



# Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

June 27, 2023

7:00pm

**Note:**

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

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

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

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

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

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

**BOARD OF COUNTY COMMISSIONERS**

JAMES B. GIBSON, Chair

JUSTIN C. JONES • MARILYN KIRKPATRICK • WILLIAM MCCURDY II • ROSS MILLER • MICHAEL NAFT • TICK SEGERBLOM  
KEVIN SCHILLER, County Manager

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

- III. Approval of Minutes for May 30, 2023. (For possible action)
- IV. Approval of the Agenda for June 27, 2023 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items (for discussion only)
- VI. Planning and Zoning
  - 1. **ET-23-400074 (WS-21-0112)-SERENE, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** 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/mh/syp (For possible action) **PC 7/18/23**
  - 2. **ET-23-400082 (UC-21-0165)-FRANK HABIBIAN, LLC & 4300 TROP, LLC:**  
**USE PERMITS FIRST EXTENSION OF TIME** 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 with 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/tpd/syp (For possible action) **PC 7/18/23**
  - 3. **UC-23-0261-SILVER MEADOW PROPERTIES, LLC:**  
**USE PERMITS** for the following: 1) communication tower; and 2) reduce the separation from another communication tower.  
**WAIVER OF DEVELOPMENT STANDARDS** for encroachment into air space.  
**DESIGN REVIEW** for a proposed communication tower and associated ground-mounted equipment on 0.8 acres in a C-1 (Local Business) Zone. Generally located on the Southwest corner of Tamarus Street and Windmill Lane within Paradise MN/sd/syp (For possible action) **PC 7/18/23**
  - 4. **UC-23-0264-2675 PATRICK 6145 HARRISON LLC:**  
**USE PERMIT** for retail sales (clothing, accessories, candles, and home décor) as a principal use in conjunction with an existing office/warehouse complex on a portion of 4.5 acres in an M-D (Designed Manufacturing) (AE-60 & AE-65) Zone. Generally located on the south side of Patrick Lane, approximately 370 feet west of Harrison Drive within Paradise. JG/hw/syp (For possible action) **PC 7/18/23**

**BOARD OF COUNTY COMMISSIONERS**

JAMES B. GIBSON, Chair

JUSTIN C. JONES • MARILYN KIRKPATRICK • WILLIAM MCCURDY II • ROSS MILLER • MICHAEL NAFT • TICK SEGERBLOM  
KEVIN SCHILLER, County Manager

5. **UC-23-0268-CY & RI HERITAGE INN PALMDALE ETAL & CY HERITAGE INN DAYTON INC:**  
**USE PERMIT** for an art gallery in conjunction with an existing commercial/industrial complex on 10.1 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the west side of Dean Martin Drive, approximately 1,200 feet north of Harmon Avenue within Paradise. MN/hw/syp (For possible action) **PC 7/18/23**
  
6. **UC-23-0273-FANTICOLA ANTHONY & JOANN FAM LP:**  
**USE PERMITS** for the following: 1) on-premises consumption of alcohol (tavern); 2) retail sales and services; 3) restaurant; and 4) personal service.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) street landscaping; and 2) alternative driveway geometrics.  
**DESIGN REVIEWS** for the following: 1) a retail center; and 2) alternative parking lot landscaping on 1.8 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the east side of Paradise Road, 100 feet north of Flamingo Road within Paradise. JG/lm/syp (For possible action) **PC 7/18/23**
  
7. **UC-23-0275-4530 4560 4570 EASTERN LLC:**  
**USE PERMIT** for personal services in conjunction with an existing office park on 3.3 acres in a C-P (Office & Professional) Zone. Generally located 180 feet east of Eastern Avenue and 300 feet south of Harmon Avenue within Paradise. JG/jud/syp (For possible action) **PC 7/18/23**
  
8. **DR-23-0293-LEE A & A FAMILY LIMITED PARTNERSHIP:**  
**DESIGN REVIEW** to establish the height of freestanding signs in conjunction with a previously approved restaurant on 1.8 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the southeast corner of Russell Road and Polaris Avenue within Paradise. MN/jud/syp (For possible action) **BCC 7/19/23**
  
9. **ET-23-400079 (WS-21-0181)-PALM MORTUARY, INC.:**  
**WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for increased building height.  
**DESIGN REVIEWS** for the following: 1) a chapel/mausoleum; and 2) finished grade in conjunction with an existing cemetery on a portion of a 71.3 acre site in an R-E (Rural Estates Residential) Zone. Generally located on the east side of Eastern Avenue and the north side of Robindale Road within Paradise. MN/nai/syp (For possible action) **BCC 7/19/23**
  
10. **UC-23-0254-JOSEPHS FAMILY, LP:**  
**USE PERMIT** to allow a cannabis establishment (distribution) in conjunction with an existing cannabis cultivation and production facility within an office/warehouse building on 2.2 acres in an M-1 (Light Manufacturing) Zone. Generally located on the west side of Polaris Avenue, 290 feet south of Hacienda Avenue within Paradise. MN/hw/syp (For possible action) **BCC 7/19/23**

**BOARD OF COUNTY COMMISSIONERS**

JAMES B. GIBSON, Chair

JUSTIN C. JONES • MARILYN KIRKPATRICK • WILLIAM MCCURDY II • ROSS MILLER • MICHAEL NAFT • TICK SEGERBLOM  
 KEVIN SCHILLER, County Manager

VII. General Business  
(For possible action)

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

IX. Next Meeting Date: July 11, 2023.

X. Adjournment.

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

**BOARD OF COUNTY COMMISSIONERS**

JAMES B. GIBSON, Chair  
JUSTIN C. JONES • MARILYN KIRKPATRICK • WILLIAM MCCURDY II • ROSS MILLER • MICHAEL NAFT • TICK SEGERBLOM  
KEVIN SCHILLER, County Manager



# Paradise Town Advisory Board

May 30, 2023

## MINUTES

---

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

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

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

---

- I. Call to Order, Pledge of Allegiance, Roll Call(see above), County Staff Introductions  
Hunter White; Planning, Blanca Vazquez, Community Liaison  
Meeting was called to order by Chair Philipp, at 7:00 p.m.
- II. Public Comment:  
**None**
- III. Approval of May 9, 2023 Minutes  
**Moved by: Cunningham**  
**Action: Approve as submitted**  
**Vote: 5-0 Unanimous**  
Approval of Agenda for May 30, 2023  
**Moved by: Williams**  
**Action: Approved with item #2 withdrawn**  
**Vote: 5-0 Unanimous**
- IV. Informational Items (For Discussion only)
- V. Planning & Zoning

1. **TM-23-500043-MKTSLVBL, LLC:**  
**TENTATIVE MAP** for a commercial subdivision on 1.3 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the north side of Harmon Avenue and the east side of Las Vegas Boulevard South within Paradise. JG/rk/syp (For possible action) **PC 6/6/23**

**No show. Return to the Paradise June 13, 2023 TAB meeting**

2. **UC-22-0405-REBEL LAND & DEVELOPMENT, LLC:**  
**AMENDED HOLDOVER USE PERMITS** for the following: 1) gasoline station; 2) convenience store; 3) alcohol sales, beer and wine packaged; 4) restaurant; and 5) office uses.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce throat depth; 2) reduce departure and approach distances (previously not notified); 3) reduce landscaping; 4) reduce parking; 5) eliminate cross access; and 6) eliminate loading zones.  
**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; 2) gasoline station (fuel canopy); 3) commercial building (restaurant with drive-thru; convenience store; office); and 4) lighting on 1.1 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the south side of Flamingo Road and the west side of Paradise Road within Paradise. JG/bb/jo (For possible action) **PC 6/6/23**

**WITHDRAWN**

3. **UC-23-0186-SERENE CENTER, LLC:**  
**USE PERMIT** for an on-premises consumption of alcohol (service bar) in conjunction with an existing restaurant in a commercial center on 2.0 acres in a C-1 (Local Business) Zone. Generally located on the west side of Spencer Street and the north side of Serene Avenue within Paradise. MN/hw/syp (For possible action) **PC 6/6/23**

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

4. **UC-23-0168-SAM & GERT FELDMAN, LLC:**  
**USE PERMIT** to allow a minor training facility within an existing office building on 1.2 acres in a C-P (Office and Professional) Zone. Generally located on the east side of Pecos Road and the south side of Zodiac Court within Paradise. JG/sd/syp (For possible action) **PC 6/20/23**

**No show. Return to the Paradise June 13, 2023 TAB meeting**

5. **VS-23-0206-OQUENDO INDUSTRIAL 2022, LP:**  
**VACATE AND ABANDON** a portion of a right-of-way being McLeod Drive located between Oquendo Road and Patrick Lane within Paradise (description on file). JG/jgh/syp (For possible action) **PC 6/20/23**

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

6. **AR-23-400044 (WS-22-0466)-PRECISION PROPERTIES, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS FIRST APPLICATION FOR REVIEW**  
for the following: 1) eliminate street landscaping; 2) eliminate parking lot landscaping; 3) reduce setbacks; and 4) required trash enclosure.  
**DESIGN REVIEW** for a parking lot on 2.3 acres in an M-1 (Light Manufacturing) Zone. Generally located on the south side of Diablo Drive, 355 feet east of Wynn Road within Paradise. MN/jud/syp (For possible action) **BCC 6/21/23**

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

7. **AR-23-400046 (UC-22-0461)-ITAI INVESTMENTS, LLC:**  
**USE PERMIT FIRST APPLICATION FOR REVIEW** for a parking lot.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate street landscaping; 2) eliminate parking lot landscaping; 3) reduce setbacks; 4) increase fence height; and 5) required trash enclosure.  
**DESIGN REVIEW** for a parking lot on 1.9 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the north side of Hacienda Avenue and the west side of Dean Martin Drive within Paradise. MN/jud/syp (For possible action) **BCC 6/21/23**

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

8. **AR-23-400050 (UC-22-0426)-DIAMOND CREEK HOLDINGS, LLC SERIES 8:**  
**USE PERMIT FIRST APPLICATION FOR REVIEW** for a school in conjunction with an existing office and retail shopping center on 0.8 acres in a C-2 (General Commercial) Zone and a C-P (Office and Professional) Zone. Generally located on the west side of Eastern Avenue and the north side of Ford Avenue within Paradise. MN/rp/syp (For possible action) **BCC 6/21/23**

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

9. **ET-23-400038 (UC-21-0011)-3950, LLC:**  
**USE PERMIT FIRST EXTENSION OF TIME** for a proposed cannabis establishment (cultivation facility) on a portion of 4.9 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of Tompkins Avenue, 300 feet east of Wynn Road within Paradise. MN/tpd/syp (For possible action) **BCC 6/21/23**

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

10. **ET-23-400039 (UC-21-0012)-3950, LLC:**  
**USE PERMIT FIRST EXTENSION OF TIME** for a proposed cannabis establishment (production facility) on a portion of 4.9 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of Tompkins Avenue, 300 feet east of Wynn Road within Paradise. MN/tpd/syp (For possible action) **BCC 6/21/23**

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

11. **ET-23-400040 (WS-21-0013)-3950, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for the following: 1) parking lot landscaping; 2) pedestrian walkway; 3) mechanical equipment screening; 4) reduced throat depth; and 5) driveway geometrics.  
**DESIGN REVIEW** for a proposed cannabis establishment building on a portion of 4.9 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of Tompkins Avenue, 300 feet east of Wynn Road within Paradise. MN/tpd/syp (For possible action) **BCC 6/21/23**

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

12. **WC-23-400052 (ZC-1576-98)-BESEAU, CONCHITA:**  
**WAIVER OF CONDITIONS** of a zone change prohibiting no access to Horseshoe Drive in conjunction with a beauty salon on 0.5 acres in a C-P (Office and Professional) (AE-60) Zone in the Russell Road Transition Corridor Overlay District. Generally located on the north side of Russell Road and the west side of Horseshoe Drive within Paradise. JG/md/syp (For possible action) **BCC 6/21/23**

**MOVED BY- Williams**  
**APPROVE-Subject to staff conditions**  
**ADDED condition**

- 1 year review as a public hearing

**VOTE: 5-0 Unanimous**

13. **UC-23-0209-BESEAU, CONCHITA:**  
**USE PERMIT** for personal services (beauty salon).  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce trash enclosure setback; 2) reduce parking; 3) alternative street landscaping; 4) alternative landscaping adjacent to a residential use; 5) allow access to a local street; 6) allow modified street standards; and 7) allow modified driveway design standards.  
**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; and 2) beauty salon on 0.5 acres in a C-P (Office and Professional) (AE-60) Zone in the Russell Road Transition Corridor Overlay District. Generally located on the north side of Russell Road and the west side of Horseshoe Drive within Paradise. JG/md/syp (For possible action) **BCC 6/21/23**

**MOVED BY- Williams**  
**APPROVE-Subject to staff conditions**  
**ADDED condition**

- 1 year review as a public hearing

**VOTE: 5-0 Unanimous**

VI. General Business (for possible action)  
**None**

VII. Public Comment  
**None heard**



VIII. Next Meeting Date  
**The next regular meeting will be June 13, 2023**

IX. Adjournment  
**The meeting was adjourned at 8:40 p.m.**

**BOARD OF COUNTY COMMISSIONERS**

JAMES B. GIBSON, Chair  
JUSTIN C. JONES • MARILYN KIRKPATRICK • WILLIAM MCCURDY II • ROSS MILLER • MICHAEL NAFT • TICK SEGERBLOM  
KEVIN SCHILLER, County Manager

07/18/23 PC AGENDA SHEET

GYM BUILDING  
(TITLE 30)

BERMUDA RD/SERENE AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-23-400074 (WS-21-0112)-SERENE, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** 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/mh/syp (For possible action)

---

RELATED INFORMATION:

**APN:**

177-22-313-001 through 177-22-313-368; 177-22-314-001 through 177-22-314-240

**WAIVER OF DEVELOPMENT STANDARDS:**

Increase building height to 39 feet where 35 feet is the maximum allowed per Table 30.40-3 (an 11% increase).

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)

WINCHESTER/PARADISE - URBAN NEIGHBORHOOD (GREATER THAN 18 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 9490 Bermuda Road
- Site Acreage: 27.9
- Number of Units: 386
- Density (du/ac): 22.04 (established by creating cross access between 2 condominium complexes per NZC-20-0155)
- Project Type: Gym building in conjunction with a condominium development

**History & Request**

The Planning Commission approved a gym building for the subject parcel via WS-21-0112 in May 2021. The plans approved via WS-21-0112 depicted a 3 story building with an overall height of 39 feet and a total floor area measuring 11,270 square feet. The applicant is now asking for an extension of time to be able to complete the building permit process and commence construction, as previously approved.

### Site Plan

The approved gym is located mid-site in the main portion of the condominium complex. The new building will be located east of the existing clubhouse with the pool area separating the 2 buildings. The gym area will be for residents only and will be walkable from all areas of the condominium complex.

### Landscaping

No new landscaping is required as part of this application.

### Elevations

The approved elevations depict a 2 story, approximately 39 foot tall building with a roof deck. There are a varying flat roofline and architectural elements present on all 4 sides of the building. Construction materials consist of stucco finished walls with decorative stone veneer accents and window articulation.

### Floor Plans

The approved plans depict a first floor consisting of 5 cabanas that face out toward the pool area. In addition, there is a sauna room, steam room, cool down area, and group gathering area. The second floor has a weight room, yoga area, and restrooms. The roof deck has a wet bar, 2 fire pit areas, an outdoor lounge, and a covered deck area.

### Signage

Signage is not a part of this request.

### Previous Conditions of Approval

Listed below are the approved conditions for WS-21-0112:

#### 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.

#### Building Department - Fire Prevention

- Applicant is advised to provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

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

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

Applicant's Justification

The applicant indicates that an extension of time is needed so that the design team can continue to coordinate to meet the needs of the property owner.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-21-0112	Waived an increase in height with a design review for a new gym building in conjunction with a multiple family development	Approved by PC	May 2021
NZC-20-0155	Changes to 2 adjacent existing condominium complexes including reclassifying 19.4 acres to R-4 zoning	Approved by BCC	June 2020
TM-0201-04	240 unit condominium residential complex on the northwest portion of the site	Approved by PC	May 2004
DR-0866-02	240 unit apartment complex on the northwest portion of the site	Approved by BCC	August 2002
ZC-0816-01	Reclassified the northwest portion of the site from R-3 to R-4 zoning for a multiple family residential development	Approved by BCC	December 2001
TM-0298-01	368 unit condominium residential complex on the east and south sides of the site	Approved by PC	December 2001
UC-1262-01	Changed the existing 368 apartment complex to planned unit development condominium development	Approved by PC	December 2001
DR-0715-99	Multiple family residential development	Approved by PC	July 1999
ZC-0869-96	Reclassified the site to R-3 zoning	Approved by BCC	July 1996

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
South	Corridor Mixed-Use	C-2	Shopping center
West	Public Use & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	P-F & R-2	Detention basin & single family residential

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive 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.

Records show that since approval of the original application, the applicant has initiated several building permits and indicated that progress toward commencement has been made; therefore, staff can support this request for an extension of time.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Until May 18, 2025 to commence.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: SIGNATURE HOMES**

**CONTACT: ACTUS, 3283 E. WARM SPRINGS ROAD, SUITE 300, LAS VEGAS, NV  
89120**

DRAFT

ET-23-400074



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) WS-21-0112 (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>ET-23-400074</u> DATE FILED: <u>5/15/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>6/27/23</u> PC MEETING DATE: <u>7/18/23</u> BCC MEETING DATE: <u>N/A</u> FEE: <u>1800</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Serene Limited Liability Company</u> Contact: Rick Barron ADDRESS: <u>801 South Rancho Drive, Suite E-4</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89106</u> TELEPHONE: <u>702-671-6062</u> CELL: _____ E-MAIL: <u>rickbarron@signaturehomes.com</u>
	<b>APPLICANT</b>  NAME: <u>Signature Homes</u> Contact: Rick Barron ADDRESS: <u>801 South Rancho Drive, Suite E-4</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89106</u> TELEPHONE: <u>702-671-6062</u> CELL: _____ E-MAIL: <u>rickbarron@signaturehomes.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Actus</u> Contact: Caitlin Cypher ADDRESS: <u>3283 East Warm Springs Road, Suite 300</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702-586-9296 x110</u> CELL: <u>702-203-4014</u> E-MAIL: <u>caitlin.cypher@actus-nv.com</u> REF CONTACT ID #: _____

**ASSESSOR'S PARCEL NUMBER(S):** 177-22-313-001 through 368 and 177-22-314-001 through 240

**PROPERTY ADDRESS and/or CROSS STREETS:** Southeast corner of E Serene Ave and Bermuda Rd

**PROJECT DESCRIPTION:** Seeking to extend the WS on a proposed gym building in existing condominium community.

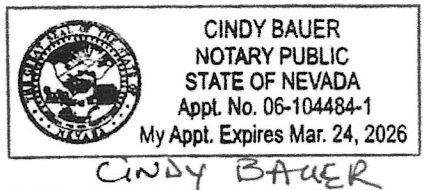
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON May 03, 2023 (DATE)  
 By Rick Barron

NOTARY PUBLIC: Cindy Bauer



\*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.

ET-13-400014



May 15, 2023

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

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

**Re.: Extension of Time for Copper Creek, WS-21-0112**

**Subject: Request for Extension**

To Whom It May Concern,

On behalf of the property owner / developer, Signature Homes, we respectfully request an extension of time on our waiver of development standards, WS-21-0112. We are requesting an extension of two (2) years. This extension is being requested as the design team continues to coordinate to meet the needs of the property owner.

We hope the above response satisfies any and all concerns. If you have any questions or need any additional information, please feel free to call our office at (702) 586-9296.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Logsdon II'.

David Logsdon II  
Principal

|



07/18/23 PC AGENDA SHEET

GROCERY STORE/RETAIL AND OFFICE  
(TITLE 30)

ARVILLE ST/TROPICANA AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-23-400082 (UC-21-0165)-FRANK HABIBIAN, LLC & 4300 TROP, LLC:**

**USE PERMITS FIRST EXTENSION OF TIME** 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 with 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/tpd/syp (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 - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 4300 W. Tropicana Avenue
- 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 approved 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 was approved to repurpose Building A and Building B, which will consist of the following approved 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 were 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. Below is a table reflecting the existing building setbacks from the north, south, east, and west property lines of the project site:

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

The approved plans indicate the addition of 2 commercial driveways 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 approved 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 a 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 approved 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 was approved 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 approved 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. A drive-thru window addition on the west side of Building A, adjacent to Arville Street, was approved.

Floor Plans

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

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

The approved 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 approved 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.

Previous Conditions of Approval

Listed below are the approved conditions for UC-21-0165:

**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 that 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.

Applicant's Justification

The applicant states they have encountered unforeseen circumstances, including labor and equipment shortages, resulting in the project being delayed. The applicant is requesting an extension of time to allow for supplies to be obtained so that they can commence.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-21-0165	Use permits, waiver of development standards & design reviews for retail, office, and restaurant uses	Approved by PC	June 2021
UC-19-0663	Cannabis establishment (cultivation facility)	Withdrawn at BCC	October 2019
UC-19-0662	Cannabis establishment (production facility)	Withdrawn at BCC	October 2019

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-18-0160	Cannabis establishment (production)	Withdrawn at BCC	April 2018
UC-18-0159	Cannabis establishment (cultivation)	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	Business Employment	M-1	Office warehouse complexes
South	Entertainment Mixed-Use	M-1	Adult bookstore, retail store, auto repair, Budget Suites Hotel, & Fire Training Facility
East	Entertainment Mixed-Use	M-1	Office warehouse & office building
West	Entertainment Mixed-Use	H-1	Orleans Resort Hotel

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws

or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

Staff believes the applicant has demonstrated progress towards the commencement of the development. Since being approved, several building permits have been issued for interior and exterior improvements. Furthermore, a permit has been issued for off-site improvements (PW21-17370); therefore, staff can support the extension of time request.

**Staff Recommendation**  
Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Until June 01, 2025 to commence.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- Compliance with previous conditions.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: MARYAM ROSTAMI**

**CONTACT: MARYAM ROSTAMI, EMERALD CITY SHOPPING CENTER, 1173 S. 250 W. STE 211, ST. GEORGE, UT 84770**

23-400082



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <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 checked="" type="checkbox"/> EXTENSION OF TIME (ET) <u>21-0185</u> (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>23-400082</u> DATE FILED: <u>5/24/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>6/27/23</u> PC MEETING DATE: <u>7/18/23</u> BCC MEETING DATE: _____ FEE: <u>\$900</u>
	<b>PROPERTY OWNER</b>  NAME: <u>4300 Trop. LLC &amp; Frank Habibian, LLC</u> ADDRESS: <u>1173 S. 250 W. STE 211</u> CITY: <u>St. George</u> STATE: <u>UT</u> ZIP: <u>84770</u> TELEPHONE: <u>435.229.7091</u> CELL: <u>Same</u> E-MAIL: <u>shermanhabibian@yahoo.com</u>
	<b>APPLICANT</b>  NAME: <u>Emerald City Shopping Center DBA AunteeM's Market</u> ADDRESS: <u>4300 W. Tropicana Ave Building A Unit 1</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>702.218.2313</u> CELL: <u>Same</u> E-MAIL: <u>mrostami@yahoo.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Maryam Rostami</u> ADDRESS: <u>9384 Pinarello St.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89178</u> TELEPHONE: <u>702.218.2313</u> CELL: <u>Same</u> E-MAIL: <u>mrostami@yahoo.com</u> REF CONTACT ID #: _____

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

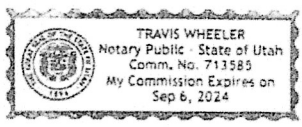
PROPERTY ADDRESS and/or CROSS STREETS: 4300 W Tropicana Ave Building A Unit 1/Arville

PROJECT DESCRIPTION: Special Use Permit for The Grocery Store

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

Sherman Habibian  
 Property Owner (Signature)\*  
 Sherman Habibian  
 Property Owner (Print)

STATE OF UTAH  
 COUNTY OF WASHINGTON  
 SUBSCRIBED AND SWORN BEFORE ME ON MARCH 10 2023 (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.

2

23-400082

Date: 05/25/2023

Clark County Comprehensive Planning

Re: Extension of Time

APR: 21-0165

APN: 162-19-801-012

I am requesting an Extension of Time for the above referenced application (Special Use Permit for Packaged Food, Beer and Wine Sales at the Grocery Store located at 4300 W. Tropicana Ave Building A Unit 1 Las Vegas, NV 89103). The project has been delayed for Labor and Equipment shortages due to a pandemic.

Thank you for your consideration in this matter.

A handwritten signature in black ink, appearing to read "Frank Habibian". The signature is fluid and cursive, with a large initial "F" and "H".

Respectfully,

Frank Habibian

2



07/18/23 PC AGENDA SHEET

COMMUNICATION TOWER  
(TITLE 30)

WINDMILL LN/TAMARUS ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-23-0261-SILVER MEADOW PROPERTIES, LLC:**

**USE PERMITS** for the following: 1) communication tower; and 2) reduce the separation from another communication tower.

**WAIVER OF DEVELOPMENT STANDARDS** for encroachment into air space.

**DESIGN REVIEW** for a proposed communication tower and associated ground-mounted equipment on 0.8 acres in a C-1 (Local Business) Zone.

Generally located on the Southwest corner of Tamarus Street and Windmill Lane within Paradise MN/sd/syp (For possible action)

---

RELATED INFORMATION:

**APN:**

177-14-101-003

**USE PERMITS:**

1. Communication tower.
2. Reduce the separation from another communication tower to 90 feet where 600 feet is required Per Table 30.44-1. (an 85% reduction).

**WAIVER OF DEVELOPMENT STANDARDS:**

Permit encroachment into airspace.

**LAND USE PLAN:**

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 1465 E. Windmill Lane
- Site Acreage: 0.8
- Project Type: Communication tower
- Tower Height (feet): 80

**Site Plans**

The approved plans show an existing 4,000 square foot convenience store and a stand-alone car wash building along the southern property line. Access to the site is provided via 1 ingress/egress

point from Windmill Lane and 2 ingress/egress points from Tamarus Street. The existing number of parking spaces exceeds Title 30 requirements as 23 spaces are provided where 19 spaces are required. The application is for a communication tower to be located in the southwest portion of the parcel, with a 27 foot setback to the west parcel line, 236 feet from the street property line, and 34 feet from southern property lines.

Landscaping

Landscaping is not part of this application.

Elevations

The proposed tower could house 3 sets of antenna arrays on a new stealth monopole design communication tower. The proposed monopole has an overall height of 80 feet including the pole, all antennae, and branches. The proposed wireless facility is set back a substantial distance from adjacent property lines.

Applicant's Justification

The proposed facility is necessary to accommodate capacity within the immediate area of the subject site, and AT&T Mobility relocating their antennas from a tower to the west that is failing structurally, resulting in no existing communication towers in the area. The existing slim-line stealth monopole on the parcel to the west is not compatible with today's newer technologies. The proposed monopole allows for 3 wireless communication carriers to install on the tower. The cell tower and associated ground equipment will be painted to match the existing colors of the building.

The proposed facility is located on an existing gas station/convenience store property with a smog check station. All ground equipment will be located within the equipment enclosure, which is approximately 575 square feet. There is currently an existing slim-line communication tower within 90 feet of the proposed wireless facility; however, this tower cannot structurally support today's technology, therefore, the applicant is requesting a waiver for separation.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0065-10	Vehicle maintenance (smog check)	Approved by PC	March 2010

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Use	R-E	Undeveloped
South	Corridor Mixed-Use	R-E	School
East	Corridor Mixed-Use	C-1	Retail/office
West	Corridor Mixed-Use	C-2	Commercial retail

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Comprehensive 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 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 does not anticipate any negative impacts of the proposed communication tower and the ground equipment to the surrounding neighborhood and neighboring residential parcels since the proposed communication tower is needed to serve the community with essential wireless telecommunication services in the surrounding region.

#### Use Permit #2

While staff generally does not support reductions in use separations, the applicant has stated the need for a new tower. The adjacent existing tower the applicant is requesting the waiver for cannot structurally support current technology. The proposed communication tower conforms to Title 30 standards. Staff finds this request to reduce the separation from another cell tower to 90 feet will not have significant impacts to the immediate area; therefore, staff can support this request.

#### Waiver of Development Standards

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

#### Design Review

The applicant is proposing to install the new communication tower, antenna arrays, and screen wall to match the surrounding area and will incorporate shielding or stealth architectural elements to reduce the visual impact of a communication tower. Staff finds that architectural compatibility encourages the proposed communication tower and equipment to have less of a visual impact. Staff has no objection to the applicant's design review request and recommends approval. Staff finds that visually screening measures that surround the ground equipment area reduces the visual impact of the tower's proposed ground equipment.

#### **Department of Aviation**

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

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

- Applicant is advised that a bond (or other guarantee per Table 30.44) is required prior to the construction of the tower; that this approval also includes all future antennas proposed in conjunction with this tower, provided all future antennas are determined to not be visually obtrusive to this area; and that in order to construct this tower, building permits must be obtained for this tower prior to building permits being issued for any other communication tower within a radius of 600 feet, otherwise additional land use applications may be required; the installation and use of new cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

#### **Public Works - Development Review**

- No comment.

#### **Department of Aviation**

- 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; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.

- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** AMY TOLLEFSON

**CONTACT:** AMY TOLLEFSON, 10245 EAST VÍA LINDA, SCOTTSDALE, AZ 85258

DRAFT



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input checked="" type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>UC-23-0261</u> DATE FILED: <u>5/9/23</u> PLANNER ASSIGNED: <u>SUD</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>6-27-23</u> PC MEETING DATE: <u>7-18-23</u> BCC MEETING DATE: _____ FEE: <u>\$4,825</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Silver Meadow Properties, LLC</u> ADDRESS: <u>1465 E. Windmill Lane</u> <u>(606#57)</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: <u>(702) 367-0056 x123</u> CELL: _____ E-MAIL: <u>trobinson@gvgrocery.com</u>
	<b>APPLICANT</b>  NAME: <u>Ryan Guzman - AT&amp;T Mobility</u> ADDRESS: <u>W Charleston Blvd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: _____      CELL: <u>(702) 456-6449</u> E-MAIL: <u>rg9942@att.com</u> REF CONTACT ID #: <u>NVL002482 - Windmill Relo</u>
	<b>CORRESPONDENT</b>  NAME: <u>Amy Tollefson - Young Design Corp</u> ADDRESS: <u>10245 E Via Linda Suite 211</u> CITY: <u>Scottsdale</u> STATE: <u>AZ</u> ZIP: <u>85258</u> TELEPHONE: _____      CELL: <u>(702) 538-0744</u> E-MAIL: <u>amy.tollefson@ydcoffice.com</u> REF CONTACT ID #: <u>NVL002482 - Windmill Relo</u>

ASSESSOR'S PARCEL NUMBER(S): 177-14-101-003

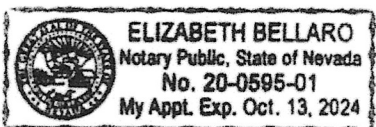
PROPERTY ADDRESS and/or CROSS STREETS: 1465 E. Windmill Lane, Las Vegas, NV 89123

PROJECT DESCRIPTION: AT&T Mobility to build an 80' stealth monopole and CMU block wall to enclose ground equipment.

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

Property Owner (Signature)\* [Signature]  
 STATE OF NEVADA  
 COUNTY OF CLARK  
 Property Owner (Print) TIM ROBINSON mgr.

SUBSCRIBED AND SWORN BEFORE ME ON January 19, 2023 (DATE)  
 By Timothy Robinson  
 NOTARY PUBLIC: [Signature]



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

October 24, 2022

RE: Justification Letter for Use Permit for 80' communication tower  
Design Review and Special Use Permit for the tower and lease space  
Waiver of Design Standard for Minimum Tower Separation  
AT&T Mobility Tower NVL02482 Windmill Relo  
APN: 177-14-101-003

**Proposed Use:**

AT&T Mobility requests to construct a wireless communication facility located on APN: 177-14-101-003 (1465 E Windmill Lane) off East Windmill Lane and west of Tamarus Street. The proposed facility would allow for other collocations and thus reduce the number of towers in the area. We are applying for the following: A Special Use Permit to allow an 80-foot-high communications tower, a Design Review Permit for the tower and lease space, a Waiver of Development Standards to reduce the minimum tower separation from 600' to 100'.

**Site Description:**

The overall subject site is approximately 575 square feet. The parcel is currently zoned C-1, Local Business and is owned by Silver Meadow Properties LLC. The proposed facility would be located approximately 27'-10" from the western property line, 236'-1" from the northern property line, 107'-9" from the eastern property line, and 34'2" from the southern property line. The current use of the property is a gas station and smog check station with an automatic car wash.

**Facility Description:**

The proposed facility could house 3 sets of antenna arrays on a new stealth monopole design communication tower. The proposed monopole has an overall height of 80 feet including the pole, all antennae, and branches. The proposed wireless facility is set back a substantial distance from adjacent property lines. The areas surround the subject parcel are R-E Rural Estates Residential to the north, east, and south. And C-1 Local Business to the west of the parcel.

**Collocation Capability:**

The proposed facility is necessary to accommodate capacity within the immediate area of the subject site and AT&T Mobility relocating their antennas from a tower to the west that fails structurally, as well as the result of no existing collocatable facilities. The existing slim-line stealth monopole on the parcel to the west is not compatible with today's newer technologies. The proposed monopole allows for three (3) wireless communication carriers to install on the facility.

**No Adverse Effects on Adjacent Properties:**

The site will not have any adverse impact on the surrounding properties. The proposed facility is located on an existing gas station/convenience store property with a smog check station.

The noise generated from this site will be extremely limited and well below that of the surrounding properties. No noise from the proposed facility will be able to be heard from the property boundaries. Any noise generated will be well below the requirements of the County zoning ordinance.

**Ground Equipment:**

All ground equipment will be located within the equipment enclosure shown on sheet A-1.0 of the attached site plan. The equipment enclosure is approximately 575 square feet. The enclosure contains an 8-foot CMU block wall that will be painted to blend into the surrounding block walls. The access gate will be new tube steel gates with solid metal backing. The block wall and gate will completely screen all equipment housed within the enclosure.

**Landscaping and Grading:**

The proposed location of the wireless facility (pole as well as equipment enclosure) will slightly impact existing landscaping on site. We will be placing the monopole in a small, landscaped island and taking up one parking spot in front of the smog check station. A grading plan is not required for this development.

**Separation:**

There is currently an existing slim-line communication tower within a 90' of the proposed wireless facility. The existing tower is not collocatable and cannot structurally support today's technology, therefore, we are requesting a waiver of the 600-foot rule in Clark County Title 30 land use code.

**Parking and Traffic Impact Analysis:**

The proposed wireless facility will not require a parking or traffic impact analysis. The tower compound will require eliminate one parking spot in front of the smog check station where people are not typically parked for a long period of time.

**Residential Impact Statement:**

The proposed wireless facility will not require a residential impact statement. Additionally, there are existing NV Energy Transmission poles and lines on the northern end of the parcel, spanning east-west along W. Flamingo Rd.

**Applicable Regulations:**

The proposed facility will comply with all local, state, and federal regulations for such facilities and will be maintained in accordance with applicable standards. This compliance includes but is not limited to FCC radio frequency emission standards and FAA registration.

**Conclusion:**

The proposed facility provides concealment and aesthetic considerations based on the requirements identified within Clark County's Title 30 Development Code for communication towers and antennas. The proposed facility will improve coverage for the area without being visually intrusive to the subject property or surrounding properties. The facility will allow for collocation for up to three (3) wireless carriers and help with the ever-growing use of mobile devices for personal and business use in Clark County.



07/18/23 PC AGENDA SHEET

RETAIL SALES  
(TITLE 30)

PATRICK LN/HARRISON DR

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-23-0264-2675 PATRICK 6145 HARRISON LLC:**

**USE PERMIT** for retail sales (clothing, accessories, candles, and home décor) as a principal use in conjunction with an existing office/warehouse complex on a portion of 4.5 acres in an M-D (Designed Manufacturing) (AE-60 & AE-65) Zone.

Generally located on the south side of Patrick Lane, approximately 370 feet west of Harrison Drive within Paradise. JG/hw/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**  
162-36-310-013 ptn

**LAND USE PLAN:**  
WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

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

- Site Address: 2675 E. Patrick Lane, Suite 8
- Site Acreage: 4.5 (portion)
- Project Type: Retail sales
- Number of Stories: 1
- Building Height (feet): 18
- Square Feet: 641
- Parking Required/Provided: 39/57

**Site Plan**

The site plan depicts an existing office/warehouse building located approximately 370 feet west of the intersection of Patrick Lane and Harrison Drive. The building is located amongst a larger complex of office/warehouse buildings and is located in the northwestern corner of the building grouping. The subject building is rectangular in shape and contains approximately 25,856 square feet of office and warehouse space. The subject location of the use permit is Suite 8, which is located in the east-central portion of the overall building. Parking is mainly located within a lot located in the northern portion of the site in front of the subject building. Loading areas and employee parking are shown in the rear of the building, as well. Access to the site is provided via 2 commercial driveways located on the east and west sides of the site that connect with Patrick

Lane. Additional access is provided through lots to the south through several commercial driveways that connect to Harrison Drive.

#### Landscaping

The existing landscaping on the site consists of a 20 foot street landscaping strip behind a 5 foot attached sidewalk. This landscaping strip contains several medium sized trees with smaller shrubs interspersed. Additional landscaping is provided in front of the entrances to the building and along the east and west sides of the building. The landscaping provided in these areas also includes several large and medium sized trees with small shrubs. A landscape buffer of shrubs and medium sized trees is provided along the western property line. No additional landscaping is proposed or required with this request.

#### Elevations

The elevations depict an approximately 18 foot high office/warehouse building. The building's exterior consists primarily of painted stucco and CMU block. The roofline of the north elevation (front) varies significantly with changes in height and tile gabled roof awnings. The south elevation is primarily a straight-faced CMU block elevation with some height variation. The exterior colors are primarily desert neutral colors like coral, khaki, and browns. Access to the building is provided by aluminum commercial window and door systems for each suite along the north elevation, and roll-up doors and metal entrance door provided in the rear.

#### Floor Plans

The floor plans provided show an approximately 641 square foot commercial/office lease space. The main portion of the space is dedicated to the display and sales area. This 527 square foot space will have several clothes racks, sales shelves, and a small changing room in the southwest portion of the space. In the southeast portion of the suite, is a 114 square foot combined office and inventory storage area.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant states that the retail sales at this location will primarily be the on-line sale of clothing, accessories, candles, and other home décor items. The applicant states that customers would be present within the store no more than 1 or 2 people at a time and it would be rare for them to stop by and browse the showroom. They also state that they would be open from 10:00 a.m. to 5:00 p.m. and there would be no more than 2 employees on-site. They state that beyond sales, the operations at this location would include packaging and shipping orders, taking inventory, and bookkeeping. Finally, they state there will be no secondhand sales and no significant impacts on the surrounding neighborhood.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-1454-05	Retail sales as a principal use and secondhand sales - expired	Approved by PC	November 2005
VC-0988-95	Reduce landscaping and setbacks of a retaining wall	Approved by PC	July 1995
ZC-16-90	Reclassified the site from C-2 to M-D Zoning for an office/warehouse complex	Approved by BCC	February 1990

**Surrounding Land Use**

	Planned Land Use Category	Zoning District*	Existing Land Use
North	Neighborhood Commercial	M-D	Office/warehouse complex
South & East	Business Employment	M-D & M-1	Office/warehouse complex
West	Public Use	P-F	Cemetery

\*All surrounding parcels are in a combination of AE-60 and AE-65 Overlays.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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

Staff's primary concerns with these types of uses are to ensure compatibility with existing and planned surrounding uses and that there is adequate on-site parking. Retail sales in other parts of Clark County have been shown to be appropriate within office/warehouse developments. Staff does not anticipate that the proposed use will have any adverse or negative impacts on the adjacent commercial or industrial properties due to the less intensive nature of retail compared to the industrial uses in the surrounding area. In addition, the expected number of customers on-site is also relatively low and would be more similar to the less intensive warehousing of goods. Overall, staff finds that the use is compatible with the existing development in the surrounding area and is compatible with the existing uses within the office/warehouse complex. The proposed use places no additional demands on the site in terms of required parking, as sufficient parking is provided to handle the addition of retail sales at this location. No additional landscaping or other design features are required at this time. For these reasons, staff can support this use permit.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

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

**Public Works - Development Review**

- No comment.

**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: PIPER JUNE BOUTIQUE**

**CONTACT: PIPER JUNE BOUTIQUE, 2675 E. PATRICK LN, SUITE 8, LAS VEGAS, NV 89120**



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <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)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) <input type="checkbox"/> APPLICATION REVIEW (AR)	<b>STAFF</b> APP. NUMBER: <u>UC-23-0264</u> DATE FILED: <u>5/16/23</u> PLANNER ASSIGNED: <u>HW</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>6/27/23</u> PC MEETING DATE: <u>7/18/23</u> BCC MEETING DATE: _____ FEE: <u>\$675</u>
	<b>PROPERTY OWNER</b> NAME: <u>2675 Patrick Ln Harrison LLC</u> ADDRESS: <u>195 E Reno Ave #A</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119-1123</u> TELEPHONE: <u>702-798-1133</u> CELL: _____ E-MAIL: _____
	<b>APPLICANT</b> NAME: <u>Joshua Dunn</u> ADDRESS: <u>2675 E. Patrick Ln. suite 8</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702-498-4450</u> CELL: <u>702-498-4450</u> E-MAIL: _____      REF CONTACT ID #: _____ <u>ZettaGroupLLC@gmail.com</u>
	<b>CORRESPONDENT</b> NAME: _____ ADDRESS: _____ CITY: _____      STATE: _____      ZIP: _____ TELEPHONE: _____      CELL: _____ E-MAIL: _____      REF CONTACT ID #: _____

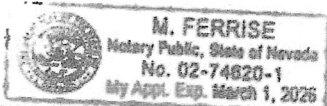
Send Doc for LL

ASSESSOR'S PARCEL NUMBER(S): 162-36-310-013  
 PROPERTY ADDRESS and/or CROSS STREETS: 2675 E. Patrick Ln. suite 8 Las Vegas NV, 89120  
 PROJECT DESCRIPTION: use permit to allow in person sales on fire accessing

(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)\* Johnny A. Ribera  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON July 19, 2023 (DATE)  
 By Johnny A. Ribera Jr  
 NOTARY PUBLIC: [Signature]



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

## Justification Letter

Intent: Applying for a use permit for in-person sales in an M-D zone.

**-What Items will you be selling:** Women's Apparel, Accessories, Candles, Home Decor and Baby Clothes.

Feel free to check out our online website. [www.piperjuneboutique.com](http://www.piperjuneboutique.com)

**-Please Include details of how many people you will be expecting and how often:**  
We are expecting no more than 1 person at a time and it would be for the rare occasions that someone stops by to browse the small showroom.

**-What will the hours be:**

10:00 AM - 5:00 PM

**- How Many Employees:**

2

**- What Other Uses you will be conducting when you do not have customers.**  
Packaging and shipping online orders, Live Videos showing new inventory received, Purchasing new inventory, Updating online website, Book Keeping.

**- Make Clear if this is secondhand sales or not.**

This is not second hand sales. New.

**- Any other Details about the Business would be helpful, like any impacts to neighbors and any mitigation measures:**

No Impact to neighbors. Mitigation Measures to be used would be any and all CDC guidance given for the given time.

ART GALLERY  
(TITLE 30)

DEAN MARTIN DR/HARMON AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0268-CY & RI HERITAGE INN PALMDALE ETAL & CY HERITAGE INN DAYTON INC:**

**USE PERMIT** for an art gallery in conjunction with an existing commercial/industrial complex on 10.1 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the west side of Dean Martin Drive, approximately 1,200 feet north of Harmon Avenue within Paradise. MN/hw/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**

162-20-214-003 ptn

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 4325 Dean Martin Drive
- Site Acreage: 10.1
- Project Type: Art gallery
- Number of Stories: 1
- Building Height (feet): 14
- Square Feet: 5,314
- Parking Required/Provided: 412 (per VC-1890-99)/515 (per UC-21-0031)

**Site Plan**

The site plan depicts an existing 160,551 square foot commercial/industrial complex located on the west side of Dean Martin Drive and approximately 1,200 feet north of Harmon Avenue. The plans show the existing complex consists of 6 buildings evenly distributed throughout the site. Previous land use requests show that there are several retail, office, and commercial service uses existing on this site. The subject suites are located in a reverse L-shaped building located on the eastern portion of the site and located in the northeastern portion of the building. Parking is located throughout the site, mainly in the front of the building, along the sides of the property with some parking interspersed between buildings. Provided parking totals 515 spaces with required parking lowered to 412 by VC-1890-99. Access to the site is provided by 3 commercial

driveways along Dean Martin Drive and 1 commercial driveway that connects with Aldebaran Avenue.

Landscaping

There are no proposed changes to the provided landscaping on the site, nor are there any required changes to landscape provision. The current landscaping on the site consists of an approximately 10 foot to 40 foot wide landscaping strip found along Dean Martin Drive which consists of rock mulch and small shrubs. Internal site landscaping can be found in front of the buildings and in scattered landscape finger islands, which also contain rock mulch and small shrubs.

Elevations

The elevations depict a typical commercial plaza building. The building is shown to be approximately 14 feet tall with painted stucco, decorative block, and stone/brick exterior materials. The exterior colors are primarily beige with khaki accents. The roofline and façade vary with increasing elevations and pop-outs. Access to the building is provided by commercial window and door systems along the front of the building and metal roll-up doors in the rear.

Floor Plans

The floor plans show an existing 5,314 square foot commercial retail space. The majority of the space (5,000 square feet) is a large open gallery space for the sale and display of various artwork (sculpture, paintings, etc.). The remaining space is dedicated to support rooms like a bathroom with a shower, storage room, and an office.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the business is that of a fine art gallery selling various prints, sculptures, paintings, and other objets d'art. They state that the business should not have a negative impact on the area as no additional infrastructure is needed, parking is sufficient, and they will primarily operate during normal business hours. The applicant indicates that they will be open Wednesday through Monday from 10:00 a.m. until 4:00 p.m. and they do not expect more than 6 customers will be present on the site at any given time.

**Prior Land Use Requests\***

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-21-0031	Health club (fitness center/gym)	Approved by PC	March 2021
UC-0297-17	Minor training facility (fitness center)	Approved by PC	June 2017
UC-0431-16	Personal services (body cryotherapy and HydraFacial, cool sculpting, and laser hair removal)	Approved by PC	August 2016
UC-0445-15	Retail sales (sporting goods)	Approved by PC	September 2015



**Prior Land Use Requests\***

Application Number	Request	Action	Date
UC-0296-14	Postal services	Approved by PC	June 2014
UC-0176-13	Major training facility (dance studio)	Approved by PC	June 2013
UC-0286-10	Personal services (day spa)	Approved by PC	August 2010
ZC-1291-07	Reclassified the site to H-1 zoning for a resort hotel, resort condominiums, and associated commercial uses	Approved by BCC	January 2008
VC-1890-99	Reduced parking and permitted turf in landscaped areas	Approved by PC	January 2000
ZC-070-87	Reclassified the site to M-1 zoning for a commercial development consisting of offices, retail shops, stores, and office warehouse facilities	Approved by BCC	April 1987
UC-161-86	Commercial development consisting of offices, retail shops, and stores in an H-1 zone (portion)	Approved by PC	June 1986

\*There are numerous previous land use requests, the table includes the most recent and relevant requests.

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	M-1	Restaurant
South	Entertainment Mixed-Use	H-1 & M-1	Office/warehouse buildings
East	Entertainment Mixed-Use	H-1	Bellagio Resort Hotel
West	Entertainment Mixed-Use	H-1	Distribution center & office/warehouse building

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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

The intent of requiring a special use permit for certain commercial ventures within the H-1 zoning district is to accommodate a full range of commercial uses in an area while assuring there is adequate space and services for the principal tourism and hospitality related uses that the H-1 zone is designed for, and to assure that the mix of uses in the zone do not conflict with each other. Overall, staff does not anticipate any adverse impacts from the proposed art gallery on the

neighborhood, as the shopping center and building are currently existing, there is sufficient parking and access to the site, and there is a history of retail and commercial service uses at this location with no apparent issues. In addition, staff finds that the use is compatible with the H-1 zoning district, as the proposed use is in an area that is well separated from residential and gaming uses and the surrounding area has established itself with a mix of retail, commercial, and industrial uses. The proposed use places no additional demands on the site in terms of required parking, landscaping, or other design features. For these reasons, staff can support this use permit.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

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

**Public Works - Development Review**

- No comment.

**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: PHYLLIS BEDOL**

**CONTACT: PHYLLIS BEDOL, CENTAUR ART GALLERIES LLC, 4305 DEAN MARTIN  
DRIVE #165, LAS VEGAS, NV 89103**

DRAFT



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input 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 (ANR) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>UC-23-0268</u> DATE FILED: <u>5/22/23</u> PLANNER ASSIGNED: <u>HUJ</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>6/27/23</u> PC MEETING DATE: <u>7/18/23</u> BCC MEETING DATE: _____ FEE: <u>\$675</u>
	<b>PROPERTY OWNER</b>  NAME: <u>TM II South Tech, LLC, CY &amp; R.J Heritage Inn of Palmdale</u> ADDRESS: <u>4255 Dean Martin Dr. Unit J</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>702-296-7300</u> CELL: _____ E-MAIL: <u>CBunce@diversifiedgrp.com</u>
	<b>APPLICANT</b>  NAME: <u>Dennis E. SUTPHIN</u> ADDRESS: <u>4305 Dean Martin Dr. Unit 165</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>702-737-1234</u> CELL: <u>702-376-5588</u> E-MAIL: <u>Dennis.Centaur Galleries@gmail.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Phyllis bedol</u> ADDRESS: <u>4305 Dean Martin Dr. Suite 165</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>702-737-1234</u> CELL: <u>702-460-9242</u> E-MAIL: <u>phyllis.bedol@centaurgalleries.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-20-214-003  
 PROPERTY ADDRESS and/or CROSS STREETS: 4305 Dean Martin Dr. Unit 165 L.V. NV 89103  
 PROJECT DESCRIPTION: Retail ART GALLERY 5364 Sq. FT.

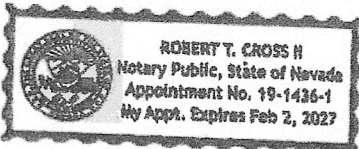
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF Nevada  
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON May 11th, 2023 (DATE)

By Robert T. Cross II  
 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.

# Centaur Art Galleries

4305 Dean Martin Drive  
Suite 165  
Las Vegas, Nevada 89103  
(702) 737-1231  
www.centaurgalleries.com

PLANNER  
COPY

06-23-0268

To Whom It May Concern,

This letter will serve as Justification for a use permit for the leasehold premises at 4305 Dean Martin Drive; Unit 165 for Centaur Art Galleries LLC. dba 'Centaur Art Gallery' (Centaur). Centaur has been doing business in Las Vegas for more than 40 years. Its business is that of a Fine Art retail gallery selling fine art, including but not limited to fine art paintings, prints, sculptures and other Objet d' Art.

Centaur, and its other local prior retail entities (Centaur Sculpture Galleries, Minotaur Gallery) have had leaseholds in Caesar's Forum Shops and the Fashion Show Mall. From 2015-2022 Centaur has occupied a retail gallery at 4345 Dean Martin Drive.

Centaur's usage of the premises at 4305 Dean Martin Drive will be consistent with that of a Fine Art Gallery. The only need for public services will be standard electrical for lighting and HVAC purposes.

Our operating hours will be (But subject to change) 6 days per week (Closed Tuesdays) From 10:00AM to 4:00PM. The Gallery will not operate any continuous nighttime hours that are open to the public. The gallery is a relatively low traffic location which rarely serves more than six patrons simultaneously.

The Gallery's impact on the surrounding area and other adjacent tenants is negligible but positive considering the nature of its clientele.

The Gallery does not require any additional special permits or waivers per table 30.44.

For additional information please contact Phyllis Bedol at 702-737-1234.

Thank you for your consideration regarding this request for the referenced use permit.

Sincerely,



Dennis Sutphin  
President/ CEO

07/18/23 PC AGENDA SHEET

RETAIL CENTER  
(TITLE 30)

PARADISE RD/FLAMINGO RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0273-FANTICOLA ANTHONY & JOANN FAM LP:**

**USE PERMITS** for the following: 1) on-premises consumption of alcohol (tavern); 2) retail sales and services; 3) restaurant; and 4) personal service.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) street landscaping; and 2) alternative driveway geometrics.

**DESIGN REVIEWS** for the following: 1) a retail center; and 2) alternative parking lot landscaping on 1.8 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone.

Generally located on the east side of Paradise Road, 100 feet north of Flamingo Road within Paradise. JG/lm/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**

162-15-401-018

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce landscaping to 10 feet where 15 feet of landscaping is required behind an existing attached sidewalk, per Section 30:64.030 (a 33.3% reduction).
2.
  - a. Reduce driveway throat depth to 5 feet where a minimum of 100 feet is required per Uniform Standard Drawing 222.1 (a 95% reduction).
  - b. Permit a pan driveway where a commercial driveway is required per Uniform Standard Drawing 222.1.

**DESIGN REVIEWS:**

1. Retail center.
2. Alternative parking lot landscaping.

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 4080 Paradise Road
- Site Acreage: 1.8
- Project Type: Retail center

- Number of Stories: 1
- Building Height (feet): 30
- Square Feet: 17,072
- Parking Required/Provided: 109/112

### History & Request

The site was previously approved for the reconstruction of a retail building with multiple tenant spaces that was destroyed by fire in 2021. The reconstruction of the building was previously approved (ADR-23-900248). This request is to review the site design and proposed use.

### Site Plans

The plans depict the location of an approved reconstruction of a retail building within a previously approved retail center. Access to the site is from existing driveways on Paradise Road and Palos Verdes Street. The northern driveway along Paradise Road will be removed as part of the site improvements. An additional 10 feet of right-of-way was previously dedicated for Paradise Road (100 feet total street width) and the attached sidewalk exists on the private property. The reconstructed building is located on the western portion of the site. Cross access is provided to the parcel to the north via a 24 foot wide fire access on the west side of the building. Parking is located adjacent to the building and along the south property line, and along the north property line on the east side of the site. There are 112 parking spaces provided including 8 parallel parking spaces on the eastern portion of the site. There are 2 existing billboard sites located on the parcel, 1 on the western portion of the site that is located over the entrance driveway, and another on the eastern portion of the site. Two loading spaces are provided with 1 located on the western portion of the site and another on the east side of the building. The trash enclosure is located to the east of the building.

### Landscaping

Parking lot landscaping is distributed along the south property line and the eastern portion of the site. A 10 foot wide street landscape area is provided in back of the existing sidewalk. A portion of the existing Paradise Road street landscaping will be removed (the portion that currently includes the freestanding sign) to allow for the required fire access lane.

### Elevations

The approved plan depicts a proposed retail building with varying roof heights that range from 24 feet 4 inches to 30 feet. Exterior materials include painted stucco with commercial window and door fronts. Exterior materials include painted stucco and block, with reveals consisting of decorative stone and covered shade canopies. Roof mounted mechanical equipment is screened by parapet walls.

### Floor Plan

The approved plan depicts a 17,072 square foot retail building and includes several tenant spaces. All access to the building is from the south and west elevations. The proposed uses include a tavern (4,998 square feet) and other tenant uses.

### Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that a new tavern will be established on the same site where the previous tavern once stood. Prior to the 2021 fire, this site had minimal landscaping. As a result of the reconstruction, there will be an increase in tree canopy and heat mitigation for the urban core. Additionally, the property owner would like to maintain the existing driveways, which necessitates a reduction in throat depth on the egress side of the driveway and is not expected to cause conflicts.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ADR-23-900248	Reconstruction of a retail center	Approved by ZA	June 2023
ADR-19-900454	Digital conversion of billboard	Approved by ZA	August 2019
UC-310-09	On-premises consumption of alcohol (tavern)	Approved by PC	June 2009

Additional land use applications are associated with this site; however, these applications are related to the previous development.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Entertainment Mixed-use	H-1	Hotel
South	Entertainment Mixed-use	H-1	Restaurants
East	Entertainment Mixed-use	R-5	Multiple family residential
West	Entertainment Mixed-use	H-1	Restaurants & office park

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

**Use Permit**

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

The proposed uses are typical of the Paradise Road corridor. The redevelopment of this site meets Goal WP-3 of the Master Plan, which encourages the revitalization of established employment centers and commercial corridors.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the



property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

#### Waiver of Development Standards #1 and Design Reviews

Staff finds that the redesigned parking and landscape areas update and upgrade the site to provide more development standards of the Code (i.e., parking lot landscaping, loading spaces, and street landscaping) than provided by the previous development. Additionally, Paradise Road is currently in the design phase with Public Works, which may impact the location and use of attached sidewalks and driveways. If the sidewalk location is redesigned by Public Works to allow for a detached sidewalk, an adequate landscape area (15 feet) will be provided to meet the current standards; therefore, staff can support the design as requested.

#### **Public Works - Development Review**

##### Waiver of Development Standards #2a

Staff can support the request to reduce the throat depth for the existing Paradise Road driveway as the applicant has reduced the potential conflicts by providing extra landscape planters to provide drivers more distance before they encounter any conflicting parking spaces.

##### Waiver of Development Standards #2b

Staff has no objection to allowing the applicant to keep the existing pan driveways and not install a curb return driveways due to the narrowness of the site.

#### **Staff Recommendation Approval.**

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

#### **PRELIMINARY STAFF CONDITIONS:**

##### **Comprehensive Planning**

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- Freestanding sign along Paradise Road to be removed prior to final inspection.
- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license, or approval; that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has

been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Paradise Road improvement project;
- Install ADA compliant sidewalks on Paradise Road and Palos Verdes Street driveways.
- Applicant is advised that off-site improvement permits may be required.

**Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0108-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ANTHONY FANTICOLA AND JOANN FANTICOLA FAMILY TRUST

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



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

KAEMPFER

CROWELL

JENNIFER LAZOVICH  
[jlazovich@kcnvlaw.com](mailto:jlazovich@kcnvlaw.com)  
D: 702.792.7050

May 11, 2023

**VIA ELECTRONIC UPLOAD**

LORNA PHEGLEY  
CLARK COUNTY COMPREHENSIVE PLANNING  
500 S. Grand Central Parkway, 1<sup>st</sup> Floor  
Las Vegas, Nevada 89106

**Re: *Revised Justification Letter –Design Review for 1) Retail Center with Restaurants, and 2) Parking Lot Landscaping; Use Permit for On-Premise Sale of Alcohol (Tavern) in H-1 zone; and Waivers of Development Standards to 1) Allow Existing Pan Driveway, 2) Reduce Throat Depth and 3) Allow for Alternative Landscaping Along an Arterial Street***  
**APN: 162-15-401-018**

Dear Lorna:

Please be advised, this Firm represents the property owner and developer (the “Applicant”) at 4080 Paradise Road (the “Site”). The Site is 1.9 gross acres and is zoned H-1. For decades, there was an inline commercial building on the Site. The tenants included a tavern, restaurant and general personal and retail services. In November 2021, the building was destroyed by a fire.

The Applicant has submitted an administrative design review (APR-22-101381) for the reconstruction of the commercial building that was completely destroyed by the fire in 2021. The Applicant is proposing to reconstruct a 17,072 square foot commercial center. The new commercial building is, for the most part, in the same location as the previous commercial building and will have similar tenants as in the past (general personal and retail services, restaurant and tavern). The maximum height of building is 30 feet and the Site has a total of 112 parking spaces where 109 parking spaces are required pursuant to Table 30.60.3. Given the narrowness of the Site, reconstruction of the commercial building is appropriate for the surrounding area.

The Applicant is now seeking a special use permit to re-establish the on-premise alcohol (tavern) use. The tavern use will utilize the same door location as was in the prior building that was destroyed but the overall space will be slightly larger in square footage. The proposed tavern square footage will be 4,998 square feet. The proposed tavern use remains appropriate for the surrounding area due to the commercial nature of the adjacent buildings and because it was a use that existed in the building for decades, prior to the fire in 2021.

Additionally, the Applicant requests a design review for parking lot landscape per Figure 30.64-14. Specifically, the Applicant requests a design review for alternative parking lot landscaping to eliminate landscape fingers in parking areas. To provide heat mitigation, the Applicant is providing new landscaping

6

areas that were not previously provided prior to the 2021 fire. The Applicant makes this request to accommodate parking requirements within the unique shape of the Site.

Further, the Applicant requests waivers to allow the existing pan driveway to remain, and to reduce throat depths. Where a 100-foot throat depth is required, the Applicant proposes a 51 foot throat depth along the southerly portion of the driveway (ingress), and a 0-foot throat depth along the northerly portion of the driveway (egress). For traffic patterns, the ingress of the driveway provides greater throat depth prior to meeting conflicts, where the shorter throat depth measurement is at the egress of the driveway and is therefore not expected to cause conflicts. As a result of the unique character and narrow shape of the Site, the Applicant requests to maintain what is currently in place.

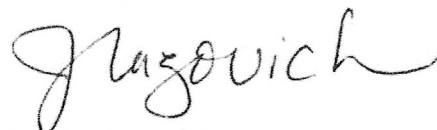
Finally, consistent with APR-22-101381, where the Applicant is providing attached sidewalks on the Site, the Applicant requests a waiver to allow alternative landscaping along an arterial street where Figure 30.64-17 is required. The Applicant is proposing to provide a 10-foot landscape buffer between the fire access drive aisle, and the future right-of-way.

No grade design review is requested, as the Applicant expects a maximum grade fill of 26 inches at this time.

We thank you in advance for your kind consideration of this request.

Sincerely,

KAEMPFER CROWELL



Jennifer Lazovich

JJL/amp/mkr

07/18/23 PC AGENDA SHEET

PERSONAL SERVICES  
(TITLE 30)

EASTERN AVE/HARMON AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
UC-23-0275-4530 4560 4570 EASTERN LLC:

USE PERMIT for personal services in conjunction with an existing office park on 3.3 acres in a C-P (Office & Professional) Zone.

Generally located 180 feet east of Eastern Avenue and 300 feet south of Harmon Avenue within Paradise. JG/jud/syp (For possible action)

---

RELATED INFORMATION:

**APN:**  
162-24-301-002

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 4530 S. Eastern Avenue, Unit 9
- Site Acreage: 3.3
- Project Type: Personal services
- Number of Stories: 1
- Square Feet: 1,200
- Parking Required/Provided: 258/258 (entire center)

Site Plan

The site plan shows an existing office complex on 3.3 acres with the subject building situated on the east side of the northern half of the irregular shaped parcel with parking located on the west and south sides of the site. Access to the site is from Eastern Avenue, Harmon Avenue to the north, and Billman Avenue to the south.

Landscaping

Landscaping is not requested or required with this application.

Elevations

Photos indicate a 1 story building complex with stucco exterior, terracotta tile roofs, and decorative accents. There are no changes proposed to the exterior of the existing building.

Floor Plan

The plan shows Unit 9 is approximately 1200 square feet with 5 rooms and 2 restrooms. Four rooms will be used for personal services, and the front room will be used for the reception area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates they currently have the same business in the vicinity of the site; however, the applicant wants to relocate to expand the floor area of the business for an eyelash extension service. Furthermore, the applicant states the business will continue to provide eyelash extensions, waxing, skin care, and nails. Independent contractors, licensed by the Nevada State Board of Cosmetology, will be subletting individual rooms. The hours of operation are from 8:00 a.m. to 6:00 p.m. Monday through Saturday.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-22-0279	Personal service	Approved by PC	June 2022
UC-0454-08	Personal services	Approved by PC	June 2008
UC-0029-92 (ET-0052-02)	Second extension of time for C-1 use permit	Approved by PC	April 2002
UC-0029-92 (ET-0015-97)	First extension of time for C-1 use permit	Approved by PC	April 1997
UC-0029-92	C-1 General business blanket use permit for C-P complex	Approved by PC	March 1992

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RUD, R-1, & C-P	Single family residential & office complex
South	Neighborhood Commercial	C-P	Multiple family residential
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential
West	Ranch Estate Neighborhood (up to 2 du/ac) & Neighborhood Commercial	R-E & C-P	Single family residential

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Comprehensive Planning**

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

Staff finds similar uses have been approved on the property in the past and the proposed uses are compatible with the surrounding area. The proposed personal services will be located in a complex with sufficient parking. Staff does not anticipate any negative impacts to the surrounding area; therefore, staff can support this request.

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

- Applicant is advised 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.

#### **Fire Prevention Bureau**

- No comment.

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

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

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**



**APPLICANT:** CHANTAL CORONA

**CONTACT:** MYLES SLEPIAN, 4650 RANCH HOUSE RD, UNIT 23, NORTH LAS VEGAS, NV 89031

DRAFT



# Senpai Lashes

---

UC-23-0275

4650 Ranch House Rd, Unit 23  
North Las Vegas, NV 89031  
(702) 575-2254  
senpailashes@gmail.com

March 20, 2023

Clark County Comprehensive Planning Department  
500 S Grand Central Parkway, Box 551741  
Las Vegas, NV 89155-1741

To Whom It May Concern:

My name is Chantal Corona. I'm an esthetician and small business owner specializing in eyelash extension services. My salon has been operational for three years at 4680 South Eastern Avenue in Las Vegas. I'm fortunate and proud to say that with each year, Senpai Lashes has been able to grow. As my business expands, a need for a larger space has arisen.

I have secured a three-year operating lease at 4530 South Eastern Avenue, just 0.1 miles from my current salon; however, this address possesses a C-P (Office and Professional) zoning. I am requesting a Special Use Permit (SUP) which allows for beauty services to be provided at this new location. Senpai Lashes will continue providing the following services: eyelash extensions, waxing, skin care, and nails. Independent contractors, licensed by the Nevada State Board of Cosmetology, will continue subletting individual rooms. Hours of operation will remain unchanged, from 8 a.m. - 6 p.m., Monday - Saturday. All existing business and salon licenses will be updated to reflect this new location upon obtaining the SUP.

Senpai Lashes cultivates entrepreneurship, education, and growth by providing newly licensed beauty school students and independent contractors with a low-cost option for a fully licensed salon space. Many employees of our community's renowned hospitality industry continue to depend on beauty services like those provided by my salon. Thank you for taking the time to review this proposal and I hope you will consider my request.

Sincerely,

Chantal Corona

7

SIGN HEIGHT  
(TITLE 30)

RUSSELL RD/POLARIS AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**DR-23-0293-LEE A & A FAMILY LIMITED PARTNERSHIP:**

**DESIGN REVIEW** to establish the height of freestanding signs in conjunction with a previously approved restaurant on 1.8 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone.

Generally located on the southeast corner of Russell Road and Polaris Avenue within Paradise. MN/jud/syp (For possible action)

---

RELATED INFORMATION:

**APN:**  
162-32-111-002

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

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

- Site Address: 3397 W. Russell Road
- Site Acreage: 1.8
- Project Type: Freestanding signs (2)
- Number of Stories: 1
- Building Height (feet): 20
- Sign Height (feet): 75 & 50
- Square Feet: 2,430
- Parking Required/Provided: 30/33

History & Site Plan

The request is in conjunction with a previously approved drive-thru restaurant with no interior dining. The restaurant is currently under construction on the northeast portion of the site. The overall height of the building is 20 feet. The approved plans show setbacks including a 30 foot from the north property line along Russell Road, a 72 foot from the east property line along Century Park Drive, a 145 foot from the south property line, and a 94 foot from the west property line along Polaris Avenue.

Access to the site is along Polaris Avenue. Furthermore, the approved plans show 2 parallel drive-thru lanes circle the site in a counter-clockwise direction along the south, east, and north property lines. The plans show a courtyard area in the northwest portion of the site, near the intersection of Russell Road and Polaris Avenue, an outside dining and pedestrian access across a drive-thru lane to a walk-up window on the west side of the restaurant. Additional outside dining is located on the south side of the restaurant, which is accessed by a pedestrian path from the walk-up window across a drive-thru lane.

Landscaping

Landscaping is not a part of this request.

Signage

The plans depict a request for a 75 foot high freestanding sign, located along Russell Road. Also, a request for a 50 foot high freestanding sign located at the corner of Polaris Avenue and Russell Road. Both signs will be located along Russell Road; however, they are 110 feet apart. The restaurant building height is 20 feet; therefore, necessitating a design review to establish the height of the freestanding signs per Code requirement, which states freestanding signs shall be the same height as the building or per design review approved by the Board for height over 50 feet.

The signs are double faced and internally illuminated. One sign, the easternly most sign, is the typical In-N-Out Burger sign with the yellow arrow fabricated of aluminum channel with LED retro bulb illumination, cabinet (red) with illuminated channel letters with visually exposed neon (green) and a single pipe support (beige). The maximum proposed height is 75 feet. The sign located at the northwest corner of the site is the No Delay sign, which is a replica of the first iconic In-N-Out pole sign. It consists of double face cabinet (red) with single tube neon lettering (In-N-Out Hamburgers) as well as white lettering for the No Delay portion of the sign. The maximum proposed height is 50 feet.

Applicant's Justification

The applicant states that securing customers from the nearby I-15 is important to the success of the site. A sign of 75 feet will provide clear visibility above the Russell Road overpass, across the Allegiant Stadium tree lined parking lot, and to customers travelling on I-15. Also, the applicant feels a 75 foot sign will educate customers of an additional restaurant location, of the same name, south on I-15, one more exit on I-215. The request for a 50 foot No Delay sign would attract customers driving east-west along Russell Road. It will provide visibility from a safe distance for customers to make proper driving changes to safely get to the site.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
DR-21-0110	Modifications to a previously approved restaurant and increased finish grade	Approved by BCC	May 2021
UC-20-0462	Restaurant with drive-thru and reduced landscaping	Approved by BCC	December 2020

**Prior Land Use Requests**

Application Number	Request	Action	Date
ADR-20-900253	Temporary parking lot	Approved by ZA	May 2020
ZC-1857-93	Reclassified the site and surrounding parcels to H-1 zoning for a hotel project	Approved by BCC	January 1994

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Allegiant Stadium
South & East	Entertainment Mixed-Use	H-1	Hotels
West	Entertainment Mixed-Use	M-1	Gasoline station, convenience store, & warehouse

**STANDARDS FOR APPROVAL:**

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

**Analysis****Comprehensive Planning**

Staff finds the height of the proposed signs will not be detrimental to the surrounding properties and uses. The location of the restaurant justifies the need for the freestanding signs to be higher than 20 feet. Additionally, due to the drive-thru and outside dining only nature of the business, it is imperative to have good visibility for customers traveling along the I-15 and attending the Allegiant Stadium. Therefore, staff can support the request.

**Department of Aviation**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:****Comprehensive Planning**

- Applicant is advised 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.

**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; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

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

**APPLICANT: JESSE HURST HARTLAUER**

**CONTACT: JESSE HARTLAUER, HARTLAUER SIGNS, 3900 W. DEWEY DRIVE, LAS VEGAS, NV 89118**





13502 Hamburger Lane  
Baldwin Park, Ca 91706-5885  
626-313-8200



IN-N-OUT  
BURGER

The Best Enterprise  
Is A Free Enterprise™

DR-23-0293

---

**Justification Letter: Increased Height for Pylon Signs at IN-N-OUT 3397 W Russell Road, Las Vegas, NV 89118**

This letter to express our reasons for the need to increase the pylons at IN-N-OUT, located at 3397 W. Russell Road, Las Vegas, NV 89118. We are requesting to increase the height of our Eastern most pylon, located along W Russell Road, from 50 feet to 75 feet and the pole sign on the corner of Polaris Avenue and W Russell Road, from 25 feet to 50 feet.

The IN-N-OUT site on West Russell Avenue is being built predominately as a commuter store. As a throwback to the past, this location, a one of a kind, is to reflect and pay homage to the original IN-N-OUT site from 1948, with the red and white striped awnings and the No Delay pylon sign in front of the store. Though there is a walk-up window, the dining area is outdoors, not inside the building, like many of the other IN-N-OUT locations. The building will have two dedicated drive lanes providing commuter customers quality service, so they can get in and out of the site quickly. Because the site is emphasizing the drive through customer, proper and clear advertising will be paramount to our revenue stream. Securing customers from the nearby I-215 freeway will be important to the success to the site. A sign of 75 feet will provide IN-N-OUT with sign that will be clearly visible, above the W Russell Road overpass, across the Allegiant Stadium tree lined parking lot, to customers travelling on I-215. The increased height would provide customers a clear, unobstructed view to locate and identify our sign early, so they can safely maneuver to the exit for IN-N-OUT.

A 75-foot sign, visible to I-215, would also educate customers that there would be an additional IN-N-OUT option, one more exit South on I-215, from the already very busy IN-N-OUT store # 86, located on 4888 Dean Martin Drive, Las Vegas. This site, IN-N-OUT #86, attracts a high volume of visitors, many first timers to IN-N-OUT that have heard of the quality burgers. Some are even attracted by the novelty freeway sign that stands next to I-215. This attraction can lead to heavy traffic conditions at the intersection of Dean Martin Dr and Tropicana Avenue, where the older store sits. Seeing a new 75-foot IN-N-OUT sign for the W Russell Road IN-N-OUT from the I-215 freeway will inform customers, familiar with IN-N-OUT, that there is another quality IN-N-OUT site nearby, directing customers to this new site and lessening traffic to the already busy IN-N-OUT site on Dean Martin Drive.

8

13502 Hamburger Lane  
Baldwin Park, Ca 91706-5885  
626-813-8 00



IN-N-OUT  
BURGER

The Best Enterprise  
Is A Free Enterprise

A 75-foot sign would also be visible to those potential customers within the parking lot of Allegiant Stadium. Customers, surrounded by large trucks, trailers and RV's parking for events at the stadium, would be able to see a 75-foot sign over any parked vehicle. And though many event goers enjoy the tailgating culture, some customers may make it a "Las Vegas" routine to park early for stadium events and walk to IN-N-OUT for their traditional event day activity.

The request for a 50-foot No Delay sign, at the corner of Polaris and W Russell Road, would be a replica of the first iconic IN-N-OUT pole sign that would attract customers from the East and West. Our goal is to provide signage that is visible from a safe distance that our customers can make proper driving changes to safely get to our store. A 50-foot sign would be safely seen, free of visual distractions, as customers travel westbound on W Russell Road, over I-215 freeway, giving them plenty of time to navigate traffic lanes to prepare for a left turn onto Polaris Avenue and into IN-N-OUT.

When traveling eastbound on W Russell Road, prior to the IN-N-OUT site, customers have many visible obstacles to distract them, preventing a smaller sign from being seen, such as numerous palm trees, nearby tenant pole signs and gas station canopies. A 50-foot IN-N-OUT pole sign will provide a clear view of signage that will help customers see us from a distance. Customers will be able to negotiate surface road traffic safely to prepare for a right lane turn onto Polaris Avenue and into IN-N-OUT.

The additional height on both pole signs will have a positive influence on IN-N-OUT and customers alike. The IN-N-OUT site, emphasizing on the drive through concept, with two dedicated drive through lanes, will be successful with signs that are visible to customers from the I-215 Freeway and the Allegiant Stadium. Customers will benefit as they will be able to clearly identify another IN-N-OUT site, without straining and distractions, and safely navigate themselves to the IN-N-OUT site on W Russell Road.

Thank you,

*Katie Sanchez*

Katie Sanchez  
In-N-Out Burger  
[ksanchez@innout.com](mailto:ksanchez@innout.com)  
(626)260-2937



CHAPEL/MAUSOLEUM  
(TITLE 30)

EASTERN AVE/ROBINDALE RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
ET-23-400079 (WS-21-0181)-PALM MORTUARY, INC.:

**WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for increased building height.

**DESIGN REVIEWS** for the following: 1) a chapel/mausoleum; and 2) finished grade in conjunction with an existing cemetery on a portion of a 71.3 acre site in an R-E (Rural Estates Residential) Zone.

Generally located on the east side of Eastern Avenue and the north side of Robindale Road within Paradise. MN/nai/syp (For possible action)

---

---

**RELATED INFORMATION:**

**APN:**  
177-12-201-002 ptn

**WAIVER OF DEVELOPMENT STANDARDS:**  
Increase building height to 42 feet where 25 feet is the maximum allowed per Table 30.40-1 (a 68% increase).

**DESIGN REVIEWS:**

1. A chapel/mausoleum.
2. Increase finished grade to 4.1 feet where a maximum of 1.5 feet is the standard per Section 30.32.040 (a 173% increase).

**LAND USE PLAN:**  
WINCHESTER/PARADISE - PUBLIC USE

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

- Site Address: 7600 Eastern Avenue
- Site Acreage: 71.3 (portion)
- Project Type: Cemetery with chapel/mausoleum and associated uses
- Number of Stories: 1
- Building Height (feet): 42
- Square Feet: 8,063
- Open Space Required/Provided: 284/300

### Site Plan

The approved plan depicts a 71.3 acre site devoted to various aspects of a cemetery that was originally approved in 2000 and expanded in 2006. This request is for a new chapel/mausoleum located in the middle of the parcel on the eastern portion of the site. There is an internal road network running throughout and access is achieved from Eastern Avenue. Existing structures include an office area located in the southwest, a mausoleum in the middle, a mortuary located in the northeast, and burial areas throughout the parcel. An undeveloped area is located in the far northeast corner of the site.

### Landscaping

Mature landscaping is located throughout the developed portions of the 71.3 acre site.

### Elevations

The approved elevations for the new chapel/mausoleum depict a contemporary/modern building with multiple horizontal roof elements. The construction materials show stone accents, clerestory, windows, and a clear window wall. The maximum height of the building is shown at 42 feet.

### Floor Plans

The approved plans depict an 8,063 square foot area composed of a chapel room, several library areas, 2 private family areas, reception area, and restrooms. Also, within the interior of the building are several areas for mausoleum crypts.

### Previous Conditions of Approval:

Listed below are the approved conditions for UC-21-0181:

#### 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

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

#### 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.

Signage

Signage is not a part of this request.

Applicant's Justification

Per applicant's justification letter, there is still an on-going coordination with Las Vegas Valley Water District, Clark County Water Reclamation District, and Clark County Fire Department before submitting building permits. Records show there are active and approved applications with Public Works and with the Fire Department which shows continued activity to commence the project.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-22-0350	New maintenance facility on the northeast corner of the property and new event center on the southwest corner of the property	Approved by BCC	August 2022
UC-21-0181	Chapel and mausoleum	Approved by BCC	June 2021
WS-0855-06	Waivers to allow early grading	Approved by PC	July 2006
DR-0576-06	Expansion of a cemetery	Approved by PC	June 2006
DR-1018-00	Cemetery	Approved by PC	August 2000

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac); Mid-Intensity Suburban (up to 8 du/ac); & Compact Neighborhood (up to 18 du/ac)	R-E, R-1, & R-3	Undeveloped, single family residential, & multiple family residential
South & East	City of Henderson	City of Henderson	Single family residential
West	Mid-Intensity Suburban (up to 8 du/ac)	R-2	Single family residential

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws

or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

Staff finds that the applicant has an active off-site permit (PW96-12559-CMP) and an approved drainage study (PW22-15529) with Public Works. Plus an active civil underground application (FP-2210319) with the Fire Department. Although the applicant has experienced delays to commence due to approval needed from Las Vegas Water District, Clark County Water Reclamation District, and the Clark County Fire Department, staff can support this application, as this is the first extension of time request with active and approved permits from various Clark County Departments.

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Until June 16, 2025 to commence.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- Compliance with previous conditions.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: DWYER ENGINEERING**

**CONTACT: DWYER ENGINEERING, 7310 SMOKE RANCH ROAD, SUITE E, LAS VEGAS, NV 89128**

**DRAFT**



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>		<b>STAFF</b>	APP. NUMBER: <u>ET-23-400079</u> DATE FILED: <u>05/18/2023</u>
<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) <u>WS-21-0181</u> (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>PROPERTY OWNER</b>		PLANNER ASSIGNED: _____
			TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>06/27/2023</u>
			PC MEETING DATE: _____
		BCC MEETING DATE: <u>07/19/2023</u>	
		<b>APPLICANT</b>	FEE: <u>\$ 600</u>
			NAME: <u>Celena Diullo, President of Palm Mortuary, Inc</u>
			ADDRESS: <u>1325 North Main Street</u>
			CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u>
		<b>CORRESPONDENT</b>	TELEPHONE: <u>702-464-8301</u> CELL: <u>Same</u>
			E-MAIL: <u>celena.diullo@dignitymem.com</u>
			NAME: <u>Blayne Soule, Dwyer Engineering, Inc</u>
			ADDRESS: <u>7310 Smoke Ranch Rd. Suite E</u>
			CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u>
			TELEPHONE: <u>702-254-2200</u> CELL: <u>801-897-9483</u>
			E-MAIL: <u>bsoule@dwyerengineering.com</u> REF CONTACT ID #: <u>174765</u>
			NAME: <u>Same</u>
			ADDRESS: _____
			CITY: _____      STATE: _____      ZIP: _____
			TELEPHONE: _____      CELL: _____
			E-MAIL: _____      REF CONTACT ID #: <u>174765</u>

ASSESSOR'S PARCEL NUMBER(S): 177-12-201-002

PROPERTY ADDRESS and/or CROSS STREETS: 7600 S. Eastern Ave

PROJECT DESCRIPTION: On-Site Grading and Utilities for new Chapel/Mausoleum

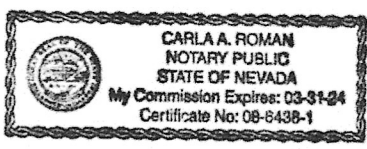
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON May 15, 2023 (DATE)  
 By Celena Diullo

NOTARY PUBLIC: Carla A. Roman



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



## JUSTIFICATION LETTER

To: Clark County Planning Department

Date: May 18, 2023

Subject: Proposed Chapel within the currently existing Palm Eastern-Green Valley Cemetery.  
APN: 177-12-201-002

From: R. Blayne Soule', P.E.

To whom it may concern:

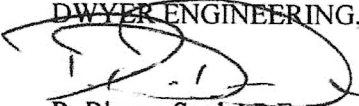
We are requesting an extension of time for Parcel 177-12-201-002, WS-21-0181 that expires on June 16<sup>th</sup> of this year, as we are currently still in process of coordinating with LVVWD, CCWRD, and Clark County Fire and on the reviewing and approval of the off-site civil plans.

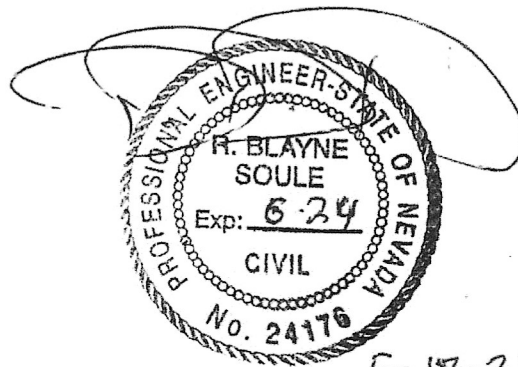
Thank you.

PLANNER  
COPY

Sincerely,

DWYER ENGINEERING, INC.

  
R. Blayne Soule' P.E.



5-18-23

07/19/23 BCC AGENDA SHEET

CANNABIS ESTABLISHMENT  
(TITLE 30)

POLARIS AVE/HACIENDA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0254-JOSEPHS FAMILY, LP:**

**USE PERMIT** to allow a cannabis establishment (distribution) in conjunction with an existing cannabis cultivation and production facility within an office/warehouse building on 2.2 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the west side of Polaris Avenue, 290 feet south of Hacienda Avenue within Paradise. MN/hw/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**

162-29-301-040

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 5385 Polaris Avenue
- Site Acreage: 2.2
- Project Type: Cannabis establishment (distribution)
- Number of Stories: 1
- Building Height (feet): 20
- Square Feet: 26,366
- Parking Required/Provided: 26/40

**Site Plan & History**

The plan depicts an existing 26,366 square foot office/warehouse facility on the east side of Polaris Avenue across from Allegiant Stadium, which houses an existing cannabis production and cultivation facility. These facilities were originally approved with UC-0317-14 and UC-0318-14, respectively, as medical cannabis facilities and in 2017. Subsequent applications, ADR-0824-17 and ADR-0825-17 were approved to longer differentiate between medical and retail production and cultivation facilities. The existing building consists of a 1,942 square foot office building located in the northeastern portion of the site. To the west of the office building is a 7,658 square foot production space, which runs along the northern property line. The production space is connected to the 10,000 square foot cultivation facility with a 1,630 square foot addition.

The cultivation building is centrally located on the site. A 5,136 square foot accessory building is located in the southeastern corner of the site. Parking is provided to the east and south of the main office/warehouse building. There are 26 parking spaces required for the 26 employees on the largest shift with 40 parking spaces provided on the site overall. In the space between the production and cultivation buildings is a service and loading area for the facility. An additional loading area is provided along the southeastern edge of the existing cultivation building. Access to the site is provided by a commercial driveway located centrally along the eastern property line, which provides access to Polaris Avenue.

#### Landscaping

No additional landscaping is proposed with this request, but the provided plans and photos show an approximately 10 foot wide landscaping strip along Polaris Avenue, which contains several small shrubs and a large tree. This landscape strip does taper off as it moves south along Polaris Avenue. Landscape finger islands have not been provided, but 10 feet landscaping strips have been provided along the eastern edge of the main cultivation building, on the south side of the office building, and on the south side of the production facility. These landscape strips contain small shrubs and mature palm trees.

#### Elevations

The plans provided show the existing facility ranges between 19 feet and 20 feet tall with the cultivation space being 20 feet tall and the office and production spaces approximately 19 feet tall. The entire building has a range of materials with the office and production building consisting of painted block and brick and the remaining portions of the building comprised of painted stucco. The colors on-site are fairly similar with most of the building painted in a sand beige or white color. Access to the building is provided by industrial metal doorways or roll-up doors. Commercial windows are provided along the southern edges of the office space.

#### Floor Plans

The plans provided show the existing 10,000 square foot cultivation building with minor tenant improvements for the distribution use located in the southeast corner of the building. Overall, the building contains six, 1,000 square foot grow rooms with attached water rooms. These rooms are mostly located in the western 3 quarters of the building and are connected by a 5 foot east/west running hallway. This hallway connects to a north/south running hallway that contains several growth support rooms, entry spaces, and the distribution rooms. The distribution rooms consist of a 480 square foot and a 155 square foot secured storage area and a 176 square foot office. The distribution facility rooms are located adjacent to a door that exits out to a loading area adjacent to the building on the south.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant states that the proposed cannabis distribution use is simply an additional service being provided by the existing cannabis production and cultivation facility that is being conducted at the site. They further state that given the existing nature of the cannabis facility and minor addition of the distribution use that there should be no negative impacts on the

surrounding area. They state that there have been no complaints regarding the business and the proposed use is in harmony with the Master Plan and Title 30 regulations. They also state that no customers will be coming to the site and that there is sufficient parking for the addition of the distribution use as there will be only 1 delivery vehicle on-site.

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-0643-17	Building addition and expansion to an existing cannabis cultivation/production facility	Approved by BCC	September 2017
ADR-0825-17	Retail cannabis cultivation facility in conjunction with an existing medical cannabis cultivation facility	Approved by ZA	July 2017
ADR-0824-17	Retail cannabis production facility in conjunction with an existing medical cannabis production facility	Approved by ZA	July 2017
UC-0316-14	Medical cannabis establishment (dispensary)	Denied by BCC	December 2014
UC-0318-14	Medical cannabis establishment (cultivation)	Approved by BCC	June 2014
UC-0317-14	Medical cannabis establishment (production)	Approved by BCC	June 2014
ZC-120-73	Reclassified the site from R-E to M-1 zoning for an office/warehouse facility	Approved by BCC	November 1973

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	M-1	Office/warehouse facility
South	Entertainment Mixed-Use	M-1	Cannabis cultivation & production facility
East	Entertainment Mixed-Use	H-1	Allegiant Stadium
West	Entertainment Mixed-Use	R-E	Parking lot

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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

The separation survey shows that all required separations from community facilities and schools are being met. The crime report indicates that within a 1 mile radius, 157 crime reports were filed with the Las Vegas Metropolitan Police Department in the 60 days prior to the application submittal. Based on the plans submitted, staff finds that the addition of cannabis distribution at

the site would represent only a minor impact both on the site and the neighborhood, as there would be no noticeable changes to the exterior of the building, landscaping, or the parking lot. The use of the site as a cannabis establishment has been in place since 2015 and there have been no apparent complaints regarding the uses on the property. Staff also finds that the addition of a single delivery vehicle would not increase traffic flows or cause a noticeable change to the property. In addition, the surrounding area contains other cannabis establishments and office/warehouse buildings, so staff finds that the use of the site for cannabis distribution would not be out of place for the neighborhood. For these reasons, staff can support this request.

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

- A valid Clark County business license must be issued for this cannabis distribution use within 2 years of approval or the application will expire.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; approval of this application does not constitute or imply approval of any other County issued permit, license or approval; the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

#### **Public Works - Development Review**

- 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 WELLNESS CENTER, LLC**  
**CONTACT: BLACK & WADHAMS, 10777 W. TWAIN AVENUE, SUITE 300, LAS VEGAS, NV 89135**

DRAFT



# CANNABIS ESTABLISHMENT APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION FOR REVIEW (AR)  (ORIGINAL APPLICATION #) <b>CANNABIS ESTABLISHMENT</b> <input type="checkbox"/> CONSUMPTION LOUNGE <input type="checkbox"/> CULTIVATION FACILITY <input type="checkbox"/> DISPENSARY <input checked="" type="checkbox"/> DISTRIBUTOR <input type="checkbox"/> INDEPENDENT TESTING LABORATORY <input type="checkbox"/> PRODUCTION FACILITY <input type="checkbox"/> RETAIL CANNABIS STORE	STAFF	APP. NUMBER: <u>VL-23-0254</u> DATE FILED: <u>5/15/23</u>
		PLANNER ASSIGNED: <u>HW</u>
	PROPERTY OWNER	TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>6/27/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>7/19/23</u> FEE: <u>\$5,175</u>
APPLICANT	NAME: <u>JOSEPHS FAMILY LP</u>	
	ADDRESS: <u>5395 Polaris Ave STE 100</u>	
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-385-2474</u> CELL: <u>702-232-0898</u> E-MAIL: <u>d2moore13@yahoo.com</u>	
NAME: <u>POLARIS WELLNESS CENTER LLC.</u>		
ADDRESS: <u>5385 POLARIS AVENUE, SUITE 190</u>		
CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>617-877-0738</u> CELL: <u>617-877-0738</u> E-MAIL: <u>LEE@POLARISWELLNESSCENTER.COM</u> REF CONTACT ID #: _____		

CORRESPONDENT	NAME: <u>Paul E. Larsen</u> % <u>Black + Wadhams</u>
	ADDRESS: <u>101777 W. Twain Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702-308-6153</u> CELL: <u>702-308-6153</u>
	E-MAIL: <u>PLarsen@BlackWadhams.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): APN 162-29-301-040

PROPERTY ADDRESS and/or CROSS STREETS: 5385 Polaris Avenue

PROJECT DESCRIPTION: Cannabis Distribution use permit

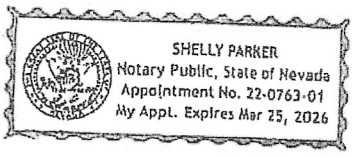
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and 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)\*: Diana Z. Moore      Property Owner (Print): Diana Z. Moore - President Eljay Corp. - General Partner

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON January 12, 2023 (DATE)

By Diana Z Moore  
 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.

02L 5/10/23 10

TISHA R. BLACK  
JAMES L. WADHAMS

C. JOSEPH GUILD III  
J. RUSTY GRAF



BRIGID M. HIGGINS  
PAUL E. LARSEN  
ALLISON R. SCHMIDT  
ROBERT K. SPARKS  
JESSE A. WADHAMS  
CHRISTOPHER V. YERGENSEN

SEAN T. HIGGINS  
(1966-2020)

February 23, 2023

PLANNER

COPY

UL-23-0254

Clark County Dept. of Comprehensive Planning  
500 S. Grand Central Parkway, Box 551741  
Las Vegas, Nevada 89155-1741

Re: Justification Letter for Special Use Permit Application for Cannabis Distribution  
at 8635 Polaris Avenue, Las Vegas Nevada, APN 162-29-301-040

To Whom it may Concern:

This letter is intended to explain the justification for the use permit application for a *cannabis distributor* (not retail delivery) use permit to be located at 5385 Polaris Avenue, Las Vegas, Nevada, APN 162-29-301-040 (Site) pursuant to *Clark County Code Section title 30, Table 30.44-1 at page 30.44-27a.*

The proposed use is in harmony with the purpose, goals, objectives and standards set by Clark County, as it is consistent with the County's master plan for the area, is permitted within the existing zoning classification, and is an a complimentary business to an *existing cannabis production business already lawfully zoned, permitted, licensed and operated at the Site* run by the applicant Polaris Wellness Center, LLC (Polaris) at the Site. Polaris has been located at this address since 2015, and is aware of no complaints or objections to its business operations at this location.

Like the previously approved Polaris cannabis production use permit for this facility, the additional use at the site meets all requisite distance restrictions imposed by Clark County Code Title 30. See attached distance analysis. Attached hereto are floor plans, site plans, and drawings (including photos of landscaping) showing the existing buildings and business. *Nothing* about the building, parking, or landscaping will be altered by the proposed use. Rather, it is simply an additional cannabis related service undertaken by the existing business on the Site. Accordingly, there is *no* need for additional public utilities, public services, or off-site improvements. The additional related distribution service will have *no* impacts on surrounding area or neighboring properties.

There have been *no* complaints about any Polaris operations on the Site, nor have there been any criminal complaints or law enforcement visits (other than routine regulatory compliance visits) at Polaris' existing Site. The crime reports filed herewith confirms this. Accordingly, Polaris' track record at the site demonstrates that the applicant and the proposed use will *not* result

10



in any substantial or adverse effect upon the neighborhood, traffic, parking, or public health, safety and general welfare.

The parking on site is adequate, as shown by the attached parking analysis, and meets county parking requirements. *No* modification of the parking configuration is required or contemplated for the proposed use. There is sufficient parking to accommodate the single delivery vehicle being used for the distribution operations from the Site and, as the photos provided herewith demonstrate, the Site sufficiently secure to provide discreet and safe loading and unloading of the vehicle. *No* vehicle service or maintenance will take place on site, and all inventory will be kept inside the existing cannabis business' building in a manner mandated by applicable Cannabis Compliance Board and Clark County requirements. Indeed, it is unlikely any neighbor or passer-by would be aware of the additional use within the building. Accordingly, it is expected that the proposed use will have *zero* impact on the neighborhood or neighbors.

Similarly, because *no* customers will be coming to the site as a result of the proposed use (as there are no retail activities at the site), there will be negligible impact on parking, traffic, and other public services and improvements in the area.

The attached photos show the current parking lot and landscaping, and confirms the landscaping is compliant with Clark County standards. *No* modifications of the existing landscaping is necessary or contemplated.

Please feel free to direct any questions to the applicant by contacting Lee McCue at [Lee@PolarisWellnessCenter.com](mailto:Lee@PolarisWellnessCenter.com) or the applicant's counsel Paul E. Larsen at [PLarsen@BlackWadhams.law](mailto:PLarsen@BlackWadhams.law).

Respectfully,  
**BLACK & WADHAMS**

/Paul Larsen/

PEL 5/11/23

Paul E. Larsen, Esq.

PEL/jh

cc: Client

10