



# Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

February 13, 2024

7:00pm

**Note:**

- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Maureen Helm at 702-606-0747.
  - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
  - Supporting material is/will be available on the County's website at <https://clarkcountynv.gov/ParadiseTAB>

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

Secretary: Maureen Helm, 702-606-0747, [mhelmtab@gmail.com](mailto: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](mailto: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 30, 2024. (For possible action)
- IV. Approval of the Agenda for February 13, 2024 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items (for discussion only)
- VI. Planning and Zoning
  - 1. **PA-23-700023-AUTOZONE INC:**  
**HOLDOVER PLAN AMENDMENT** to redesignate the existing land use category from Neighborhood Commercial (NC) to Business Employment (BE) on 2.0 acres. Generally located on the southwest corner of Desert Inn Road and Mojave Road within Paradise. TS/gc (For possible action) **PC 2/6/24**
  - 2. **ZC-23-0522-AUTOZONE, INC.:**  
**HOLDOVER ZONE CHANGE** to reclassify 2.0 acres from a C-1 (Local Business) Zone to an M-D (Designed Manufacturing) Zone.  
**USE PERMIT** to allow retail sales.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) alternative street landscaping; 2) landscaping; 3) increase retaining wall height; and 4) driveway geometrics.  
**DESIGN REVIEW** for a warehouse/storage building addition in conjunction with an existing retail building. Generally located on the southwest corner of Desert Inn Road and Mojave Road within Paradise (description on file). TS/jor/syp (For possible action) **PC 2/6/24**
  - 3. **VS-23-0523-AUTOZONE, INC.:**  
**HOLDOVER VACATE AND ABANDON** easements of interest to Clark County located between Desert Inn Road and Segoe Drive and between Pecos-Mcleod Interconnect and Mojave Road within Paradise (description on file). TS/jor/syp (For possible action) **PC 2/6/24**
  - 4. **VS-23-0811-FLAMINGO LV OPERATING CO, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Las Vegas Boulevard South and Linq Lane and between Flamingo Road and Caesars Palace Drive within Paradise (description on file). TS/jor/jd (For possible action) **BCC 2/7/24**

5. **UC-23-0810-FLAMINGO LV OPERATING CO, LLC:**  
**USE PERMIT** to allow the primary means of access to an existing outside dining and drinking area from an exterior entrance.  
**DEVIATIONS** for the following: 1) reduce landscaping; 2) reduce the special setback; and 3) deviations as shown per plans on file.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setback; and 2) allow a modified non-standard improvement within a right-of-way.  
**DESIGN REVIEWS** for the following: 1) expansion of an existing outside dining and drinking area; 2) exterior façade upgrades; 3) modifications to a previously approved comprehensive sign plan in conjunction with a Resort Hotel (Flamingo) on a portion of 19.4 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas Boulevard South, 200 feet north of Flamingo Road within Paradise. TS/jor/jd (For possible action) **BCC 2/7/24**
  
6. **UC-23-0933-HA ARVILLE, LLC:**  
**USE PERMITS** for the following: 1) waive paving; and 2) waive screening.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate street landscaping and buffer; and 2) eliminate trash enclosure for outside storage in conjunction with an existing office warehouse on 1.7 acres in an M-1 (Light Manufacturing) Zone. Generally located on the east side of Arville Street and the north side of Hacienda Avenue within Paradise. MN/mh/ng (For possible action) **PC 2/2/24**
  
7. **WS-24-0002-STEPANEK, SHELLEY E. REVOCABLE LIV TR & STEPANEK, SHELLEY E. TRS:**  
**WAIVER OF DEVELOPMENT STANDARDS** for reduced setbacks on 0.2 acres in an RS5.2 (Residential Single Family 5.2) Zone. Generally located on the south side of Tompkins Avenue and the east side of Hondo Court within Paradise. JG/tpd/ng (For possible action) **PC 3/5/24**
  
8. **UC-23-0542-PARADISE CENTER LLC:**  
**USE PERMIT** to allow a cannabis establishment (consumption lounge).  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce the separation from a non-restricted gaming property.  
**DESIGN REVIEW** for a proposed cannabis establishment (consumption lounge) in conjunction with an existing retail cannabis store within a commercial building on 1.0 acre in a CG (Commercial General) (AE-65 & AE-70) Zone. Generally located on the east side of Paradise Road and the south side of Naples Drive within Paradise. JG/sd/syp (For possible action) **BCC 3/6/24**

VII. General Business (For possible action)

VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No discussion, action, or vote may be taken on this agenda item. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: February 27, 2024.

X. Adjournment.

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

Paradise Community Center- 4775 McLeod Dr.

<https://notice.nv.gov>



# Paradise Town Advisory Board

January 30, 2024

## MINUTES

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

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

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

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

Jason Allswag; Planning, Michael Huling; Planning, Beatriz Martinez; Community Liaison

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

II. Public Comment:  
**None**

III. Approval of January 9, 2024 Minutes

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

Approval of Agenda for January 30, 2024

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

V. Informational Items (For Discussion only)  
**None**

VI. Planning & Zoning

1. **UC-23-0825-USCLP NV SUNSET 1, LLC:**  
**USE PERMITS** for the following: 1) major training facility; and 2) accessory restaurant not associated with a wholesale or industrial use in conjunction with an existing office/warehouse facility on a portion of 9.4 acres in an M-D (Designed Manufacturing) (AE-70) Zone and an M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the east side of Bruce Street and the south side of Sunset Road within Paradise. JG/hw/syp (For possible action) **PC 2/6/24**

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

2. **UC-23-0845-HERBST DEVELOPMENT, LLC:**  
**USE PERMITS** for the following: 1) eliminate pedestrian realms; 2) eliminate open space; 3) modify front setback; 4) modify requirements for building facades; 5) modify drive aisle location; 6) eliminate pedestrian access and pathway; and 7) eliminate way finding signs.  
**WAIVER OF DEVELOPMENT STANDARDS** for alternative driveway standards.  
**DESIGN REVIEW** for a restaurant on a 1.2 acre portion of 2.0 acres in a C-2 (Commercial General) Zone within the Midtown Maryland Parkway District. Generally located on the south side of Tropicana Avenue and the east side of Maryland Parkway within Paradise. JG/bb/jd (For possible action) **BCC 2/7/24**

**MOVED BY-Philipp**  
**APPROVE-Subject to staff conditions**  
**ADDED condition**  
• **Bollards to be in the drive-thru exit**  
**VOTE: 5-0 Unanimous**

3. **DR-23-0893-J & R LLC ETAL & PROMIT TRUST:**  
**DESIGN REVIEW** for a detached single family residential subdivision in conjunction with an existing detached single family residential controlled access development on 2.5 acres in an R-1 (Single Family Residential) Zone. Generally located on the east side of Pacific Street and the southeast side of Regency Cove Court within Paradise. TS/hw/syp (For possible action) **PC 2/20/24**

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

4. **TM-23-500189-J & R LLC ETAL & PROMIT TRUST:**  
**TENTATIVE MAP** consisting of 16 detached single family residential lots and 1 common lot on 2.5 acres in an R-1 (Single Family Residential) Zone. Generally located on the east side of Pacific Street and the southeast side of Regency Cove Court within Paradise. TS/hw/syp (For possible action) **PC 2/20/24**

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

5. **VS-23-0905-DIRTCO, LLC:**  
**VACATE AND ABANDON** a portion of a right-of-way being Patrick Lane located between Annie Oakley Drive and Green Valley Parkway within Paradise (description on file). JG/sd/syp (For possible action) **PC 2/20/24**

**MOVED BY-Williams**

**APPROVE-Subject to staff conditions**

**VOTE: 4-0 Unanimous**

**Philipp abstained from comment and vote, received a notification card**

6. **WS-23-0904-DIRTCO, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** for reduced throat depth.

**DESIGN REVIEW** for an office/warehouse building on 1.4 acres in an Industrial Park (IP) (AE-60) Zone. Generally located on the south side of Patrick Lane, 210 feet east of Annie Oakley Drive within Paradise. JG/sd/syp (For possible action) **PC 2/20/24**

**MOVED BY-Williams**

**APPROVE-Subject to staff conditions**

**VOTE: 4-0 Unanimous**

**Philipp abstained from comment and vote, received a notification card**

7. **WS-23-0920-PF 4090, LLC:**

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

**DESIGN REVIEW** for a mini-warehouse on 1.5 acres in a C-2 (Commercial General) Zone. Generally located on the north side of Flamingo Road and the east side of Eastern Avenue within Paradise. TS/bb/ng (For possible action) **PC 2/20/24**

**Held per applicant. Return to the March 12, 2024 Paradise TAB meeting**

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

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

**DESIGN REVIEW** for the following an outside dining area (patio) on 0.9 acres in a C-2 (General Commercial) (AE-65) Zone. Generally located on the northwest corner of Paradise Road and Naples Drive within Paradise. JG/dd/ng (For possible action) **BCC 2/21/24**

**MOVED BY-Cunningham**

**APPROVE-Subject to staff conditions**

**VOTE: 5-0 Unanimous**

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

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

**MOVED BY-Williams**

**APPROVE-Subject to staff conditions**

**VOTE: 5-0 Unanimous**

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

**MOVED BY-Philipp**  
**DENY**  
**VOTE: 5-0 Unanimous**

11. **UC-23-0907-PARBALL NEWCO, LLC:**  
**USE PERMIT** for deviations as shown per plans on file in conjunction with a resort hotel (Horseshoe).  
**DEVIATIONS** for the following: 1) eliminate projecting sign height above grade; 2) increase the number of projecting signs; and 3) all other deviations as depicted per plans on file.  
**DESIGN REVIEW** for modifications to a comprehensive sign plan in conjunction with an existing resort hotel (Horseshoe) on a portion of 30.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/hw/ng (For possible action) **BCC 2/21/24**

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

12. **WC-23-400193 (ZC-0226-00)-GURU NANAK DEV CHARITABLE TRUST ET AL:**  
**WAIVER OF CONDITIONS** of a zone change requiring the design of the driveway access of Pearlite Avenue to be relocated as far north as allowed by Public Works in conjunction with a proposed place of worship on 2.4 acres in a C-P (Office Professional) and an R-E (Rural Estates Residential) Zone in the Russell Road Transition Corridor Design Overlay District. Generally located on the south side of Russell Road and the east side of Pearlite Avenue within Paradise. JG/jor/syp (For possible action) **BCC 2/21/24**

**Item Withdrawn by applicant**

13. **WC-23-400194 (ET-0107-02 (ZC-0226-00))-GURU NANAK DEV TRUST ET AL:**  
**WAIVER OF CONDITIONS** of an extension of time of a zone change requiring a maximum 21 foot high building in conjunction with a proposed place of worship on 2.4 acres in a C-P (Office Professional) and an R-E (Rural Estates Residential) Zone in the Russell Road Transition Corridor Design Overlay District. Generally located on the south side of Russell Road and the east side of Pearlite Avenue within Paradise. JG/jor/syp (For possible action) **BCC 2/21/24**

**Item Withdrawn by applicant**



14. **UC-23-0910-GURU NANAK DEV CHARITABLE TRUST ETAL:**  
**USE PERMIT** for a place of worship.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow an attached sidewalk with alternative landscaping; 2) increase building height; 3) reduce parking; 4) reduce driveway throat depth; 5) reduce driveway departure distance; and 6) reduce driveway width.  
**DESIGN REVIEW** for a place of worship on 2.4 acres in a C-P (Office Professional) and an R-E (Rural Estates Residential) Zone in the Russell Road Transition Corridor Design Overlay District. Generally located on the south side of Russell Road and the east side of Pearlite Avenue within Paradise. JG/jor/syp (For possible action) **BCC 2/21/24**

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

15. **WS-23-0919-ARVILLE INDUSTRIAL, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** for the following: 1) eliminate parking lot landscaping; 2) reduced street landscaping; and 3) alternative driveway geometrics.  
**DESIGN REVIEWS** for the following: 1) an office/warehouse facility; and 2) finished grade on 1.1 acres in an M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the east side of Arville Street and north of Oquendo Road (alignment) within Paradise. MN/sd/syp (For possible action) **BCC 2/21/24**

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

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

**MOVED BY-Philipp**  
**APPROVE-Waiver #1 Subject to staff conditions**  
**APPROVE-Design Review Subject to staff conditions**  
**DENY- Waiver #2**  
**VOTE: 5-0 Unanimous**

VI. General Business (for possible action)

VII. Public Comment  
**None**

VIII. Next Meeting Date  
**The next regular meeting will be February 13, 2024**

IX. Adjournment  
**The meeting was adjourned at 8:50 p.m.**

02/06/24 PC AGENDA SHEET

PLAN AMENDMENT  
(TITLE 30)

**UPDATE**  
DESERT INN RD/MOJAVE RD

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

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

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

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RELATED INFORMATION:

**APN:**  
162-13-503-017

**EXISTING LAND USE PLAN:**  
WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

**PROPOSED LAND USE PLAN:**  
WICHESTER/PARADISE - BUSINESS EMPLOYMENT

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

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

**Applicant's Justification**

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

**Prior Land Use Requests**

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

**Surrounding Land Use**

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

**Related Applications**

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

**STANDARDS FOR ADOPTION:**

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

**Analysis**

**Comprehensive Planning**

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

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

The nearest industrial planned use in the Master Plan is approximately a mile to the northeast on the northeast corner of Boulder Highway and the Flamingo Wash.

The request to BE does not comply with Policy 6.2.1 of the Master Plan which promotes ensuring the design and intensity of new development is compatible with established neighborhoods and uses. The request is also not consistent with Policy 1.4.4 of the Master Plan which encourages in-fill development that is compatible with the scale and intensity of the surrounding area. Furthermore, the Master Plan states that BE uses should be concentrated near airports, major transportation corridors, and railroads. The site is located on an arterial street (Desert Inn Road) but at an intersection with a local road (Mojave Road), where Desert Inn Road does not have any direct access to major highways in the area such as I 15 or U.S. Highway 95. For these reasons, staff cannot support the proposed request.

**Staff Recommendation**

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

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

**STAFF ADVISORIES:**

**Fire Prevention Bureau**

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

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

- No comment.

**TAB/CAC:**

**APPROVALS: 1 card**

**PROTEST: 1 card, 1 letter**

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

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

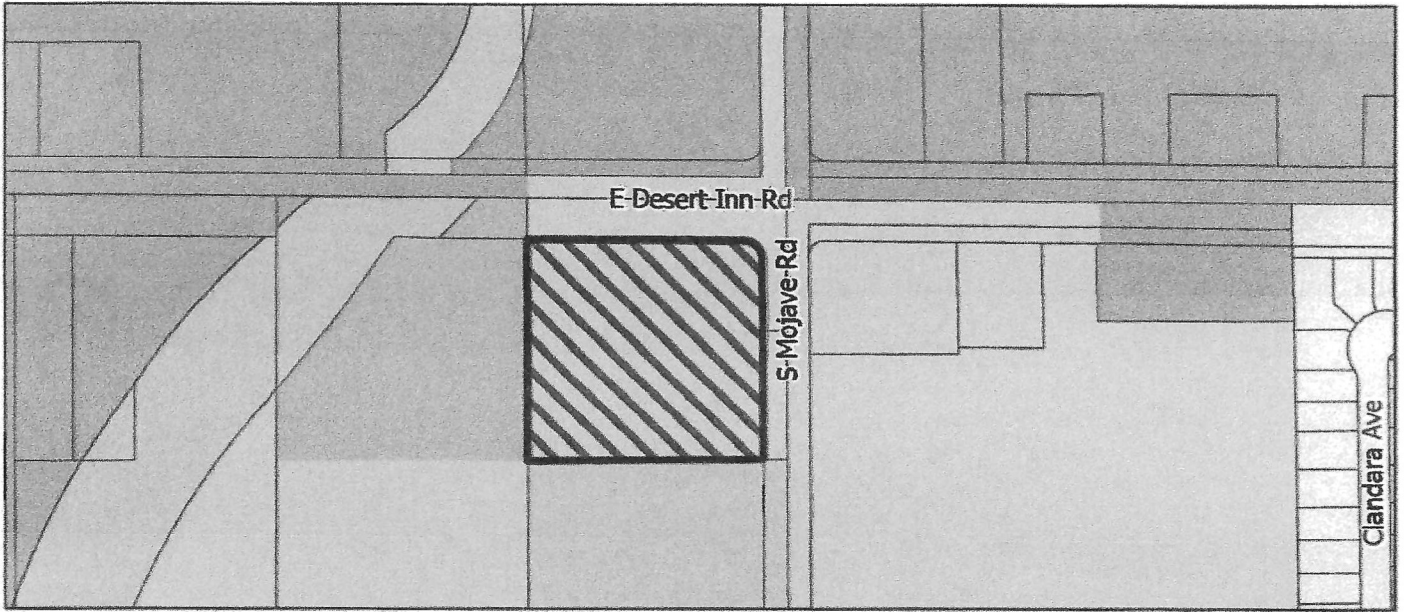
**PLANNING COMMISSION ACTION:** December 19, 2023 – HELD – To 02/06/24 – per the applicant.

**APPLICANT:** AUTOZONE INC

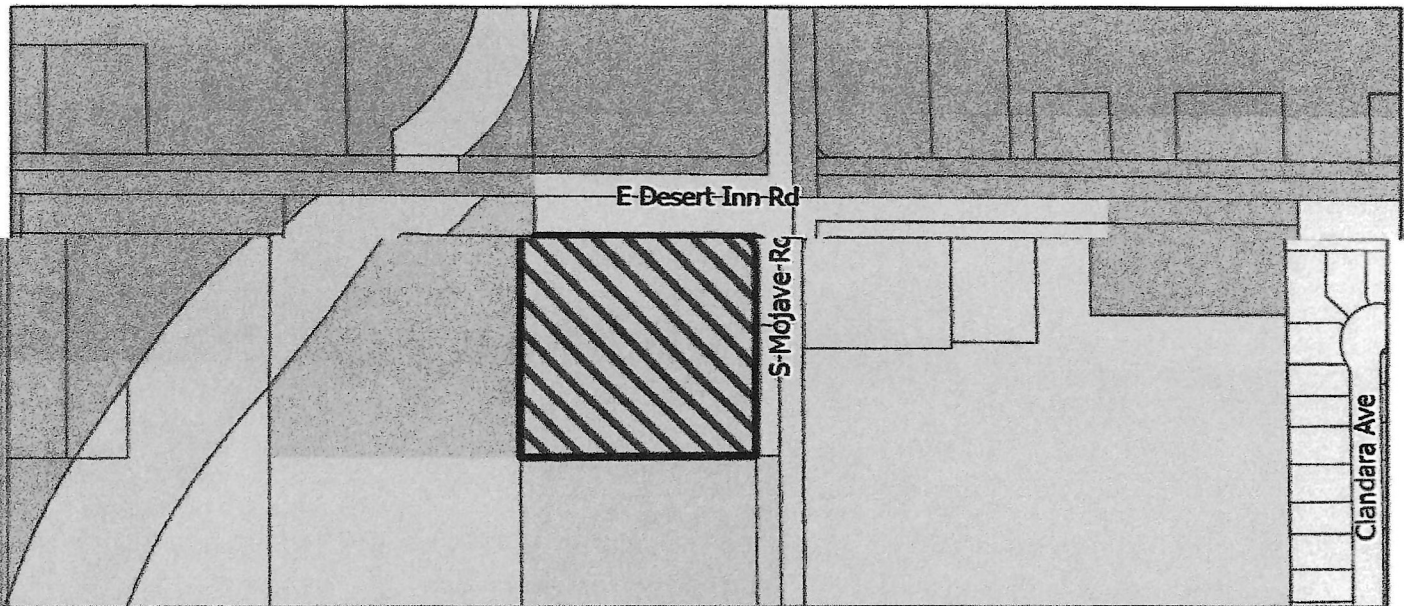
**CONTACT:** BOB GRONAUER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA  
DRIVE, SUITE 650, LAS VEGAS, NV 89135

DRAFT

# Planned Land Use Amendment PA-23-700023



**Current**



**Requested**

**DRAFT**

**Winchester Paradise  
Clark County, Nevada**

**Neighborhoods**

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

**Employment**

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

**Commercial and Mixed Use**

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

**Other**

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

Requested Area To Change

Planning Areas

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



WAREHOUSE BUILDING ADDITION  
(TITLE 30)

**UPDATE**  
DESERT INN RD/MOJAVE RD

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

**HOLDOVER ZONE CHANGE** to reclassify 2.0 acres from a C-1 (Local Business) Zone to an M-D (Designed Manufacturing) Zone.

**USE PERMIT** to allow retail sales.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) alternative street landscaping; 2) landscaping; 3) increase retaining wall height; and 4) driveway geometrics.

**DESIGN REVIEW** for a warehouse/storage building addition in conjunction with an existing retail building.

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

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RELATED INFORMATION:

**APN:**  
162-13-503-017

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

**WAIVERS OF DEVELOPMENT STANDARDS:**

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

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

**DESIGN REVIEW:**

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

**PROPOSED LAND USE PLAN:**

WINCHESTER/PARADISE – BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

**General Summary**

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

History and Site Plan

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

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

Landscaping

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



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

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

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

#### Elevations

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

#### Floor Plans

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

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

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

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

**Prior Land Use Requests**

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

**Surrounding Land Use**

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

**Related Applications**

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

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Comprehensive Planning**

#### Zone Change

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

#### Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties. Retail use is an active business model on the site, however, since the applicant is requesting to reclassify the site's zoning from C-1 to M-D a use permit request is required. Staff determines that since the zone change is not supported by staff, the use permit also cannot be supported.

#### Waivers of Development Standards

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

#### Waivers of Development Standards #1 & #2

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

#### Waiver of Development Standards #3

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

Design Review

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

**Public Works - Development Review**

Waiver of Development Standards #4a

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

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

Waiver of Development Standards #4b & #4c

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

**Staff Recommendation**

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

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permit, waivers of development standards, and design review must commence within 2 years of approval date or they will expire.

**Public Works - Development Review**

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

**Fire Prevention Bureau**

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

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0402-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS: 1 card**

**PROTESTS: 2 cards**

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

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

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

**APPLICANT:** AUTOZONE, INC.

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

**EASEMENTS**  
(TITLE 30)

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

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

**RELATED INFORMATION:**

**APN:**  
162-13-503-017

**PROPOSED LAND USE PLAN:**  
WINCHESTER/PARADISE – BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

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

**Prior Land Use Requests**

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

**Surrounding Land Use**

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

**Related Applications**

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

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

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

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

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

**Public Works - Development Review**

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

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

**Fire Prevention Bureau**

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

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS: 1 card**

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

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

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

**APPLICANT:** AUTOZONE INC

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



02/07/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-23-0811-FLAMINGO LV OPERATING CO, LLC:**

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

RELATED INFORMATION:

**APN:**

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

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

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

**Prior Land Use Requests**

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

**Prior Land Use Requests**

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

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

**Surrounding Land Use**

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

**Related Applications**

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

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

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

**Public Works - Development Review**

- Maintain the required width of all public access walkway segments so that a minimum Level of Service "C" is achieved under peak pedestrian volumes;
- Applicant to coordinate with Public Works - Development Review for the limits of the pedestrian access easement area;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

**Fire Prevention Bureau**

- No comment.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

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

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

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

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

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

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

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

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

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RELATED INFORMATION:

**APN:**

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

**USE PERMIT:**

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

**DEVIATIONS:**

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

**WAIVERS OF DEVELOPMENT STANDARDS:**

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

**DESIGN REVIEWS:**

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

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

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

History, Site Plan, & Request

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

Today the applicant is proposing to expand the existing outside dining and drinking patio area. The expansion of the outside dining area would be located within the pedestrian easement. However, that portion of pedestrian access easement will be vacated (VS-23-0811). The northern portion of the patio will expand by 500 square feet, and the southern portion will expand by 430 square feet for a proposed total patio area of 1,508 square feet. A setback reduction from the property line and the setback from Las Vegas Boulevard South will be reduced to 7 feet where 8 feet was previously approved via UC-0200-11. The expansion of the patio requires a modified non-standard improvement (landscape planters) within the right-of-way. The applicant is also requesting for modified street landscaping and deviations per plans on file.

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

Landscaping

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

Elevations

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

Floor Plans

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

Signage

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

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

The provided renderings depict the following:

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

The following table is an updated summary for signage:

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

\*The wall signs also contain animation.

The details for animated signs are listed below:

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

Applicant's Justification

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

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

**Prior Land Use Requests**

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

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

**Surrounding Land Use**

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

## Related Applications

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

### STANDARDS FOR APPROVAL:

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

#### Analysis

##### Comprehensive Planning

##### Use Permit

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

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

##### Waivers of Development Standards

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

##### Design Reviews

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

##### Deviations, Waiver of Development Standards #1, & Design Reviews #1 & #2

Staff finds that the proposed façade remodel and outside dining and drinking patio expansion is architecturally complementary of what is existing within the Resort Corridor. The proposed remodel is outside of the pedestrian access easement. Therefore, staff supports these requests.



Design Review #3

Code allows alternative sign standards within the Resort Corridor that can be approved if the signs result in the development having a visual character which is compatible with the adjacent development. The proposed signs are compatible with other signs in the area and are in harmony with the unique nature of signage along Las Vegas Boulevard South and within the Resort Corridor. Therefore, staff finds that the proposed signage modifications are compatible with the existing developments and resort hotels in the area. For the reasons stated above, staff can support this request.

**Public Works - Development Review**

Waiver of Development Standards #2

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; that approval of this application does not constitute or imply approval of any other County issued permit, license or approval; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application, and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- Owner acknowledges that the proposed non-standard improvements (buildings, structures, and improvements) are within a portion of the area planned for a 200 foot wide right-of-way per Title 30 and the Clark County Transportation Map;

- Future applications, whether individually or cumulatively (including this application), that are demonstrated to have a sufficient traffic impact upon Las Vegas Boulevard South may require the owner, or its successors, to grant easements or dedicate its proportionate share of all or portions of the planned right-of-way for Las Vegas Boulevard South adjacent to its property according to the requirements of the Clark County Transportation Map and Title 30;
- Owners or its successors shall remove any non-standard improvements (buildings, structures, and improvements) related to this application or any future applications within the planned right-of-way at its own expense, in the event dedication of the planned right-of-way is required;
- Maintain the required width of all public access walkway segments so that a minimum Level of Service "C" is achieved under peak pedestrian volumes;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Applicant to coordinate with Public Works - Development Review for the limits of the pedestrian access easement area.

**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that the property is already connected to the CCWRD sewer system; and if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** FLAMINGO LAS VEGAS OPERATING COMPANY, LLC

**CONTACT:** REBECCA MILTENBERGER, BROWNSTEIN, HYATT, FARBER, & SCHREC, 100 N. CITY PARKWAY, SUITE 1600, LAS VEGAS, NV 89106

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**UC-23-0933-HA ARVILLE, LLC:**

**USE PERMITS** for the following: 1) waive paving; and 2) waive screening  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate street landscaping and buffer; and 2) eliminate trash enclosure for outside storage in conjunction with an existing office warehouse on 1.7 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the east side of Arville Street and the north side of Hacienda Avenue within Paradise. MN/mh/ng (For possible action)

---

**RELATED INFORMATION:**

**APN:**

162-30-601-021; 162-30-601-046

**USE PERMITS:**

1. Allow an outside area used for parking, maneuvering, or storing motor vehicles, equipment, or materials to not be paved where pavement is required per Table 30.44-1.
2. Eliminate the requirement for outside storage to be screened from the right-of-way with a screened fence or wall where required per Table 30.44-1.

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate landscape and wall buffer adjacent to a street where a 6 foot wide landscape area and a 6 foot high wall is required per Figure 30.64-8.
2. Eliminate a trash enclosure where required per Section 30.56.120.

**LAND USE PLAN:**

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 4340 W. Hacienda Avenue
- Site Acreage: 1.7
- Project Type: Outside storage
- Parking Required/Provided: 22/27

**Site Plans**

The plans depict 2 lots, 1 of which is 0.7 acres, accessed from Hacienda Avenue, and features an existing office warehouse with an electrical contracting business. The second lot, which is 1 acre and primarily accessed through a metal cross access gate on the north side of the first lot,

features an unpaved outside storage area and is located to the east of Arville Street. Parking is provided in the front and rear parking lots of the electrical contracting business. A drive aisle runs along the east of the building to connect the parking areas, and leads to the 20 foot wide interior access gate which provides access to the lot being used for outside storage. To the north of the access gate is a concrete ramp for vehicles and employees to access the outside storage area. The second lot features a chain-link fence on the front property line along Arville Street, which has a 24 foot wide emergency entrance and exit that leads to a 24 foot wide fire access lane which circles around the lot. The interior of the lot is designed to accommodate 10 storage containers that are approximately 340 square feet each. These storage containers are set back 28 feet, 8 inches from the north property line, and 137 feet, 9 inches from the front property line. There is a second outside storage area on the lot, which is set back 36 feet, 9 inches from the rear property line, 12 feet from the south property line, and located to the east of the fire access lane that circles around a portion of the lot. This area is designed to accommodate 10 additional storage containers.

Landscaping

The lot with the office warehouse features existing landscaping along the street and in the parking lot in front of the building. The outside storage lot features a few shrubs along Arville Street, but does not meet the 6 foot wide landscape area and 6 foot high wall requirements of Title 30, which the applicant is requesting to waive.

Elevations

There is an existing 2 story office warehouse building with an entrance in the front, and roll-up doors on the side and rear of the building.

Applicant's Justification

The applicant indicates that the Clark County Department of Environment and Sustainability has determined that the outside storage site does not need to be paved. The property owner replaced a wall with the chain link fence without mesh screening along Arville Street to prevent graffiti. The installation of water and electrical utilities for irrigation and landscaping in an outside storage area will create unnecessary costs and operational issues. Lastly, the applicant states that a trash enclosure is unnecessary for the site and the lack of one will have a minimal impact on surrounding uses.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ADR-0095-03	Outcall entertainment referral service	Approved by ZA	February 2003
DR-0459-96	Office warehouse	Approved by PC	April 1996
DR-1124-95	Automotive parts plating and powder coat treatment facility	Approved by PC	August 1995
WT-0382-95	Industrial building for automotive plating	Approved by PC	April 1995

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-0471-94	Cabinet and countertop manufacturing facility - expired	Approved by PC	May 1994

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & South	Business Employment	M-1	Outside storage
East	Business Employment	M-1	Outside storage & transportation service
West	Business Employment	M-1	Undeveloped, cannabis establishment, & office and warehouse complex

**Clark County Public Response Office (CCPRO)**

CE23-16816 is an active code enforcement case on the property for unpermitted outside storage and structures.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning Use Permits**

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

Use Permit #1

The Clark County Department of Environment and Sustainability has determined that the site is in compliance with air quality regulations. While the unpaved storage yard is compatible with the surrounding development, staff cannot support the other use permit and waivers of development standards, and therefore, cannot support this use permit request.

Waivers of Development Standards

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

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

Use Permit #2 and Waiver of Development Standards #1

The use permit for the screening is necessary because the outside storage is not screened from the right-of-way with a screened fence or wall. The buffering requirements allow for the protection of streets and less intensive uses from the more intensive use of outside storage. Staff finds that the waiver of this condition, along with the waiver of a required 6 foot wide landscape area with a 6 foot high wall, will have a negative impact on the right-of-way and the properties directly across the street. The lack of required buffering and landscaping, along with the lack of a screened fence or wall along the right-of-way, prevents the adequate protection of the street. Lastly, staff finds that the adjacent property to the south of the outside storage site features a mesh screened fence, so the addition of mesh screening to the chain-link fence along Arville Street would help mitigate negative impacts to the right-of-way and surrounding development. For these reasons, staff cannot support these requests.

Waiver of Development Standards #2

Trash enclosures are important to preserve the safety and cleanliness of a site, as well as the surrounding area. For this reason, staff typically does not support requests to eliminate the requirement for a trash enclosure, and the applicant has not provided a compelling justification that the lack of a trash enclosure will not have adverse effects on adjacent properties. Therefore, staff cannot support this request.

**Staff Recommendation**  
Denial.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

If approved:

- Add mesh screening to the existing chain-link fence along Arville Street;
- Record perpetual cross access, ingress/egress, and shared parking agreement between parcels 162-30-601-021 and 162-30-601-046;
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the

approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- Applicant is advised that off-site improvement permits may be required.

**Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features:
- Applicant to show fire hydrant locations on-site and within 750 feet.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; that fire protection may be required for this facility; and to contact Fire Prevention for further information at (702) 455-7316.

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

- No comment.

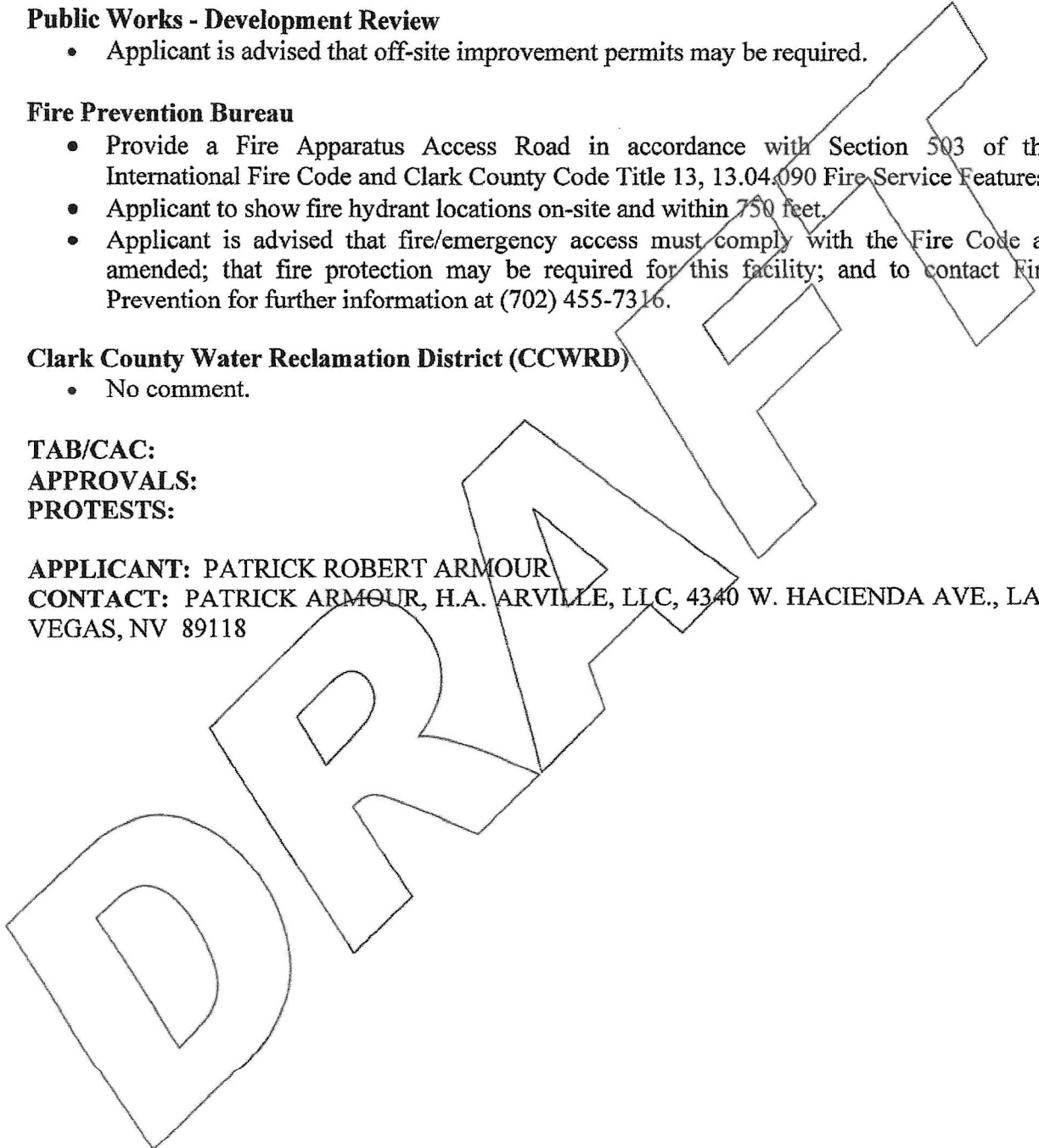
**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: PATRICK ROBERT ARMOUR**

**CONTACT: PATRICK ARMOUR, H.A. ARVILLE, LLC, 4340 W. HACIENDA AVE., LAS VEGAS, NV 89118**





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>23-101004</u> <u>UC-23-0933</u> DATE FILED: <u>12/28/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>1/30/24</u> PC MEETING DATE: <u>2/20/24</u> BCC MEETING DATE: _____ FEE: <u>\$ 1,450.00</u>
	<b>PROPERTY OWNER</b>  NAME: <u>H.A. Arville LLC (Patrick Armour)</u> ADDRESS: <u>4340 W. Hacienda Avenue</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-491-9921</u> CELL: <u>702-491-9921</u> E-MAIL: <u>pat@ggsystems.com</u>
	<b>APPLICANT</b>  NAME: <u>H.A. Arville LLC (Patrick Armour)</u> ADDRESS: <u>4340 W. Hacienda Avenue</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-491-9921</u> CELL: <u>702-491-9921</u> E-MAIL: <u>pat@ggsystems.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Lindsey Lebo</u> ADDRESS: <u>8607 W. Sahara Avenue</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: _____ CELL: <u>702-334-0153</u> E-MAIL: <u>lindsey@lebodes.com</u> REF CONTACT ID #: _____

PLANNER COPY

ASSESSOR'S PARCEL NUMBER(S): 162-30-601-021

PROPERTY ADDRESS and/or CROSS STREETS: Hacienda and Arville

PROJECT DESCRIPTION: Land Use Permit for Outside storage in M-1 Zoning

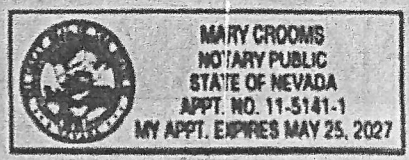
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code, that the information on the attached legal description, all plans, and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

Patrick R. Armour Patrick R. Armour  
 Property Owner (Signature)\* Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 10/23/23 (DATE)  
 By Patrick R. Armour

NOTARY PUBLIC: Mary Crooms



\*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.

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UL-23-0933

JL  
**REVISED**  
12/28/23



Jared A. LeBo, RA, NCARB, LEED AP, Principal  
Lindsey Kay LeBo, NCIDQ RID, Principal

December 28, 2023

**PLANNER  
COPY**

**Attn: Clark County Planning Department**  
500 S. Grand Central Parkway, Suite 1  
Las Vegas, NV 89155

Re: Justification Letter: HA Arville LLC - Notice of Violation Response & Land Use Application

Applicant: HA Arville LLC  
Property Owner: HA Arville LLC  
Parcel Number(s): 162-30-601-021

To Whom it May Concern:

On July 5, 2023 the applicant, as listed above, received a "Notice of Violation" from the Clark County Department of Administrative Services Code Enforcement Unit regarding the use of vacant land without a land use permit. The letter outlining the code violation recommended either obtaining a land use permit or removing the storage containers and equipment from the property. (NOV has been attached as Exhibit A)

On behalf of the applicant, we respectfully request Design Review for the intent of obtaining a Land Use Permit for Outside Storage for the above referenced property. The property is located three parcels north of the northeast corner of Hacienda Avenue and Arville Street in Clark County, Nevada (Winchester Paradise Land Use Plan Area). The vacant land is 1.06 acres and is currently zoned for (M-1) Light Manufacturing within the Business Employment Planned Land Use.

The current owners purchased the property in April of 2007 and have been using the unimproved land for equipment storage associated with their electrical subcontracting business (G&G Systems) since the beginning of 2008. The site contains a total of 13 40-foot intermodal shipping containers, 1 30-foot trailer as well as commercial vehicles and miscellaneous electrical equipment associated with the business practice. The subject site consists of compacted stable chat and 50 feet of gravel delineating street access.

G&G Systems also occupies the adjacent industrial warehouse located on parcel (162-30-601-046) that fronts Hacienda Avenue. There is direct access via an electric gate on the northeast corner of this property into the vacant parcel which is used as the main access into the site. The existing access gates located on Arville Street are for emergency vehicle use only and are not open to commercial traffic.

The surrounding parcels are being used in a similar manner and we feel that this is an appropriate land use for the subject site.

The photos below show the existing (current) site elevations from each property line.

1-702.682.6466  
 8607 W. Sahara Ave.  
Las Vegas, NV 89117  
 www.LEBOdes.com

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**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**WS-24-0002-STEPANEK, SHELLEY E. REVOCABLE LIV TR & STEPANEK, SHELLEY E. TRS:**

**WAIVER OF DEVELOPMENT STANDARDS** for reduced setbacks on 0.2 acres in an RS5.2 (Residential Single Family 5.2) Zone.

Generally located on the south side of Tompkins Avenue and the east side of Hondo Court within Paradise. JG/tpd/ng (For possible action)

---

**RELATED INFORMATION:**

**APN:**

161-19-410-007

**WAIVER OF DEVELOPMENT STANDARDS:**

1. a. Reduce the side street setback to zero feet for an existing barbeque island where 10 feet is required per Section 30.02.06 (a 100% decrease).
- b. Reduce the separation for an accessory structure from the primary building to 4 feet where 6 feet is required per Section 30.02.06 (a 33% decrease).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 4710 Hondo Court
- Site Acreage: 0.2
- Project Type: Reduced setbacks
- Number of Stories: 1
- Building Height (feet): 8 (wooden sheds)/7 (CMU shed)/3.5 (BBQ island)
- Square Feet: 4,068 (residence)/130 (CMU shed)/24 (BBQ island)/96 (wooden shed #1)/64 (wooden shed #2)/4,382 (total)

**Site Plans**

The plans depict an existing 4,068 square foot residence with 4 accessory structures. The first structure is a CMU block shed that is located on the north side of the property. The second is a barbeque island that is on the north side of the property but east of the CMU block shed. The third is a wooden shed that is on the south side of the property. The fourth is a wooden shed located on the south side of the property but east of the first wooden shed with more than 6 feet

of separation. There is an existing CMU wall along the north, east, and south sides of the property. An existing pool is located on the northeast corner of the site. There is no required setback for the sheds since they are not visible from the street and they do not extend more than 2 feet above the wall.

Landscaping

There is existing landscaping on the front northwest corner, front southwest corner, rear east side, and rear southeast corner. No new landscaping is proposed or required with this request.

Elevations

The plans depict an existing single story residence with white brick siding and red shingle roofing. There is an existing CMU wall along the north side of the property that is 11 feet in height. An existing CMU block wall along the east and south sides of the property are depicted, both are 8 feet in height. The 2 wooden sheds along the south side of the site are 8 feet in height. The barbeque island is 3 feet 6 inches in height and constructed of masonry brick. The CMU shed is 7 feet in height and constructed of white stucco that matches the exterior color of the existing dwelling.

Floor Plans

The plans depict the CMU shed as being used for storage of various supplies, while the 2 wooden sheds are used to store holiday decorations. The CMU shed is 130 square feet, while the 2 wooden sheds vary in size from each other. The wooden shed closest to the southwest corner of the property is 96 square feet, while the wooden shed to the east of this structure is 64 square feet.

Applicant's Justification

The waivers of development standards for reduced separation and setbacks for the accessory structures will not adversely affect the surrounding area. These structures have been in place for over 20 years and there are numerous similar structures on neighboring properties just like these. The accessory structures align with Title 30 objectives and do not create undue burdens on public improvements.

Surrounding Land Use

	Planned Land Use Category		Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Mid-Intensity Neighborhood	Suburban (up to 8 du/ac)	RS5.2	Single family residential

**Clark County Public Response Office (CCPRO)**

There is an active violation (CE23-24549) for this site regarding setback, separation, and unsafe structure violations.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

Waiver of Development Standards

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

Since the wooden sheds along the south property line are not subject to setback regulations, staff does not object to the reduction in separation between the structures and the house, provided that Building and Fire Code requirements are met. The barbeque island is completely obscured by the block wall and it is not near any other residences. Therefore, staff can support this request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- 1 year to complete the building permit and inspection process.
- Applicant is advised the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

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

**APPLICANT:** SHELLEY STEPANEK

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

DRAFT

WS-24-0002



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input 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 #)	<b>STAFF</b>  APP. NUMBER: <u>WS-24-0002</u> DATE FILED: <u>1-8-24</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>2-13-24</u> PC MEETING DATE: <u>3-5-24</u> BCC MEETING DATE: <u>N/A</u> FEE: <u>\$800</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Shelley Stepanek Trust</u> ADDRESS: <u>4710 HONDO CT.</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: _____      CELL: <u>702 498-9973</u> E-MAIL: <u>Shelleystepanek@aol.com</u>
	<b>APPLICANT</b>  NAME: <u>Shelley Stepanek Trust</u> ADDRESS: <u>4710 HONDO CT.</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: _____      CELL: <u>702 498-9973</u> E-MAIL: <u>Shelleystepanek@aol.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>G.C. Garcia Inc.</u> ADDRESS: <u>1055 Whitney Ranch Dr, Ste 210</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89014</u> TELEPHONE: <u>702-435-9909</u> CELL: _____ E-MAIL: <u>agc@gcgarciainc.com</u> REF CONTACT ID #: _____ <u>or Kevin Stover xxxkevonxxx@yahoo.com</u>	

ASSESSOR'S PARCEL NUMBER(S): 161-19-410-007

PROPERTY ADDRESS and/or CROSS STREETS: Hondo + Tompkins (4710 Hondo Ct)

PROJECT DESCRIPTION: waivers for reduced setbacks and separation of accessory structures

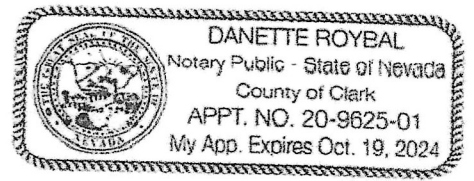
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Shelley Stepanek      Shelley STEPANEK  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 12-15-2023 (DATE)

By Shelley Stepanek  
 NOTARY PUBLIC: Danette Roybal



\*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.

WS-24-0002



December 29, 2023

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

RE: Justification Letter  
Request: Waiver of Development Standards for reduced side yard setbacks  
at 4710 Hondo Ct  
APN: 161-19-410-007

Dear Sami:

On behalf of our client, Shelley Stepanek, the property owner, please accept the attached application for Waivers of Development Standards for an existing single-family home at 4710 Hondo Ct for the purposes of reduced side yard setbacks and separations for three accessory structures (shed, BBQ island and wooden storage container) from the principal residence.

The subject site currently is composed of one parcel totaling approximately 0.26+ acres with a developed single-family home. The site is zoned Single Family Residential (RS5.2). The surrounding parcels are also zoned RS5.2.

Ms. Stepanek purchased the home in 2004 with the existing single-family home and the site improvements consisting of a pool and spa with rock water features and a stone texture on the interior of the rear yard walls, a built-in BBQ island, a CMU block shed and two wooden sheds.

A code violation notice indicated a need for repairs on the side wall. The code enforcement officer subsequently noted some structures were along the side walls and that there was no record of a Waiver being granted previously. They were also added to the violation.

The home was built in 1977 and the other improvements were added on over the course of the next 30 years. While permits can be found in Building records for the wall and pool/ spa they can't be found for the other structures (three sheds and BBQ island).

**STRUCTURES AFFECTED**

- 1) The CMU block shed with stucco finish is approximately 130 SF. This matches the primary residence and the perimeter wall. The shed actually uses the side street property wall and a portion of the front property wall two make up two sides of the structure. It meets the 6 FT separation from the primary residence. It is 8 FT in height with the line of the roof barely visible above the wall.
- 2) The built-in BBQ island also abuts the street side property wall. It also meets the 6 FT separation from the primary residence. It has two gas grills inset into it, with a red stone façade surrounding the entire bottom. There is also a light above the grill on the wall so that it can be easily utilized in the evening. The



built in BBQ island is approximately 3 FT in width and 8 FT in length.

- 3) The two wooden sheds are used to store holiday yard decorations. The home in the past was one of several known for elaborate holiday displays. The decorations from past displays are kept in this container. Both sheds abut the interior side wall and are approximately 96 SF and 64 sf in size. The sheds are 8 FT in height with sloped roofs and approximately 4 FT from the main residence.

Ms. Stepanek is in the process of taking the steps necessary to repair the side wall and obtain the building permits necessary for the accessory structures. As part of the process to obtain permits and cure the violations, waivers are needed.

**WAIVERS**

- 1. Reduce the interior side setback to zero feet for an existing shed where 10 feet is required per code section 30.02.06.
- 2. Reduce the interior side setback to zero feet for an existing BBQ island where 10 feet is required per code section 30.02.06.
- 3. Reduce the interior side setback to zero feet for existing wooden sheds where 5 feet is required per code section 30.02.06.
- 4. Reduce the separation for an accessory structure from the primary building to 4 FT where 6 FT is required per code section 30.02.06.

***The Waivers are justified in that the reduction of separation for the accessory structures (shed, BBQ island, and wooden storage container) from the sidewall of the residence will also not adversely impact the surrounding properties. They have been in place on the property for at least the last 20+ years. Lastly, many of the surrounding properties also have sheds, BBQ's and other structures within the side yard setbacks so this request is in line with what is already commonly occurring.***

**Waiver Approval Criteria:**

- A. The use and value of the area adjacent to the property included in the waiver request will not be affected in a substantially adverse manner;

***The proposed Waivers will not affect the use and value of the area adjacent and will not affect the surrounding area in a substantially adverse manner. These accessory structures have been in place for at least 20 years.***

- B. The use will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare;

***The proposed Waivers will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity and will not be materially detrimental to the public welfare and will be regulated by permits to ensure safety.***

- C. The granting of such application shall be in harmony with the general purpose, goals, objectives and standard of the Master Plan and of this Title; and



**The requested Waivers are consistent with the purpose, goals and objective of the Plan and Title 30 as demonstrated by this letter and supporting documentation.**

- D. The proposal will be adequately served by, and will not create an undue burden on any public improvements, facilities or services.

**The proposed project will not create an undue burden on any public improvements, facilities, or services.**

**SUMMARY JUSTIFICATION:**

The Waivers of Development Standards for the reduced side yard setbacks for the three sheds and the BBQ island, and reduced separation from a principal residence to an accessory structure for the wooden sheds only, will provide much needed storage and are similar to the setbacks of other accessory structures in the area. We would appreciate your favorable consideration of this project. Should you have any questions or concerns regarding this request, please contact this office.

Sincerely,



Melissa Eure  
President

03/06/24 BCC AGENDA SHEET

CANNABIS CONSUMPTION LOUNGE  
(TITLE 30)

PARADISE RD/NAPLES DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0542-PARADISE CENTER LLC:**

**USE PERMIT** to allow a cannabis establishment (consumption lounge).

**WAIVER OF DEVELOPMENT STANDARDS** to reduce the separation from a non-restricted gaming property.

**DESIGN REVIEW** for a proposed cannabis establishment (consumption lounge) in conjunction with an existing retail cannabis store within a commercial building on 1.0 acre in a CG (Commercial General) (AE-65 & AE-70) Zone.

Generally located on the east side of Paradise Road and the south side of Naples Drive within Paradise. JG/sd/syp (For possible action)

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RELATED INFORMATION:

**APN:**

162-22-307-001; 162-22-307-002

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the separation of a proposed cannabis consumption lounge to an existing non-restricted gaming property (Mohegan Sun Casino) to 1,063 feet where 1,500 feet is required per Section 30.03.06 (a 29% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 4640 Paradise Road Suites 8 & 9
- Site Acreage: 1
- Project Type: Cannabis consumption lounge
- Number of Stories: 1
- Building Height (feet): 15
- Square Feet: 2,900 (consumption lounge)/3,220 (dispensary)

**Site Plans & History**

The plans currently depict an existing medical and retail cannabis establishment (dispensary) located in the southeast corner of an existing 11,200 square foot, L-shaped building consisting of

taverns, a restaurant, and other retail uses. A previous application (UC-0374-17) approved the use of a medical and retail cannabis store, and a use permit (UC-0030-14) originally approved the medical cannabis store. Parking is located on the north and east sides of the building. Access to the site is from both Paradise Road and Naples Drive. No changes are proposed or required to the site layout or landscape areas. The proposed expansion for the consumption lounge is the adjacent suite that was once a pizza shop; therefore, parking requirements remain the same.

The consumption lounge will be located within the center portion of the existing building. Access to the consumption lounge is not accessible from the existing retail and medical cannabis store.

Currently, no schools or community centers are present within the required 1,500 foot separation and the applicant has provided a survey noting that. The application also includes crime reports and a no-tow policy for their customers. However, the applicant is requesting to reduce the separation of a proposed cannabis consumption lounge to an existing non-restricted gaming property (Mohegan Sun Casino) to a minimum of 1,063 feet where 1,500 feet is required.

#### Landscaping

There is an existing landscape area with an attached sidewalk along Naples Drive and at the corner of Paradise Road. Landscaping is also present along the eastern property line adjacent to University Center Drive. No landscaping exists along Paradise Road and no changes to landscaping are being proposed by the applicant.

#### Elevations

Building materials and features include CMU block, brick, metal guardrails, and awnings. No changes are proposed to the exterior of the building. Access to the lounge is from a door on the north exterior facing Naples Drive.

#### Floor Plans

The plans depict a floor plan with a lounge and seating area, vestibule, hallway and managers office.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant states the proposed use and addition to the property of a consumption lounge will not result in any undo hardship on adjacent properties, or the character of the neighborhood. Adjacent properties are all commercial and there are no residential uses within the requisite 1,500 feet. The applicant has provided a security plan that will allow for on-site and off-site monitoring along with a security guard 24 hours a day, 7 days a week. Traffic demands will not be impacted along Paradise Road as it is currently an arterial street with considerable traffic flow. The existing on-site parking is 50 spaces. A parking analysis states the proposed use will provide less impact on parking than previous uses, including the restaurant space to be utilized for the consumption lounge.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0374-17 (AR-0167-17)	Application for review for UC-0374-17 for a cannabis establishment (retail marijuana store)	Approved by BCC	March 2018
UC-0374-17	Cannabis establishment (retail marijuana store) in conjunction with an existing dispensary	Approved by BCC	June 2017
UC-0495-15	Medical cannabis establishment, with a design review for exterior façade of existing building	Approved by BCC	September 2015
UC-0330-14	Medical cannabis establishment	Approved by BCC	December 2014

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Corridor Mixed-Use	CG	Retail store, restaurant, & offices
South	Public Use	CG	undeveloped
West	Entertainment Mixed-Use	CG	Retail

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive 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.

The applicant submitted a State of Nevada Cannabis Compliance Board approval for a conditional license for a cannabis consumption lounge. A certified separation survey was submitted which indicated that the existing establishment exceeds the separation requirement of 1,500 feet from a school or community facility. The crime report indicates that within 1 mile radius of the site, 355 crime reports were filed by the Metropolitan Police Department in the approximately 60 days prior to the application date. An impaired driver prevention plan was submitted which includes employee training, an alternative transportation plan, including a 24 hour no-tow policy. Building elevations indicate that a professional appearance will be maintained. No changes are proposed to the existing parking lot nor with the exterior of the existing retail building. Staff can support these requests.

Waiver of Development Standards:

The applicant is requesting a waiver to allow 1,063 feet to a non-restricted gaming facility (Mohegan Sun Casino) where 1,500 feet is normally required under state law and Title 30. The existing medical cannabis establishment was originally approved in 2014 (UC-0330-14) and the existing recreational cannabis retail store was approved in 2017 under a previously approved application (UC-0374-17). The existing cannabis establishment was established prior to 2019 when the 1,500 foot separation requirement went into effect; therefore, the consumption lounge is considered exempt from this separation requirement under state law, and approval of the waiver would be in conformance with state law. In consideration of this information, staff can support these requests.

**Department of Aviation**

The property lies within the AE-70 (70 - 75 DNL) and the AE-65 (65 - 70 DNL) noise contours for Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade Harry Reid International Airport facilities to meet future air traffic demand.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- A valid Clark County business license must be issued for this establishment within 2 years of approval or the application will expire;
- To prevent odor nuisances, an odor control plan must be submitted to the Clark County Business License Department.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; approval of this application does not constitute or imply approval of any other County issued permit, license or approval; the County has adopted a rewrite to Title 30, effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

**Department of Aviation**

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

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

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** TGIG, LLC DBA THE GROVE

**CONTACT:** TGIG, LLC DBA THE GROVE, 5570 SOUTH VALLEY VIEW BLVD, LAS VEGAS, NV 89118

