



PARADISE TOWN ADVISORY BOARD

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

May 11, 2021

7:00pm

AGENDA

Note:

- Social distancing will be practiced during this meeting. You will be asked to keep appropriate spacing (six (6) feet) away from other meeting attendees.
- 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 Secretary, Maureen Helm at 702-606-0747 and is/will be available on the County's website at www.clarkcountynv.gov.
- If you do not wish to attend this meeting in person, but would like to comment on an item appearing on this agenda, or provide general public comment, please submit your comments to bva@clarkcountynv.gov, before 5:00 pm, April 27, 2021. Please include your name, address, and identify which agenda item you are commenting on, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

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

County Liaison(s): Blanca Vazquez 702-455-8531, bva@clarkcountynv.gov

- 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.

If you do not wish to attend this meeting in person, but would like to comment on an item appearing on this agenda, please submit your comments to bva@clarkcountynv.gov, before 5:00 pm, on May 11, 2021 . Please include your name, address, and identify which agenda item you are commenting on, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

- III. Approval of Minutes for April 27, 2021. (For possible action)
- IV. Approval of the Agenda for May 11, 2021 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning

- 1. **WS-21-0117-SG ISLAND PLAZA LLC ETAL & NAKASH SHOWCASE II LLC:**
WAIVER OF DEVELOPMENT STANDARDS to increase the allowed projection from a wall for a projecting sign.
DESIGN REVIEW for a projecting sign in conjunction with a retail store (T-Mobile) within the Showcase Mall on 0.7 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the east side of Las Vegas Boulevard South, 490 feet north of Tropicana Avenue within Paradise. JG/al/jo (For possible action)
- 2. **ET-21-400057 (UC-0888-15)-ROACHO JORGE H & ROSA:**
USE PERMIT THIRD EXTENSION OF TIME to commence a place of worship.
DESIGN REVIEW for the conversion of a single family residence to a place of worship and all ancillary site improvements on 1.0 acre in an R-1 (Single Family Residential) Zone. Generally located on the south side of Viking Road, 200 feet west of Pearl Street within Paradise (description on file). TS/lm/jo (For possible action) **PC 6/1/21**
- 3. **UC-21-0125-BINGHAM ROBERT:**
USE PERMIT to allow agriculture-livestock, small (chickens) in conjunction with a single family residence on 0.3 acres in an R-1 (Single Family Residential) Zone. Generally located on the south side of Las Alturas Avenue and the east side of Via Mazarron Street within Paradise. MN/bb/jo (For possible action) **PC 6/1/21**

4. **UC-21-0165-4300 TROP, LLC:**
USE PERMITS for the following: 1) offices as a principal use; 2) retail as a principal use; 3) grocery store; 4) restaurant; 5) alcohol sales (beer and wine – packaged only); and 6) alcohol sales (liquor – packaged only).
WAIVER OF DEVELOPMENT STANDARDS for reduced street landscaping.
DESIGN REVIEWS for the following: 1) site modifications; 2) exterior modifications to an existing building; and 3) alternative parking lot landscaping in conjunction within an existing office/warehouse and industrial development on a portion of 14.8 acres in an M-1 (Light Manufacturing) Zone. Generally located on the east side of Arville Street and the north side of Tropicana Avenue within Paradise. MN/md/jd (For possible action) **PC 6/1/21**
5. **UC-21-0178-P & E YLINEN GROUP, LLC:**
USE PERMIT for on-premises consumption of alcohol (service bar) on 1.2 acres in an M-1 (Light Manufacturing) Zone. Generally located on the west side of Polaris Avenue, 300 feet north of Twain Avenue within Paradise. JJ/rk/jo (For possible action) **PC 6/1/21**
6. **UC-21-0132-UNIVERSITY BOARD OF REGENTS:**
USE PERMITS for the following: 1) allow temporary commercial event (Boring Competition) on a property with no licensed business; and 2) extend the time limit for set-up and operational removal for a temporary commercial event.
DESIGN REVIEW for a temporary commercial event on a portion of 36.8 acres in an H-1 (Limited Resort and Apartment) (AE-65 & AE-70) Zone. Generally located on the north side of Tropicana Avenue and the east side of Deckow Lane within Paradise. JB/lm/jo (For possible action) **BCC 6/2/21**
7. **UC-21-0160-HARMON CURTIS:**
USE PERMITS for the following: 1) allow an accessory building (storage containers) not architecturally compatible with a principal building; 2) allow alternative design standards for accessory structures (storage containers); and 3) waive design standards.
WAIVER OF DEVELOPMENT STANDARDS to increase block wall height.
DESIGN REVIEW for finished grade in conjunction with an existing single family residence on 2.4 acres in an R-1 (Single Family Residential) Zone. Generally located on the north side of Emerson Avenue, 300 feet west of Mojave Road within Paradise. TS/sd/jo (For possible action) **BCC 6/2/21**
8. **ZC-21-0174-POST INDUSTRIAL, LLC:**
ZONE CHANGE to reclassify a 0.5 acre parcel from an M-D (Designed Manufacturing) (AE-65) Zone to an M-1 (Light Manufacturing) (AE-65) Zone.
USE PERMITS for the following: 1) medium manufacturing; 2) allow accessory structures not architecturally compatible; and 3) allow alternative design standards.
DESIGN REVIEW for a metal building. Generally located on the north side of Post Road, 425 feet west of Cameron Street within Paradise (description on file). MN/sd/jo (For possible action) **BCC 6/2/21**

VII. General Business

- VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No 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.

If you would like to provide a written general public comment on an item not appearing on this agenda, but within the general jurisdiction of this body, please submit your comments to bva@clarkcountynv.gov, before 5:00 pm, May 11, 2021. Please include your name, address, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

- IX. Next Meeting Date: May 25, 2021

- X. Adjournment.

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

Names of Locations

Paradise Community Center- 4775 McLeod Dr.

Clark County Library- 1401 E. Flamingo Rd.

Sunset Park- 2601 E. Sunset Rd.

Fire Station 38- 1755 Silver Hawk Ave

<https://notice.nv.gov>



Paradise Town Advisory Board

April 27, 2021

MINUTES

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

Greg Cerven; Planning, Blanca Vazquez; Town Liaison

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

II. Public Comment:
None

III. Approval of April 13, 2021 Minutes

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

Approval of Agenda for April 27, 2021

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

IV. Informational Items

Covid-19 Pop-Up Vaccination Clinic May 6, 2021 2:00PM-6:00PM @ Whitney Recreation Center

Pickleball Tournament May 8, 2021 8:00AM-2:00PM @ Sunset Park

V. Planning & Zoning

1. **AG-21-900157:** Receive a report on the Clark County Stadium District Plan. (For possible action) **PC 6/1/21**

MOVED BY-Wardlaw
APPROVE –
VOTE: 5-0 Unanimous

2. **UC-21-0107-M M OQUENDO, LLC:**
USE PERMIT for a cannabis establishment (production facility) within an existing building on a 1.1 acre site in an M-1 (Light Manufacturing) (AE-60 & AE-65) Zone in the Adult Use Overlay District. Generally located on the north side of Oquendo Road, 280 feet east of Valley View Boulevard within Paradise. MN/jvm/jd (For possible action) **BCC 4/21/21**

MOVED BY-Williams
APPROVE
VOTE: 5-0 Unanimous

3. **UC-21-0108-M M OQUENDO, LLC:**
USE PERMIT for a cannabis establishment (distributor) within an existing building on a 1.1 acre site in an M-1 (Light Manufacturing) (AE-60 & AE-65) Zone in the Adult Use Overlay District. Generally located on the north side of Oquendo Road, 280 feet east of Valley View Boulevard within Paradise. MN/jvm/jd (For possible action) **BCC 4/21/21**

MOVED BY-Williams
APPROVE
VOTE: 5-0 Unanimous

4. **UC-21-0023-PHOENIX REALTY HOLDINGS, LLC:**
HOLDOVER USE PERMITS for the following: 1) restaurants; 2) retail sales and services; and 3) offices.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking; 2) landscaping; and 3) alternative driveway geometrics.

DESIGN REVIEW for a commercial building consisting of 2 restaurants with drive-thru service on 1.2 acres in an H-1 (Limited Resort and Apartment) (AE-70) Zone. Generally located on the west side of Las Vegas Boulevard South, 820 feet north of Sunset Road within Paradise. MN/al/jd (For possible action) **PC 5/4/21**

Held for 30 days per applicant

5. **WS-21-0117-SG ISLAND PLAZA LLC ETAL & NAKASH SHOWCASE II LLC:**
WAIVER OF DEVELOPMENT STANDARDS to increase the allowed projection from a wall for a projecting sign.

DESIGN REVIEW for a projecting sign in conjunction with a retail store (T-Mobile) within the Showcase Mall on 0.7 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the east side of Las Vegas Boulevard South, 490 feet north of Tropicana Avenue within Paradise. JG/al/jo (For possible action) **BCC 5/5/21**

No show. Return to the Paradise May 11, 2021 TAB meeting

6. **DR-21-0144-AMERICA FIRST FEDERAL CREDIT UNION:**
DESIGN REVIEWS for the following: 1) signage; and 2) lighting for a proposed financial services building (America First Credit Union) in conjunction with an approved retail center on 3.8 acres in a C-1 (Local Business) Zone. Generally located on the northeast corner of Maryland Parkway and Silverado Ranch Boulevard within Paradise. MN/sd/ja (For possible action)
PC 5/18/21
- MOVED BY-Philipp**
APPROVE – Subject to staff conditions
VOTE: 5-0 Unanimous
7. **VS-21-0154-SERENE, LLC:**
VACATE AND ABANDON easement of interest to Clark County located between Bermuda Road and Pollock Drive, and between Serene Avenue and Silverado Ranch Boulevard within Paradise (description on file). MN/bb/jd (For possible action)
PC 5/18/21
- MOVED BY-Philipp**
APPROVE – Subject to staff conditions
VOTE: 5-0 Unanimous
8. **WS-21-0112-SERENE, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to increase building height.
DESIGN REVIEW for a new gym building in conjunction with a multiple family development on 27.9 acres in an R-4 (Multiple Family Residential - High Density) Zone. Generally located on the southeast corner of Bermuda Road and Serene Avenue within Paradise. MN/jvm/jo (For possible action)
PC 5/18/21
- MOVED BY-Philipp**
APPROVE – Subject to staff conditions
VOTE: 5-0 Unanimous
9. **TM-20-500187-SERENE, LLC:**
HOLDOVER TENTATIVE MAP consisting of 386 condominium units and common lots on 19.4 acres in an R-4 (Multiple Family Residential - High Density) Zone. Generally located on the southeast corner of Bermuda Road and Serene Avenue within Paradise. MN/jt/jd (For possible action)
PC 5/18/21
- MOVED BY-Philipp**
APPROVE – Subject to staff conditions
VOTE: 5-0 Unanimous
10. **TM-20-500188-SERENE, LLC:**
HOLDOVER TENTATIVE MAP consisting of 293 condominium units and common lots on 8.5 acres in an R-4 (Multiple Family Residential - High Density) Zone. Generally located on the southeast corner of Bermuda Road and Serene Avenue within Paradise. MN/jt/jd (For possible action)
PC 5/18/21
- MOVED BY-Philipp**
APPROVE – Subject to staff conditions
VOTE: 5-0 Unanimous

11. **UC-21-0139-NASSIRI LIVING TRUST & NASSIRI FRED TRS:**
USE PERMITS for the following: 1) place of worship; 2) daycare facility; and 3) school (pre-school).
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; and 2) landscaping.
DESIGN REVIEWS for the following: 1) place of worship with a daycare facility and pre-school; 2) alternative parking lot landscaping; and 3) finished grade on 3.6 acres in an R-E (Rural Estates Residential) Zone. Generally located on the east side of Spencer Street, 330 feet south of Eldorado Lane within Paradise. MN/al/jd (For possible action) **BCC 5/19/21**

MOVED BY-Philipp

APPROVE – Use Permit #1-Subject to staff conditions

APPROVE- Waivers-Subject to staff conditions

APPROVE- Design Review- Subject to staff conditions

DENY- Use Permit #2 and #3

ADDED Conditions

- 1 year review as public hearing from date of occupancy issue
- Monitored and controlled parking services
- No street parking

VOTE: 4-0 Unanimous

Cunningham abstained from comment and vote

- VI. General Business
- VII. Public Comment
None
- VIII. Next Meeting Date
The next regular meeting will be May 11, 2021
- IX. Adjournment
The meeting was adjourned at 10:20 p.m.

SIGNAGE
(TITLE 30)

LAS VEGAS BLVD S/TROPICANA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0117-SG ISLAND PLAZA LLC ETAL & NAKASH SHOWCASE II LLC:

WAIVER OF DEVELOPMENT STANDARDS to increase the allowed projection from a wall for a projecting sign.

DESIGN REVIEW for a projecting sign in conjunction with a retail store (T-Mobile) within the Showcase Mall on 0.7 acres in an H-1 (Limited Resort and Apartment) (AF-60) Zone.

Generally located on the east side of Las Vegas Boulevard South, 490 feet north of Tropicana Avenue within Paradise. JG/al/jo (For possible action)

RELATED INFORMATION:

APN:

162-21-401-007

WAIVER OF DEVELOPMENT STANDARDS:

Allow a projecting sign to extend 4 feet from a building where a maximum of 3 feet is permitted per Table 30.72-1 (a 33.3% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 3791 Las Vegas Boulevard South
- Site Acreage: 0.7
- Project Type: Projecting sign for the T-Mobile store within the Showcase Mall
- Sign Area (square feet): 12.5

Site Plans

The plans show an existing shopping center (Showcase Mall) located along the east side of Las Vegas Boulevard South, approximately 490 feet north of Tropicana Avenue. This is a request for a projecting sign for one of the tenants within the shopping center, the T-Mobile store. The proposed sign is located on the south side of the store front for the lease space, which faces Las Vegas Boulevard South, and is approximately 50 feet north of the southern property line for the parcel. The southern property line for the parcel is adjacent to a landscape area located on the

north side of the southernmost driveway for the MGM Grand Resort Hotel on Las Vegas Boulevard South.

Signage

The plans depict an approximately 12.5 square foot projecting sign for the T-Mobile store, which is the only projecting sign proposed for the store. The sign is a custom cabinet that is internally illuminated, and the sign faces display the T-Mobile logo. The sign projects approximately 4 feet from the building and is located approximately 12.5 feet above the sidewalk. Per Table 30.72-1 each tenant of the shopping center is allowed to have 1 projecting sign with a maximum area of 32 square feet to be located a minimum of 9 feet above a sidewalk. However, the sign is allowed a maximum projection of 3 feet, which requires the waiver of development standards to increase the projection.

Applicant's Justification

The applicant indicates the proposed sign is needed to help identify the store location for pedestrians and vehicle traffic.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-21-0019	Modification to an approved comprehensive sign package to increase wall sign area	Approved by BCC	March 2021
WS-18-0245	Amended sign plan for the Showcase Mall	Approved by BCC	May 2018
WS-18-0165	Reduced parking and design review for modifications to a parking lot in conjunction with an approved expansion of the Showcase Mall	Approved by BCC	April 2018
WS-18-0084	Amended sign plan for the Showcase Mall	Approved by BCC	March 2018
DR-0819-17	Remodeled and modified entrance of a retail space for the Designer Shoe Warehouse in the Showcase Mall	Approved by BCC	November 2017
UC-0657-17	Expansion of the Showcase Mall	Approved by BCC	September 2017
WS-0456-17	Amended sign plan for the Showcase Mall	Approved by BCC	July 2017
WS-0153-17	Waivers and a design review for a portion of the Showcase mall for a building addition and to modify the existing plaza, sidewalks, and landscape areas along Las Vegas Boulevard South	Approved by BCC	April 2017
WS-0579-16	Amended sign plan for the Showcase Mall with façade change to a portion of the site	Approved by BCC	October 2016

There have been several other land use applications for this site. The applications listed above are the most recent.

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Portions of the Showcase Mall
South & East	Commercial Tourist	H-1	MGM Grand Resort Hotel
West	Commercial Tourist	H-1	New York New York and Park Resort Hotels

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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.

Code allows alternative sign standards to be approved within the Resort Corridor if the signs result in the development having a visual character which is compatible with adjacent development. The proposed projecting sign is compatible with other signs in the area and is in harmony with the unique nature of signage along Las Vegas Boulevard South and within the Resort Corridor; therefore, staff can support this request.

Design Review

Staff finds that the proposed sign is compatible with the existing developments along Las Vegas Boulevard South and complies with Urban Specific Policy 20 of the Comprehensive Master Plan which states that all signage should be compatible with building styles on-site and also with surrounding developments. Las Vegas Boulevard South is also designated and recognized as a National Scenic Byway; therefore, the signs further promote this designation and are appropriate and compatible with the surrounding uses and area. 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

- 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)

- No comment.

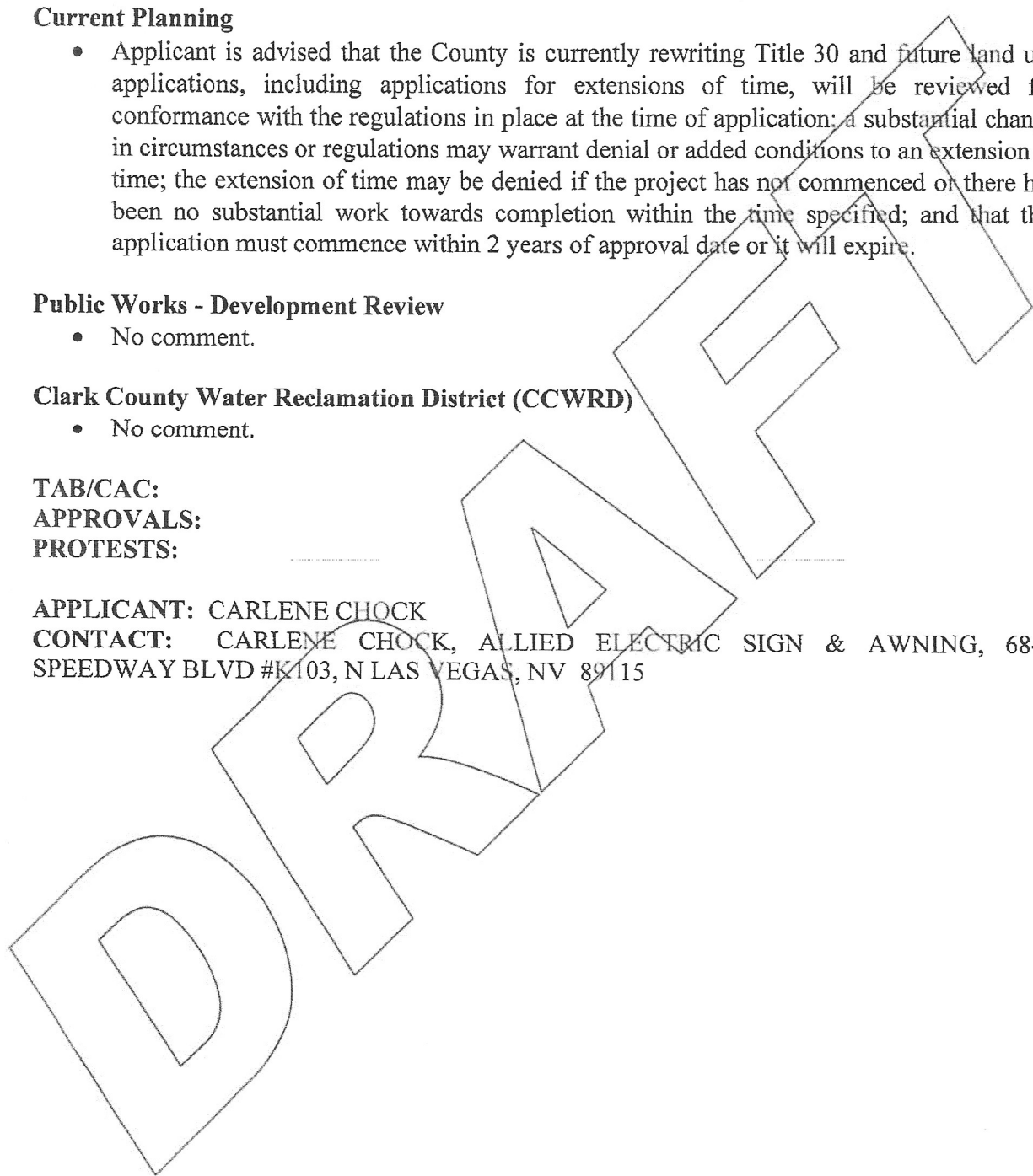
TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CARLENE CHOCK

CONTACT: CARLENE CHOCK, ALLIED ELECTRIC SIGN & AWNING, 6845
SPEEDWAY BLVD #K103, N LAS VEGAS, NV 89115



06/01/21 PC AGENDA SHEET

PLACE OF WORSHIP
(TITLE 30)

VIKING RD/PEARL ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-21-400057 (UC-0888-15)-ROACHO JORGE H & ROSA:

USE PERMIT THIRD EXTENSION OF TIME to commence a place of worship.

DESIGN REVIEW for the conversion of a single family residence to a place of worship and all ancillary site improvements on 1.0 acre in an R-1 (Single Family Residential) Zone.

Generally located on the south side of Viking Road, 200 feet west of Pearl Street within Paradise (description on file). TS/lm/jo (For possible action)

RELATED INFORMATION:

APN:

161-18-401-005

LAND USE PLAN:

WINCHESTER/PARADISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 3553 E. Viking Road
- Site Acreage: 1
- Project Type: Place of worship
- Number of Stories: 2
- Building Height (feet): 35
- Square Feet: 5,416
- Parking Required/Provided: 55/57

Site Plans

The original plans depict an existing 5,416 square foot single family residence to be converted into a place of worship with corresponding site improvements such as parking, landscaping and buffering, and off-site improvements. All parking areas are located to the south of the building. The site has 1 driveway access to Viking Road.

Landscaping

The original plans depict a 30 foot wide street with landscape area along Viking Road directly adjacent to a future attached sidewalk. A landscape buffer consistent with Figure 30.64-11

(buffer adjacent to a less intense use) is proposed along the east, south, and west property lines. Parking lot landscaping is equitably distributed throughout the parking lot area.

Elevations

Per the original plans, no changes are proposed to the existing elevations which consist of stucco siding, decorative columns, fenestration around the doors and windows, and concrete slate roof. The existing roof which is an 8:12 slope will also remain unchanged.

Floor Plans

The approved first floor is 3,912 square feet and consists of an office, altar, congregation area, restrooms, foyer and library, dressing rooms, and baptismal fountain. The existing 3 car garage will remain. The second floor is 1,504 square feet and consists of classrooms, nursery, and restrooms.

Signage

Signage was not a part of the original application and is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for ET-19-400014 (UC-0888-15):

Current Planning

- Until February 16, 2021 to commence the use and review;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time or an application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for UC-0888-15 (ET-0044-17):

Current Planning

- Until February 16, 2019 to commence and review.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Building/Fire Prevention

- Applicant is advised to contact the Clark County Building Department for possible change of occupancy classification.

Listed below are the approved conditions for UC-0888-15:

Current Planning

- 1 year to commence and review;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application to review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works – Development Review

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

Building/Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; show on-site fire lane, turning radius and turnarounds; show fire hydrant locations both on-site and within 750 feet; and to contact Building Department regarding a change of occupancy for this location.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that existing sewer is located within 400 feet of the parcel; and that at the time of development CCWRD requires submittal of civil improvement plans and estimated wastewater flow rates to determine sewer point of connection.

Applicant’s Justification

The applicant indicates that the Drainage Study (PW20-12417) has been approved, and the Civil Improvements have been submitted for review (PW19-18913), with the Geotechnical report having been prepared. Additionally, the applicant indicates that the delays have been due to financial hardships and the pandemic restrictions.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-19-400014 (UC-0888-15)	Second extension of time for a place of worship with a design review to convert a single family residence to a place of worship	Approved by PC	March 2019
UC-0888-15 (ET-0044-17)	First extension of time for a place of worship with a design review to convert a single family residence to a place of worship	Approved by PC	June 2017
UC-0888-15	Place of worship with a design review for the conversion of a single family residence to a place of worship	Approved by PC	February 2016

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac)	R-2	Single family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East & South	Residential Suburban (up to 8 du/ac)	R-1	Single family residential
West	Residential Suburban (up to 8 du/ac)	R-3	Multiple family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Since the last approval, the applicant has continued to pursue the technical studies and to complete the on-site and off-site improvements. The Building Code review year has been updated, but the building permits will need to be updated to reflect the current Building Code standards. Staff can support an extension of time to allow the applicant time to submit all required technical studies and to comply with all conditions; however, the applicant is advised this is the last extension of time staff may support.

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

- Until February 16, 2023 to commence;
- Until August 16, 2023 to review;
- 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 application for review; and that the extension of time may be denied if the

project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: MARIE LOPEZ

CONTACT: PETYA BALOVA, BALOVA ENGINEERING, 7495 W. AZURE LANE, LAS VEGAS, NV 89130

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (Nzc) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) <u>UC-0888-15</u> (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>ET-21-400057</u> <u>(UC-0888-15)</u> DATE FILED: <u>4/14/2021</u> PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>5/11/21</u> PC MEETING DATE: <u>6/1/2021</u> BCC MEETING DATE: _____ FEE: <u>\$600</u>
	PROPERTY OWNER NAME: <u>Jorge H & Rosa Roacho</u> ADDRESS: <u>4537 Doig Lane</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89110-5470</u> TELEPHONE: <u>(702) 986-2810</u> CELL: _____ E-MAIL: <u>marielop1@yahoo.com</u>
	APPLICANT NAME: <u>Marie Lopez</u> ADDRESS: <u>3553 East Viking Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: <u>(702) 738-8917</u> CELL: <u>(702) 738-8917</u> E-MAIL: <u>marielop1@yahoo.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Balova Engineering</u> ADDRESS: <u>7495 West Azure Dr, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89130</u> TELEPHONE: <u>702-682-1706</u> CELL: <u>702-682-1706</u> E-MAIL: <u>petya@balovaengineering</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 161-18-401-005

PROPERTY ADDRESS and/or CROSS STREETS: 3553 East Viking Road, Las Vegas, NV 89121

PROJECT DESCRIPTION: Covert single family residence to a place of worship

(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.

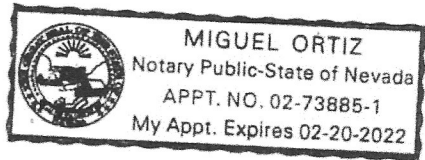
Jorge Roacho
 Property Owner (Signature)*

 Jorge Roacho
 Property Owner (Print)

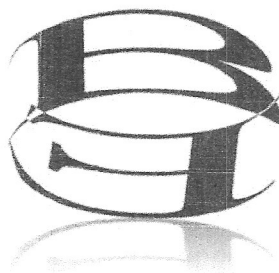
STATE OF NEVADA
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON MARCH 21, 2021 (DATE)
 By JORGE H ROACHO

NOTARY PUBLIC: _____



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



April 13, 2021

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

Re: UC-0888-15 (ET 19-400014) EXTENSION OF TIME
APN 161-18-401-005

The purpose of this letter is to request an Extension of Time on behalf of the property owner Jorge H & Rosa Roacho, of a Use Permit UC-0888-15 for a place of worship and a Design Review for the conversion of a single family residence to a place of worship, located at 3553 East Viking Road, Las Vegas, NV 89121, Assessor's Parcel Number 161-18-401-005.

Currently, the parcel consists of an existing 5,416-square foot, two-story building on a graded lot. The proposed improvements consist of full off-site improvements on Viking Road, sewer line extension, commercial type driveway, parking lot, landscaping.

Use Permit and a design review UC-0888-15 was approved in 2016, and the previous extension of time ET 19-400014 was approved on March 19, 2019, however it expired on February 16, 2021. We received a permission to apply for an extension of time after the expiration date, correspondence is attached.

To date, due diligence is ongoing to meet the UC-0888-15 conditions including:

- Drainage Study PW20-12417 has been approved
- Civil Improvement Plans PW19-189313 have been submitted for review
- Geotechnical Report prepared
- BD18-57056 grading permit application
- BD18-01740 building permit application for conversion

Delays are mostly attributed to the current pandemic restrictions and financial challenges.

SMALL LIVESTOCK
(TITLE 30)

LAS ALTURAS AVE/VIA MAZARRON ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0125-BINGHAM ROBERT:

USE PERMIT to allow agriculture-livestock, small (chickens) in conjunction with a single family residence on 0.3 acres in an R-1 (Single Family Residential) Zone.

Generally located on the south side of Las Alturas Avenue and the east side of Via Mazarron Street within Paradise. MN/bb/jo (For possible action)

RELATED INFORMATION:

APN:

177-10-311-075

USE PERMIT:

Allow agriculture-livestock, small (8 chickens) on a residential property in an R-1 zone where permitted only in Community District 5 as required per Table 30.44-1.

LAND USE PLAN:

WINCHESTER/PARADISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 521 Las Alturas Avenue
- Site Acreage: 0.3
- Project Type: Agriculture-livestock, small (chickens)
- Building Height (feet): 6.5 (chicken coop)
- Square Feet: 97

Site Plan

The site plan depicts an existing single family residence on the south side of Las Alturas Avenue, 300 feet east of Via Mazarron Street. The home is located at the end of a cul-de-sac street with the front facing Las Alturas Avenue and the yard extending to the end of the cul-de-sac. The applicant is proposing to keep a single 97 square foot chicken coop in the northeast corner of the yard. The site plan shows the chicken coop in a location that is at least 100 feet from the nearest neighboring house.

Landscaping

There is existing landscaping in the front, side, and rear yards of the residence, and additional landscaping is neither required nor a part of this request. A 6 foot wall is located on the property line between the chicken coop and Villa Montera Street.

Elevations

Per the submitted drawings, the covered chicken coop is constructed of wood and wire with a sloped flat roof.

Floor Plans

Per the plans, the covered chicken coop has 5 sides of 7.5 feet by 6.5 feet high, and 15 feet in diameter for a total of 97 square feet.

Applicant's Justification

The applicant has a 12 year old son that has raised 8 female chickens since they were hatchlings for a school project. The school project began before Covid 19 in March 2020. The applicant agreed to house the chickens since their lot is over 13,000 square feet in area. The chickens were intended to be given away, until the other family abruptly moved out of Nevada. The chickens helped the son get through the pandemic and deal with the Covid 19 restrictions. The chickens will not be used for meat and the eggs will only be consumed by the family. The coop is cleaned on a regular monthly basis and waste material disposed of or used as mulch/compost. The materials used in the coop are all natural, dirt, straw, and wood chips. There are 2 feeding and watering troughs. The family has a letter of support from a medical professional in support of up to 8 chickens as emotional support animals in the treatment of an identified disability.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0534-09	Brick pavers in conjunction with single family subdivision	Approved by PC	October 2009
TM-500287-04	Tentative map	Approved by PC	June 2004
WS-0433-04	Increased wall height with retaining wall for the subdivision	Approved by PC	April 2004
NZC-0006-04	Reclassified from R-E to R-1 zoning for a portion of the subdivision	Approved by BCC	May 2004
WS-1801-03	Street Off-sets	Approved by PC	February 2004
TM-500496-03	Tentative Map	Approved by PC	March 2004
VS-1653-03	Vacation of easements	Approved by PC	November 2003
ZC-0793-03	Reclassified from R-E to R-1 zoning for a single family development	Approved by BCC	July 2003

Surrounding Land Use

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

Clark County Public Response Office (CCPRO)

There is an active case CE20-16726 for housing farm animals.

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 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. Caring for small agricultural livestock (up to 10 chickens) is a conditional use meant for areas in Community District 5 and on lots with a minimum lot size of 10,000 square feet. The subject property is 13,068 square feet in area and located at the end of a cul-de-sac road, but located in an urban area outside Community District 5. The nearest homes are over 90 feet away to the east, and 100 feet to the northwest and south of the chicken coop. Agricultural animals are not generally supported in residential urban areas where the animals may result in substantial or undue adverse effects on adjacent properties, character of the neighborhood, or other matters affecting the public health, safety, and general welfare. The proposed keeping of small animals is not in harmony with the requirement of the Code to be located in Community District 5; therefore, staff does not support this request.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- 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)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ROBERT BINGHAM

CONTACT: ROBERT BINGHAM, 521 LAS ALTURAS AVE, LAS VEGAS, NV 89123

DRAFT



LAND USE APPLICATION

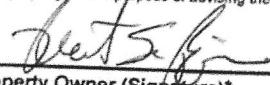
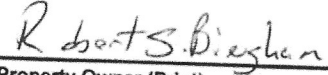
DEPARTMENT OF COMPREHENSIVE PLANNING

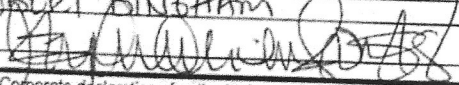
APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

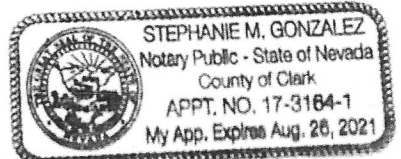
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	PROPERTY OWNER NAME: <u>Robert S Bingham</u> ADDRESS: <u>521 Las Alturas Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: <u>702-837-1203</u> CELL: <u>702-217-416</u> E-MAIL: <u>melissajbingham@icloud.com</u>
	APPLICANT NAME: <u>Robert S Bingham</u> ADDRESS: <u>521 Las Alturas Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: <u>702-837-1203</u> CELL: <u>702-217-4216</u> E-MAIL: <u>melissajbingham@icloud.co</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>same</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 177-10-311-075
 PROPERTY ADDRESS and/or CROSS STREETS: 521 Las Alturas Ave, Las Vegas, NV 89123
 PROJECT DESCRIPTION: Special Use Permit for Emotional Support Chickens

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


 Property Owner (Signature)*

 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON Dec 21 2020 (DATE)
 By ROBERT BINGHAM
 NOTARY PUBLIC: 



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

APR-21-100184

3

Robert Bingham

521 Las Alturas Ave
Las Vegas, NV 89123
(702) 837-1203

UC-21-0125

PLANNER
COPY

December 21, 2020

Comprehensive Planning
Clark County Nevada

To Whom it May Concern;

I am writing this as further information to accompany our application for a special use permit. Officer Tansey kindly informed us of the violation 30.44.0101 (b)(7)(A).

0.30

13,068¢

We are currently seeking permission for a special use permit as our twelve (12) year old son has raised eight (8) female chickens since they were hatchlings. This initially began as a school project before the lockdown happened in March 2020; since our lot size is 0.27 of an acre, we volunteered for this fun school experiment. The original intent was to then give the young chicks away, this took a turn when COVID-19 restrictions deemed otherwise. The family that was trusted to take the chicks abruptly moved from Nevada, the school he attended (American Heritage Academy) was shuttered and his class did their best to meet virtually.

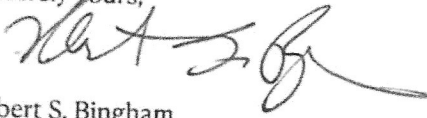
When two weeks turned into three months, then more, William (our son) had trained and formed a strong emotional bond with his pets. They became his playmates and best friends, allowing him to not go through lockdown alone. They provided a positive outlet for him to focus on, preventing him from loneliness, depression, and isolation. Neither he nor us, view them as farm animals, nor livestock. These hens will not be used for meat and their eggs are purely for our family's consumption, with no intent to sell them.

He has trained each one, and they answer to their own individual name and call, some he has even trained to be on a leash and lead. They look for him through the day as they recognize him as their caretaker and friend. They give hugs and they undeniably fill a part of who our son is now. All of our immediate neighbors are aware of and approve the ownership of the chickens, and are open to providing a letter to the County on this matter. The neighborhood children even come over to play with them.

It is with this information that we are pursuing them to be recognized as Emotional Support Animals and to kindly ask that you grant the special use permit in this circumstance. Please find attached the letter from William's ADHD psychiatrist, Dr. Robert Lynne Horne as his medical and professional opinion.

We are fully prepared for the upkeep of the proposed coop that will be 7.5' x 15' x 6.5' in size, residing in the northern garden section of our yard. The coop floor is of natural earthen floor and the coop will be cleaned out on a regular monthly basis. The material cleaned out will be returned through way of a mulch/compost. All materials used within the coop are all natural, dirt, straw, wood chips. There are two feeding and watering troughs.

Sincerely yours,



Robert S. Bingham

PLANNER
COPY

3



06/01/21 PC AGENDA SHEET

GROCERY STORE/RETAIL AND OFFICE
(TITLE 30)

ARVILLE ST/TROPICANA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0165-4300 TROP, LLC:

USE PERMITS for the following: **1)** offices as a principal use; **2)** retail as a principal use; **3)** grocery store; **4)** restaurant; **5)** alcohol sales (beer and wine - packaged only); and **6)** alcohol sales (liquor - packaged only).

WAIVER OF DEVELOPMENT STANDARDS for reduced street landscaping.

DESIGN REVIEWS for the following: **1)** site modifications; **2)** exterior modifications to an existing building; and **3)** alternative parking lot landscaping in conjunction within an existing office/warehouse and industrial development on a portion of 14.8 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the east side of Arville Street and the north side of Tropicana Avenue within Paradise. MN/md/jd (For possible action)

RELATED INFORMATION:

APN:

162-19-801-012 ptn

WAIVER OF DEVELOPMENT STANDARDS:

Reduce street landscaping to 6 feet where 15 feet of landscaping is required behind an existing attached sidewalk per Section 30.64.030 (a 60% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 4300 W. Tropicana Ave.
- Site Acreage: 14.8 (portion)
- Project Type: Offices and retail as a principal use/grocery store/restaurant/alcohol sales (beer, wine, and liquor - packaged only)
- Number of Stories: 1
- Building Height (feet): 18

- Square Feet: 23,941 (Building A – retail, office, grocery store, restaurant, and alcohol sales)/30,427 (Building B – office)/57,742 (Building C – industrial)/8,160 (Building D – industrial)/4,894 (Building E – industrial)
- Parking Required/Provided: 328/854

Site Plans and Request

The plans depict an existing office/warehouse and industrial development consisting of 5 structures, Building A through Building E, that were previously occupied by Southwest Gas. The applicant is requesting to repurpose Building A and Building B, which will consist of the following proposed uses: 1) offices as a principal use; 2) retail as a principal use; 3) grocery store; 4) restaurant; 5) alcohol sales (beer and wine – packaged only); and 6) alcohol sales (liquor – packaged only). Several modifications are proposed to the site, including the addition of a parking lot at the southwest corner of the site, located between Tropicana Avenue and Buildings A and B. A drive-thru lane and window will be added along the west side of Building A, adjacent to Arville Street. No commercial or office uses are proposed for Building C through Building E with this application. Below is a table reflecting the existing building setbacks from the north, south, east, and west property lines of the project site:

Building setback from property lines (in feet)				
Building:	Property Line			
	North	East	South	West
Building A	412	688	78	20
Building B	372	478	58	243
Building C	363	173	59	474
Building D	353	90	59	780
Building E	325	20	59	820

The addition of 2 commercial driveways are proposed along Tropicana Avenue, with the first commercial driveway located at the southwest corner of the site, servicing the proposed parking lot consisting of 29 parking spaces. A drive-thru lane is located on the west side of Building A and is accessed from an existing commercial driveway adjacent to Arville Street. The drive-thru lane will serve a fast food restaurant in conjunction with the grocery store. The lane measures 12 feet in width with a queuing capacity for 8 vehicles. Vehicles exit the drive-thru lane located at the southwest corner of Building A into the parking lot, adjacent to Tropicana Avenue. The second commercial driveway, located along Tropicana Avenue and immediately south of Building C, will serve 9 proposed parallel spaces adjacent to the street landscape area. The 9 parking spaces will be screened from the right-of-way by an existing 6 foot high CMU block wall. The proposed commercial uses and existing industrial buildings require at total of 328 parking spaces, where 854 spaces are provided for the entire site. A secured parking lot consisting of 450 parking spaces, which is not required for the proposed uses, is located immediately north of Building B.

Landscaping

The plans depict an existing landscape area ranging between 15 feet to 32 feet in width, behind an existing 5 foot wide attached sidewalk, adjacent to Tropicana Avenue. Twenty-four inch box trees will be planted 20 feet on center, in addition to shrubs and groundcover, within the street

landscape area. The landscape area along Arville Street ranges between 6 feet to 35 feet in width, behind an existing 5 foot wide attached sidewalk. A waiver of development standards is requested to reduce a portion of the landscape area to 6 feet, where a minimum width of 15 feet is required. Thirteen 24 inch box trees planted 20 feet on center, in addition to shrubs and groundcover, will be planted within the landscape area. In lieu of providing the required amount of landscape finger islands within the 2 rows of parking spaces along Tropicana Avenue, the required trees have been distributed throughout and along the perimeter of the project site. The development requires 48 trees within the interior parking lot and street landscape areas. The plans depict a total of 50 trees distributed throughout the interior and perimeter of the project site.

Elevations

The photographs depict existing buildings with a maximum height of 18 feet. The existing exterior finishes include metal panel siding, painted steel bracing, and brown and beige exterior walls. No changes are proposed to the exterior of the buildings, with the exception of a drive-thru window addition proposed on the west side of Building A, adjacent to Arville Street.

Floor Plans

Below is a table reflecting the existing floor area for each existing and proposed use within the project site:

Floor area for proposed and existing uses		
Building:	Uses	Area (Square Feet)
Building A	Grocery store	6,109
	Grocery store ancillary uses	1,518
	Restaurant with drive-thru	2,844
	Offices	13,470
Building B	Offices	30,427
Building C	Industrial (light manufacturing)	57,742
Building D	Industrial (light manufacturing)	8,160
Building E	Industrial (light manufacturing)	4,894

The floor plans for the grocery store, located within building A, depict a walk-in cooler, restroom facilities, kitchen, gaming area, retail area, freezer and refrigerator storage, storage, and office areas. The restaurant with drive-thru, also located within building A, consists of an open floor plan that will be finalized once a tenant is secured for the lease area. The remaining portion of building A consists of office suites featuring individual offices, an open office floor plan, restroom facilities, breakroom, storage, and utility rooms. The floor plans for building B consist of an open floor plan that will be finalized once tenants are secured for the lease area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the subject property and buildings are currently vacant with no active building tenants or single end user. The applicant indicates the existing office/warehouse

buildings on site are conducive to office and retail development. Furthermore, Tropicana Avenue serves as a commercial corridor within the immediate area providing easy access for customers. The applicant is proposing to add 24 inch box trees along Arville Street to provide mitigation for the reduced landscape area along the public right-of-way. The added trees along Arville Street will help screen any stacked vehicles in the automobile queue lane for the proposed drive-thru, as well as enhance the street landscape area as compared to what currently exists. A design review for alternative parking lot landscaping is requested in lieu of providing the required number of landscape finger islands along Tropicana Avenue. Five, 15 gallon medium trees will be planted along Tropicana Avenue, in addition to the 24 inch box trees that will also be planted. The added trees along Arville Street and Tropicana Avenue will help to visually enhance the existing site conditions.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0663	Cannabis establishment - cultivation facility	Withdrawn at BCC	October 2019
UC-19-0662	Cannabis establishment - production facility	Withdrawn at BCC	October 2019
UC-18-0160	Requested to allow a cannabis establishment (production) - withdrawn without prejudice	Withdrawn at BCC	April 2018
UC-18-0159	Requested to allow a cannabis establishment (cultivation) - withdrawn without prejudice	Withdrawn at BCC	April 2018
ZC-0725-08	Reclassified 14.8 acres from M-1 to H-1 zoning and expansion of the GED for a resort hotel, resort condominiums with deviations - expired	Approved by BCC	November 2008
VC-587-87	Allowed a 52 foot wide driveway setback 4 feet from the side property line	Approved by BCC	January 1988
VC-266-86	Constructed and maintained a bulk storage facility for compressed natural gas	Approved by BCC	July 1986
AC-008-86	Architectural supervision to construct and maintain a freestanding sign with electronic message panel	Approved by PC	February 1986
AC-096-85	Architectural supervision for a utility office/warehouse complex with outside storage area	Approved by PC	July 1985
VS-083-85	Reduced setbacks from an office/warehouse complex	Approved by PC	April 1985
ZC-117-84	Reclassified 16.35 acres from R-E to M-1 zoning for an industrial complex	Approved by BCC	July 1984

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Industrial	M-1	Office warehouse complexes
South	Commercial Tourist	M-1 & P-F	Retail, Budget Suites Hotel, Fire training facility, & office warehouse
East	Commercial Tourist	M-1	Office building & office warehouse
West	Commercial Tourist	H-1	Orleans Hotel & Casino

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

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.

Urban Specific Policy 7 from the Comprehensive Master Plan encourages land uses that are complementary and are of similar scale and intensity. The proposed uses associated with the project site are consistent and compatible with the surrounding properties, land uses, and the area's planned land use of Commercial Tourist. Staff finds the requests are an appropriate mix of uses that should reinvigorate an otherwise dormant, underutilized complex of industrial buildings. Furthermore, the project site is located on the corner of a collector street (Arville Street) and an arterial street (Tropicana Avenue) that serve existing commercial, industrial, and lodging establishments; therefore, staff recommends approval of the use permits.

Waiver of Development Standards

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

The landscape plan depicts the addition of thirteen, 24 inch box trees planted 20 feet on center along Arville Street. Staff typically does not support waivers to reduce street landscape areas along collector and arterial streets. However, the additional trees along Arville Street should provide appropriate mitigation for the reduction to the street landscape area; therefore, staff recommends approval of this request.

Design Reviews #1 and #2

The layout of the proposed drive-thru lane and parking lot is functional, and the overall improvements to the site are consistent and compatible with the commercial and industrial developments in the area; therefore, staff recommends approval.

Design Review #3

Staff finds the proposed alternative parking lot landscaping, including the distribution of the trees and landscape finger islands, is appropriate for the project site and complies with Commercial Tourist Policy 91 that encourages screened parking areas and extensive landscaping. The proposed parking spaces along Tropicana Avenue require 3 trees, where 5 additional medium trees will be planted in conjunction with 28 small trees (33 trees overall) along Tropicana Avenue. Staff finds the alternative landscape design will improve the aesthetics of the project site, streetscape, and the surrounding area; therefore, 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 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; 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

- Traffic study and compliance;
- Right-of-way dedication to include a 54 foot property line radius at the southwest corner of the site, 40 foot property line radius at the southeast corner of the site, and 10 foot wide roadway easement for Tropicana Avenue;
- Coordinate with Public Works - Design Division for the Tropicana Avenue improvement project;
- Dedicate any right-of-way and easements necessary for the Tropicana Avenue improvement project;
- Coordinate with Public Works - Traffic Management Division for the Traffic Signal Modification project.
- Applicant is advised the off-site improvement permits may be required.

Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

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

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: 4300 TROP LLC

CONTACT: TODD VEDELAGO, VEDELAGO PETSCH ARCHITECTS, 3535 EXECUTIVE
TERMINAL DRIVE STE. 310, HENDERSON, NV 89052

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE

- TEXT AMENDMENT (TA)
- ZONE CHANGE
 - CONFORMING (ZC)
 - NONCONFORMING (NZC)
- USE PERMIT (UC)
- VARIANCE (VC)
- WAIVER OF DEVELOPMENT STANDARDS (WS)
- DESIGN REVIEW (DR)
 - PUBLIC HEARING
- ADMINISTRATIVE DESIGN REVIEW (ADR)
- STREET NAME / NUMBERING CHANGE (SC)
- WAIVER OF CONDITIONS (WC)
 - _____
(ORIGINAL APPLICATION #)
- ANNEXATION REQUEST (ANX)
- EXTENSION OF TIME (ET)
 - _____
(ORIGINAL APPLICATION #)
- APPLICATION REVIEW (AR)
 - _____
(ORIGINAL APPLICATION #)

STAFF

APP. NUMBER: VC-21-0165 DATE FILED: 8/3/21
 PLANNER ASSIGNED: MNO
 TAB/CAC: PARADISE TAB/CAC DATE: 5/11/21 7:00PM
 PC MEETING DATE: 6/11/21
 BCC MEETING DATE: -
 FEE: \$2,350.⁰⁰

PROPERTY OWNER

NAME: 4300 Trop LLC
 ADDRESS: 6100 Neil Rd. Ste. 500
 CITY: Reno STATE: NV ZIP: 89511
 TELEPHONE: _____ CELL: 435-229-7091
 E-MAIL: shermanhabibian@yahoo.com

APPLICANT

NAME: 4300 Trop LLC
 ADDRESS: 6100 Neil Rd. Ste. 500
 CITY: Reno STATE: NV ZIP: 89511
 TELEPHONE: _____ CELL: 435-229-7091
 E-MAIL: shermanhabibian@yahoo.com REF CONTACT ID #: _____

CORRESPONDENT

NAME: Todd Vedelago, AIA Vedelago Petsch Architects, Inc.
 ADDRESS: 3535 Executive Terminal Dr. #310
 CITY: Henderson STATE: NV ZIP: 89052
 TELEPHONE: 702-951-0300 CELL: _____
 E-MAIL: tvedelago@vpa-lv.com REF CONTACT ID #: 128033

ASSESSOR'S PARCEL NUMBER(S): 162-19-801-012

PROPERTY ADDRESS and/or CROSS STREETS: 4300 W. Tropicana Ave. Las Vegas, NV 89103

PROJECT DESCRIPTION: Request Retail and Office Use in an M-1 Zone

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

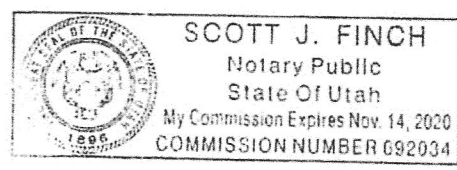
[Signature]
 Property Owner (Signature)*

SHERMAN HABIBIAN
 Property Owner (Print)

STATE OF Utah
 COUNTY OF Washington

SUBSCRIBED AND SWORN BEFORE ME ON July 14, 2020 (DATE)
 By Sherman Habibian

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.

February 17, 2020

Justification Letter

APN: 162-19-801-012
Address: 4300 W. Tropicana Ave. Las Vegas, NV 89103
Current Zone Use: M-1
Planned Land Use: CT-Commercial Tourist

Zoning Code: Title 30 - Clark County, Nevada

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- Review Categories:
- A: Special Use Permits for Office and Retail "Uses" as Principal "Uses" in an M-1 Zoning District.
 - B: Waiver of Development Standards to reduce landscape area, adjacent to drive thru lane along Arville St. from 15' to 6'-8".
 - C: A Design Review for Alternative Parking Lot Landscaping. Per Figure 30.64-14 must be requested to eliminate the required landscape finger island(s). The Design Review may be requested if the total number of trees provided within the interior of the project site and landscape area along Tropicana Ave (SW portion of site only), exceed the total number of trees required.
 - D: A Design Review must also be requested for the addition of the drive-thru lane, drive-thru window, and additional parking area located at the southwest portion of the site.

Proposed improvements concerning this application pertain to the following scope of work listed below:

A: Special Use Permits for Office and Retail "Uses" as Principal "Uses" in an M-1 Zoning District

Location:

Current property is zoned M-1 – Light Manufacturing. Proposed "Uses" for existing structure(s) listed as Building "A" & Building "B" on submitted drawing exhibits will be Retail and Office "Use" categories (Commercial Uses). The Planned Land Use for this property is CT (Commercial Tourist).

The property currently is vacant with no active building tenants or single end user. As such, the property owner wishes to utilize subject property by repurposing the "Use" given the surroundings immediately adjacent to the property. Southwest Gas Company formally operated on subject property as a single end user. They placed office personnel and field service operations at this property. The existing building is conducive to an "Office" component since it was originally designed to house 50% "Office" personnel. Given that, the current property owner wishes to utilize the "Office" areas of the building for lease to the open market for "Office" end users and thus is requesting the Special Use Permit for the "Office" component.

The "Retail" Use component is being requested due to adjacent commercial and hospitality end users within immediate adjacency of this property. Both Tropicana Ave. and Arville St. are commercial corridor vehicular/pedestrian ways that pass by this property. A hospitality property is located directly to the west that provides Food/Beverage/Entertainment to the general public. To the south are retail commercial end user properties that sale goods & services to the general public. To the east are medical and light industrial end users. To the north are light commercial end users. Tropicana Ave. within this immediate area is primarily a Commercial corridor with businesses fronting the Avenue for immediate customer access. Arville Street is the secondary Commercial corridor abutting this property.

There is sufficient residential housing within a mile radius of this property and ample vehicular traffic to support a Retail small neighborhood grocery store business, hence, the property owner is requesting the Retail "Use" which is not indifferent to many properties that front Tropicana Ave. in this immediate area from Dean Martin Drive to the east and Decatur Blvd. to the west. Furthermore, the Owner is requesting (2) two curb cuts along Tropicana Ave. as shown on submitted Site Plan exhibits. The curb cut just east of the Arville/Tropicana intersection is to facilitate access and parking stalls (28) for customers traveling westbound on Tropicana Ave. that wish to frequent/visit the Grocery-Store end user. In addition, the proposed drive thru for the Grocery-Store tenant will house a fast food component that will utilize the drive thru located on the west side of building A. End users / patrons for the drive thru component enter subject property from Arville Road and access the one way drive thru lane along the west side of building A. The drive thru lane stacks (8) eight vehicles which is compliant w/ Title 30 requirements. The egress/exit for this drive thru will be at the new curb cut in Tropicana Ave through the new parking lot as shown on site plan exhibits. The location of the new curb cut just west of the Tropicana / Arville intersection is compliant with Figure 222.1 from the adopted RTC design guidelines. The owner also is proposing a 2nd curb cut along Tropicana Ave. just west of the Wynn Rd. intersection. The location of this curb cut is also compliant w/ Figure 222.1 from the adopted RTC design guidelines. There are only (9) proposed car parks for this curb cut to service future building B tenants / end users. This 2nd curb cut may not be constructed right away but eventually will be needed to address access from Tropicana Ave. onto subject property to service building B. Refer to submitted site plan exhibits for code compliance design information.

The following Special Use Permit requests the following for this application:

- Offices as a Principal Use
- Retail as a Principal Use
- Grocery Store
- Alcohol Sales, Beer and Wine - Packaged Only
- Alcohol Sales, Liquor - Packaged Only

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Building Structure:

No Exterior Improvements to occur as a part of this application. Building Division may require perimeter egress / exit doors to be added to future tenant improvement plans to accommodate fire egress from proposed future tenant improvements. This will not impact the exterior appearance of the existing building(s). A drive thru window will be placed in the west facing exterior wall of Bldg A. This is a very minor item. See pictures of existing west building elevation of Bldg A for location of drive thru window. Any future "Signage" for tenants that occupy the building(s) will be submitted under a separate application. Signage is not a part of this application.

Landscaping:

Current developed property is already landscaped. Refer to Items B & C listed in "Review Categories". 2 application components address landscaping are identified under B & C category descriptions. Please reference those application category descriptions.

Signage:

Not Applicable. Any new proposed signage to be submitted under separate application.

On Site Parking:

The property currently provides 284 on-site parking stalls in the unsecured area of existing parking lot accessed from Arville Rd., north of buildings "A" & "B", which accommodates a required 230 parking stalls for Buildings "A" & "B" as illustrated on submitted site plan exhibit. No off street parking is occurring. The property owner also has a secured parking lot that is comprised of over 450 parking stalls which are not being utilized for this "Use". Summary – the property is adequately supplied with more parking stalls that will be required for this "Use" application. 28 new parking stalls are being added at the new SW corner of Bldg A to accommodate the Grocery-Store and Fast food tenants within that Bldg. 853 stalls are being provided where 327 stalls are required.

B: Waiver of Development Standards to reduce landscape area, adjacent to drive thru lane along Arville St. from 15' to +/-7'-0".

Current LS buffer along Arville Road slightly tapers from 25'-6" wide at northern portion of property to 20'-0" at southwest corner of Bldg A. There is ample room to place a 12'-0" wide drive-thru aisle to accommodate a proposed fast food component in Building A. The drive thru lane reduces the existing landscape buffer width by 12'-0" leaving an average width of +/-7'-0" due to curbing against Bldg A. This +/-7'-0" LS Buffer is wide enough to accommodate new tree plantings along Arville Road and accept ground cover. Currently, there are only 3 small trees at existing (2) curb cuts along Arville Road. (14) New trees are proposed to be planted along Arville Rd. with (3) new trees at the corner of Tropicana Ave. and Arville Rd. The size and placement of the proposed trees are predicated on Title 30 requirements – please refer to Sheets A1 & A2. These added trees along Arville Road will help screen any stacked vehicles in the queue lane for the proposed drive thru as well as enhance the curb appeal as compared to what currently exists. Given this landscape enhancement along Arville Rd. – we feel that the reduced width of LS buffer paralleling the drive thru lane is still visually acceptable and will enhance the existing condition.

C: A Design Review for Alternative Parking Lot Landscaping. Per Figure 30.64-14 must be requested to eliminate the required landscape finger island(s). The Design Review may be requested if the total number of trees provided within the interior of the project site and landscape area along Tropicana Ave (SW portion of site only), exceed the total number of trees required.

Please refer to submitted sheets A1 & A2. The new parking lot at the southwest corner of property has 15 parking stalls located against Tropicana Avenue. In lieu of utilizing landscape fingers every 6 stalls along this length in the parking lot, we propose to locate more trees along Tropicana Ave in the 25'-0" wide landscape buffer per Title 30 Figure 30.64-14. Dimensions are located on Sheet A2 to illustrate the compliance of the size, and number of trees along the street frontage of both Arville Rd. and Tropicana Ave. The placement of these trees pertains to the length of street frontage along Tropicana Ave that is relative to the building footprint of Bldgs. A & B only. Buildings C & D are not applicable with respect to the Tropicana Ave street frontage.

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D: A Design Review must also be requested for the addition of the drive-thru lane, drive-thru window, and additional parking area located at the southwest portion of the site.

The proposed new vehicular items on subject property are A) the drive thru lane fronting Arville Rd. and B) the outlet parking lot w/ new curb cut along Tropicana Ave. near the Arville intersection. These are vehicular components. The only new building component is to place a drive thru window in the existing west perimeter wall of building A. This is very minimal in relation to the size of the buildings on subject property. The added trees in the landscape buffer will help to visually mitigate seeing the drive thru window and cars as they are queuing in the drive thru lane along Arville Rd. The new parking lot at southwest corner of property is fairly small at 28 car parks, but also helps facilitate the egress component for the vehicles utilizing the drive thru tenant. The perimeter landscape buffer along Tropicana Ave. will include (11) trees in this small area which will help to soften and screen the cars parked in this new lot.

Refer to sheet A8 for location of new drive thru window in existing exterior west wall. This image indicates minimal visual impact to the existing building from the street. There are no proposed aesthetic changes to the building - it is to remain as is. Future tenant improvements for the grocery store and fast food tenants may add (1) egress or service man door in this west elevation if warranted to be compliant with building code, nonetheless, this added door will have little or no visual impact on the existing building as it is viewed from the street. The added trees along Arville Rd. and Tropicana Ave will help to visually enhance the existing condition. There is an existing bus shelter along Arville Road that will remain as is and not interfere with the proposed drive thru lane as illustrated.

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Given the aforementioned, we believe the proposed improvements on subject property are compliant with Title 30 zoning code and subject to approval.

Sincerely,



4.8.21

Todd Vedelago, AIA NCARB LEED AP BD+C Date
Principal

CC: file,
H:\2018\2018104\2020DesignDrawings\Docs\DesignReview\18-104_4300_SUP-JustificationLetter-03.doc

06/01/21 PC AGENDA SHEET

ON-PREMISES CONSUMPTION OF ALCOHOL
(TITLE 30)

POLARIS AVE/TWAIN AVENUE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0178-P & E YLINEN GROUP, LLC:

USE PERMIT for on-premises consumption of alcohol (service bar) on 1.2 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the west side of Polaris Avenue, 300 feet north of Twain Avenue within Paradise. JJ/rk/jo (For possible action)

RELATED INFORMATION:

APN:

162-17-202-012

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 3635 Polaris Avenue
- Site Acreage: 1.2
- Project Type: Service bar for a restaurant
- Number of Stories: 1
- Square Feet: 1,958
- Parking Required/Provided: 20/22

Site Plan

The proposed special use permit will allow the applicant to operate a restaurant with a service bar in an existing business known as Polaris Street Café. The restaurant and parking lot are located on the front half of the overall property, while a separate warehouse building is located in the rear portion of the parcel. Access to the site is provided by 2 existing commercial driveways along Polaris Avenue. The restaurant area has 22 parking spaces provided where 20 are currently required.

Elevation

The elevation plan depicts the exterior finishes to include aluminum storefront window and door system, pop-outs, neutral colored stucco walls, with a large canopy located over the front entrance. The building is 1 story and faces east towards Polaris Avenue.

Floor Plans

The floor plans depict a typical restaurant lease space with an overall area of 1,958 square feet, which features 2 different dining rooms, kitchen, restrooms, office, and storage room.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant currently operates a restaurant on a portion of the property and holds an active Clark County Business License. The current hours of operation for the restaurant are daily from 6:00 a.m. to 2:00 p.m. In conjunction with the restaurant, the applicant now desires to offer the on-premises consumption of alcohol. All the parcels adjacent to and within 200 feet of the property are zoned M-1; therefore, the proposed use meets the minimum distance separation from residential uses. Lastly, there are no proposed changes to the exterior of the building and no proposed changes to the landscaping.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-04-900186	Billboard	Approved by ZA	September 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Commercial Tourist	M-1	Office/warehouse & outside storage

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 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. The restaurant and proposed on-premises consumption of alcohol is compatible with the surrounding area. The proposed sale of alcohol also meets the Chapter 30.08 definition of a service bar. The proposed service bar will not adversely impact the surrounding industrial area; therefore, staff is in support of 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

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

Public Works - Development Review

- No comment.

Building Department - Fire Prevention

- 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: POLARIS FOOD SERVICES LLC

**CONTACT: ARGENTUM LAW, 6037 S. FORT APACHE RD., SUITE 130, LAS VEGAS,
NV 89148**



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-21-0178</u> DATE FILED: <u>4-15-21</u> PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>5-11-21</u> PC MEETING DATE: <u>6-1-21</u> <u>M-1</u> BCC MEETING DATE: _____ <u>CT</u> FEE: <u>\$675.00</u> <u>JJ</u>
	PROPERTY OWNER	NAME: <u>P&E Ylinen Group LLC c/o Ezra S. Ylinen</u> ADDRESS: <u>9704 Gentle Spirit Dr</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>(702) 278-1216</u> CELL: <u>n/a</u> E-MAIL: <u>e_ylinen21@hotmail.com</u>
	APPLICANT	NAME: <u>Polaris Food Services LLC c/o Julissa Legaspy</u> ADDRESS: <u>3635 Polaris Ave.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>(702) 253-9405</u> CELL: <u>n/a</u> E-MAIL: <u>polarisstreetcafe@gmail.com</u> REF CONTACT ID #: _____
	CORRESPONDENT	NAME: <u>Argentum Law c/o Jeff Donato</u> ADDRESS: <u>6037 S Fort Apache Rd, Suite 130</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>(702) 997-0063</u> CELL: <u>(702) 610-9482</u> E-MAIL: <u>jeff@argentumnv.com</u> REF CONTACT ID #: <u>172156</u>

ASSESSOR'S PARCEL NUMBER(S): ptn. of 162-17-202-012

PROPERTY ADDRESS and/or CROSS STREETS: 3635 Polaris Ave., Las Vegas, NV 89103

PROJECT DESCRIPTION: SUP for Beer/Wine, On-Premises Consumption

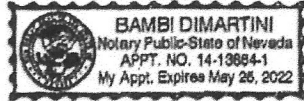
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Ezra S. Ylinen Ezra S. Ylinen, Its Manager
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON March 16, 2021 (DATE)

By Ezra Ylinen
 NOTARY PUBLIC: _____



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

ARGENTUM LAW

Jeff Donato
Director of Licensing & Regulatory Compliance
Phone: (702) 997-0063
Fax: (702) 997-0038
Email: jeff@argentumnv.com

Law Offices
Las Vegas (702) 997-0066
Reno (775) 473-7444

March 18, 2021

Clark County Comprehensive Planning
500 S. Grand Central Pkwy., 1st Floor
Las Vegas, Nevada 89030

Re: Justification Letter for Alcohol, On-Premises Consumption

To Whom It May Concern:

This law firm represents Polaris Food Services LLC, a Nevada limited liability company (the "**Company**"), with regard to its request for a Special Use Permit ("**SUP**") to allow alcohol, on-premises consumption (the "**Proposed Use**") upon that certain real property located at 3635 Polaris Ave., Las Vegas, Nevada and more particularly described as a portion of APN 162-17-202-012 (the "**Property**"). The Property is approximately 1.2 acres in an M-1 (Light Manufacturing) zoning district.

The Company currently operates an approximate 1,958 square foot restaurant use known as "Polaris Street Cafe" on a portion of the Property and holds an active Clark County Business License for the same, which includes a restaurant license (License No. 2002761.072-101). The current hours of operation for the restaurant are daily from 6:00 am to 2:00 pm. In conjunction with the restaurant, the Company now desires to offer the on-premises consumption of alcohol with the meals prepared for and served to its customers.

Pursuant to Title 30, an alcohol, on-premises consumption use is allowed on the Property with the approval of a Special Use Permit, subject to a minimum separation of 200 feet from any residential use. All the parcels adjacent to and within 200 feet of the Property are zoned M-1 (Light Manufacturing); therefore, the Property meets the minimum distance separation from residential uses. There are no proposed changes to the exterior of the building and no proposed changes to the landscaping. In accordance with Title 30, the parking requirement for a restaurant use is 10 spaces for every 1,000 square feet of gross floor area. As shown on the plans submitted herewith, the restaurant has 1 handicap parking space and 22 regular parking spaces where 20 parking spaces are required by Title 30. Accordingly, the Property is adequately parked for the uses being conducted thereon, including the Proposed Use. Furthermore, there is no additional signage being proposed for this application.

ARGENTUM  **LAW**

Clark County Comprehensive Planning

March 18, 2021


Page 2

Based upon the foregoing, the Proposed Use can be conducted in a harmonious manner with surrounding land uses and will not compromise the public health, safety and welfare. Therefore, the Company hereby respectfully requests the approval of its SUP to allow the Proposed Use to be conducted upon the Property.

If you should have any questions, please do not hesitate to contact me.

Sincerely,

ARGENTUM LAW



Jeff Donato

JDON/jjd

Enclosures

06/02/21 BCC AGENDA SHEET

TEMPORARY COMMERCIAL EVENT
(TITLE 30)

TROPICANA AVE/DECKOW LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0132-UNIVERSITY BOARD OF REGENTS:

USE PERMITS for the following: 1) allow temporary commercial event (Boring Competition) on a property with no licensed business; and 2) extend the time limit for set-up and operational removal for a temporary commercial event.

DESIGN REVIEW for a temporary commercial event on a portion of 36.8 acres in an H-1 (Limited Resort and Apartment) (AE-65 & AE-70) Zone.

Generally located on the north side of Tropicana Avenue and the east side of Deckow Lane within Paradise. JB/lm/jo (For possible action)

RELATED INFORMATION:

APN:

162-21-802-002 through 162-21-802-005 pm

USE PERMITS:

1. Allow a temporary outdoor commercial event (Boring Competition) not licensed through, or on the same property as, an existing licensed business as required per Table 30.44-1.
2. Extend the time limit for set-up and operational removal to 2 weeks for set-up and 2 weeks for operational removal where a maximum of 1 week for set-up and 1 week for operational removal is allowed per Table 30.44-1.

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 300 E. Tropicana Avenue
- Site Acreage: 36.8 (portion)
- Project Type: Temporary commercial event on a property with no licensed business

Site Plan

This request is to allow a 1 time temporary outdoor commercial event on a portion of an undeveloped 36.8 acre project site. The event will be relegated to the southeasterly portion of the properties with access from Tropicana Avenue. The area being used for the event is located approximately 400 feet from the residential property to the north, and 600 feet from the property

to the west. Amplified sound will be used for announcements and will be located over 500 feet from the residential properties to the north and west. Parking will be provided in the paved parking lot located at APN 162-21-810-004 with emergency vehicles and VIP drop-off area located in the existing paved area along Tropicana Avenue on APN 162-21-802-002. The competition site includes designated lanes for emergency vehicle access, with a full-time staffed first aid tent for the duration of the competition. To the west of the competition site will be a stage and bleachers, set-up within a fenced area. The event will take 2 weeks to set-up and 2 weeks for removal due to the nature of the use on the site.

Applicant's Justification

The project site is currently vacant and the applicant is requesting to utilize the property for a 1 time event for the "Not-a-Boring Competition" for 12 teams of students and engineers from around the world to dig tunnels that will be 98 feet long, at least 5 feet deep, and 20 inches in diameter. The event is scheduled for September 12, 2021 and safety protocols will begin at 7:30 a.m. with the start of boring at approximately 9:30 a.m. All tunneling activity will be completed within 5 hours, with a brief awards ceremony to take place afterward and concluding the event at 5:00 p.m. No tickets will be sold for the event and all recommended COVID-19 safety guidelines will be enforced for the approximate 400 attendees. The boring shall not cause noticeable changes to the surface and teams will control dust and remove soils from their respective tunnels. The 12 tunnels will be backfilled, and tunnel segments will be left in-situ.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1406-07 (ET-0013-12)	Second extension of time for resort hotel and resort condominium - expired	Approved by BCC	March 2012
UC-1406-07 (ET-0026-10)	First extension of time for resort hotel and resort condominium - expired	Approved by BCC	March 2010
UC-1406-07	Resort hotel and resort condominium - expired	Approved by BCC	February 2008
ZC-1742-05	Reclassified the subject site to H-1 zoning	Approved by BCC	December 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	R-4 & H-1	Residential
South	Public Facilities	P-F	McCarran International Airport
East	Commercial Tourist	H-1	Timeshare hotel
West	Commercial Tourist	R-T, R-4, R-5, & C-2	Commercial & residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

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.

Use Permits & Design Review

Staff can support the request to allow temporary outdoor commercial events on a property with no licensed business, as well as extend the set-up and operational removal timeframe requested. The proposed requests should not have an adverse or negative impact on the surrounding land uses and properties; therefore, staff recommends approval.

Department of Aviation

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

The property lies within the AE-70 (70 - 75 DNL) and AE-65 (65 - 70 DNL) noise contours for McCarran 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 McCarran 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 2 weeks for set-up and 2 weeks for operational removal.
- 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

- No comment.

Department of Aviation

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

- No comment.

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

APPLICANT: GEORGE LIDDELL

CONTACT: GEORGE LIDDELL, THE BORING COMPANY, 3395 CAMBRIDGE STREET, LAS VEGAS, NV 89169

ACCESSORY STRUCTURES
(TITLE 30)

MOJAVE RD/EMERSON AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0160-HARMON CURTIS:

USE PERMITS for the following: 1) allow an accessory building (storage containers) not architecturally compatible with a principal building; 2) allow alternative design standards for accessory structures (storage containers); and 3) waive design standards.

WAIVER OF DEVELOPMENT STANDARDS to increase block wall height.

DESIGN REVIEW for finished grade in conjunction with an existing single family residence on 2.4 acres in an R-1 (Single Family Residential) Zone.

Generally located on the north side of Emerson Avenue, 300 feet west of Mojave Road within Paradise. TS/sd/jo (For possible action)

RELATED INFORMATION:

APN:

162-13-503-013

USE PERMITS:

1. Allow accessory structures (storage containers) not architecturally compatible with a principal building where required per Table 30.44-1.
2. Allow nondecorative metal siding for an accessory structure (storage containers) where not permitted per Table 30.56-2A.
3. Allow nondecorative metal siding for an accessory structure (metal building) where not permitted per Table 30.56-2A.

WAIVER OF DEVELOPMENT STANDARDS:

Increase the height of a block wall to 8 feet where a maximum height of 5 feet is allowed per Table 30.64-1 (a 60% increase).

DESIGN REVIEW:

Increase the finished grade up to 62 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 244% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 3126 Emerson Avenue
- Site Acreage: 2.4
- Project Type: Accessory structures/increased grade/wall height
- Building Height: 8 (storage containers)/8 (block wall)

Site Plans

The plans depict an existing 1,914 square foot single family residence located within the middle portion of the parcel. The accessory structures (storage containers) are located along Emerson Avenue atop a concrete pad in the southwest portion of the parcel. Currently, there are 2 driveways providing access to the site. A proposed concrete block wall of 8 feet is shown on the southwest corner and is the subject of a waiver request to increase the maximum height allowed from 5 feet to 8 feet.

Landscaping

Landscaping is not part of this request.

Elevations

The plans depict an existing 1 story residential building in the center portion of the property that is constructed of a stucco finish with pitched roofline. The storage containers are constructed of vertical metal and are 8 feet in height.

Signage

Signage is not a part of this request.

Applicant's Justification

The existing home is currently set on an elevated pad and was constructed in 1956. Due to the use permit request, the increase in finished grade in relation to the adjacent properties is requested. The finished floor of the existing home is 1,918 feet where the finished floor of the building to the west is 1,899 feet, and the building to the north is 1,898 feet, for a difference of roughly 20 feet. The proposed pad for the 3 storage containers will have an increased pad elevation of approximately 5 feet 2 inches from the adjacent building to the west. Additionally, this property falls under the suburban residential use category, which allows for a maximum 5 foot wall. Due to the nature of the land, this site sits considerably higher than the street. Because of this an 8 foot CMU wall over 3 foot of retaining wall along the south property line is requested. The property owner deals with theft and trespassing frequently; therefore, would like to request an 8 foot CMU wall along the south west property line corner for security purposes.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-19-0610	Vacated and abandoned easements	Approved by PC	November 2019

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0453	Accessory structures, increased grade, and 2 driveways - expired	Held No Date	Held No Date

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Residential Suburban (up to 8 du/ac)	R-1	Single family residential & townhomes
East	Institutional	R-1	Place of worship

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

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.

Staff reviews use permit requests to ensure compatibility with the existing and planned land uses. Although storage of personal goods is often seen in storage containers throughout the County, in general these containers are not architecturally compatible with the existing residential building or with adjacent properties. Currently, the storage containers are located within the front portion of the parcel and are partially visible from the street and from adjacent properties. As the area is primarily residential, staff cannot support the use permits to allow for 3 metal storage containers.

Waiver of Development Standards

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

Staff often agrees with a justification provided by applicants to allow for an increase in the wall height for privacy and deterring trespassing. However, the request by this applicant to allow for a block wall to 8 feet in height along the southern property line along Emerson Avenue, where 5 foot maximum is allowed, is considered excessive. Staff finds the request is inconsistent with Urban Specific Policy 10 of the Comprehensive Master Plan, which encourages in part that site designs are to be compatible with adjacent land uses; therefore, staff cannot support the request.

Public Works - Development Review

Design Review

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

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- 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; 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

- Right-of-way dedication to include intersection of Emerson Avenue and Flamingo Arroyo Court;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that nuisance storm water flows must be contained to the site and to others owned by the applicant until the flows comply with drainage criteria.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ACG DESIGN

CONTACT: ACG DESIGN, 4310 CAMERON ST., STE 12-A, LAS VEGAS, NV 89103

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

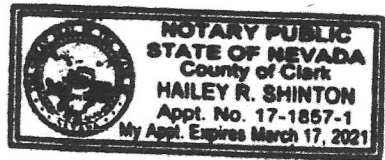
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <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-21-0160</u> DATE FILED: <u>4/8/21</u> PLANNER ASSIGNED: <u>SWD</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>5/11/21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>6/2/21</u> FEE: <u>\$ 1,825</u>
	PROPERTY OWNER NAME: <u>Curtis Harmon</u> ADDRESS: <u>3924 Aquamarine Way Apt. 87</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>702-812-8170</u> CELL: <u>NA</u> E-MAIL: <u>curtiswharmon@gmail.com</u>
	APPLICANT NAME: <u>ACG Design</u> ADDRESS: <u>4310 Cameron St. #12-A</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>702-448-8737</u> CELL: <u>702-931-2992</u> E-MAIL: <u>hshinton@acg.design</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>ACG Design</u> ADDRESS: <u>4310 Cameron St. #12-A</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>702-448-8737</u> CELL: <u>702-931-2992</u> E-MAIL: <u>hshinton@acg.design</u> REF CONTACT ID #: <u>189488</u>	

ASSESSOR'S PARCEL NUMBER(S): 162-13-503-013
 PROPERTY ADDRESS and/or CROSS STREETS: 3126 Emerson Ave
 PROJECT DESCRIPTION: Storage containers, increased finished grade, 2 driveways, increased wall height

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

[Signature] Curtis Harmon
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON January 5th, 2021 (DATE)
 By Curtis Harmon
 NOTARY PUBLIC: Hailey Shinton



*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.



UC-21-0160

April 1, 2021

Clark County Public Works – Comprehensive Planning
500 S Grand Central Pkwy
Las Vegas, NV. 89155

**RE: Design Review, Use Change, & Waiver of Development Standards
3126 Emerson Ave**

To Whom It May Concern,

Please find attached our application for a Design Review for increased finished grade, Waiver of Development Standards for driveways and wall heights, and Use Change to allow permanent storage containers onsite.

The existing home is currently set on an elevated pad and has been since constructed in 1956. Due to the use change request, we are having to justify the increase in finished grade in relation to the adjacent properties. The finished floor of the existing home is 1918.13' where the finished floor of the building to the West is 1899.00', and the building to the North is 1898.26', totaling to a difference of roughly 20'. The proposed pad for the 3 storage containers will have an increased pad elevation of approximately 5'2" from the adjacent building to the West.

We would like to request the approval to allow 3 storage containers. These containers will be located on the SW corner of the property and be used for personal storage due to the high theft in the area.

Lastly, we would like to ask for the approval of a waiver of development standards for the 2 existing driveways, as well as a waiver of the development standards for the proposed screening walls. Currently existing are 2 driveways providing access on-site. Additionally, this property falls under the suburban residential use category, which allows for a maximum 5' wall. Due to the nature of the land, this site sits considerably higher than the street. Because of this we are proposing a 6' CMU wall over 3' of retaining along the south property line. The property owner deals with theft and trespassing frequently, therefore would like to request an 8' CMU wall along the south west property line corner for security purposes.

We respectfully ask for the approval of this application.

06/02/21 BCC AGENDA SHEET

MEDIUM MANUFACTURING
(TITLE 30)

CAMERON ST/POST RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-21-0174-POST INDUSTRIAL, LLC:

ZONE CHANGE to reclassify a 0.5 acre parcel from an M-D (Designed Manufacturing) (AE-65) Zone to an M-1 (Light Manufacturing) (AE-65) Zone.

USE PERMITS for the following: **1)** medium manufacturing; **2)** allow accessory structures not architecturally compatible; and **3)** allow alternative design standards.

DESIGN REVIEW for a metal building.

Generally located on the north side of Post Road, 425 feet west of Cameron Street within Paradise (description on file). MN/sd/jo (For possible action)

RELATED INFORMATION:

APN:

162-31-312-016

USE PERMITS:

1. Allow a medium manufacturing facility (small arms ammunition) in an M-1 (Light Manufacturing) zone per Table 30.44-1.
2. Allow a metal accessory building (metal building) not architecturally compatible with the principal building where required per Table 30.44-1.
3. Allow nondecorative metal siding where not permitted per Table 30.56-2A.

LAND USE PLAN:

WINCHESTER/PARADISE - INDUSTRIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 4730 Post Road
- Site Acreage: 0.5
- Project Type: Medium manufacturing/accessory structure
- Building Height (feet): 13 (accessory structure)
- Square Feet: 1,280 (accessory structure)
- Parking Required/Provided: 144/163

Site Plans

The plans show an industrial complex composed of 6 buildings with parking evenly distributed throughout the complex. An entry point is provided from both Post Road and Cameron Street. The subject parcel is located within an existing 5.3 acre office/warehouse complex. The applicant is requesting to rezone a portion of the overall site from an M-D (Designed Manufacturing) to an M-1 (Light Manufacturing) zone to allow for the manufacturing of ammunition. The subject parcel is in the southwest portion of the complex within Building D. The applicant is also proposing to install a vertical metal accessory building located on the east side of the existing building that is used for ammunition testing associated with manufacturing. The accessory structure and Building D are partially shielded from the drive aisle and street with an existing 8 foot high block wall that complies with all setbacks. Each building is subdivided into 2 separate lease areas resulting in 12 subdivided units within 6 buildings each with their own yards and parking areas with additional parking provided throughout the entire complex.

Landscaping

Landscaping is not a part of this application.

Elevations

The plans depict an accessory structure that is 13 feet in height, 80 feet long for a total square footage of 1,280 square feet and will be painted to match the existing building. The existing office/warehouse building is 27 feet in height with a painted canopy and is a flat roofline with parapet walls and painted in neutral colors.

Floor Plans

The plans depict an open floor plan for the testing of ammunition that will be manufactured on-site. Building D shows an open floor plan for the manufacturing of ammunition and will have offices and a restroom.

Signage

Signage is not a part of this request.

Applicant's Justification

This application is necessary because the use that is currently approved has a temporary business license within the building for the manufacturing of small arms (ammunition) because a determination was made that the use requires an M-1 zone. The special use permit is to allow for testing of firearms manufactured in the primary building. The proposed application is to reclassify the subject 0.5 acre parcel within the existing industrial complex to allow the manufacturing of small arms ammunition with the approximately 5,000 square foot portion of the building. This application is appropriate and compatible with uses in the area, the subject site, building and complex.

The zone change request complies with the Paradise Land Use Plan and Code requirements for a medium manufacturing use. The proposed use is allowed in the M-I zone which is a more appropriate zoning for manufacturing of ammunition. The special use permit application to allow the testing of the manufactured ammunition is an accessory and incidental use in conjunction with the manufacturing use and is; therefore, a specified use with the operation of the manufacturing use.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-1994-04	Waivers for overheight walls within street setbacks and design review for an office/warehouse complex	Approved by BCC	December 2004
VS-1997-04	Vacated and abandoned easements	Approved by BCC	December 2004
TM-5000677	Industrial subdivision	Approved by BCC	December 2004
ZC-1695-03	Reclassified 5.2 acres from R-E to M-D zoning	Approved by BCC	December 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, East, & West	Industrial	M-D	Office/warehouse
South	Industrial	M-1	Warehouse

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

Staff finds that the proposed zone change for a single parcel within the overall site is appropriate and is compatible with the surrounding neighborhood, which is primarily industrial. The proposed zone change does conform to Urban Land Use Policy 7 of the Comprehensive Master Plan, which encourages land uses that are complementary and/or are of similar scale and intensity should provide appropriate connectivity and should not be segregated. The rezoning will allow for the medium intensity manufacturing of ammunition.

Use Permits

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.

Use Permit #1

Staff finds that the proposed request will not adversely impact the surrounding area. The request does comply with Land Use Goal 1 of the Comprehensive Master Plan, which encourages and promotes economic viability and employment opportunities with developments that are compatible with adjacent land uses. In addition, Urban Land Use Policy 100 states, in part, new businesses are to be compatible with existing land use patterns and adjacent uses. A medium manufacturing use is compatible with the approved zoning in this area that is designated for manufacturing and industrial uses. Therefore, staff can support this request.

Use Permits #2 & #3

The design of the accessory structure incorporates proper building placement on the site with all required setbacks being met. The request complies in part with Urban Specific Policy 10 of the Comprehensive Master Plan which encourages site designs to be compatible with adjacent land uses and complying in part with Urban Specific Policy 44 of the Comprehensive Master Plan which encourages accessory structures to be positioned to reduce their visual impact on the street. Review of the plans show an existing 8 foot high security wall surrounding the parcel that partially shields the metal building from the street. Likewise, adjacent land uses are primarily industrial, thus the metal building will not have adverse impacts to the surrounding area and is a common element with industrial uses. Staff can support these requests.

Design Review

Staff can support the design review for the vertical metal building. The proposed location will not adversely impact the complex or the adjacent uses. The metal building is partially screened from the street by an existing 8 foot block wall. Staff can support this request.

Department of Aviation

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

The property lies within the AE-65 (65 - 70 DNL) noise contour for McCarran 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 McCarran 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Resolution of Intent to expire when this business ceases.
- 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; 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

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

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

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

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: DAVID PERISSET

CONTACT: CASSANDRA WORRELL, 520 S. FOURTH STREET, LAS VEGAS, NV
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March 25, 2021

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

20-21-0174

Re: Justification Letter – Conforming Zone Change from an M-D zone to an M-1 zone; a Special Use Permit for a shooting range (testing only); and Design Reviews for an accessory (metal) building.

Parcel Numbers: 162-31-312-016

To Whom It May Concern:

On behalf of our client, Ultimate Ammunition., please accept this justification letter for an application requesting a conforming zone from an M-D zone to an M-1 zone for a portion of an industrial building (Suite 150) within an existing M-D zone industrial complex. This application is specifically to reclassify/rezone one building within the existing M-D zoned industrial complex. This application is necessary because the use that is currently approved and has a temporary business license within the building for the manufacture of small arms (ammunition) because a determination was made that the use requires an M-1 zone. The special use permit is to allow for testing of firearms manufactured in the primary building. The design review is for the proposed 1,800 square foot accessory metal building proposed on the east side of the subject building and site. Access to the site is from several driveways on Post Road located on the north side of the site and from Cameron Street to the east side of the site.

General Site Information:

The subject site is a 0.5 acre parcel located within an existing 5.3 acre industrial complex. The subject site is located on the southwestern portion of the complex which consists of 6 approximately with a square footage between 11,100 square feet and 12,850 square feet. Each building is subdivided into two separate lease areas

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resulting in 12 subdivided parcels with buildings with their own yards and parking areas and additional parking for the entire complex. There are a total of 8 existing parking spaces on the east side of the site that will be removed to accommodate the accessory building. Therefore, reducing the total parking of the entire complex to 155 spaces. The addition of the accessory building will require 4 parking spaces resulting in 148 spaces required for the entire complex. With these changes the complex has a total of 155 spaces are provided where a total 148 spaces are required with addition of the accessory building on the subject site. Required trash enclosures and loading spaces are provided as required by Code.

The proposed application is to reclassify the subject 0.5 acre parcel within the existing industrial complex to allow the manufacture of small arms ammunition with the approximately 5,000 square foot portion of the building. The existing building is 27 feet high, constructed of tilt up concreted and painted in neutral colors to match the other buildings within the complex. The proposed accessory building is located within the yard of the site and on the east side of the manufacturing building. The metal building has a horizontal lap, is 1,800 square feet, 17 feet high to the top of the parapet and is painted the manufacturing building. This yard area has 8 parking spaces that will removed to accommodate the metal building. The removal of these parking spaces will not impact the site complex since surplus parking was provided when the complex was constructed in 2006. Signage is not a part of this application.

Pictures are provided to depict the existing landscape area along Post Road and Cameron Street and along the driveways within the complex. The subject site is located on a corner of access drive into the complex is screened by a eight foot high block wall to include two foot fence on top and existing landscaping along the entry drive. The accessory building complies with all setback requirements.

We respectfully request approval of the following applications for the proposed uses within an existing industrial complex:

1. Zone Change from an M-D zone to an M-1 zone.

Justification:

This is request is to allow a specific allowed use within a building within the complex. This request is necessary to allow the use to

remain on the site which is previously allowed based on information provided for the use. The use was approved and obtained a temporary license and is awaiting other County Department approvals. This application is appropriate and compatible with uses in the area, the subject site, building and complex.

2. Special Use Permit for firearms (testing shooting range).

Justification:

This is necessary as an accessory use for the manufacturing use business within the primary building. This application is an accessory and incidental use in conjunction with the manufacturing use and is requires testing the ammunition manufactured in the building.

3. Design Review for a proposed accessory (metal) building.

Justification:

The metal building is an accessory building which is painted to match the building is appropriate for the site and use and will not impact any of the other buildings and uses within the complex. The building is necessary to allow testing of the ammunitions on the same site as the manufacturing use. The accessory building is complementary to the existing structures within the industrial complex and will not affect the on-site circulation or land uses. (Comprehensive Plan 101)

The zone change request complies with the Paradise Land Use Plan and Code requirements for a medium manufacturing use. The proposed use is allowed in the M-I zone which is a more appropriate zoning for manufacturing of ammunition. The special use permit application to allow the testing of the manufactured ammunition is an accessory and incidental use in conjunction with the manufacturing use and is, therefore, a specified use with the operation of the manufacturing use. The both the manufacture of the ammunition and the testing of the smalls areas is appropriate for and compatible with the existing and planned uses in the area. Although this application is reclassification of one parcel being a

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0.5 acre portion of a portion of a complex the request is a conforming application and complies with Code requirements. The special use is specific for the use and allows the uses to occur on the same site. The metal building is painted to match the colors complex and is appropriately screened and will not impact the visual of image of the complex. The existing landscaping enhances the area and screens the metal build and area from the exterior streets and the driveways within the complex. This application as proposed meets the intent of the Code and the goals and policies of the Land Use Plan.

We appreciate your consideration in the review and recommendation of approval for the application. Please call me at 702-589-1429, if you have any questions or need additional information.

Sincerely,

BROWN, BROWN & PREMSRIRUT

Lebene A. Ohene
Land Use and Development

