



Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

February 22, 2022

7:00pm

REVISED

AGENDA

Note:

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

Board/Council Members: John Williams, Chairperson
 Susan Philipp, Vice Chairperson
 Jon Wardlaw
 Katlyn Cunningham
 Roger Haywood

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

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

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

II. Public Comment- This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board/Council about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the

Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

- III. Approval of Minutes for February 8, 2022. (For possible action)
- IV. Approval of the Agenda for February 22, 2022 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning
 - 1. **NZC-22-0015-7405 SS, LLC ET AL & DCL REVOCABLE LIVING TRUST:**
ZONE CHANGE to reclassify 3.9 acres from a C-P (Office & Professional) Zone to an R-2 (Medium Density Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** establish alternative yards; and **2)** increase wall height.
DESIGN REVIEWS for the following: **1)** single family residential development; and **2)** finished grade. Generally located 150 feet north of Twain Avenue, 230 feet east of Eastern Avenue within Paradise (description on file). TS/rk/jo (For possible action) **PC 3/1/22**
 - 2. **TM-22-500009-SIGNATURE LAND HOLDINGS, LLC:**
TENTATIVE MAP consisting of 30 single family residential lots and common lots on 3.9 acres in an R-2 (Medium Density Residential) Zone. Generally located 150 feet north of Twain Avenue and 230 feet east of Eastern Avenue within Paradise. TS/rk/jo (For possible action) **PC 3/1/22**
 - 3. **WC-22-400015 (NZC-2181-04)-MCCOMBS, NICHOLAS & SHORT, WHITNEY & BILL:**
WAIVERS OF CONDITIONS of a zone change requiring the following: **1)** subject to revised plans; **2)** the development being “residential in character” as shown on the revised plans; **3)** mature landscaping of pine trees to screen the residential properties to the north and northwest of the subject property will be installed and maintained by the owner of the development; **4)** the trash enclosure not being moved from the location shown on the revised plans; **5)** the parking area subject to the current zone change for professional use will be limited to parking only for the adjacent office building; **6)** applicant constructing a private gate for Gateway Street its agreed to by the neighbors; **7)** no access to the private cul-de-sac on the east property line; and **8)** access controls on the private drive on 1.0 acre in a C-P (Office and Professional) (AE-60) Zone. Generally located on the north side of Patrick Lane, 490 feet east of Annie Oakley Drive within Paradise. JG/rk/ja (For possible action) **PC 3/15/22**
 - 4. **WC-22-400016 (ZC-1624-98)-MCCOMBS, NICHOLAS & SHORT, WHITNEY & BILL:**
WAIVERS OF CONDITIONS of a zone change requiring the following: **1)** residential character to be maintained; and **2)** B-2 landscaping along Patrick Lane frontage on 1.0 acre in a C-P (Office and Professional) (AE-60) Zone. Generally located on the north side of Patrick Lane, 490 feet east of Annie Oakley Drive within Paradise. JG/rk/ja (For possible action) **PC 3/15/22**

5. **UC-21-0631-MCCOMBS, NICHOLAS & SHORT, WHITNEY & BILL:**
AMENDED HOLDOVER USE PERMIT for a minor training facility.
WAIVER OF DEVELOPMENT STANDARDS to reduce the driveway departure and approach distance (previously not notified) from the intersection.
DESIGN REVIEW for a proposed fitness training facility on 1.0 acre in a C-P (Office and Professional) (AE-60) Zone. Generally located on the north side of Patrick Lane, 490 feet east of Annie Oakley Drive within Paradise. JG/rk/jo (For possible action) **BCC 3/2/22**

6. **NZC-22-0023-JOSEPHS FAMILY LAND, LP:**
ZONE CHANGE to reclassify 7.2 acres from an R-E (Rural Estates Residential) Zone, an R-2 (Medium Density Residential) Zone, and a C-1 (Local Business) Zone to an R-5 (Apartment Residential) Zone.
DESIGN REVIEWS for the following: **1)** proposed multiple family residential development; and **2)** alternative parking lot landscaping in the Midtown Maryland Parkway District. Generally located on the south side of Tropicana Avenue, 330 feet east of Tamarus Street within Paradise (description on file). JG/rk/jo (For possible action) **PC 3/15/22**

7. **VS-22-0024-JOSEPHS FAMILY LAND, LP:**
VACATE AND ABANDON easements of interest to Clark County located between Tropicana Avenue and Reno Avenue, and between Tamarus Street and Spencer Street within Paradise (description on file). JG/rk/jo (For possible action) **PC 3/15/22**

8. **UC-21-0752-525 E TWAIN, LLC:**
AMENDED HOLDOVER USE PERMITS for the following: **1)** on-premises consumption of alcohol (supper club); **2)** reduce the separation from an on-premises consumption of alcohol use and a residential use; and **3)** hookah lounge (previously not notified) in conjunction with a shopping center on a portion of 2.1 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the southwest corner of Palos Verdes Street and Twain Avenue within Paradise. TS/jvm/jo (For possible action) **PC 3/15/22**

9. **UC-22-0031-LAS VEGAS UNIVERSITY GARDENS LLC:**
USE PERMIT to reduce the separation of a supper club from a residential use within an existing shopping center (University Gardens) on a portion of 3.2 acres in a C-2 (Commercial General) (AE-60) Zone within the Maryland Parkway Overlay District. Generally located on the east side of Maryland Parkway and the south side of Del Mar Street within Paradise. JG/nr/jo (For possible action) **PC 3/15/22**

10. **UC-22-0032-TIBERTI R & I, LLC:**
USE PERMIT for retail sales (floor covering products) in conjunction with an existing office/warehouse complex on a portion of 3.9 acres in an M-1 (Light Manufacturing) Zone. Generally located on the east side of Decatur Boulevard, 500 feet north of Hacienda Avenue within Paradise. MN/md/jo (For possible action) **PC 3/15/22**

11. **WS-22-0037-ARLIN ARIEL & HERNANDEZ CARLOS MIGUEL:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) building separation; and 2) setbacks in conjunction with a single family residence on 0.2 acres in an R-1 (Single Family Residential) Zone. Generally located on the south side of Hazelcrest Circle, 160 feet west of Hazelcrest Drive within Paradise. TS/nr/jo (For possible action) **PC 3/15/22**
12. **UC-22-0040-ATHARI REZA & FATANEH FAMILY TR & ATHARI G. REZA & FATANEH TRS:**
USE PERMIT to allow a cannabis establishment (cultivation).
DESIGN REVIEW for an addition to an existing office/warehouse building on 0.7 acres in an M-D (Designed Manufacturing) (AE-60) Zone. Generally located on the south side of Pepper Lane, 461 feet west of Pecos Road within Paradise. JG/sd/jo (For possible action) **BCC 3/16/22**

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

VIII. Next Meeting Date: March 8, 2022.

IX. Adjournment.

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



Paradise Town Advisory Board

February 8, 2022

MINUTES

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

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

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

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

Lorna Phegley; Planning, Blanca Vazquez; Town Liaison, Beatriz Martinez

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

II. Public Comment:
None

III. Approval of January 25, 2022 Minutes

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

Approval of Agenda for February 8, 2022

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

IV. Informational Items (For Discussion only)
Virtual Town Hall 2/23/22 Short Term Rentals

V. Planning & Zoning

1. **NZC-22-0005-SHARET HOLDINGS II, LLC:**
ZONE CHANGE to reclassify 1.3 acres from an R-E (Rural Estates Residential) Zone to an R-3 (Multiple Family Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increased building height; and 2) reduced street landscaping.
DESIGN REVIEW for a proposed multiple family residential development. Generally located on the east side of Pecos Road and the south side of Oquendo Road (alignment) within Paradise (description on file). JG/rk/jo (For possible action) **PC 3/1/22**

MOVED BY-Cunningham
APPROVE-Subject to staff conditions
VOTE: 4-0 Unanimous

2. **NZC-22-0015-7405 SS, LLC ETAL & DCL REVOCABLE LIVING TRUST:**
ZONE CHANGE to reclassify 3.9 acres from a C-P (Office & Professional) Zone to an R-2 (Medium Density Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) establish alternative yards; and 2) increase wall height.
DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade. Generally located 150 feet north of Twain Avenue and 230 feet east of Eastern Avenue within Paradise (description on file). TS/rk/jo (For possible action) **PC 3/1/22**

Held per applicant. Return to the February 22, 2022 Paradise TAB meeting

3. **TM-22-500009-SIGNATURE LAND HOLDINGS, LLC:**
TENTATIVE MAP consisting of 30 single family residential lots and common lots on 3.9 acres in an R-2 (Medium Density Residential) Zone. Generally located 150 feet north of Twain Avenue and 230 feet east of Eastern Avenue within Paradise. TS/rk/jo (For possible action) **PC 3/1/22**

Held per applicant. Return to the February 22, 2022 Paradise TAB meeting

4. **UC-22-0018-EDGAR FAYE, LLC:**
USE PERMIT for a proposed food cart not within an enclosed building.
WAIVER OF DEVELOPMENT STANDARDS to reduce parking.
DESIGN REVIEW for a proposed food cart in conjunction with an existing tavern on 0.3 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone within the Midtown Maryland Parkway District. Generally located on the west side of Maryland Parkway, 135 feet south of Dumont Boulevard within Paradise. TS/jgh/jo (For possible action) **PC 3/1/22**

MOVED BY-Wardlaw
APPROVE-Subject to staff conditions
VOTE: 4-0 Unanimous

5. **DR-22-0019-ELDORADO SPRINGS, LLC:**
DESIGN REVIEWS for the following: **1)** single family residential development; and **2)** finished grade on 6.3 acres in an R-E (Rural Estates Residential) Zone and an R-2 (Medium Density Residential) Zone. Generally located 200 feet east of Mcleod Drive (alignment) and 210 feet north of Eldorado Lane within Paradise. JG/md/jo (For possible action) **BCC 3/2/22**

MOVED BY-Wardlaw
APPROVE-Subject to staff conditions
VOTE: 4-0 Unanimous

6. **TM-22-500011-ELDORADO SPRINGS, LLC:**
TENTATIVE MAP consisting of 43 lots and common lots on 6.3 acres in an R-E (Rural Estates Residential) Zone and an R-2 (Medium Density Residential) Zone. Generally located 200 feet east of Mcleod Drive (alignment) and 210 feet north of Eldorado Lane within Paradise. JG/md/jo (For possible action) **BCC 3/2/22**

MOVED BY-Wardlaw
APPROVE-Subject to staff conditions
VOTE: 4-0 Unanimous

7. **ET-22-400004 (UC-19-0814)-GIPSY, LLC:**
USE PERMITS FIRST EXTENSION OF TIME for the following: **1)** reduce the separation from an alcohol, on-premises consumption (tavern) to a residential use; **2)** reduce the separation from an outside dining area (patio) to a residential use; and **3)** allow outside dining in conjunction with a tavern.
WAIVER OF DEVELOPMENT STANDARDS to reduce throat depth.
DESIGN REVIEWS for the following: **1)** alcohol, on-premises consumption (tavern); **2)** an outside dining area (patio); and **3)** alternative parking lot landscaping on 0.9 acres in a C-2 (General Commercial) (AE-65) Zone. Generally located on the northwest corner of Paradise Road and Naples Drive within Paradise. JG/jvm/ja (For possible action)
Paradise (description on file). TS/nr/jo (For possible action) **BCC 3/16/22**

MOVED BY-Wardlaw
APPROVE-Subject to staff conditions
VOTE: 4-0 Unanimous

- VI. General Business (for possible action)
None
- VII. Public Comment
None
- VIII. Next Meeting Date
The next regular meeting will be February 22, 2022
- IX. Adjournment
The meeting was adjourned at 7:30 p.m.

02/15/22 PC AGENDA SHEET

SUPPER CLUB
(TITLE 30)

TWAIN AVE/PALOS VERDES ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-21-0752-525 E TWAIN, LLC:

USE PERMITS for the following: 1) on-premises consumption of alcohol (supper club); and 2) reduce the separation from an on-premises consumption of alcohol use and a residential use in conjunction with a shopping center on a portion of 2.1 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the southwest corner of Palos Verdes Street and Twain Avenue within Paradise. TS/jvm/jo (For possible action)

RELATED INFORMATION:

APN:
162-15-302-008 ptn

USE PERMITS:

1. On-premises consumption of alcohol (supper club).
2. Reduce the separation of an on-premises consumption of alcohol use to a residential use to 20 feet where 200 feet is required (a 90 % reduction).

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

BACKGROUND:

Project Description
General Summary

- Site Address: 525 – 577 E. Twain Avenue
- Site Acreage: 2.1 (portion)
- Project Type: Supper Club
- Square Feet: 4,670 (lease area)
- Parking Required/Provided: 138/118 (approved for the existing shopping center by VC-1449-97)

Site Plans

The plans depict an existing 27,434 square foot shopping center (Twain Plaza). The proposed supper club is located on the southwestern portion of the site within the southern building. The subject building shares parking with a corner pad site located on the northeastern portion of the site and another in-line retail building on the western portion of the site. The shopping center

currently has access from both Palos Verdes Street and Twain Avenue. The site was approved as a shopping center with a reduction in parking. The proposed use does not change the parking requirement and no changes are proposed to the site as the business will be contained entirely within the existing building.

Landscaping

Pictures submitted with the application show existing landscaping along the public streets. No changes are proposed or required to the existing landscaping.

Elevations

Pictures submitted with the application show the existing single story building with a flat roof and parapet walls, aluminum store front window and door treatments, and stucco siding.

Floor Plans

The plans depict a 4,670 square foot supper club located in the western portion of the southern building. Included within the supper club is a bar area, seating area, restrooms, kitchen, and storage.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that there was a previous similar type use at this location and the supper club should not create any negative impacts on the subject site or the surrounding area.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0115	Grocery Store	Approved by PC	April 2018
UC-0288-11	Check cashing business in another portion of the shopping center	Approved by BCC	August 2011
UC-0305-06	Reduced separations for an existing convenience store	Approved by PC	April 2006
UC-1453-97	Shopping center in an H-1 Zone	Approved by PC	September 1997
VC-1449-97	Reduced parking to 118 spaces where 150 spaces were required for a shopping center	Approved by PC	September 1997
ZC-76-75	Reclassified a portion of this site from H-1 to C-2 zoning for a commercial center	Approved by BCC	August 1975

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Entertainment Mixed-Use	H-1	Multiple family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Entertainment Mixed-Use	H-1	Commercial & multiple family residential
West	Entertainment Mixed-Use	H-1	Commercial uses

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Staff finds the proposed supper club does not require additional parking and will not create any adverse impacts on the shopping center or the surrounding area. The surrounding area is a mixture of commercial and multiple family residential uses. Staff finds the request is compatible with the existing commercial development and the supper club will support the residents of the existing multi-family development in the area. Furthermore, Twain Avenue is an 80 foot wide collector street; therefore, staff finds that this request is consistent with the Master Plan, which promotes economic viability, employment opportunities with development that is compatible with adjacent land uses, the natural environment and is well integrated with appropriate circulation systems, services, and facilities.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that 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: JANIYA JETER

CONTACT: JANIYA JETER, 5000 W. OAKLEY BLVD, C1, LAS VEGAS, NV 89146

DRAFT

SINGLE FAMILY DEVELOPMENT
(TITLE 30)

TWAIN AVE/EASTERN AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

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

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

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

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

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

RELATED INFORMATION:

APN:

162-13-202-001

WAIVERS OF DEVELOPMENT STANDARDS:

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

DESIGN REVIEWS:

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

LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

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

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

Neighborhood Meeting Summary

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

Site Plans

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

Landscaping

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

Elevations

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

Floor Plans

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

Applicant's Justification

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

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

Prior Land Use Requests

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

Surrounding Land Use

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

*Immediately south is the Flamingo Wash Flood Channel.

Related Applications

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

STANDARDS FOR APPROVAL:

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

Analysis
Current Planning
Zone Change

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Summary

Zone Change & Design Review #1

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

Waivers of Development Standards

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

Waiver of Development Standard #1

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

Waiver of Development Standard #2

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

Public Works - Development Review

Design Review #2

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

Department of Aviation

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

Staff Recommendation

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

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Resolution of Intent to complete in 4 years;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

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

- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0024-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

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

EASTERN & TWAIN
(TITLE 30)

TWAIN AVE/EASTERN AVE

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

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

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

RELATED INFORMATION:

APN:
162-13-202-001

LAND USE PLAN:
WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:
Project Description

General Summary

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

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

Prior Land Use Requests

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

Prior Land Use Requests

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

Surrounding Land Use

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

*Immediately south is the Flamingo Wash Flood Channel.

Related Applications

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

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Department of Aviation

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

Staff Recommendation

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

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Current Planning Division - Addressing

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

Department of Aviation

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0024-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: KATHRINE LOGAN

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

DRAFT

TRAINING FACILITY
(TITLE 30)

PATRICK LN/ANNIE OAKLEY DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-22-400015 (NZC-2181-04)-MCCOMBS, NICHOLAS & SHORT, WHITNEY & BILL:

WAIVERS OF CONDITIONS of a zone change requiring the following: **1)** subject to revised plans; **2)** the development being “residential in character” as shown on the revised plans; **3)** mature landscaping of pine trees to screen the residential properties to the north and northwest of the subject property will be installed and maintained by the owner of the development; **4)** the trash enclosure not being moved from the location shown on the revised plans; **5)** the parking area subject to the current zone change for professional use will be limited to parking only for the adjacent office building; **6)** applicant constructing a private gate for Gateway Street its agreed to by the neighbors; **7)** no access to the private cul-de-sac on the east property line; and **8)** access controls on the private drive on 1.0 acre in a C-P (Office and Professional) (AE-60) Zone.

Generally located on the north side of Patrick Lane, 490 feet east of Annie Oakley Drive within Paradise. JG/rk/ja (For possible action)

RELATED INFORMATION:

APN:

161-31-603-033

LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1
- Project Type: Proposed CrossFit training facility
- Number of Stories: 1
- Building Height (feet): 34
- Square Feet: 6,400
- Parking Required/Provided: 20/30

Site Plans

The plans depict a proposed CrossFit training building located near the northern portion of the site with parking shown along the east and north property lines. Internal walkways provide

access throughout the site creating pedestrian connections between the streets, parking lots, and buildings. The proposed building is set back 144 feet from Patrick Lane, 58 feet from the north property line, and 78 feet from the east property line. Access to the site is shown from 2 driveways, 1 on Patrick Lane, and the other on a private drive along the east property line. Also shown on plans is an emergency access gate along the private street to the east.

Previous Conditions of Approval

Listed below are the approved conditions for NZC-2181-04 (which approved the zoning on the north half of this site):

Current Planning

- Subject to revised plans;
- The development being limited to single story for a maximum height as shown on revised plans;
- The development being "residential in character" as shown on the revised plans;
- A zone boundary wall being constructed surrounding the property and maintained by the owner of the office property;
- 1 pylon sign, to be approved as a separate application, will be allowed not to exceed 30 square feet and not to exceed 6 feet in height from the ground;
- Mature landscaping of pine trees to screen the residential properties to the north and northwest of the subject property will be installed and maintained by the owner of the office;
- Development; "pole" lighting will not be used in the parking area of the development;
- The trash enclosure not being moved from the location shown on the revised plans;
- The parking area subject to the current zone change for professional use will be limited to parking only for the adjacent office building;
- Applicant constructing a private gate for Gateway Street its agreed to by the neighbors;
- All exterior lights being no higher than the perimeter fence;
- Combining the parcels under 1 number;
- No access to the private cul-de-sac on the east property line;
- Posting "No Parking" signs along the private cul-de-sac.

Civil Engineering

- Drainage study and compliance;
- Full off-sites;
- Drainage study and compliance upon development;
- Access controls on the private drive;
- Vacate any unnecessary rights-of-way and/or easements;
- Any applicable vacations to be recordable prior to building permit issuance or applicable map submittal;

Applicant's Justification

The applicant indicates that the request to waive conditions of approval is due to the change in use that was approved 17 years ago. Furthermore, the applicant contends that the project is appropriate at the proposed location and the use does not result in an adverse effect on adjacent properties.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-17-0900	Proposed assisted living facility on this site and the parcel to the east	Denied by BCC	July 2018
ZC-1624-98 (WC-0038-06)	Waivers of conditions from a prior zone change application requiring subject to florist shop/florist retail	Approved by BCC	March 2006
NZC-2181-04	Reclassified the north half of the parcel to C-P zoning with a design review for a parking lot and office building	Approved by BCC	May 2005
ZC-1624-98	Reclassified the south half of the parcel to C-P zoning	Approved by BCC	October 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
East	Neighborhood Commercial & Ranch Estate Neighborhood (up to 2 du/ac)	C-P & R-E	Undeveloped & single family residential
South	Business Employment	M-D	Contractor's office & undeveloped
West	Neighborhood Commercial	C-P	Office building

Related Applications

Application Number	Request
UC-21-0631	A use permit for a minor training facility (CrossFit) is a companion item on this agenda.
WC-22-400016 (ZC-1624-98)	Waivers of conditions from a prior zone change application is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

The waivers of conditions are conditions that were placed on a specific design almost 17 years ago. Since that time both zoning and land use along this segment of Patrick Lane have changed.

Staff finds the building will have a barn style appearance with the visual scale and some architectural elements consistent with buildings in the area. The applicant intends to install desert Evergreen trees along the north property line instead of Pine trees since they will not drop pine needles and are not as messy. Although the trash enclosure has been moved with this design, it is farther away from residential properties than the location originally approved. As for the egress driveway that was added on the private street, it was necessitated due to the location of the existing power pole on Patrick Lane which is in the sight visibility zone. Therefore, this causes life safety concerns with CrossFit members exiting the property. Furthermore, the egress driveway was located at the southern end of the private street to accommodate neighbor concerns about traffic occurring farther north on the property; therefore, staff can support this request.

Public Works - Development Review

Staff has no objection to the requested waivers of conditions as the conditions were based on a previous design of the project.

Staff Recommendation

Approval.

Approval of the waivers of conditions request constitutes a finding by the Commission/Board that the condition(s) will no longer fulfill its intended purpose.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: MCHORT, LLC

CONTACT: GRN VISION LLC, 606 S. 9TH ST, LAS VEGAS, NV 89101

TRAINING FACILITY
(TITLE 30)

PATRICK LN/ANNIE OAKLEY DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-22-400016 (ZC-1624-98)-MCCOMBS, NICHOLAS & SHORT, WHITNEY & BILL:

WAIVERS OF CONDITIONS of a zone change requiring the following: 1) residential character to be maintained; and 2) B-2 landscaping along Patrick Lane frontage on 1.0 acre in a C-P (Office and Professional) (AE-60) Zone.

Generally located on the north side of Patrick Lane, 490 feet east of Annie Oakley Drive within Paradise. JG/rk/ja (For possible action)

RELATED INFORMATION:

APN:

161-31-603-033

LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1
- Project Type: Proposed CrossFit training facility
- Number of Stories: 1
- Building Height (feet): 34
- Square Feet: 6,400
- Parking Required/Provided: 20/30

Site Plans

The plans depict a proposed CrossFit training building located near the northern portion of the site with parking shown along the east and north property lines. Internal walkways provide access throughout the site creating pedestrian connections between the streets, parking lots, and buildings. The proposed building is set back 144 feet from Patrick Lane, 58 feet from the north property line, and 78 feet from the east property line. Access to the site is shown from 2 driveways, 1 on Patrick Lane, and the other on a private drive along the east property line. Also shown on plans is an emergency access gate along the private street to the east.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-1624-98 (which approved the zoning on the south half of this site):

Current Planning

- Subject to florist shop/florist retail (Previously waived through WC-0038-06);
- No resolution of intent and staff preparing an ordinance to adopt the zoning;
- 2 year review for the use permit;
- Residential character to be maintained;
- No lighting to shine on neighboring properties;
- Rear parking areas to be gated and locked during non-office hours;
- Design review as a public hearing for any significant changes on plans;
- Monument signage only (maximum of 70 square feet, 7 feet by 10 feet with a maximum height of 7 feet);
- Screening any roof mounted mechanical equipment;
- Second story windows (if applicable) that face onto existing residences to be of an opaque or obscure nature;
- Converted residence to be constructed to Clark County Building Code commercial standards;
- B-1 landscaping along all north and east property lines which abut residential zoned properties except within the private drive easements;
- B-2 landscaping along Patrick Lane frontage;

Civil Engineering

- Drainage study and compliance;
- Full off-sites;
- Power poles to be relocated outside the right-of-way or provide a pedestrian access easement around the power poles to satisfy ADA requirements.

Applicant's Justification

The applicant indicates that the request to waive conditions of approval is due to the change in use that was approved 23 years ago. Furthermore, the applicant contends that the project is appropriate at the proposed location and the use does not result in an adverse effect on adjacent properties.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-17-0900	Proposed assisted living facility on this site and the parcel to the east	Denied by BCC	July 2018
ZC-1624-98 (WC-0038-06)	Waivers of conditions from a prior zone change application requiring subject to florist shop/florist retail	Approved by BCC	March 2006

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-2181-04	Reclassified the north half of the parcel to C-P zoning with a design review for a parking lot and office building	Approved by BCC	May 2005
ZC-1624-98	Reclassified the south half of the parcel to C-P zoning	Approved by BCC	October 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
East	Neighborhood Commercial & Ranch Estate Neighborhood (up to 2 du/ac)	C-R & R-E	Undeveloped & single family residential
South	Business Employment	M-D	Contractor's office & undeveloped
West	Neighborhood Commercial	C-P	Office building

Related Applications

Application Number	Request
UC-21-0631	A use permit for a minor training facility (CrossFit) is a companion item on this agenda.
WC-22-400015 (NZC-2181-04)	Waivers of conditions from a prior zone change application is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis**Current Planning**

The waivers of conditions are conditions that were placed on a specific design almost 24 years ago. Since that time both zoning and land use along this segment of Patrick Lane have changed. Staff finds the building will have a barn style appearance with the visual scale and some architectural elements consistent with other buildings in the area. As for the street landscaping, a 10 foot wide landscape area with drought tolerant trees shrubs, and groundcover are being provided on Patrick Lane which meets the intent of the original conditions and also complies with the current regulations contained within Title 30; therefore, staff can support this request.

Staff Recommendation

Approval.

Approval of the waivers of conditions request constitutes a finding by the Commission/Board that the condition(s) will no longer fulfill its intended purpose.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- No comment.

Public Works - Development Review

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: MCHORT, LLC

CONTACT: GRN VISION LLC, 606 S. 9TH ST, LAS VEGAS, NV 89101

DRAFT

UPDATE

TRAINING FACILITY
(TITLE 30)

PATRICK LN/ANNIE OAKLEY DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0631-MCCOMBS, NICHOLAS & SHORT, WHITNEY & BILL:

AMENDED HOLDOVER USE PERMIT for a minor training facility.

WAIVER OF DEVELOPMENT STANDARDS to reduce the driveway departure and approach distance (previously not notified) from the intersection.

DESIGN REVIEW for a proposed fitness training facility on 1.0 acre in a C-P (Office and Professional) (AE-60) Zone.

Generally located on the north side of Patrick Lane, 490 feet east of Annie Oakley Drive within Paradise. JG/rk/jo (For possible action)

RELATED INFORMATION:

APN:

161-31-603-033

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce the departure distance from a driveway to a street intersection to 6 feet along Patrick Lane where 190 feet is the minimum per Chapter 30.52 and Uniform Standard Drawing 222.1 (a 97% reduction).
- b. Reduce the approach distance from a driveway to a street intersection to 21 feet along private drive where 150 feet is the minimum per Chapter 30.52 and Uniform Standard Drawing 222.1 (an 86% reduction) (previously not notified).

LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1
- Project Type: Proposed CrossFit training facility
- Number of Stories: 1
- Building Height (feet): 34
- Square Feet: 6,400
- Parking Required/Provided: 20/30

Site Plans

The plans depict a proposed CrossFit training building located near the northern portion of the site with parking shown along the east **and north** property lines. Internal walkways provide access throughout the site creating pedestrian connections between the streets, parking lots, and buildings. The proposed building is set back 144 feet from Patrick Lane, 58 feet from the north property line, and 78 feet from the east property line. Access to the site is shown from 2 driveways, 1 on Patrick Lane, **and the other on a private drive along the east property line.** Also shown on plans is an emergency access gate along the private street to the east. Finally, a waiver of development standards is necessary to reduce the departure **and approach** distances of the proposed driveways from intersection.

Landscaping

The plans depict a 10 foot wide landscape area with an attached sidewalk on Patrick Lane. Along the east property line, a 10 foot wide landscape area with trees shown 30 feet apart will be provided, and along the north property line the landscape buffer will provide trees 20 feet apart per Figure 30.64-11. Interior to the site, landscaping is distributed throughout the parking lot and around portions of the building footprint.

Elevations

The plans depict a 1 story, 34 foot high building with a pitched metal gabled roof. The majority of the roofline is shown at 30 feet. The building materials consist of metal ribbed stucco finish walls, metal canopies, windows, and a **glass** roll-up door on the north elevation of the building. There are color variations consisting of walls that have contrasting design schemes.

Floor Plans

The plans show a 6,400 square foot fitness center with a reception desk, juice bar, training area, conference room, offices, and restrooms with showers.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates this is a 'boutique' CrossFit fitness training center that operates as a nonprofit to provide free memberships to disabled military veterans. The intended hours of operation are Monday through Friday from 6:00 a.m. to 10:00 a.m., 4:00 p.m. to 7:30 p.m., Saturday 9:00 a.m. to 12:00 p.m. and closed on Sunday. The building is scaled to fit within the surrounding contextual buildings of single story accessory structures and 2 story single family residential properties. A gable roof with barn style clerestory windows is designed to reduce the visual scale of the building and to be residential in character similar to the existing storage barn building on the adjacent lot to the west. Furthermore, the waiver of development standards is required to reduce the driveway departure distance from the intersection since this cannot be physically accommodated because the subject site is less than 190 feet wide.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0900-17	Proposed assisted living facility on this site and the parcel to the east	Denied by BCC	July 2018
NZC-2181-04	Reclassified the north half of the parcel to C-P zoning with a design review for a parking lot and office building	Approved by BCC	May 2005
ZC-1624-98	Reclassified the south half of the parcel to C-P zoning	Approved by BCC	October 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
East	Neighborhood Commercial & Ranch Estate Neighborhood (up to 2 du/ac)	C-P & R-E	Undeveloped & single family residential
South	Business Employment	M-D	Contractor's office & undeveloped
West	Neighborhood Commercial	C-P	Office building

Related Applications

Application Number	Request
WC-22-400015 (NZC-2181-04)	Waivers of conditions from a prior zone change application is a companion item on this agenda.
WC-22-400016 (ZC-1624-98)	Waivers of conditions from a prior zone change application is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis
Current Planning
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 Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Low intensity 'boutique' CrossFit fitness training center is appropriate and compatible with office developments. Additionally, the site will provide adequate parking for customers; therefore, staff does not anticipate any adverse impacts and finds that the use is compatible with the existing developments and surrounding area.

Waiver of Development Standards

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

Design Review

Overall, staff finds that the fitness training center is well designed and appropriate at this location. However, staff has concerns that the design of the building having a roll-up door in the back facing existing residential is not consistent with Urban Specific Policies: Policy 68, which encourages overhead roll-up doors to be screened and not directed toward public streets or less intense uses. Therefore, staff can support this request if the overhead roll-up door is removed and eliminated from all elevations of the building.

Public Works - Development Review

Waiver of Development Standards

The applicant has been working with staff over the past several months to address the concerns with the two-way driveway on Patrick Lane. The plans currently being considered show the driveway on Patrick Lane being for ingress only and a new driveway on the private street is for egress only. These design changes alleviate the previous concerns with both the sight visibility zones and the two-way driveway. With these revised plans, 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Remove the overhead roll-up door from plans on file;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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

- Drainage study and compliance;
- Traffic study and compliance.
- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- 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 #0404-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis

TAB/CAC: Paradise - approval (limit class sizes to 15 people maximum; 20 vehicles maximum; and emergency gate to be opaque).

APPROVALS:

PROTESTS: 8 cards

COUNTY COMMISSION ACTION: December 22, 2021 – HELD – To 01/05/22 – per Commissioner Gibson

COUNTY COMMISSION ACTION: January 5, 2022 – HELD – To 02/02/22 – per the applicant.

COUNTY COMMISSION ACTION: February 2, 2022 – HELD – To 03/02/22 – per the applicant.

APPLICANT: MCHORT, LLC

CONTACT: GRN VISION LLC, 606 S. 9TH ST., LAS VEGAS, NV 89101

03/15/22 PC AGENDA SHEET

MULTIPLE FAMILY DEVELOPMENT
(TITLE 30)

TROPICANA AVE/TAMARUS ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-22-0023-JOSEPHS FAMILY LAND, LP:

ZONE CHANGE to reclassify 7.2 acres from an R-E (Rural Estates Residential) Zone, an R-2 (Medium Density Residential) Zone, and a C-1 (Local Business) Zone to an R-5 (Apartment Residential) Zone.

DESIGN REVIEWS for the following: 1) proposed multiple family residential development; and 2) alternative parking lot landscaping in the Midtown Maryland Parkway District.

Generally located on the south side of Tropicana Avenue, 330 feet east of Tamarus Street within Paradise (description on file). JG/rk/jo (For possible action)

RELATED INFORMATION:

APN:

162-26-102-002; 162-26-102-003

DESIGN REVIEWS:

1. For a multiple family residential development.
2. Alternative parking lot landscape diamonds.

LAND USE PLAN:

WINCHESTER/PARADISE -CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 1639 E. Tropicana Ave.
- Site Acreage: 7.2
- Number of Units: 284
- Density (du/ac): 39.8
- Project Type: Multiple family residential development
- Number of Stories: 4
- Building Height (feet): 48 feet, 3 inches
- Square Feet: 175,192 (total of 6 buildings)
- Open Space Required/Provided: 28,400/33,702
- Parking Required/Provided: 454/459

Neighborhood Meeting Summary

The applicant conducted a neighborhood meeting on August 24, 2021, as required by the nonconforming amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. There were 3 attendees present at the virtual (Zoom) meeting for this item. The attendees had questions on the color scheme design and layout of the project.

Site Plans

The plans depict a gated multiple family residential apartment complex consisting of 284 dwelling units distributed within six, 4 story buildings. The site is just under 7.2 acres with a density of 39.8 dwelling units per acre. The complex will provide 1, 2, and 3 bedroom units. Open space and landscaping are equitably distributed throughout the development and consist of active and passive open space areas which include a swimming pool, cabanas, fitness building, leasing office, and a clubhouse located in the center of the site. The setbacks of the perimeter buildings are as follows: 20 feet to the north property line (Tropicana Avenue); 79 feet to the south property line; 80 feet to the east property line; and 79 feet to the west property line. There will be 1 access point to the development from Tropicana Avenue to the north. Internal circulation within the project consists of 24 foot wide drive aisles. Parking will consist of covered and surface parking spaces for both residents and visitors, which are distributed throughout the development.

Landscaping

The street landscape area along Tropicana Avenue is shown at a width of 20 feet behind an existing 5 foot wide attached sidewalk. An 8 foot to 10 foot wide landscape buffer per Figure 30.64-11 (1 row of trees spaced 20 feet apart) is proposed along the south, east, and west property lines. Interior to the site, open space and landscaping are equitably distributed throughout the development and consist of active and passive open space areas. The main recreation open space area is designed in a courtyard fashion near the center of the site. These amenities include a swimming pool, spa, cabanas, fitness building, and a clubhouse. The amount of passive and active open space is depicted at 33,702 square feet where 28,400 square feet is required. The proposed development is in the Midtown Maryland Parkway District which requires "Art Work" in addition to landscaping. The developer will be providing 2 paint murals that frame the primary entry into the community and will be clearly visible from the public realm. The murals will depict fantasies of desert life.

Elevations

The building will range in height from 37 feet to 48 feet, 3 inches at its highest point. Exterior materials include a cement plaster finish, decorative metal awnings, and stair railings. The mass of the building is reduced by off-set surface planes and parapet walls along the roofline at varying heights. The leasing office, fitness building, and clubhouse will be 1 story and the design of the buildings will match the architecture and color palate of the multiple family complex.

Floor Plans

The plans show a mix of studio, 1, 2, and 3 bedroom units consisting of 48 studio units, 162 one bedroom units, 54 two bedroom units, and 20 three bedroom units. The residential units are

between 797 square feet and 1,391 square feet in area. The clubhouse is shown at 1,200 square feet, the fitness room is shown at 1,350 square feet, and the leasing office is shown at 1,150 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant contends that R-5 zoning is the appropriate zoning district for this site as it is near 5 other multiple family projects within the general area. The applicant also states these multiple family complexes are either at or near full occupancy. The site is also in close proximity to the University of Nevada, Las Vegas (UNLV) providing attainable apartment housing for students. Furthermore, the development meets the design standards for a multiple family project and the density and intensity of the project are compatible with multiple family projects in the area.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed Use (less than 18 du/ac)	C-1 & C-2	Commercial development
South	Urban Neighborhood (greater than 18 du/ac)	R-4	Multiple family apartment complex
East & West	Corridor Mixed Use (less than 18 du/ac)	C-1	Commercial development

Related Applications

Application Number	Request
VS-22-0024	A request to vacate and abandon patent easements on the property is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis
Current Planning
Zone Change

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

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

Staff finds that this area has developed toward higher density residential uses, in particular the multiple family residential developments to the north, east, and west. Based on the character of the neighborhood, the development proposed by the applicant may be more consistent and compatible with the surrounding area than a commercial development for this site. This parcel has been zoned commercial for several years and has not been developed; therefore, multiple family development may be more appropriate rather than commercial development.

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

With the project having numerous multiple family complexes nearby, the density and intensity of this proposed use are compatible with the surrounding area. As such, the site is uniquely situated to provide the additional housing needs, not only to the area, but for students attending UNLV; therefore, the density and intensity for this application are consistent and compatible with the existing and approved nearby developments.

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

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

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

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

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

Summary

Zone Change

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

Design Review #1

Staff finds the residential building is designed with various pop-outs, recesses, and varying roof heights on all sides of the buildings, to break-up the vertical and horizontal lines of the buildings. The project also provides several amenities such as usable open space, swimming pool, fitness center, and clubhouse; therefore, staff can support this portion of the request.

Design Review #2

Along portions of the site there are no landscape fingers shown on the plans. The elimination of landscape fingers will alternatively be provided in the form of landscape diamonds. Therefore, since the plant material will be installed within the diamond shaped planter and also distributed throughout the site, particularly within the common areas, staff can support this alternative parking lot design.

Department of Aviation

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

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 20, 2022 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Resolution of Intent to complete in 3 years;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the

building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

Department of Aviation

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

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0325-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: GREYSTAR DEVELOPMENT WEST, LLC
CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., STE 650, LAS VEGAS, NV 89135



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

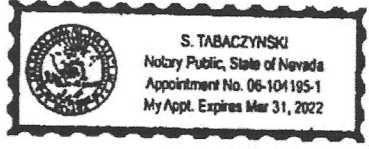
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>NZC-22-0023</u> DATE FILED: <u>1-19-22</u> PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>2-22-22</u> PC MEETING DATE: <u>3-15-22</u> R-E to R-5 BCC MEETING DATE: <u>4-20-22</u> Corridor Mixed-Use FEE: <u>\$2,930.00</u> JG
	PROPERTY OWNER NAME: <u>Josephs Family Land LP</u> ADDRESS: <u>5395 S. Polaris Avenue</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>N/A</u>
	APPLICANT NAME: <u>Greystar Development West, LLC</u> ADDRESS: <u>3200 E. Camelback Road, Ste 255</u> CITY: <u>Phoenix</u> STATE: <u>AZ</u> ZIP: <u>85018</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>
	CORRESPONDENT NAME: <u>Kaemper Crowell - Bob Gronauer</u> ADDRESS: <u>1980 Festival Plaza Dr. #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>702-792-7048</u> E-MAIL: <u>apierce@kcnvlaw.com</u> REF CONTACT ID #: <u>164674</u>

ASSESSOR'S PARCEL NUMBER(S): 162-26-102-002 003
 PROPERTY ADDRESS and/or CROSS STREETS: Tropicana and Spencer
 PROJECT DESCRIPTION: Zone Change for a multi-family development

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

Adele Josephs Matthews ADELE JOSEPHS MATTHEWS
 Property Owner (Signature) Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON July 27, 2021 (DATE)
 By Adele Josephs Matthews
 NOTARY PUBLIC: S. Tabaczynski



*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.

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

JOSEPH E. DAGHER

jdagher@kcnvlaw.com
702.792.7000

January 13, 2022

VIA UPLOAD

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

***Re: Compelling Justification Letter – Nonconforming Zone Change
and Design Review for Multi-Family Development***

Dear sir or madam:

This firm represents Greystar Development West, LLC (the “Applicant”) in this matter. The proposed project is located on approximately 7.13 acres located on E. Tropicana Avenue between Tamarus Street and Spencer Street, bearing Clark County Assessor Parcel Numbers 162-26-102-002 and 003 (the “Site”). The Applicant is requesting a nonconforming zone change to R-5 and a design review (1) to develop a 284 unit multi-family development; (2) for a maximum grade fill of 6” above the allowed 18”; and (3) for alternative parking lot landscaping.

NONCONFORMING ZONE CHANGE

The Site is currently zoned R-2, R-U, and C-1 and master planned CG – Commercial General. The Applicant is requesting a zone change to R-5. Notwithstanding the Winchester/Paradise Land Use Plan designation, this request satisfies the criteria for a nonconforming zone change with the compelling justification required by Title 30 as follows:

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

The Winchester/Paradise Land Use Plan was last amended on November 8, 2017 and encourages higher density and intensity projects that are transit oriented. There have been multiple changes within the last several years in the area which provide for higher density uses. For example, Echo is a recently developed mixed-use project that provides for 212 units along with a small commercial space of 1,500 square feet. University Gateway was also recently developed which provides for 125 units along with commercial space for UNLV. In addition to these recent developments, there are other multi-family apartments in the vicinity that are at or near full occupancy, including:

- Sonterra Apartments

LAS VEGAS OFFICE
1960 Festival Plaza Drive
Suite 650
Las Vegas, NV 89135
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

- Vibe Apartments
- Tropicana Village Apartments
- Newport Cove East (Dimarko's Apartment); and
- Crescent Place Apartment Homes

Based on these apartment developments in the area and the overwhelming demand for additional housing, these trends support the request for the proposed development.

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

With the current development of multi-family in the area and the large segments of the rest of the area proposed for mixed-use, office or commercial uses, the density or intensity of this proposed use is compatible with the surrounding area.

Further, multi-family is the ideal type of residential development for an area planned largely for commercial or offices uses. Multi-family developments typically have larger setbacks and thus an increased ability to buffer from adjacent uses. In addition, relatively dense multi-family is generally planned for more urban intense areas. The Site is also in close proximity to the University of Nevada, Las Vegas ("UNLV") providing attainable apartment housing for students. Thus, overall, the density and intensity is compatible with the area.

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

The proposed zone change will not result in any additional impacts on surrounding infrastructure not already contemplated in the area. The Site is located on or near major right-of-ways including Tropicana Avenue, which is east-west transportation route that provides access to the Las Vegas Resort Corridor, McCarran International Airport, UNLV, and residential and commercial areas across the Las Vegas Valley. Further, the Site will provide recreational amenities which will not burden Clark County recreation facilities. The very limited number of three bedroom units discourages occupation by families with school aged children. Finally, the Applicant will mitigate any impacts the proposed development may have.

4. The proposed nonconforming zone conforms to other applicable adopted plans, goals, and policies:

Pursuant to the general policies of the new Urban Land Use Policies, Policy 10 “encourage[s] site design to be compatible with adjacent land use and off-site circulation patterns.” Here, the Site is located on Tropicana Avenue, a major right-of-way. It is located near public facilities and mass transit stops necessary to support multi-family development and it is located near to other multi-family development residential neighbors, UNLV, and office/commercial complexes. Not only is the proposed development compatible with the general policy of the Urban Land Use Policies, but it is also compatible with the more specific Multiple Family Residential policies of the Urban Land Use Policies, including, but not limited to the following policies:

- Policy 57 encourages multi-family developments to be located near transit stops and road networks that can accommodate higher residential densities. Here, the Site is located near bus stops.
- Policy 55 encourages spatial distribution rather than the massing of buildings. Here, the buildings are oriented in various directions to avoid the monotone linear pattern. Additionally, the design review shows varied elevations.
- Policy 51 encourages multi-family projects to provide several amenities including usable open space, swimming pools, barbecue pits, and community centers. Here, the additional multi-family units will have complete use of the clubhouse, pool, spa, and other usable open space amenities.
- Policy 54 encourages the arrangement of parking areas into courts to avoid long concrete corridors of parking. Here, the parking is dispersed throughout the entire project and avoids creating long corridors of parking area.
- Policy 53 encourages the use of drought-tolerant landscaping. Here, the landscaping complies with all Title 30 requirements.

As such, the Site design meets the goals and policies set forth in the Urban Land Use Policies.

DESIGN REVIEW

The Applicant is proposing a 284-unit development. The bedroom mix is as follows: 48 studios, 162 one bedroom units, 54 two bedroom units, and only 20 three bedroom units. The Site’s main entry is via a gated entry way located on Tropicana Avenue. The multi-family buildings will be three stories and approximately 48’3” in height. Additionally, the Site will provide outdoor amenities such as a pool/spa area and indoor amenities with a clubhouse building consisting of meeting rooms and social gatherings areas, a fitness center, and outdoor area. The clubhouse building is one story.

The site plan and design of the buildings adheres to Title 30 standards, including but not limited to parking requirements, meeting all setback requirements and exceeding open space requirements. The buildings' elevations are more modern and provide for enhanced architectural enhancements such as building articulation and varying coloring schemes.

Lastly, the Applicant is requesting a design review for alternative parking lot landscaping to include diamond-shaped landscape planters to maintain as many parking spaces as required by Title 30. Even with the alternative design, landscaping is distributed throughout the Site including on the Site's perimeter.

Thank you in advance for your time and consideration of this application. Please direct any correspondence regarding this matter to Ann Pierce or me.

Sincerely,
KAEMPFER CROWELL



Joseph E. Dagher

JED/amp

EASEMENTS
(TITLE 30)

TROPICANA AVE/TAMARUS ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-22-0024-JOSEPHS FAMILY LAND, LP:

VACATE AND ABANDON easements of interest to Clark County located between Tropicana Avenue and Reno Avenue, and between Tamarus Street and Spencer Street within Paradise (description on file). JG/rk/jo (For possible action)

RELATED INFORMATION:

APN:
162-26-102-002; 162-26-102-003

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

BACKGROUND:

Project Description

The applicant is proposing to develop the site as a multiple family residential apartment complex. The request is to vacate patent easements along the east, west, and south perimeters of APN 162-26-102-002. The applicant indicates these easements are not necessary due to the development of the surrounding area, and street patterns have been established to serve the public interest for roadway or utility purposes.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed Use (less than 18 du/ac)	C-1 & C-2	Commercial development
South	Urban Neighborhood (greater than 18 du/ac)	R-4	Multiple family apartment complex
East & West	Corridor Mixed Use (less than 18 du/ac)	C-1	Commercial development

Related Applications

Application Number	Request
NZC-22-0023	A nonconforming zone change to reclassify this site to R-5 zoning for a multiple family development is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

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 April 20, 2022 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that 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

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

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: GREYSTAR DEVELOPMENT WEST, LLC

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



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE		DEPARTMENT USE	APP. NUMBER: <u>VS-22-0024</u>	DATE FILED: <u>1-19-22</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____			PLANNER ASSIGNED: <u>RK</u>	TAB/CAC DATE: <u>2-22-22</u>
			TAB/CAC: <u>Paradise</u>	R-S
			PC MEETING DATE: <u>3-15-22</u>	Corridor Mixed Use
			BCC MEETING DATE: <u>4-20-22</u>	JG
			FEE: <u>\$ 875.00</u>	

PROPERTY OWNER	NAME: <u>Josephs Family Land LP</u>
	ADDRESS: <u>5395 S Polaris Ave</u>
	CITY: <u>Las Vegas</u>
	TELEPHONE: <u>000-000-0000</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	E-MAIL: <u>N/A</u> CELL: _____

APPLICANT	NAME: <u>Greystar Development West, LLC</u>
	ADDRESS: <u>3200 E Camelback Rd, Suite 255</u>
	CITY: <u>Phoenix</u>
	TELEPHONE: <u>000-000-0000</u> STATE: <u>AZ</u> ZIP: <u>85018</u>
	E-MAIL: _____ CELL: _____
	REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Dennis Wertzler @ DRC Surveying Nevada Inc</u>
	ADDRESS: <u>7080 La Cienega St. #200</u>
	CITY: <u>Las Vegas</u>
	TELEPHONE: <u>702-279-6119</u> STATE: <u>NV</u> ZIP: <u>89119</u>
	E-MAIL: <u>dwertzler@drc-lasvegas.com</u> CELL: <u>702-274-3250</u>
	REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-26-102-002

PROPERTY ADDRESS and/or CROSS STREETS: 1639 E. Tropicana - Tropicana Ave. / Tamara St.

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.

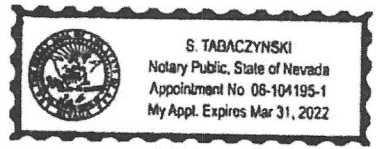
Adele Josephs Matthews
Property Owner (Signature)

ADELE JOSEPHS MATTHEWS
Property Owner (Print)

STATE OF NEVADA
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON October 8 2021 (DATE)
By Adele Josephs Matthews

NOTARY PUBLIC: [Signature]



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

DRC Surveying Nevada, Inc.

Civil Engineering • Land Surveying • Planning
7080 La Cienega Street, Suite 200 LV, NV 89119 (Ph. 270-6119 Fax 270-4899)

November 3, 2021

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

Attention: Senior Planner

**Regarding: Justification Letter for Vacation Patent easement
APN #162-26-102-002**


On behalf of our client, Greystar Development West LLC, DRC Surveying Nevada would like to submit a request for a Vacation of Patent easements on approximately 4.62 +/- gross acres of land generally located on Tropicana Avenue and Tamarus Street.

Due to development of the surrounding areas, the street patterns have been established and these patent easements will no longer be needed to serve the public interest for roadway or utility purposes.

Please call me if you should have any questions or require additional information.

Sincerely,

DRC Surveying Nevada, Inc.


Sonia Macias
Project Coordinator

03/15/22 PC AGENDA SHEET

SUPPER CLUB
(TITLE 30)

MARYLAND PKWY/DEL MAR ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0031-LAS VEGAS UNIVERSITY GARDENS LLC:

USE PERMIT to reduce the separation of a supper club from a residential use within an existing shopping center (University Gardens) on a portion of 3.2 acres in a C-2 (Commercial General) (AE-60) Zone within the Maryland Parkway Overlay District.

Generally located on the east side of Maryland Parkway and the south side of Del Mar Street within Paradise. JG/nr/jo (For possible action)

RELATED INFORMATION:

APN:

162-23-313-002 ptn

USE PERMIT:

Reduce the separation between a supper club and a residential use to 99.3 feet where 200 feet is required per Table 30.44-1 (a 50.4% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4632 S. Maryland Parkway
- Site Acreage: 3.2 (portion)
- Project Type: Supper club
- Square Feet: 2,310
- Parking Provided: 206 (entire shopping center)

Site Plan

The plan shows an existing shopping center with an in-line commercial building on the east side of the site with parking to the west of the building, and three separate commercial pads with existing businesses and shared parking. An alleyway is located between the in-line building and the residential use to the east. Access to the shopping center is from 3 driveways on Maryland Parkway and 2 driveways on Del Mar Street.

Landscaping

No changes are required or proposed to the landscaping as part of this application.

Elevations

The photos show an in-line commercial building with the center of the building having a second floor.

Floor Plan

The floor plan shows a restaurant with dining area, booths, kitchen, bar area, restrooms, and an office.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed use is compatible with the uses in the vicinity and the proposed use will not have negative impacts on the surrounding area.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0977-08	Restaurant with reduced parking	Approved by PC	November 2008
UC-1384-97	Technical computer school	Approved by PC	September 1997
UC-560-94	Tutoring service school	Approved by	May 1994

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	C-2, R-4	Undeveloped, single family & multiple family residential
South	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	U-V, R-3	UNLV gateway parking garage
East	Compact Neighborhood (up to 18 du/ac)	R-3	Multiple family residential
West	Public Use	P-F	UNLV

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the 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 shopping center was designed and built to accommodate any added facility demands that the supper club may generate, such as additional parking and pedestrian traffic. The proposed supper club use adds to the existing mixture of uses within the center and complies with the Master Plan. As a result, staff can support this request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that 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: LOUNGE LOGISTICS LLC

CONTACT: SALTZMAN MUGAN DUSHOFF PLLC, 1835 VILLAGE CENTER CIRCLE,
LAS VEGAS, NV 89134

DRAFT

APR 22-100006



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>UC-22-0031</u> DATE FILED: <u>1/24/22</u> PLANNER ASSIGNED: <u>NR</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>2/22/22</u> PC MEETING DATE: <u>3/15/22</u> BCC MEETING DATE: _____ FEE: <u>675</u>
	PROPERTY OWNER NAME: <u>Las Vegas University Gardens, LLC</u> ADDRESS: <u>407 E. 9th Street</u> CITY: <u>LOS ANGELES</u> STATE: <u>CA</u> ZIP: <u>90015</u> TELEPHONE: <u>213-622-3229</u> CELL: _____ E-MAIL: <u>INFO@BLUMAXPARTNERS.COM</u>
	APPLICANT NAME: <u>Lounge Logistics LLC</u> ADDRESS: <u>4632 S. Maryland Parkway, Suites 17 and 18</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>404-542-6335</u> CELL: <u>404-452-6335</u> E-MAIL: <u>foxjasmine0@gmail.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>Allison J. Gigante, Esq. /Saltzman Mugan Dushoff</u> ADDRESS: <u>1835 Village Center Circle</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-405-8500</u> CELL: _____ E-MAIL: <u>agigante@nvbusinesslaw.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 162 23-313-002

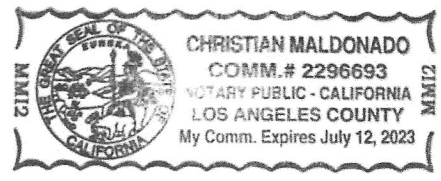
PROPERTY ADDRESS and/or CROSS STREETS: 4632 S. Maryland Parkway Suites 17 & 18

PROJECT DESCRIPTION: Supper Club Liquor License

(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.

Las Vegas University Gardens, LLC
 By: Daniel Gryczman, Authorized Representative

Property Owner (Signature)* [Signature]
 STATE OF California
 COUNTY OF Los Angeles
 SUBSCRIBED AND SWORN BEFORE ME ON January 3rd, 2022
 By Christian Maldonado (Notary Public) (DATE)
 NOTARY PUBLIC: [Signature]



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



SALTZMAN MUGAN DUSHOFF
ATTORNEYS AT LAW

1835 VILLAGE CENTER CIRCLE, LAS VEGAS, NEVADA 89134

MAIN (702) 405-8500 • FAX (702) 405-8501

January 13, 2022

**PLANNER
COPY**

UC-22-0031

Via Hand-Delivery

Clark County Department of Comprehensive Planning
500 S. Grand Central Parkway, 1st Floor
Las Vegas, Nevada 89155

Re: Application for Special Use Permit –On-Premise Alcohol Consumption

Applicant: Lounge Logistics LLC
Project: CRU Lounge
APN: 162-23-313-002
Address: 4632 S. Maryland Parkway, Suites 17 and 18
Las Vegas, NV 89119

Dear Sir/Madam:

This firm represents Lounge Logistics LLC (the "Applicant") with respect to liquor licensing matters in Nevada. Enclosed, please find a Special Use Permit Application for approval of on-premise consumption of alcohol in conjunction with a Supper Club at the above-referenced business location with reduced separation from residential.

The Applicant has entered into a Lease Agreement with Las Vegas University Gardens, LLC (the "PropertyOwner") for the operations of a supper club at 4632 S. Maryland Parkway, Suites 17 and 18, Las Vegas, Nevada, 89119, and comprising of approximately 2,310 square feet of tenant space (the "Premises"). The Premises is located within the University Gardens Shopping Center at the corner of South Maryland Parkway and Del Mar Boulevard.

The Applicant's business will consist of a restaurant with a bar and hookah service for patrons twenty-one years of age or older only.

The Premises is located within the C-2 zoning district, but is within 200 feet of a residential area, thus requiring a Special Use Permit for the on-premise consumption of alcohol.

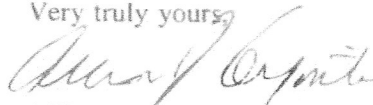
The applicant is committed to ensuring compliance with all local and State laws regarding the sale and service of on-premises alcohol consumption. The Applicant will implement and adhere to strict internal policies and an alcohol security plan to prevent the sale of alcohol to minors and to ensure that patrons are not overserved.

Clark County Department of Comprehensive Planning
January 13, 2022
Page 2 of 2

The on-premise consumption of alcohol for a restaurant is compatible with other uses in the immediate community and will not have a detrimental impact on adjacent properties or the traffic conditions in the area. No additional public services, utilities or parking accommodations will be necessary to accommodate the proposed use at the Business. There will be adequate employee and customer parking available and the site will provide adequate pedestrian and vehicle ingress/egress to and from the Premises from Maryland Parkway. The Business intends to operate Monday through Sunday from 3:00 p.m. to 3:00 a.m. The restaurant has seating for sixty-eight patrons at tables and booths and nine patrons at the bar. The Business will employ approximately twenty-five to thirty individuals.

In the event you have any questions with regard to the foregoing, please do not hesitate to contact us. Thank you.

Very truly yours,



Allison J. Gigante, Esq.

AJG:dms
Enclosures
cc: Matthew D. Saltzman, Esq. (w/o encls.)

03/15/22 PC AGENDA SHEET

RETAIL SALES
(TITLE 30)

DECATUR BLVD/HACIENDA AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-22-0032-TIBERTI R & I, LLC:

USE PERMIT for retail sales (floor covering products) in conjunction with an existing office/warehouse complex on a portion of 3.9 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the east side of Decatur Boulevard, 500 feet north of Hacienda Avenue within Paradise. MN/md/jo (For possible action)

RELATED INFORMATION:

APN:
162-30-201-007 ptn

LAND USE PLAN:
WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 5240 S. Decatur Blvd., Suite 2
- Site Acreage: 3.9 (portion)
- Project Type: Retail sales (floor covering products)
- Number of Stories: 1
- Square Feet: 4,875
- Parking Required/Provided: 85/107

Site Plans

The plans depict an existing office/warehouse complex consisting of 2 buildings with a commercial driveway adjacent to Decatur Boulevard. The retail tenant space will occupy a suite located in the western building, which is set back 65 feet from Decatur Boulevard. No changes are proposed to the design of the existing site. The existing development requires 85 parking spaces where 107 spaces are provided.

Landscaping

All street and site landscaping exists and no additional landscaping is required or proposed.

Elevations

The photos depict a 1 story building with recessed glass storefronts. The exterior of the building

is stucco with stone accents on the building and along the roofline.

Floor Plans

The plans depict a 4,875 square foot lease area which includes a retail area, offices, and restroom facilities.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the retail store will sell floor covering products, such as tile, carpet, laminate, and stone. The store hours of operation will be Monday through Friday from 8:00 a.m. to 5:00 p.m. The store will be open on Saturday by appointment only. The applicant states they anticipate hiring 4 salespeople and 2 clerical assistants for the retail operation.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-21-900030	Office/warehouse building located on undeveloped pad at northwest corner of site	Approved by ZA	March 2021
UC-20-0232	Recreational facility	Approved by PC	July 2020
UC-0541-17	Major training facility	Approved by PC	August 2017
DR-1049-97	Existing office/warehouse complex	Approved by PC	July 1997
ZC-0140-96	Reclassified the site to M-1 zoning for an office/warehouse development	Approved by BCC	March 1996

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Business Employment	M-1	Industrial development & outside storage
South	Business Employment	C-2 & M-1	Undeveloped & industrial development
West	Corridor Mixed-Use	C-2	Shopping center

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must

establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Staff's primary concerns with these types of uses are to ensure compatibility with existing and planned surrounding uses and that there is adequate on-site parking. Retail sales in other parts of Clark County have been shown to be appropriate and compatible with office/warehouse developments. Staff does not anticipate that the proposed use will have any adverse or negative impacts on the adjacent commercial or industrial properties. Staff finds that the use is compatible with the existing development in the surrounding area and is compatible with the existing uses within the office/warehouse complex. The proposed use places no additional demands on the site in terms of required parking, landscaping, or other design features; therefore, staff recommends approval.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that 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: MODERN CONCEPTS DESIGN

CONTACT: MODERN CONCEPTS DESIGN, 5240 S. DECATUR BLVD, SUITE 2, LAS VEGAS, NV 89118



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input checked="" type="checkbox"/> APPLICATION REVIEW (AR) APR-21-101596 (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>UC-22-0032</u> DATE FILED: <u>1/24/22</u> PLANNER ASSIGNED: <u>MND</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>2/22/22</u> PC MEETING DATE: <u>3/15/22 @ 7:00 PM</u> @ 7:00 PM BCC MEETING DATE: <u>-</u> FEE: <u>\$675.00</u>
	PROPERTY OWNER NAME: <u>Tiberti R & I, LLC c/o Tiberti Management Company</u> ADDRESS: <u>500 South Rancho Drive, Suite 2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89106</u> TELEPHONE: <u>702-248-4000</u> CELL: _____ E-MAIL: <u>PaulMaffey@tiberti.com; DMAFFEY@tiberti.com</u>
	APPLICANT NAME: <u>Modern Concepts Design, LLC</u> ADDRESS: <u>5240 S Decatur Blvd, Suite 2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: _____ CELL: <u>702-339-1600</u> E-MAIL: <u>marielaefd@gmail.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Modern Concepts Design, LLC</u> ADDRESS: <u>5240 S Decatur Blvd, Suite 2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: _____ CELL: <u>702-339-1600</u> E-MAIL: <u>marielaefd@gmail.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-30-201-007

PROPERTY ADDRESS and/or CROSS STREETS: Decatur & Hacienda


PROJECT DESCRIPTION: Retail store

(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.

Paul Maffey
 Property Owner (Signature)
 STATE OF NEVADA
 COUNTY OF CLARK

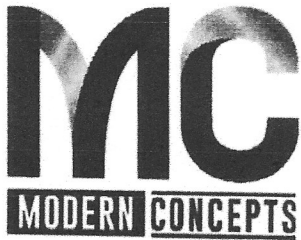
PAUL J. MAFFEY MANAGER
 Property Owner (Print)

SUBSCRIBED AND SWORN BEFORE ME ON December 7, 2021
 By Lathon Howell
 NOTARY PUBLIC: LATHON HOWELL


 LATHON HOWELL
 NOTARY PUBLIC
 STATE OF NEVADA
 My Commission Expires: 09-28-25
 Certificate No: 21-4651-01

*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.

10



Modern Concepts Design, LLC

5240 S Decatur Blvd. Suite 2

Las Vegas, NV 89118

December 27, 2021

UC-22-0032

RE: **Justification Letter/ Modern Concepts Design**

5240 S Decatur Blvd. Ste 2, Las Vegas, NV 89118

To whom it may concern;

The following justification letter is on regard to our application (#21-101596), given that we require a *Special Use Permit* in order to obtain a Clark County Business License for retail.

Modern Concepts Design will sell floor covering products, such as tile, carpet, laminate and stone. Store hours of operation will be Monday through Friday from 8 am to 5pm. Saturdays will be open by appointment only. We are planning on hiring 4 salespeople and 2 clerical assistants.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mariela Reyes', is written over a light blue circular stamp.

Mariela Reyes

Managing member

**PLANNER
COPY**

03/15/22 PC AGENDA SHEET

SETBACKS
(TITLE 30)

FLAMINGO RD/HAZELCREST DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0037-ARLIN ARIEL & HERNANDEZ CARLOS MIGUEL.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) building separation; and 2) setbacks in conjunction with a single family residence on 0.2 acres in an R-1 (Single Family Residential) Zone.

Generally located on the south side of Hazelcrest Circle, 160 feet west of Hazelcrest Drive within Paradise. TS/nr/jo (For possible action)

RELATED INFORMATION:

APN:

161-19-513-008

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce building separation between an existing shed and a building addition to the principle structure to zero feet where 6 feet is required per Table 30.40-2 (a 100% reduction).
2.
 - a. Reduced side setback to 3 feet for an existing laundry room where 5 feet is required per Table 30.40-2 (a 40% reduction).
 - b. Reduce the rear setback for a building addition to the principal structure to 6 feet where 20 feet is required (a 70% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 4051 Hazelcrest Circle
- Site Acreage: 0.2
- Project Type: Setbacks
- Number of Stories: 1
- Square Feet: 1,661
- Parking Required/Provided: 3/4

Site Plans

The plans show a single family residence with a hardscaped front yard, a 2 car garage converted to living space, an attached accessory apartment in the front of the house, and an additional building addition in the rear of the structure with setback encroachments to the rear and reduced separation between an existing shed and the rear addition to the house.

Landscaping

The photo shows the entire front yard hardscaped. The submitted plans show 5 designated landscape areas in the front of the house which will require removal of the existing concrete. In addition, there is no indication of the proposed type of landscaping that will be added on the site. The front yard is 55% hardscaped according to the site plan calculations after the removal of the concrete and the placement of landscaping into those areas.

Elevations

The elevations show a single story residence with vertical siding and a slightly pitched roof.

Floor Plans

The floor plans show the conversion of the existing garage into 2 bedrooms with a restroom, an addition to the rear of the house with a bedroom and a restroom, and an attached accessory apartment on the north side of the house with a bedroom, kitchen, and restroom. The house now has 5 bedrooms, 6 restrooms, an exterior laundry room, living room, and 2 kitchens (the primary and the accessory apartment), storage, and living areas.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the additions to the house and setback encroachments were necessary to accommodate family during the pandemic without proper permitting or approvals.

Surrounding Land Use

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

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to

modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Staff reviews waiver requests to ensure compatibility with existing development in the area. Setbacks and separations help to preserve the appeal and integrity of a neighborhood as well as mitigate impacts and possible safety issues. The applicant indicates that the construction of the building additions and attached accessory apartment were constructed without permits to provide emergency housing during the pandemic. The proposed reduction in setbacks is not common in the surrounding area. The proposed reductions in setbacks are a self-imposed hardship, and the applicant has not provided any alternatives to mitigate negative impacts on the surrounding area. Since the proposed encroachments are not in keeping with the area and intentionally built without permits when the County offices were operating throughout the pandemic, staff finds that the applicant has not provided justification as to why the waivers of development standards should be approved; therefore, staff cannot support the requests.

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:

Current Planning

If approved:

- 1 year to complete the building permit and inspection process with any extension of time to be a public hearing.
- Applicant to provide a landscape plan within 30 days of approval with plants from the SNRPC approved plant list; turf is not permitted;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Applicant is advised that the new driveway must comply with Uniform Standard Drawing #223.

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: ARIEL ARLIN

CONTACT: LAS VEGAS CIVIL ENGINEERING, 2251 N. RAMPART BLVD, STE 418,
LAS VEGAS, NV 89128

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WS-22-0037</u> DATE FILED: <u>1/26/22</u> PLANNER ASSIGNED: <u>NR</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>9/22/22</u> PC MEETING DATE: <u>3/15/22</u> BCC MEETING DATE: _____ FEE: <u>475</u>
	PROPERTY OWNER NAME: <u>Ariel Arlin and Miguel Hernandez</u> ADDRESS: <u>4051 HAZELCREST CIR</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: _____ CELL: <u>310-963-4978</u> E-MAIL: <u>inariel@hotmail.com</u>
	APPLICANT NAME: <u>Property Owner</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Joey DeBlanco</u> ADDRESS: <u>2251 N. Rampart Blvd. No. 418</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u> TELEPHONE: <u>702-515-6741</u> CELL: <u>702-515-6741</u> E-MAIL: <u>JOEY@LVCE.NET</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 161-19-513-008

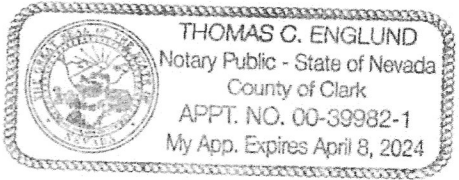
PROPERTY ADDRESS and/or CROSS STREETS: Hazelcrest/Flamingo

PROJECT DESCRIPTION: Residence

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

Property Owner (Signature)* [Signature] Ariel Arlin
 Property Owner (Print)

STATE OF NV
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON JAN 6 2022 (DATE)
 By ARIEL ARLIN
 NOTARY PUBLIC: [Signature]



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

Tuesday, November 09, 2021

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



Re: *Landuse Application*
4051 Hazelcrest Circle

Las Vegas Civil Engineering is assisting the above-mentioned applicant with obtaining permits for the applicant's developments that were made without building permits and zoning approval during the initial term of the pandemic. The developments are as follows:

Additions:	Area (sf)	Kitchen	Attached	Interior Access to Primary Residence
Bedroom A (garage conversion)	438	No	Yes	Yes
Apartment A	356	Yes	Yes	No
Bedroom B	212	No	Yes	Yes

In addition, other site modifications are being proposed that include: four onsite 9'x18' parking spaces, a second driveway to accommodate the two parking spaces near the northeast property corner, front yard landscaping to counter the existing hardscape, an attached laundry room along the east side and a detached shed in the backyard. Based on the above information and the attached site plan we feel the applications required for compliance are as follows:

1. Use Permit to allow accessory Apartment A for the applicant's family.
2. Waiver of Developments Standards to:
 - a. Reduce the rear setback for Bedroom B to six feet where ten feet is required by Table 30.40-2. As a compensating condition, Bedroom B is not a hundred percent visible by the surrounding neighbors due to the applicant's lower lot elevation, the elevated side and rear walls, and the dense landscaping in the backyard. Additionally, Bedroom B's façade matches the look and feel of the primary residence.
 - b. Reduce the side setback for the laundry room to three feet where five feet is required by Table 30.40-2. As a compensating condition, the laundry room façade matches the look and feel of the primary residence.
 - c. Eliminate the separation and rear setback for the detached shed as allowed by Table 30.44-1.

Unfortunately, during the initial stages of the Covid pandemic the county buildings were closed to the public. Subsequently, the Applicant did not find any conspicuously posted notices on any of the county buildings that provided instruction on how to proceed with emergency housing for his family or how to do business with the county during a global pandemic. Therefore, the Applicant proceeded instinctively to cure the sudden homelessness of his family without obtaining permits or zoning approvals.

Nevertheless, we believe that this application creates a compliant property that is in harmony with the purpose, goals, objectives and standards of the plan and title because it meets the intent of Clark County Title 30-44. Therefore, we respectfully request your approval of this application.

Regards,
Joey DeBlanco

//

03/16/22 BCC AGENDA SHEET

CANNABIS CULTIVATION
(TITLE 30)

PEPPER LN/PECOS RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0040-ATHARI REZA & FATANEH FAMILY TR & ATHARI G. REZA & FATANEH TRS:

USE PERMIT to allow a cannabis establishment (cultivation).

DESIGN REVIEW for an addition to an existing office/warehouse building on 0.7 acres in an M-D (Designed Manufacturing) (AE-60) Zone.

Generally located on the south side of Pepper Lane, 461 feet west of Pecos Road within Paradise. JG/sd/jo (For possible action)

RELATED INFORMATION:

APN:

162-36-703-012

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 3365 Pepper Lane
- Site Acreage: 0.7
- Project Type: Cannabis establishment (cultivation)
- Number of Stories: 2
- Building Height (feet): 31 (existing)/13 (addition)
- Square Feet: 23,318
- Parking Required/Provided: 15/23

Site Plans

The submitted plans depict a 23,318 square foot, 2 story structure centrally located on the subject parcel. This structure is part of a larger office/warehouse development that shares parking and ingress/egress. The subject site is shaped as a flag lot with access from the northernmost property line adjacent to Pepper Lane. The applicant has submitted plans that include a planned addition of approximately 314 square feet onto the east façade. The first floor is planned for a cultivation area of 11,502 square feet and the second floor for cultivation and offices. Access to the site is provided by driveways from both Pepper Lane and Pecos Road.

Landscaping

Existing landscaping is located within a landscape planter along the north and west property lines of the overall complex, and within the parking lot landscape finger islands. No new landscaping is required or a part of this request. Landscaping is shown along the west exterior of the building adjacent to parking spaces and will include 5 gallon Red Yucca and Purple Texas Sage and Lantana species.

Elevations

The exterior walls include white stucco and in-fill windows on all 4 elevations. The height of the existing warehouse/office building is approximately 31 feet. The plans also depict a 314 addition on the southeast façade and will be enclosed around the existing roll-up door and includes a ramp for ease of egress/ingress. The applicant is proposing several in-fill windows along the exterior and will match the materials of the building. The total height of the proposed addition is approximately 13 feet and will include stucco finish to match the existing building. The addition is not visible from the right-of-way.

Floor Plans

The plans depict a 2 story warehouse floor plan for cannabis cultivation. The first floor consists of grow rooms, trim room, vegetation room, restroom, utility room, and an exit to internal stairwell to the upper floor. The second floor consists of grow rooms, clone room, office, and restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the proposed cultivation use will be a partner to the existing cannabis cultivation development directly to the east (Nevada Medical Group located at 3375 Pepper Lane). The applicant states that a cultivation facility at this location will not create an adverse impact on the immediate neighborhood. The request is compatible with the existing use permits for cannabis cultivation and with the M-D zoning district.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-1501-02	Reduced parking	Approved by PC	November 2002
DR-2070-93	5,600 square foot office/warehouse in M-D zoning	Approved by PC	January 1994

*Additional land use applications have been approved within this office/warehouse complex for cannabis establishment (cultivation).

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Business Employment	M-D	Office/warehouse

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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.

Staff finds that the proposed cannabis cultivation use will not have an undue adverse effect on adjacent properties and the character of the neighborhood as the request is in harmony with the goals and objectives of the Master Plan and the Business Employment land use category by promoting economic viability, employment opportunities with developments that are compatible with adjacent land uses, and are well integrated with appropriate circulation systems, services, and facilities. The site meets all the required separations, as the use is not within 300 feet of a community facility, 660 feet from a residential use, 1,000 feet from a school, or 1,500 feet from non-restricted gaming property.

The separation survey indicates that all required separations are being met per Code. The survey states that there are no community facilities within 300 feet, no residential uses within 660 feet, no schools within 1,000 feet and no non-gaming properties within 1,500 feet as noted on the survey submitted by the applicant; therefore, staff can support this request.

Design Review

Staff finds the proposed use is compatible with the existing and adjacent properties as there is existing cannabis cultivation within the immediate area. The proposed 315 square foot addition along the southeast façade will include a ramp, will meet all setbacks, will be flush with the existing exterior wall along the south exterior, and does not encroach into the setback. Staff finds the proposed addition and modifications to the existing building will have minimal to no impact on the surrounding neighborhood; therefore, staff can support this request.

Department of Aviation

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- A valid Clark County business license must be issued for this business 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 the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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: NEVADA MEDICAL GROUP

CONTACT: DAVID MCKEE, DAVID MCKEE ARCHITECT, 5250 S. RAINBOW BLVD
UNIT 2006, LAS VEGAS, NV 89118



CANNABIS ESTABLISHMENT APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION FOR REVIEW (AR) (ORIGINAL APPLICATION #) CANNABIS ESTABLISHMENT <input checked="" type="checkbox"/> CULTIVATION FACILITY <input type="checkbox"/> DISPENSARY DISTRIBUTOR <input type="checkbox"/> INDEPENDENT TESTING LABORATORY <input type="checkbox"/> PRODUCTION FACILITY <input type="checkbox"/> RETAIL CANNABIS STORE	STAFF	APP. NUMBER: <u>UC-22-0040</u> DATE FILED: <u>1/26/22</u> PLANNER ASSIGNED: <u>SWD</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>2/22/22</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>3/16/22</u> FEE: <u>\$ 5,850</u>
		PROPERTY OWNER

APPLICANT	NAME: <u>Nevada Medical Group, LLC</u> ADDRESS: <u>3375 Pepper Lane</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702-910-9197</u> CELL: _____ E-MAIL: <u>af@nevada-medicalgroup.com</u> REF CONTACT ID #: _____
------------------	---

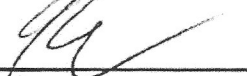
CORRESPONDENT	NAME: <u>Nevada Medical Group, LLC</u> ADDRESS: <u>3375 Pepper Lane</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702-910-9197</u> CELL: _____ E-MAIL: <u>af@nevada-medicalgroup.com</u> REF CONTACT ID #: _____
----------------------	---

ASSESSOR'S PARCEL NUMBER(S): 162-36-703-012

PROPERTY ADDRESS and/or CROSS STREETS: 3365 Pepper Lane, Las Vegas, NV 89120

PROJECT DESCRIPTION: Cannabis Cultivation

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



 Property Owner (Signature)*

Reza Athari, Trustee

 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON NOV. 22, 2021 (DATE)

By REZA ATHARI
 NOTARY PUBLIC: _____



January 19, 2022

UC-22-0040

Justification:

Clark County Planning Department
500 S Grand Central Pkwy

Re: Justification Letter – Land Use Application n Design Review;
Nevada Medical Group, LLC (the “Applicant”)
3365 Pepper Lane; APN 162-36-703-012
Requested Uses: Cannabis – Grow Cultivation
Zoning MD

Clark County Planning:

On behalf of Nevada Medical Group, LLC (“Applicant”) we are seeking approval of a medical and recreational marijuana Cultivation (Grow) at 3365 Pepper Lane, Las Vegas, NV. This justification letter is submitted pursuant to the submittal requirements required by Clark County and Title 30 Development Code.

Category:

Subject project is within the Clark County and thus subject to Title 30 Development Code for real property improvements and development. The Parcel 162-36-703-012 is a pre-existing two story office building. First Floor, planned cultivation area is 11,502 SF with a planned addition to the east building facade of 314 SF totaling 11,816 SF. Second Floor remodel for cultivation and an associated Office totaling 11,502 SF. The total building area for grow cultivation is 23,318SF. The applicant plans to occupy and utilize 100% of the building for grow cultivation.

The proposed use is compatible with the existing MD planned use category. The applicant is applying for a Land Use Permit and Design Review “Cannabis Cultivation”

Findings:

General Plan:

1. The proposed project will be a partner to the existing Cannabis Cultivation development east of the development (Nevada Medical Group at 3375 Pepper Lane)
2. Existing zoning designation remains as is. No changes.
5. There is no community facility within a 300 foot area, and no School with 1,000 foot area. The Applicant’s proposed location meets the distance separations as required by the Code.

Criteria for Site Development Plans:

1. The proposed development is compatible with adjacent development & existing conditions.
2. The proposed development is consistent with the General Plan and all Title 30 requirements.
3. Site access & circulation remains unchanged.
4. Building & Landscape materials are appropriate for the immediate area and will improve existing conditions/aesthetics.
5. Adjacent parcel to the East and West area are approved cultivation facilities commercial

Conclusion

A marijuana cultivation establishment at this location will not have any adverse impacts on the adjacent property or properties in the area. More important, this request is compatible with the surrounding properties and located in an area designated by Clark County as a suitable location. The proposed uses fully complies with all the spacing standards established in the Title 30 Development Code and is located within a commercial complex setting ideal for cultivation use.

Nevada Medical Group, LLC