHERSON
CONTACT: DLC CONSULTING, 2885 E. QUAIL AVE, LAS VEGAS, NV 89120

TAVERN
(TITLE 30)

PARADISE RD/NAPLES DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-22-400004 (UC-19-0814)-GIPSY, LLC:

USE PERMITS FIRST EXTENSION OF TIME for the following: **1)** reduce the separation from an alcohol, on-premises consumption (tavern) to a residential use; **2)** reduce the separation from an outside dining area (patio) to a residential use; and **3)** allow outside dining in conjunction with a tavern.

WAIVER OF DEVELOPMENT STANDARDS to reduce throat depth.

DESIGN REVIEWS for the following: **1)** alcohol, on-premises consumption (tavern); **2)** an outside dining area (patio); and **3)** alternative parking lot landscaping 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/jvm/ja (For possible action)

RELATED INFORMATION:

APN:
162-22-301-015

USE PERMITS:

1. Reduce the separation from an alcohol, on-premises consumption (tavern) to a residential use to 63 feet where 200 feet is the standard per Table 30.44.1 (a 68% reduction).
2. 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).
3. 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.

WAIVER OF DEVELOPMENT STANDARDS:

Reduce throat depth to 10 feet where 75 feet is required for a driveway on Naples Drive per Uniform Standard Drawing 222.1 (an 86.6% reduction).

DESIGN REVIEWS:

1. Alcohol, on-premises consumption (tavern).
2. Outside dining area (patio).
3. Alternative parking lot landscaping.

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4605 Paradise Road
- Site Acreage: 0.9
- Project Type: Tavern with outside dining
- Number of Stories: 2
- Building Height: 36 feet, 8 inches
- Square Feet: 5,093 (indoor)/238 (outside)
- Parking Required/Provided: 58/58

Site Plan & History

This site has functioned as a tavern/night club since at least 1996. The existing structure has been demolished and the new facility will be constructed in a slightly different location on the subject parcel. The plans show a proposed 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 is proposed with a 1,500 square foot roof top deck. The proposed tavern is set back 14 feet from the nearest property line adjacent to Naples Drive. The first floor outside dining area is 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 are provided where 58 parking spaces are required.

Landscaping

The plans depict 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 is shown along the north property line and a minimum 6 foot intense landscape area is depicted along the west property line with Italian Cypress trees planted 10 feet on center. An alternative to the required interior parking lot landscaping is being proposed by planting the required parking lot trees elsewhere on the site.

Elevations

The submitted elevations depict 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 of stucco and wrought iron fence will enclose the outside patio area on the east side of the building.

Floor Plans

The first floor of the tavern depicts a bar area with access to the outside patio area, restrooms, storage areas, and a stairway to the second floor. The second floor is composed of another bar area with access to 2 exterior balconies and restrooms.

Previous Conditions of Approval

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 the area remains appropriate for this development and is requesting additional time to commence development and ultimately review operations.

Prior Land Use Requests

Application Number	Request	Action	Date
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
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-T3	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	Commercial Tourist
South	Entertainment Mixed-Use	C-2, R-2, & R-5	Commercial Tourist

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Entertainment Mixed-Use	H-1	Commercial General
West	Entertainment Mixed-Use	R-2	Residential duplexes

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

Staff finds that no changes in the immediate area have occurred and that this particular project on the subject site is still appropriate and will benefit the surrounding area. In addition, a revision to the off-site permit has been approved and the plans for the new tavern have been submitted. Therefore, staff can support the extension of time.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

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.

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



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 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 checked="" type="checkbox"/> EXTENSION OF TIME (ET) UC-19-0814 (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>ET-22-400004</u> DATE FILED: <u>01/11/2022</u> PLANNER ASSIGNED: <u>JVM</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>02/08/22</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>03/02/2022</u> FEE: <u>\$ 900.00</u>
	PROPERTY OWNER NAME: <u>Gipsy LLC</u> ADDRESS: <u>28 Burning Tree Court</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-499-1963</u> CELL: _____ E-MAIL: <u>jerry.masini@gmail.com</u>
	APPLICANT NAME: <u>Gipsy LLC</u> ADDRESS: <u>28 Burning Tree Court</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-499-1963</u> CELL: _____ E-MAIL: <u>jerry.masini@gmail.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>Maren Parry, c/o Ballard Spahr</u> ADDRESS: <u>1980 Festival Plaza Dr., Ste 900</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-387-3096</u> CELL: _____ E-MAIL: <u>parrym@ballardspahr.com</u> REF CONTACT ID #: <u>169272</u>	

ASSESSOR'S PARCEL NUMBER(S): 162-22-301-015

PROPERTY ADDRESS and/or CROSS STREETS: 4605 Paradise Road, Las Vegas, NV 89169

PROJECT DESCRIPTION: Extension of time for tavern with outdoor patio

(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 or said property for the purpose of advising the public of the proposed application.

Jerry Masini
Property Owner (Signature)*

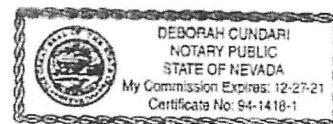
Jerry Masini
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 11-15-21 (DATE)

By Jerry Masini

NOTARY PUBLIC: Deborah Cundari



*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.

Ballard Spahr LLP

One Summerlin
1980 Festival Plaza Drive, Suite 900
Las Vegas, NV 89135-2958
TEL 702.471.7000
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Maren Parry
Tel: 702.387.3096
Fax: 702.410.7411
parrym@ballardspahr.com

November 29, 2021

ET-22-400004

Joel McCulloch
Planning Manager
Clark County Planning Department
500 South Grand Central Parkway
Las Vegas, NV 89155

Re: Justification Letter - Extension of Time to Commence and Review UC-19-0814
Use Permits, Waivers of Development Standards and Design Reviews
162-22-301-015

Dear Joel:

Enclosed please find the forms and materials representing an application for an extension of time to commence and review UC-19-0814 approving the redesign of the Gipsy Night Club (tavern) located at 4605 Paradise Road, APN 162-22-301-015:

- Application form signed by Jerry Masini, Manager of Gipsy, LLC
- Ownership Disclosure Form
- Fire Permit Survey Form
- Deed for APN 162-22-301-015 (2 deeds for lots pre-combination)
- Justification Letter (this letter)
- Notice of Final Action for UC-19-0814

The applicant is the owner of the property where the Gipsy Night Club has been an icon for the LGBTQ+ community since its branding under that name in the early 1980s. Although COVID-19 significantly delayed the pending reconstruction of the club approved as UC-19-0814 in December of 2019, plans and permit applications have been submitted to Clark County with the intent to commence construction as soon as possible.

Joel McCulloch
November 29, 2021
Page 2

The area remains appropriate for this development in an atmosphere where many projects have been hindered by COVID-19 and general construction delays, and we respectfully request approval to allow the project additional time to commence, and then to ultimately review operations.

If you have any questions or require any additional information in order to process this application, please feel free to call.

Sincerely,


Maren Parry

MP/mp