



Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

July 11, 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
Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

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

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

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

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 June 27, 2023. (For possible action)
- IV. Approval of the Agenda for July 11, 2023 and Hold, Combine, or Delete any Items.
(For possible action)
- V. Informational Items (for discussion only)
- VI. Planning and Zoning
 1. **VS-22-0690-CREIGH FAMILY PROTECTION TRUST & CREIGH, CHARLES T. JR. & CM TRS:**
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Pine Street and Tomiyasu Lane, and between La Mirada Avenue and Maule Avenue within Paradise (description on file). JG/bb/ja (For possible action) PC 7/18/23
 2. **WS-22-0689-CREIGH FAMILY PROTECTION TRUST & CREIGH, CHARLES T. JR. & CM TRS:**
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS for increased wall and gate height.
DESIGN REVIEW for an access gate in conjunction with a single family residence on 0.6 acres in an R-E (Rural Estates Residential) Zone. Generally located on the north side of La Mirada Avenue and the west side of Pine Street within Paradise. JG/bb/ja (For possible action)
PC 7/18/23
 3. **UC-23-0313-PEPPER LANE HOLDINGS, LLC:**
USE PERMIT to allow a cannabis establishment (cultivation) in conjunction with an existing office/warehouse building on a portion of 4.3 acres in an M-D (Designed Manufacturing) (AE-60) Zone. Generally located on the south side of Pepper Lane, 461 feet west of Pecos Road within Paradise. JG/hw/syp (For possible action) BCC 7/19/23
 4. **ET-23-400091 (WS-22-0199)-FLUET ROBERT:**
WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: 1) reduced setbacks; and 2) reduced building separation in conjunction with an existing single family residence on 0.2 acres in an R-1 (Single Family Residential) Zone. Generally located on the west side of Horizon Street, 85 feet north of Wingrove Avenue, and 415 feet south of Desert Inn Road within Paradise. TS/rp/syp (For possible action) PC 8/1/23
 5. **UC-23-0303-KULIK RIVER CAPITAL, LLC:**
USE PERMIT for a temporary construction storage yard on 5.9 acres in an H-1 (Limited Resort and Apartment) (AE-65) Zone. Generally located on the northeast corner of Las Vegas Boulevard South and Four Seasons Drive within Paradise. JG/sd/syp (For possible action)
PC 8/1/23

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KEVIN SCHILLER, County Manager

6. **WS-23-0314-UNITED CAPITAL PROPERTIES LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) parking; 2) alternative landscaping; 3) loading spaces; 4) wall height; and 5) cross access.
DESIGN REVIEW for a proposed office/warehouse building on 1.0 acre in an M-1 (Light Manufacturing) Zone. Generally located on the south side of Bell Drive, approximately 310 feet east of Decatur Boulevard within Paradise. MN/hw/syp (For possible action) PC 8/1/23

7. **WS-23-0319-BURGER SHELLY ANN & CUSHINERY CHARLES WAYNE:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback for an existing addition; 2) reduce setback for existing accessory buildings; and 3) reduce the building separation in conjunction with an existing single family residential on 0.4 acres in a R-1 (Single Family Residential) Zone. Generally located on the northeast corner of Rosecrest South Circle and Woodcrest Road within Paradise. TS/sd/syp (For possible action) PC 8/1/23

8. **DR-23-0304-ACE A PROPCO:**
DESIGN REVIEWS for the following: 1) amended comprehensive sign package; 2) increase wall sign area; and 3) increase animated sign area for a shopping center (Project 63) in conjunction with the CityCenter Resort Hotel on a portion of 61.4 acres in an H-1 (Limited Resort and Apartment) (AE-65) Zone. Generally located on the southwest corner of Las Vegas Boulevard South and Harmon Avenue within Paradise. JG/al/syp (For possible action) BCC 8/2/23

9. **DR-23-0336-LV TOWER 52, LLC:**
DESIGN REVIEW for modifications to an approved comprehensive sign package in conjunction with an existing resort hotel, resort condominium, and shopping center development (Planet Hollywood/Elara/Miracle Mile Shops) on 41.3 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the north side of Harmon Avenue and the west side of Audrie Street within Paradise. JG/hw/syp (For possible action) BCC 8/2/23

10. **ET-21-400129 (ZC-0425-07)-PACIFIC PLACE SITE, LLC:**
HOLDOVER ZONE CHANGE FIFTH EXTENSION OF TIME to reclassify 33.5 acres from an M-1 (Light Manufacturing) Zone to an H-1 (Limited Resort and Apartment) Zone.
USE PERMITS for the following: 1) an expansion of the Gaming Enterprise Overlay District; 2) a resort hotel/casino consisting of 2,700 hotel rooms; 3) 1,120 resort condominiums; 4) public areas including all casino areas, showrooms, live entertainment, cinema, performing arts center, shopping center, indoor and outdoor dining, entertainment, offices, meeting and convention, back-of-house, and parking structures; 5) increase the height of high-rise towers; 6) associated accessory and incidental commercial uses, buildings, and structures; and 7) deviations from development standards.
DEVIATIONS for the following: 1) encroachment into airspace; 2) reduced loading spaces; and 3) all other deviations as shown per plans on file. Generally located on the southeast corner of Spring Mountain Road and Polaris Avenue within Paradise (description on file). JJ/jgh/jo (For possible action) BCC 8/2/23

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 KEVIN SCHILLER, County Manager

11. **ET-23-400096 (DR-19-0352)-DIAMOND PM, LLC:**
DESIGN REVIEW SECOND EXTENSION OF TIME for a multiple family residential development (condominiums) and associated accessory structures on 1.6 acres in an R-3 (Multiple Family Residential) Zone. Generally located on the east side of Pecos-McLeod Interconnect, 650 feet south of Desert Inn Road within Paradise. TS/mh/syp (For possible action) **BCC 8/2/23**

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 25, 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>

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KEVIN SCHILLER, County Manager



Paradise Town Advisory Board

June 27, 2023

MINUTES

Board Members: Susan Philipp-Chair-**PRESENT**
Katlyn Cunningham- Vice-Chair **PRESENT**
John Williams -**EXCUSED**
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

Brady Bernhart; 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 30, 2023 Minutes

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

Approval of Agenda for June 27, 2023

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

IV. Informational Items (For Discussion only)

Coffee and Conversation with Commissioner Michael Naft. Saturday July 1, 2023
9:00 am- 10:00 am Grouchy John's Coffee 8520 S. Maryland Pkwy

V. Planning & Zoning

BOARD OF COUNTY COMMISSIONERS

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KEVIN SCHILLER, County Manager

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**

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

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**

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

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**

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

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**

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

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**

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

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**

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

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**

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

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**

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

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**

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KEVIN SCHILLER, County Manager

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

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**

MOVED BY- Philipp
APPROVE-Subject to staff conditions
VOTE: 4-0 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 7:30 p.m.

EASEMENTS
(TITLE 30)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0690-CREIGH FAMILY PROTECTION TRUST & CREIGH, CHARLES T. JR. & CM TRS:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Pine Street and Tomiyasu Lane, and between La Mirada Avenue and Maule Avenue within Paradise (description on file). JG/bb/ja (For possible action)

RELATED INFORMATION:

APN:

177-01-812-006, 177-01-701-013

LAND USE PLAN:

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

BACKGROUND:

Project Description

The applicant is proposing to vacate a portion of an existing drainage easement located to the northeast of the single family residence located on APN 177-01-812-006 and on the west side of parcel 177-01-701-013 (owned by the HOA). The vacated area will become part of the backyard of the existing single family residence, once acquired from the Equestrian Estates HOA.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Duck Creek Flood Control Channel & single family residential
South, & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Drainage channel

Related Applications

Application Number	Request
WS-22-0689	A waiver of development standards for increased block wall and Pine Street access gate height is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Staff has no objection to the vacation of a portion of the drainage easement on APN 177-01-701-013 as long as the required drainage study indicates that it is not necessary.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

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

Public Works - Development Review

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

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS: 3 cards

PROTESTS: 12 cards, 2 letters

PLANNING COMMISSION ACTION: June 20, 2023 – HELD – To 07/18/23 – per Commissioner Kirk for the applicant to return to the Paradise Town Board.

APPLICANT: CHARLES CREIGH

**CONTACT: JESSICA FLORES, POGGEMEYER DESIGN GROUP, INC, 6960 SMOKE
RANCH ROAD, SUITE 110, LAS VEGAS, NV 89128**

DRAFT

07/18/23 PC AGENDA SHEET

UPDATE
LA MIRADA AVE/PINE ST

WALL HEIGHT
(TITLE 30)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0689-CREIGH FAMILY PROTECTION TRUST & CREIGH, CHARLES T. JR.
& CM TRS:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS for increased wall and gate height.

DESIGN REVIEW for an access gate in conjunction with a single family residence on 0.6 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the north side of La Mirada Avenue and the west side of Pine Street within Paradise. JG/bb/ja (For possible action)

RELATED INFORMATION:

APN:

177-01-812-006, 177-01-701-013

WAIVER OF DEVELOPMENT STANDARDS:

Increase wall and gate height to 10 feet where 6 feet is the maximum height in the side and rear yards per Section 30.64.020 (a 66% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 3320 La Mirada Avenue
- Site Acreage: 0.6
- Project Type: Wall height

Site Plan

The plan depicts a 10 foot high gate located on the northern portion of the east property line of the single family residence (APN 177-01-812-006). A 9 foot high block wall is adjacent to the northern portion of the gate, and extends to the east along Pine Street, at which point the street dead ends. The wall then extends north, enclosing a portion of the parcel owned by the HOA (177-01-701-013). This portion of the site is also within a drainage easement, which is proposed to be vacated. The property has 3 driveways, 2 from La Mirada Avenue and 1 from Pine Street.

Landscaping

The property has existing landscaping on all sides and extending into the Duck Creek Flood Control Channel on the north side of the home.

Elevations

The elevations depict a 9 foot high non-decorative wall with a 10 foot high decorative metal access driveway gate.

Applicant's Justification

The applicant constructed the walls and gate without a permit and has included a portion of the Duck Creek Flood Control Channel as part of the backyard. The wall ranges from 6 feet to 9 feet in height with a nearly 10 foot high gate on the west side of 3320 La Mirada Avenue, adjacent to Pine Street. The applicant is also seeking a vacation of easements for a portion of an existing drainage easement on parcel 177-01-701-013. There is an agreement with the Equestrian Estates HOA for the owner to acquire a portion of parcel 177-01-701-013.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Duck Creek Flood Control Channel & single family residential
South, & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Drainage channel

Related Applications

Application Number	Request
VS-22-0690	A request to vacate a portion of a drainage easement is a companion item on this agenda.

Clark County Public Response Office (CCPRO)

CE22-07609 is an active case for building without a permit (wall/gate).

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Waiver of Development Standards

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

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

Waiver of Development Standards & Design Review

The wall is located at the north end of Pine Street and begins at the northeast corner of the existing home. The wall and gate follow the west edge of Pine Street to the north and will not create a negative impact to street traffic or a hazard to the surrounding area considering Pine Street is a dead end street serving only 2 homes. There is no street traffic beyond the existing driveways for this property and the neighbor to the east. The 9 foot portion of wall located on the northwest edge of Pine Street, along the south property line of 177-01-701-013, will not create a negative impact to the surrounding area. Staff can support the additional wall height and gate.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

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

Public Works - Development Review

- Drainage study and compliance.

Fire Prevention Bureau

- No comment.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS: 4 cards

PROTESTS: 12 cards, 2 letters

PLANNING COMMISSION ACTION: June 20, 2023 – HELD – To 07/18/23 – per the Planning Commission.

APPLICANT: CHARLES CREIGH

CONTACT: JESSICA FLORES, POGGEMEYER DESIGN GROUP, INC., 6960 SMOKE RANCH ROAD, SUITE 110, LAS VEGAS, NV 89128

DRAFT

CANNABIS ESTABLISHMENT
(TITLE 30)

PEPPER LN/PECOS RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0313-PEPPER LANE HOLDINGS, LLC:

USE PERMIT to allow a cannabis establishment (cultivation) in conjunction with an existing office/warehouse building on a portion of 4.3 acres in an M-D (Designed Manufacturing) (AE-60) Zone.

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

RELATED INFORMATION:

APN:

162-36-703-002; 162-36-703-005; 162-36-703-007; 162-36-703-008; 162-36-703-011 through 162-36-703-012 ptn

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 3345 Pepper Lane
- Site Acreage: 0.5 (portion)/4.3 (overall)
- Project Type: Cannabis establishment (cultivation)
- Number of Stories: 3
- Building Height (feet): 43
- Square Feet: 18,330
- Parking Required/Provided: 20/22

Site Plan

The plan depicts an existing office/warehouse building in the southwest corner of an office/warehouse complex that includes 5 other buildings. The subject site (162-36-703-008) is shaped as a flag lot with access from the northernmost property line adjacent to Pepper Lane. The existing building is set back 50 feet from the north property line, 12 feet from the south property line, 20 feet from the east property line, and 12 feet from the west property line, and is situated in the southwestern portion of the site. The site provides 22 parking spaces where 20 parking spaces are required per the proposed use. Access to the site is provided by 3 commercial

driveways, 2 along Pepper Lane (1 in the northwest portion of the site and 1 in the northeast portion of the site) and 1 along Pecos Road.

Landscaping

Landscaping is located within 15 foot landscape planters along the north and west property lines of the overall complex, and within the parking lot landscape finger islands. These planters contain a variety of medium trees with shrubs interspersed. No new landscaping is required or a part of this request.

Elevations

The building is comprised of 3 stories with an overall building height of 43 feet. The first floor is an existing parking garage area, and the second and third floors include open floor plans. The applicant is proposing to make exterior renovations to the first floor such as adding in-fill stucco walls to match the existing exterior walls so that the first floor parking garage can be converted into useable floor space for cannabis cultivation. The exterior walls include white painted stucco and typical commercial windows on all 4 elevations. No other exterior changes are proposed.

Floor Plans

The plans depict a 3 floor structure with all 3 floors of the building having at least 80 percent of the floor space dedicated to cultivation areas. Besides areas for cultivation, each floor contains a small lobby and lounge area with the first floor providing processing space with holding, packaging, drying, and trimming rooms. Since the first floor garage will be converted into useable floor space for the cannabis cultivation establishment, 17 parking spaces will be removed.

Signage

Signage is not a part of this request.

Applicant's Justification

The justification letter states that the applicant previously received a Clark County special use permit (UC-18-0273), and State and County licenses, for a medical cultivation facility at 1100 Papago Street in Sandy Valley. The applicant is proposing to relocate the facility to 3345 Pepper Lane. Operating hours will be Monday through Friday from 7:00 a.m. to 7:00 p.m. The company is committed to the security of its employees, clients, and the general public. The facility will use state of the art alarm systems, video surveillance, and other measures to ensure the security of the employees as well as the building and its contents. The site meets all of the required separations, the site is not within 300 feet of a community facility, 660 feet from a residential use, 1,000 feet from a school, or 1,500 feet from non-restricted gaming property. The use is harmonious to the site and should pose a minimal impact to the surrounding existing industrial and commercial buildings. Finally, the applicant states they have conducted an air and odors survey to help reduce any odors that may result as a consequence of the cultivation activities on the site.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-21-0527	Cannabis cultivation facility	Denied by BCC	March 2022
UC-0632-01	Allowed an office building within an office/warehouse complex	Approved by PC	July 2001
UC-0612-98	Allowed a 3 story office building (35 feet high) within 600 feet of a residential use - expired	Approved by PC	May 1998
VC-1234-96	2 story office/warehouse building with trash enclosure variance	Approved by PC	September 1996
DR-2070-93	Office/warehouse buildings	Approved by PC	February 1994
ZC-0126-70	Reclassified various parcels from R-E to M-D zoning for riding and boarding stables	Approved by PC	January 1971

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D	Commercial complex
South	Business Employment	M-D	Office/warehouse building & industrial buildings
East & West	Business Employment	M-D	Office/warehouse complex

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, 76 crime reports were filed with the Las Vegas Metropolitan Police Department in the 60 days prior to the application submittal. Additionally, there are two existing cannabis cultivation facilities within the office/warehouse complex. The Department of Environment and Sustainability, Air Quality Division, has not received any odor complaints in the area since April 2023; odor complaints in January and April 2023 were closed after investigation due to no detection of nuisance odors. With submittal of the application, the applicant provided a Draft Technical Memorandum for the Evaluation of Odor Control System and Potential for Nuisance Odors at 3345 Pepper Lane.

At the time of application, a copy of the State license for the medical cultivation facility was submitted. This license was valid until June 30, 2023 and upon investigation of 1100 Papago Street, it has been found the applicant never proceeded with the special use permit until completion and the property has since been rezoned R-U thus rendering the special use permit expired. Since a valid license or a conditional license is a requirement for processing an application for a cannabis establishment, staff is recommending denial of the special use permit.

Department of Aviation

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

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

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

Public Works - Development Review

- No comment.

Department of Aviation

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

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: ABCNV, LLC

CONTACT: RUSTY GRAF, BLACK & WADHAMS, 10777 W. TWAIN AVENUE, SUITE 300, LAS VEGAS, NV 89135



CANNABIS ESTABLISHMENT APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE		APP. NUMBER: <u>UC-23-0313</u>	DATE FILED: <u>6/16/23</u>	
<input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION FOR REVIEW (AR) (ORIGINAL APPLICATION #) CANNABIS ESTABLISHMENT <input checked="" type="checkbox"/> CULTIVATION FACILITY <input type="checkbox"/> DISPENSARY <input type="checkbox"/> DISTRIBUTOR <input type="checkbox"/> INDEPENDENT TESTING LABORATORY <input type="checkbox"/> PRODUCTION FACILITY <input type="checkbox"/> RETAIL CANNABIS STORE	STAFF	PLANNER ASSIGNED: _____	TAB/CAC: <u>Paradise</u>	TAB/CAC DATE: <u>7/11/23</u>
		PC MEETING DATE: _____	BCC MEETING DATE: <u>8/2/23</u>	FEE: <u>\$5,175</u>
		PROPERTY OWNER	NAME: <u>Pepper Lane Holdings, LLC</u> ADDRESS: <u>396 Dorado Beach East</u> CITY: <u>Dorado</u> STATE: <u>PR</u> ZIP: <u>00646</u> TELEPHONE: <u>702-869-8801</u> CELL: _____ E-MAIL: <u>rgraf@blackwadhams.law</u>	
	APPLICANT	NAME: <u>ABCNV, LLC</u> ADDRESS: <u>179 Camino Del Bucare</u> CITY: <u>Dorado</u> STATE: <u>PR</u> ZIP: <u>00646</u> TELEPHONE: <u>702-869-8801</u> CELL: _____ E-MAIL: <u>rgraf@blackwadhams.law</u> REF CONTACT ID #: _____		

CORRESPONDENT	NAME: <u>Rusty Graf, Esq., Black & Wadhams</u>
	ADDRESS: <u>10777 West Twain</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>7028698801</u> CELL: <u>7024601783</u>
	E-MAIL: <u>rgraf@blackwadhams.law</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-36-703-008

PROPERTY ADDRESS and/or CROSS STREETS: 3345 Pepper Lane Pepper Land and Pecos Rd.

PROJECT DESCRIPTION: Cannabis Cultivation Establishment - Medical and Recreational

(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] Property Owner (Print) Arturo S. Gonzalez

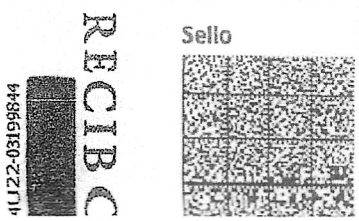
STATE OF Puerto Rico COUNTY OF San Juan

SUBSCRIBED AND SWORN BEFORE ME ON March 9, 2023 (DATE) Guaynabo, PR

By [Signature] Notary Public

NOTARY PUBLIC: [Signature]

equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is not appearing in person.



TISHA R. BLACK
JAMES L. WADHAMS

C. JOSEPH GUILD III
J. RUSTY GBAF



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

SEAN T. HIGGINS
(1966-2020)

October 31, 2022

PLANNER
COPY
UC-23-0313

Clark County Comprehensive Planning
Planning Manager
500 Grand Central Pkwy, First Floor
Las Vegas, NV 89155

RE: Special Use Permit Applications for a Medical and Adult Use Marijuana Cultivation Establishment-GB Science Nopah, LLC
3345 Pepper Lane, Las Vegas, NV 89120
APN 162-36-703-008

Dear Comprehensive Planning Department Manager:

Please accept this letter as justification for a Cannabis Cultivation Facility to be located within an enclosed 18,330 sq. ft three (3) story building with approximately 9,000 sq ft. to be comprised of marijuana cultivation and the remainder devoted to office/administration spaces.

GB Science Nopah, LLC (the "Company") previously received a Clark County Special Use Permit (UC-18-0273) for the location of 1100 Papago St., Sandy Valley, NV 89019 ("Original Location") and currently holds State of Nevada Medical Cultivation License (C120) and Adult Use Cultivation License (RC120). The Company also holds a current Clark County Business License (2000191.MMR.301).

The company would like to relocate the facility and are requesting an approval for 3345 Pepper Lane, Las Vegas, NV 89120. APN 162-36-703-008 ("New Location").

Most of the surrounding properties developed uses currently consist of Manufacturing and Industrial uses. The facility will be open daily (Monday-Friday) from 7:00 am to 7:00 pm with limited hours on weekends as needed. The Company will have approximately twenty (20) employees during business hours with a of minimum of two (2) additional security personal onsite 24/7 · 365 days a year; The Company is committed to the security of its employees, clients, and the general public. There is also at least one issued Special Use Permit for a Cannabis Establishment-Cultivation licensed facility in the neighboring area.

The facility will use state-of-the-art alarm systems, video surveillance and other measures to ensure the security employees and the public, as well as the building and its contents. The facility will be equipped with state-of-the-art air purification and scrubbing equipment. Moreover, there is more than adequate water and power available to supply the proposed cultivation of marijuana.

This facility conforms to the policies and standards as it is a free standing detached enclosed structure. The public health, safety and general welfare of the County are best promoted and protected by this facility meeting the minimum separation of one thousand feet (1,000') of a public or private school; and is not within three hundred feet (300') of any other community facility (public) or within six hundred and sixty feet (660') of residential uses, and is not in Las Vegas Boulevard Gaming Corridor, or within 1,500 feet of a nonrestricted gaming property as measured from the front door of the proposed establishment to the nearest property line.

The owners of the applicant and the property owner have had a prevailing wind and air study conducted. The purpose of this study was to insure that should there be odors emitted from the facility, they would not be predominantly blowing towards any public facility. The study confirmed this to be true.

We believe this location is compliant with and supports the Clark County land use plans. Moreover, this location is suitable for a cultivation facility and, as such, the Company respectfully requests approval of this special use permit. As always, please do not hesitate to contact myself or my assistant Suzanne F. Belt-Spurlock at (702) 858-1175 with any questions regarding this request.

Sincerely,

BLACK & WADHAMS

Rusty Graf, Esq.
rgraf@blackwadhams.com

JRG/dm

SETBACKS
(TITLE 30)

DESERT INN RD/HORIZON ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-23-400091 (WS-22-0199)-FLUET ROBERT:

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

Generally located on the west side of Horizon Street, 85 feet north of Wingrove Avenue, and 415 feet south of Desert Inn Road within Paradise. TS/rp/syp (For possible action)

RELATED INFORMATION:

APN:

161-18-111-018

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce the rear setback (new building addition) to the principal residence to 6 feet where 20 feet is required per Table 30.40-2 (a 70% decrease).
- b. Reduce the interior side setback of an existing accessory building (northwest storage building) to zero feet where 5 feet is required per Table 30.40-2 (a 100% decrease).
2. Reduce the building separation between the principal residence and an accessory building (northwest storage building) to 3 feet 4 inches where 6 feet is the minimum required per Table 30.40-2 (a 43% decrease).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 3383 Horizon Street
- Site Acreage: 0.2
- Project Type: Reduced setbacks and reduced building separation
- Number of Stories: 2
- Square Feet: 90 (northwest accessory storage building)/75 (southwest accessory storage building)/1,935 (1,740 existing principal residence/195 building addition)

History and Request

The Planning Commission (PC) previously approved a waiver of development standards to reduce setbacks and reduce building separation in conjunction with an existing single family residence. Building permits were submitted to the Building Department in February 2023 (BD23-08842). The applicant is requesting an extension to allow adequate time for the building permits to be issued.

Site Plan

The approved plan depicts an existing residence centrally located on the subject parcel facing east toward Horizon Street. The southern portion of the home is 1 story and the northern portion is 2 stories. The applicant constructed a 1 story building addition at the rear portion of the northwest corner of the principal residence; hence, the request to reduce the principal structure rear setback to 6 feet where 20 feet is required per Title 30. The site plan also shows that the middle portion of the rear of the principal residence will be demolished and converted back to a covered patio.

The applicant previously constructed 2 accessory storage buildings, 1 located on the northwest corner of the site, and the second located on the southwest corner of the site. The accessory storage building on the northwest corner is set back zero feet from the north property line (where 5 feet is required) and will be relocated 7 feet from the west property line (where 5 feet is required), 3 feet, 4 inches from the principal residence to the south (where 6 feet is required), 77 feet from the east property line, and 78 feet from the south property line.

The accessory storage building on the southwest corner of the site will be relocated 7 feet from the west property line (where 5 feet is required), 13 feet from the principal residence to the northeast (where 6 feet is required), 2 feet from the south property line (where 5 feet is required), 65 feet from the north property line, and 88 feet from the east property line.

Lastly, portions of the north and south property lines include a 6 foot high CMU block wall, which reduces in height and includes wrought-iron on top as it leads towards the front yard. The west property line also includes a 6 foot high CMU block wall with a 2 foot 4 inch retaining wall.

Landscaping

There is existing landscaping and rockscape in the front and side yards. New landscaping is neither proposed nor a part of this request.

Elevations

The approved photos depict the majority of the existing principal residence is 1 story except for the northern portion of the residence which is 2 stories. The photographs show that the west facing elevation of the home has a minimum roofline height of 7 feet. The northwest accessory storage building has an overall height which varies from 8 feet to 9 feet. The southwest accessory storage building has an overall height of 8 feet. The principal residence has exterior materials, which consist of stucco walls, wood trim, and brick veneer. The accessory storage buildings are constructed of wood. All existing structures are painted to match the principal residence.

Floor Plans

The principal residence includes a typical residential floor plan layout, which includes bedrooms, a living room, bathrooms, and a kitchen. The building addition includes new bedrooms and bathrooms.

Previous Conditions of Approval

Listed Below are the approved conditions for WS-22-0199:

Current Planning

- 1 year to complete the building permit and inspection process with any extension of time to be a public hearing;
- Accessory building height not to exceed 1 story.
- Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit, license or approval; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulation 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.

Applicant's Justification

The applicant indicates that since the waiver of development standards approval, a new contractor was hired and permit plans were submitted to the Building Department in February 2023 (BD23-08842). The applicant continues to work with the new contractor to ensure that the project will progress to completion.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-22-0199	Reduced setback and reduced building separation in conjunction with an existing single family residence	Approved by PC	June 2022

Surrounding Land Use

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

Clark County Public Response Office (CCPRO)

CE21-12775 is an active zoning violation on the subject parcel for building without a permit.

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.

Since original approval, a building permit (BD23-08842) was submitted in February 2023 and is being reviewed. The applicant has made a good faith effort to commence the project in a timely manner; therefore, due to the ongoing work on the site, staff can support the request of an additional one year extension of the application.

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 07, 2024 to complete the building permit and inspection process with any extension of time to be a public hearing.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: ROBERT LIONEL FLUET

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

DRAFT

ET-23-400091

PLANNER COPY



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (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-22-0199 (ORIGINAL APPLICATION #) _____ <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) _____	STAFF APP. NUMBER: <u>ET-23-400091</u> DATE FILED: <u>6/5/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>7/11/23</u> PC MEETING DATE: <u>N/A</u> BCC MEETING DATE: <u>8/2</u> FEE: <u>5475</u>
	PROPERTY OWNER NAME: <u>ROBERT FLUET</u> ADDRESS: <u>3383 HORIZON ST</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>HHHOGANNWO@YAHOO.COM</u>
	APPLICANT NAME: <u>ROBERT FLUET</u> ADDRESS: <u>3383 HORIZON ST</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>HHHOGANNWO@YAHOO.COM</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>G.C. GARCIA, INC. C/O MELISSA EURE</u> ADDRESS: <u>1055 WHITNEY RANCH DRIVE, SUITE 210</u> CITY: <u>HENDERSON</u> STATE: <u>NV</u> ZIP: <u>89014</u> TELEPHONE: <u>702-435-9909</u> CELL: _____ E-MAIL: <u>ACOLE@GCGARCIINC.COM</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 161-18-111-018

PROPERTY ADDRESS and/or CROSS STREETS: 3383 HORIZON ST (HORIZON & WINGROVE)

PROJECT DESCRIPTION: 1ST EXENTION OF TIME REQUEST FOR PREVIOUSLY APPROVED WS-22-0199

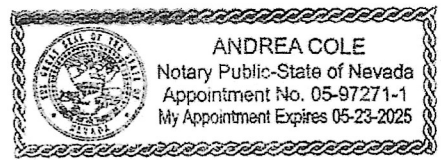
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Robert Fluet Robert Fluet
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON June 2, 2023 (DATE)

By Robert Fluet
 NOTARY PUBLIC: Andrea Cole



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

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ET-13-400091



GCGARCIA

June 1, 2023

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

RE: Request: 1st Extension of Time for Waivers of Development Standards at
3383 Horizon Street
APN: 161-18-111-018

Current Planning Staff:

On behalf of our client, Robert Fluet, please accept the attached application for a 1st Extension of Time for the approved Waivers of Development Standards (WS-22-0199) for an existing single-family home at 3383 Horizon Street for the purposes of a reduced rear yard setback of a principal residence, reduced side yard setbacks for two accessory structures (sheds) and a reduced separation for an accessory structure (shed) from the principal residence.

The subject site currently is composed of one parcel totaling approximately 0.17+ acres with a developed single-family home. The site is zoned Single Family Residential (R-1). Surrounding zonings are also R-1.

The Waivers of Development Standards to allow a portion of the home to have a 6 FT rear setback, to allow an interior side setback to zero feet for an accessory structure (shed) and reduce the separation of an accessory structure (shed) to 3'4" from the principal residence was originally approved on June 7, 2022 by the Planning Commission.

Since the approval, Mr. Fluet was required to find a new contractor to assist with legalizing the unpermitted work that was done previously. The contractor that initially was going to work on the project pulled out before work on legalizing the remodel could be done. A great deal of time was spent on finding a new contractor willing to assist with legalizing the work done.

Once a new contractor was brought on permit plans were drawn and submitted to the building department in February of 2023 (BD23-08842). To permit plans are still in the review process and waiting for all approvals in order for the building permit to be issued. We ask for the original approval to be extended by 1 year to June 7, 2024 to give enough time for the building permit to be issued and the building inspections completed.

Extension of Time Approval Criteria:

For an extension of time by hearing, the approval authority may grant an extension of time for any time period. The approval authority may deny or add new conditions to the application if it finds that circumstances have substantially changed to warrant denial or added conditions. 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.



GCGARCIA

A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com

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The substantial change in circumstance came when a new contractor, that did residential work, needed to be found that would be willing to assist with legalizing the unpermitted work. Most contractors were unwilling, or unable to assist due to their existing workload.

SUMMARY JUSTIFICATION:

The first Extension of Time will grant the time needed for the building permit to be pulled and the inspections to be done on the unpermitted work in order to legalize it. The building permit plans have been submitted and Mr. Fluet is continuing to work with the new contractor to see the project progress to completion. We would appreciate your favorable consideration of this project. Should you have any questions or concerns regarding this request, please contact this office.

Sincerely,



Melissa Eure
President

08/01/23 PC AGENDA SHEET

TEMPORARY CONSTRUCTION STORAGE LAS VEGAS BLVD S/FOUR SEASONS DR
(TITLE 30)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0303-KULIK RIVER CAPITAL, LLC:

USE PERMIT for a temporary construction storage yard on 5.9 acres in an H-1 (Limited Resort and Apartment) (AE-65) Zone.

Generally located on the northeast corner of Las Vegas Boulevard South and Four Seasons Drive within Paradise. JG/sd/syp (For possible action)

RELATED INFORMATION:

APN:

162-28-301-029

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5.9
- Project Type: Temporary construction storage

Site Plans

The plans show a temporary construction storage yard consisting of 1 parcel totaling 5.9 acres. Access to the property is from Haven Street. The plans depict 2 areas on the property that will be used for temporary construction storage and outside storage. Each area as designated on the plans where storage will be utilized is currently paved. The use of this property in relation to the upcoming F1 Grand Prix race will be temporary until such activities are finished. No landscaping, block wall, or fencing are proposed on the plans as the proposed use is temporary.

Landscaping

No landscaping is required or proposed with this application.

Applicant's Justification

The owner of this property has leasing agreements with Las Vegas Paving and IJD Enterprises for temporary storage operations that have been delineated on separate pieces of the parcel. The site has already been paved at the request of the Department of Environment and Sustainability

to be in compliance with dust control permit #55279. The storage operations for Las Vegas Paving are to be used in conjunction with road work being completed around the site in preparation for the Formula 1 race coming to Las Vegas in November 2023. There are no proposed construction activities taking place on the property. Storage will consist of construction material storage, temporary laydown of materials, and parking area for staff working on-site. Storage operations are anticipated to be completed on or around November 2023.

Storage of materials will be contained within individual semi-truck trailers that will be parked on site (trailers only, no vehicles). The existing lease for the use of this part of the property is set to expire in May 2024. The proposed use on this property is temporary and has limited, normal hours of operation. The proposed operations are in compliance with the Department of Aviation and do not require any deed modifications.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-0513-13	Shopping center - expired	Approved by PC	August 2013
UC-0590-11	Recreational facility, nightclub, radio station, offices, banquet facility, live entertainment, height & retail sales; with waivers for setbacks, trash enclosure, non-standard improvements & use not within enclosed building; and design review for recreational facility, retail/commercial shopping center-expired	Approved by BCC	May 2014

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Entertainment Mixed-Use	H-1	Undeveloped
South & East	Entertainment Mixed-Use & Public Use	P-F	Airport & undeveloped

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 does not object to the request as the proposed use will support the construction for the upcoming formula 1 Grand Prix event. Since the use is temporary, staff finds that there will be

no long term impacts to the surrounding area; therefore, staff can support the request subject to 12 months to cease operations of the temporary construction storage yard.

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

- Cease operation of the temporary construction yard in 12 months.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: KULIK RIVER CAPITAL, LLC

CONTACT: CHRIS GANIER, FIRE MARSHAL CONSULTING, 3225 MCLEOD DR.
SUITE 100, LAS VEGAS, NV 89121



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (Nzc) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>23-0303</u> DATE FILED: <u>5/30/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>7/11/23</u> PC MEETING DATE: <u>8/1/23</u> BCC MEETING DATE: _____ FEE: <u>\$1175.00</u>
	PROPERTY OWNER NAME: <u>Kulik River Capital</u> ADDRESS: <u>11245 SE 6th Street Suite 240</u> CITY: <u>Bellevue</u> STATE: <u>WA</u> ZIP: <u>98004</u> TELEPHONE: <u>206-972-0282</u> CELL: _____ E-MAIL: <u>greg@shotguncreek.com</u>
	APPLICANT NAME: <u>Kulik River Capital</u> ADDRESS: <u>11245 SE 6th Street Suite 240</u> CITY: <u>Bellevue</u> STATE: <u>WA</u> ZIP: <u>98004</u> TELEPHONE: <u>206-972-0282</u> CELL: <u>206-972-0282</u> E-MAIL: <u>greg@shotguncreek.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Fire Marshal Consulting</u> ADDRESS: <u>3225 McLeod Dr Suite 101</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: <u>7255003473</u> CELL: <u>7027688504</u> E-MAIL: <u>chris@firemarshalconsulting.com</u> REF CONTACT ID #: _____


PLANNER COPY

ASSESSOR'S PARCEL NUMBER(S): 16228301029

PROPERTY ADDRESS and/or CROSS STREETS: Haven and Four Seasons

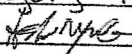
PROJECT DESCRIPTION: Temporary Construction Storage

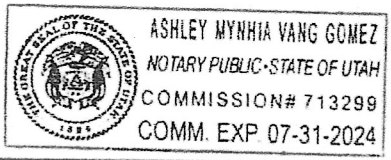
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code, that the information on the attached legal description, all plans, and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

Gregory Perry
 Property Owner (Print)

STATE OF UTAH
 COUNTY OF UTAH

SUBSCRIBED AND SWORN BEFORE ME ON March 29, 2022 (DATE)
 By Gregory Perry
 NOTARY PUBLIC: 



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

UC

23-160621

JL



May 12th 2023

Clark County - Comprehensive Planning Department
 500 South Grand Central Parkway
 Las Vegas, Nevada 89155

The purpose of this justification letter is to support the application to obtain a conditional use land use permit for outdoor storage on an H-1 zoned property owned by Kulik River Capital and located on parcel 162-28-301-029. The storage operations requested are temporary in nature. The owner of this property has leasing agreements with Las Vegas Paving and LJD Enterprises for temporary storage operations that have been delineated on separate pieces of the parcel, as illustrated on the attached site plan. The site has already been paved at the request of the Department of Environment and Sustainability to be in compliance with dust control permit # 55279. Both proposed uses of the property are in compliance with Global Use Table 30.44-1 for outside storage/outside display.

The storage operations for Las Vegas Paving are to be used in conjunction with road work being completed around the site in preparation for the Formula 1 race coming to Las Vegas in November 2023. There are no proposed construction activities to take place on the property. Storage will consist of construction material storage, temporary laydown of materials, and parking space for staff working on site. Storage operations are anticipated to be completed on or around the November 2023 event.

The storage operations for LJD Enterprises are to be used in conjunction with convention activities occurring inside Mandalay Bay Hotel and Casino. Staging and storage of materials necessary for trade booth construction inside the venue will occur on site to facilitate quick and easy operations for conventions. Storage of materials will be contained within individual semi-truck trailers that will be parked on site (trailers only, no vehicles). The existing lease for the use of this part of the property is set to expire in May of 2024.

Both proposed uses on this property are temporary, have limited, normal hours of operation, and are accessory to an indoor principal use within the district. The proposed operations are in compliance with Clark County Department of Aviation CC&Rs and do not require a deed modification. There is no anticipated impact to traffic patterns nearby and there are no parking requirements necessary. The use characteristics match similar vacant lot usage permits granted within the area that have operated thus far without issue.

It is the opinion of Fire Marshal Consulting that this use request meets or exceeds the requirements of Title 30.

Respectfully,

A handwritten signature in black ink, appearing to read "Ch Ganier".

Christopher Ganier
 President, Fire Marshal Consulting



08/01/23 PC AGENDA SHEET

OFFICE/WAREHOUSE
(TITLE 30)

BELL DR/DECATUR BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-23-0314-UNITED CAPITAL PROPERTIES LLC:

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

DESIGN REVIEW for a proposed office/warehouse building on 1.0 acre in an M-1 (Light Manufacturing) Zone.

Generally located on the south side of Bell Drive, approximately 310 feet east of Decatur Boulevard within Paradise. MN/hw/syp (For possible action)

RELATED INFORMATION:

APN:

162-30-104-002

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the number of required parking to 40 spaces where 48 spaces are required per Table 30.60-1 (a 17% reduction).
2. a. Permit attached sidewalks where detached sidewalks are required per Table 30.64-2.
b. Eliminate parking lot landscaping where parking lot landscaping is required per Table 30.64-2 (a 100% reduction).
3. Reduce the number of required loading spaces to 2 spaces where 3 spaces are required per Table 30.60-6 (a 33% reduction).
4. Increase retaining wall height to 4.7 feet where 3 feet is the maximum per Section 30.64.050 (a 57% increase).
5. Waive the requirement for cross access to the property to the south where cross access is required per Table 30.56-2.

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4811 W. Bell Drive
- Site Acreage: 1
- Project Type: Office/warehouse building

- Number of Stories: 2
- Building Height (feet): 34
- Square Feet: 31,408
- Parking Required/Provided: 48/40

Site Plan

The site plan depicts a proposed 31,408 square foot office/warehouse building located on a 1 acre parcel that is located south of Bell Drive and approximately 310 feet east of Decatur Boulevard. The proposed office/warehouse building is shown to be situated in the northeast portion of the site, set back 20 feet from the front, 3 feet from the eastern property line, 49 feet from the rear property line, and 67 feet from the western property line. Parking is located along the western and southern sides of the proposed building. Forty parking spaces are proposed to be provided where 48 parking spaces are required, which requires a waiver of development standards. A trash enclosure is shown in the southwestern corner of the site. Two loading spaces are shown in the southeastern portion of the site located behind the building. Eight bicycle spaces are provided on a pad in the northwest corner of the site near the entrance to the site. Access to the site is provided by a 76 foot long commercial driveway that provides access to Bell Drive. A rolling 6 foot wrought iron gate will be provided and will remain open during business hours. The gate is set back 20 feet. The plans show an existing communication tower area in the southwest portion of the site and is set back 26 feet from the proposed building.

Landscaping

The landscape plans show that landscaping will be provided along Bell Drive. The plans show that a 5 foot wide attached sidewalk will be provided with a 20 foot landscaping strip behind the sidewalk within the building setback. Five medium-sized, 24 inch box Blue Palo Verde or Desert Museum trees (*Cercidium*) will be provided where 5 medium-sized trees are required. Various *Acacia*, *Dalea*, and *Lantana* shrub species will also be provided and interspersed amongst the provided trees. No parking lot finger islands or trees are proposed to be provided. A 6-foot wrought iron fence is proposed along Bell Drive and is setback 20 feet. A 6 foot chain-link fence is provided along the perimeter of the site. A 4.7 foot high retaining wall is shown to be constructed along the northern portion of the proposed building and set back approximately 20 feet from the street.

Elevations

The elevations depict a 34 foot typical tilt-up warehouse building. The exterior of the building is primarily white painted, tilt-up concrete panels. The façade is broken up with a 4 inch horizontal reveal, also painted white. Access into the building is primarily provided through a commercial window and door system along the southwestern portion of the building. Secondary access is provided through industrial metal doors on the west and south elevations of the building. Additional 10 feet by 12 feet metal roll-up doors are provided along the south and west elevations of the building. No roll-up doors face the street or any residential developments.

Floor Plans

The floor plans show that currently the building is a shell floor plan with no interior details at this time. The floor plans show that the building will be 2 stories with 14,156 feet of leasable space on each level. The first floor will have a covered entryway in the southwest portion of the

building. Stairways are provided on the western portion of the building with an elevator provided on the northeast portion of the building. Office space will be constructed in the shell per the tenant.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the building being proposed will be a typical office/warehouse building and will match the similar buildings in the area. They state all setbacks are being met and height is below the zoning maximum. They state that no parking lot landscaping is being provided to maximize space for parking and loading spaces are being reduced as the size of the building limits the space in the rear for those spaces.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-19-0160	Vacated and abandoned government patent easement - recorded	Approved by PC	April 2019
WS-18-0842	Office/warehouse building with loading areas facing front and waived cross access - expired	Approved by PC	May 2019
UC-1476-00	Vehicle wash with reduced service bay screening - expired	Approved by PC	November 2000
ADR-0649-99	Cellular communications tower with equipment cabinet	Approved by ZA	September 1999
VC-0355-86	Waived on-site paving and driveway requirements for a storage yard - expired	Approved by BCC	September 1986
AC-0128-79	Office building in conjunction with a storage yard - expired	Approved by PC	September 1979
ZC-0165-77	Reclassified the site from R-E to M-1 zoning for an office/warehouse building	Approved by BCC	October 1977

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	M-D	Retail (International Marketplace)
South	Entertainment Mixed-Use	M-1	Undeveloped
East	Entertainment Mixed-Use	M-1	Office/warehouse
West	Entertainment Mixed-Use	M-1	Retail center

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Waivers of Development Standards

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

Waivers of Development Standards #1 & #3

Overall, staff cannot support the reduction in loading spaces nor the reduction in parking spaces. The site is currently undeveloped land and, while the site is on the smaller side, the applicant does have the ability to meet the necessary loading and parking with a reduction in building size. In addition, staff has concerns that should the building have separate tenants on both floors the on-site parking would not be sufficient for the volume of cars that would be present on site. Finally, given that these spaces would function as warehouses, one loading space for each floor within the building would not be sufficient if there are multiple deliveries and given their location on the site could cause congestion. For these reasons, staff finds that the reductions in parking spaces and loading spaces are the result of a self-imposed hardship and could be remedied with revisions.

Waiver of Development Standards #2a

Staff finds that the surrounding area, particularly along Bell Drive, primarily contain attached sidewalks and is primarily industrial in nature, and attached sidewalks would be more in line with the character of the neighborhood. In addition, the applicant is providing a larger than required landscaping strip (20 feet versus 15 feet) and is providing a sufficient number of trees (5 medium trees) to make up for the use of the attached sidewalk. For these reasons, staff can support this waiver provided that the 20 feet of landscaping behind the sidewalk is provided.

Waiver of Development Standards #2b

Given that the surrounding area is classified as a location with high heat vulnerability and has significant hardscaping with no landscaping break, this area would be greatly served by an increase in landscaping particularly in areas that are paved. Given this area's susceptibility to the heat island effect, some landscaping should be provided in the paved areas of the site. In addition, the elimination of the parking lot landscaping is being requested to maximize parking, which has already been determined to be the result of self-imposed burdens, as this site is currently undeveloped. Staff could support a request for alternative parking lot landscaping, but since no parking lot landscaping is being provided, staff cannot support this waiver.

Waiver of Development Standards #4

Staff finds that an additional 1.7 feet of retaining wall height is agreeable given that the retaining wall will be set back off the street nearly 20 feet and will be screened by the street landscaping. In addition, staff finds the retaining wall height is necessary for the construction of the building for the gradual continuation of the grade between properties. For these reasons, staff can support this waiver.

Waiver of Development Standards #5

In general, cross access is helpful for safety and to produce a well connected built environment. With that said, staff finds that given that the site to the south, where cross access would make sense, is undeveloped, and the trend for the properties along Decatur Boulevard is for retail uses, the site would most likely not benefit to have cross access with the property to the south should it be a retail use, as cross access is more effective when like uses are connected. Staff can support this waiver.

Design Review

Overall, staff finds that the use of the site as a warehouse makes sense given the surrounding area and the great need for such buildings in the Las Vegas Valley area. In addition, the use of the property as an office/warehouse would support Policy 5.1.3, which encourages the diversification of the economic base. With that said, staff finds that the design of the site is limited by the size of the property, but there are alternatives that could be considered to assure that all Title 30 requirements are met. Staff finds that the waivers being requested are reasonable, but some are the result of self-imposed burdens, which cannot be supported. For these reasons, staff cannot support the design of the site.

Staff Recommendation

Approval of waivers of development standards #2a, #4, & #5; denial of waivers of development standards #1, #3, #2b & the design review.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- 20 feet of landscaping shall be provided behind the attached sidewalk per the plans dated February 16, 2023;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised 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; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

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

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0214-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ACG DESIGN

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

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>WS-23-0314</u> DATE FILED: <u>6/16/23</u></p> <p>PLANNER ASSIGNED: <u>HLO</u></p> <p>TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>7/11/23</u></p> <p>PC MEETING DATE: <u>8/11/23</u></p> <p>BCC MEETING DATE: _____</p> <p>FEE: <u>\$1,150</u></p>
	PROPERTY OWNER	<p>NAME: <u>UNITED CAPITAL PROPERTIES LLC</u></p> <p>ADDRESS: <u>5000 S. Decatur Boulevard</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u></p> <p>TELEPHONE: <u>n/a</u> CELL: <u>n/a</u></p> <p>E-MAIL: _____</p>
	APPLICANT	<p>NAME: <u>ACG Design</u></p> <p>ADDRESS: <u>4310 Cameron St., Suite 12-A</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u></p> <p>TELEPHONE: _____ CELL: <u>702-931-2992</u></p> <p>E-MAIL: <u>hshinton@acg.design</u> REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>ACG Design</u></p> <p>ADDRESS: <u>4310 Cameron St., Suite 12-A</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u></p> <p>TELEPHONE: _____ CELL: <u>702-931-2992</u></p> <p>E-MAIL: <u>hshinton@acg.design</u> REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 162-30-104-002

PROPERTY ADDRESS and/or CROSS STREETS: 4811 W. Bell Dr.

PROJECT DESCRIPTION: New 2-story Warehouse

(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.

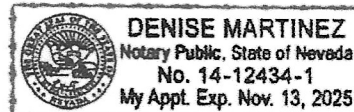
[Signature]
Property Owner (Signature)*

PETER Y. KWAN
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON September 8, 2022 (DATE)

By Peter Y. Kwan
NOTARY PUBLIC: [Signature]



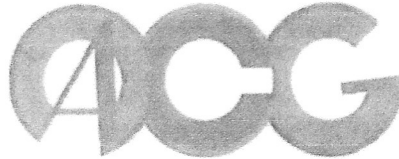
*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

6

PLANNER

COPY

WS-23-0314



ARCHITECTURAL CIVIL GROUP
www.ACG design

May 17, 2023

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

**RE: Applications: Design Review & Waiver of Development Standards
4811 W Bell Drive Industrial Building
APN# 162-30-104-002**

Justification Letter

To whom it may concern,

This project is for a new 2-story industrial warehouse building proposed on an existing Light Manufacturing (M-1) zoned parcel.

The building meets all the following setback requirements:

FRONT (NORTH) REQUIRED: 20 FEET | PROVIDED: 20.21'
SIDE (EAST) REQUIRED: 0 FEET | PROVIDED: 3'
REAR (SOUTH) REQUIRED: 0 FEET | PROVIDED: 48.65'
SIDE (WEST) REQUIRED: 0 FEET | PROVIDED: 67.08'

Proposed building height is 34'-0" where 50'-0" is allowable.

The building's outward appearance shall match existing warehouse buildings already located within the proximity and shall be painted to match. The building will be concrete tilt construction.

Waiver of Development Standards:

1. Alternative Street Landscaping

There are no 15-foot street Landscaping Strips with a detached sidewalk on Bell Drive. Landscaping is to be provided along Bell Drive to include an attached sidewalk with a minimum of 10'-0" landscape with trees that are compliant with Title 30 requirements. There are currently no detached sidewalks on Bell Drive. All sidewalks are attached.

2. Required Parking Stalls

To provide ADA access from the public street to the main entrance, two parking stalls had to be removed. Therefore, we are requesting a waiver of development standards to reduce parking by four stalls total.

08/01/23 PC AGENDA SHEET

SETBACKS
(TITLE 30)

ROSECREST SOUTH CIR/WOODCREST RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0319-BURGER SHELLY ANN & CUSHINERY CHARLES WAYNE:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback for an existing addition; 2) reduce setback for existing accessory buildings; and 3) reduce the building separation in conjunction with an existing single family residential on 0.4 acres in a R-1 (Single Family Residential) Zone.

Generally located on the northeast corner of Rosecrest South Circle and Woodcrest Road within Paradise. TS/sd/syp (For possible action)

RELATED INFORMATION:

APN:

161-19-111-086

WAIVER OF DEVELOPMENT STANDARDS:

1. Reduce the setback for an addition to an existing single family residence to 1 foot where 5 feet is required per Table 30.40-2 (an 80% reduction).
2.
 - a. Reduce the side setback for a shed to 0.5 feet where 5 feet is required per Table 30.40-2 (a 90% reduction).
 - b. Reduce the rear setback for an accessory building to 1 foot where 5 feet is required Table 30.40-2 (an 80% reduction).
 - c. Reduce the side setback for an accessory building to 1 foot where 5 feet is required Table 30.40-2 (an 80% reduction).
3. Reduce the building separation between a residence and accessory building to 4.5 feet where 6 feet is required per Table 30.40-2 (a 25% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 3654 Rosecrest South Circle
- Site Acreage: 0.4
- Project Type: Accessory buildings & addition
- Building Height (feet): 14 (addition)/8 (shed west side)/8 feet, 6 inches (accessory building northeast corner)

- Square Feet: 472 with a 124 square foot mezzanine (addition)/60 (shed west side)/96 (accessory building northeast corner)

Site Plans

The plans depict an existing single family residence located on the north side of Rosecrest South Circle. Access to the subdivision is from Pearl Street and the lot is accessed from Rosecrest South Circle. The request is to allow for 2 existing accessory buildings and for an addition to the existing residential structure along the eastern portion of the house. The definition of shed limits the area to 240 square feet and an 8 foot maximum height. The accessory building on the west side of the site meets the definition of shed, but the accessory building in the northeast corner of the site is 8 feet 6 inches. The buildings are in the rear yard, and the shed is located adjacent to the pool. The shed is located 0.5 feet from the western property line. The accessory building is set back 1 foot from both the rear and side property lines. The garage addition is recessed approximately 8 feet behind the front of the residence and is also shown as being 1 foot to the side property line. The separation between the shed and the main residence is 4.5 feet. County records show the existing addition onto the single family residence was built without permitting and this application is a result of those violations.

Landscaping

Landscaping is not a part of this application.

Elevations

The plans depict an addition to an existing single family residence constructed with a stucco exterior finish with a pitched roofline and is compatible with the main residence. The garage door is facing the south and is screened by a gate. The existing accessory buildings as shown on the plans are constructed with wood panels, pitched roofline, and is painted white to match the existing residence. The shed is 8 feet high and the accessory building is 8 feet, 6 inches high.

Floor Plans

The plans depict the main residence with bedrooms, bathrooms, kitchen, family room, closets, and utility rooms. The addition is for a garage and storage with a mezzanine. The accessory building has an open floor plan for storage of items.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the need for the accessory structures and addition to the existing residence is to allow for increased security for items that would be stored outside. The main residence addition is set back 1 foot from the property line. The exterior of the addition is stucco, with vents located on the front and back in such a way as they do not face the neighbor's property. On the west side of the house is a 6 foot by 10 foot storage shed and in the northeast corner of the property is an 8 foot by 12 foot storage building within 1 foot of the property line. The applicant built the structure without knowing the zoning requirements. The accessory buildings were existing when the applicant purchased the property.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-1	Single family residential

Clark County Public Response Office (CCPRO)

CE22-16591 is an active violation for building without a permit.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Waiver of Development Standards

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

Waiver of development standards #1

Staff reviews waiver requests to ensure compatibility with the existing development in the area. Setbacks help preserve the appeal and integrity of a neighborhood as well as mitigate impacts and possible safety issues. The proposed reduction in the side yard setback for the unpermitted addition onto the existing residential structure is a self-imposed hardship, and the applicant provided no alternatives to mitigating the negative impacts on the surrounding area. Staff finds that the applicant has not provided justification as to why the waiver of development standards should be approved; therefore, staff cannot support this request. Code allows for a minor deviation for reduced setbacks with the approval of all registered adjacent property owners, provided the building meets Code requirements, and staff has no concerns with this process should no issues come about in the public hearing.

Waiver of Development Standards #2

Staff finds that the proposed reductions in setbacks will negatively impact the other lots within the subdivision and may impact the developed adjacent residential properties. Therefore, staff cannot support this request. Code allows for minor deviation for reduced setbacks with the approval of all registered property owners that are currently abutting the applicant's property, and staff has no concerns with this process should no issues come about in the public hearing.

Waiver of Development Standards #3

Staff finds the separation between an existing shed and the main residence could have impacts to the immediate area and potentially cause negative impacts. Generally, separation of the minimum 6 feet between accessory structures and the main residence is to prevent fire and other hazards. The decrease in separation also is accompanied by a reduction of the required setback to

less than 1 foot. Staff feels this is a self-imposed hardship and does not meet the standards set forth by the Code. Code allows for a minor deviation for reduced setbacks with the approval of all registered adjacent property owners, provided the building meets Code requirements, and staff has no concerns with this process should no issues come about in the public hearing.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved

- 1 year to complete the building permit and inspection process with any extension of time to be a public hearing.
- Applicant is advised that approval of this application does not constitute or imply approval of a Building Permit or any other County issued permit, license or approval; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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:

PROTESTS:

APPLICANT: CHARLES CUSHINERY

CONTACT: CHARLES CUSHINERY, 3654 ROSECREST SOUTH CIRCLE, LAS VEGAS, NV 89121



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WS-23-0319</u> DATE FILED: <u>6-5-23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>7-11-23</u> PC MEETING DATE: <u>8-1-23</u> BCC MEETING DATE: _____ FEE: _____
	PROPERTY OWNER NAME: <u>Charles Cushinery</u> ADDRESS: <u>3654 S. Rosecrest Circle</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: <u>702-493-6428</u> CELL: _____ E-MAIL: <u>chukcush@hotmail.com</u>
	APPLICANT NAME: <u>Charles Cushinery</u> ADDRESS: <u>3654 S. Rosecrest Circle</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: <u>702-493-6428</u> CELL: _____ E-MAIL: <u>chukcush@hotmail.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Charles Cushinery</u> ADDRESS: <u>3654 S. Rosecrest Circle</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>702-493-6428</u> CELL: _____ E-MAIL: <u>chukcush@hotmail.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 161-19-111-086
 PROPERTY ADDRESS and/or CROSS STREETS: 3654 S. Rosecrest Circle
 PROJECT DESCRIPTION: Reducing setback for an addition

(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.

Charles Cushinery
 Property Owner (Signature)*

Charles Cushinery
 Property Owner (Print)

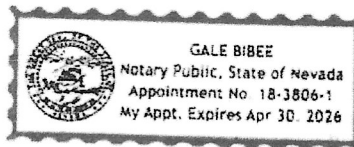
PLANNER COPY

STATE OF NEVADA
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON NOV 7, 2022 (DATE)

By Charles Cushinery

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 – Garage Addition, 3654 S. Rosecrest Circle, Las Vegas, NV 89121

Good morning,

I moved to 3654 S. Rosecrest Circle in September of 2021. The property included a 1-1/2 car garage attached to the main structure and two small storage sheds. I soon became aware that there was not enough secure, covered storage for my belongings.

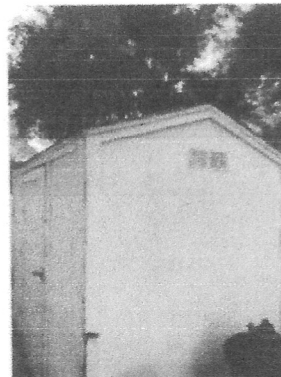
I began planning to construct some sort of area that would allow me to secure my property. The following factors were considered during the planning process:

- 1) How much storage space did I need?
- 2) How could I make the new storage area architecturally compatible with the existing structure?
- 3) How can I minimize any impact on the community surrounding my property

I settled on an attached design that would seamlessly match the existing structure and meet my criteria. The characteristics considered were roof angle, roof material, exterior finish, trim, color scheme and square footage. I chose to not simply add a lean to car port or leave the area open with piles of stuff covered with tarps but instead I made a structure that esthetically matches what was already in place. Below is a picture of the addition to the right of the main garage and the existing sheds.



Garage – Addition on right



6 x 10 shed



8 x 12 shed

I now know I made a serious planning error in that the structure does not comply with current setback regulations. The structure is set back 1 foot from the property line. The exterior of the structure is stucco, the vents are located on the front and back in such a way as they do not face the neighbors property. I respectfully ask that the setback requirements for this addition be waived.

There are also two small sheds that were on the property when I purchased this home. On the west side of the house is a 6' x 10' storage shed and in the northeast corner of the property is an 8' x 12' shed. These sheds sit within one foot of the property line. I am asking for waiver of the setback requirements for these units as well.

Thank you for your considerations.

Charles Cushinery

Charles Cushinery
APR 23-100667

PLANNER COPY

EXTRA COPY

SIGNAGE
(TITLE 30)

LAS VEGAS BLVD S/HARMON AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

DR-23-0304-ACE A PROPCO:

DESIGN REVIEWS for the following: **1)** amended comprehensive sign package; **2)** increase wall sign area; and **3)** increase animated sign area for a shopping center (Project 63) in conjunction with the CityCenter Resort Hotel on a portion of 61.4 acres in an H-1 (Limited Resort and Apartment) (AE-65) Zone.

Generally located on the southwest corner of Las Vegas Boulevard South and Harmon Avenue within Paradise. JG/al/syp (For possible action)

RELATED INFORMATION:

APN:

162-20-711-008; 162-20-711-016 ptn

DESIGN REVIEWS:

1. Amended comprehensive sign package.
2. Increase wall sign area to 10,502 square feet where 6,648 square feet is the maximum area allowed per Table 30.72-1 and 7,502 square feet was previously approved.
3. Increase the animated sign area to 9,116 square feet where 300 square feet is the maximum area allowed per Table 30.72-1 and 6,116 square feet was previously approved.

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3663 Las Vegas Boulevard South
- Site Acreage: 2.3 acre portion of 61.4 acres
- Project Type: Amended comprehensive sign package

Site Plan

The site is located at the southwest corner of the intersections of Las Vegas Boulevard South and Harmon Avenue, and this site is located within the boundary of the CityCenter Resort Hotel facility and is considered a part of that project. Although the site is made-up of 2 parcels that

have a total area of approximately 61.4 acres, which includes areas within the CityCenter Resort Hotel facility, that area is beyond the scope of the approved shopping center.

The site of the shopping center itself has an area of approximately 2.3 acres located on the northeast corner of the CityCenter Resort Hotel facility, and the shopping center building is located on the eastern portion of the 2.3 acres. Parking is provided by an existing underground parking garage. Access to this parking garage is provided by an existing driveway from Harmon Avenue along the north side of the site. Pedestrian access is provided from the abutting developments to the north, south, and west by existing sidewalks/pedestrian access easements at grade level and by an existing pedestrian bridge and access easement on the second level.

Signage

This is a request to amend the approved comprehensive sign plan for the shopping center. The applicant is proposing to add an additional wall sign that is also an animated sign. The sign is located on the north side of the building at the northwest corner of the building facing Harmon Avenue. The sign is a 3,000 square foot video/LED screen.

Tables summarizing the signage are provided below:

Type of Sign	Approved/ Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	# of Existing Signs	# of Proposed Signs	Total # of Signs
Freestanding	75	0	75	3,950	1	0	1
*Wall	7,502	3,000	10,502	6,648	32	1	33
Directional	40	0	40	64	4	0	4
Monument	0	0	0	490	0	0	0
Projecting	0	0	0	32	0	0	0
Hanging	0	0	0	32	0	0	0
Roof	0	0	0	0	0	0	0
Temporary	0	0	0	1,500	0	0	0
Overall Total	7,617	3,000	10,617	12,716	37	1	38

*One of the wall signs also contains animation. The details for animated signs are listed below:

Type of Sign	Approved/ Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	# of Existing Signs	# of Proposed Signs	Total # of Signs
Video/LED	6,116	3,000	9,116	300	1	1	2

Applicant's Justification

According to the applicant, the signage is appropriate for the area, and the animated wall sign is similar in size and scale to other animated wall signs approved within the Resort Corridor. Therefore, the proposed signage is compatible with existing developments in the area. Overall, The signage will enhance the iconic intersection and add value to the designation of the "Las Vegas Strip" as a nighttime National Scenic Byway.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-21-0482	Comprehensive sign plan for Project 63 shopping center at the CityCenter Resort Hotel	Approved by BCC	November 2021
UC-21-0382	Shopping center in conjunction with the CityCenter Resort Hotel	Approved by BCC	August 2021

There are several other land use applications that have included this site; however, the applications listed above are the most directly related to the current request.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Cosmopolitan Resort Hotel
South & West	Entertainment Mixed-Use	H-1	Project CityCenter
East	Entertainment Mixed-Use	H-1	Harmon Corner shopping center

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Large, animated signs are an integral part of creating the energy and sense of place within the Resort Corridor. The proposed signage is similar in scale to other existing signage within the Resort Corridor and will further enhance visual characteristics of the Strip. Staff finds that the proposed signage is integrated into the building design of the shopping center and is compatible with the surrounding development. Therefore, staff can support these requests.

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)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: BRETT TORINO

**CONTACT: CASSANDRA WORRELL, 520 S. FOURTH STREET, LAS VEGAS, NV
89101**

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>DR-23-0304</u> DATE FILED: <u>5-30-2023</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>7-11-23</u> PC MEETING DATE: <u>—</u> BCC MEETING DATE: <u>8-2-2023</u> FEE: <u>\$675⁰⁰</u>
	PROPERTY OWNER NAME: <u>63SLVB PROPCO, LLC - Brett Torino</u> ADDRESS: <u>2215-B Renaissance Drive</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702.258.4474</u> CELL: <u>NA</u> E-MAIL: <u>ronhall@rbh.partners</u>
	APPLICANT NAME: <u>63 SLVB - Brett Torino</u> ADDRESS: <u>4455 Wagon Trail Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702.258.4474</u> CELL: <u>NA</u> E-MAIL: <u>ronhall@rbh.partners</u> REF CONTACT ID #: <u>NA</u>
	CORRESPONDENT NAME: <u>Jay Brown/Leben Ohene</u> ADDRESS: <u>520 South Front Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>702.598.1429</u> CELL: <u>702.561.7070</u> E-MAIL: <u>lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>

ASSESSOR'S PARCEL NUMBER(S): 162-20-711-008, 162-20-711-016

PROPERTY ADDRESS and/or CROSS STREETS: 3716 So Las Vegas Blvd, SW Corner of LVB and Harmon Ave

PROJECT DESCRIPTION: Signage for 63

(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.

Brett Torino

Property Owner (Signature)*

Property Owner (Print)

STATE OF NEVADA
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON MARCH 23 2023 (DATE)

By Brett Torino
NOTARY PUBLIC: Lori A. Morales



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

APR-23-100502

8

LAW OFFICE

Brown, Brown & Premsrirut

JAY H. BROWN
DAVID T. BROWN
PUJOY K. PREMSRIRUT

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

TELEPHONE: (702) 384-5563
FACSMILE: (702) 385-1023
EMAIL: jbrown@brownlawiv.com

May 1, 2023

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

DR-23-0304

Re: Project 63 Signage- Revision 1
Justification Letter: Amendment to a Comprehensive Sign Package
Design Review: Increase wall sign area and the animated sign area (video unit).
Assessors' Parcel Number: 162-20-711-008, 162-20-711-016

To Whom It May Concern:

On behalf of our client, 63SLVB Propco LLC, please accept this justification letter for a proposed application package to amend the previously approved sign package for a shopping that is currently under construction on a parcel that is a part of the CityCenter/Crystals/Aria complex on Las Vegas Boulevard. The shopping center named Project 63 is located on the southwest corner of Las Vegas Boulevard South and Harmon Avenue, is on 2.1 acres and is in an H-1 zone. Signage for the shopping center is, however, not considered a part of the overall signage for the CityCenter/Aria complex. A comprehensive sign package was previously approved for the shopping center by action on UC-21-0482 in November 2021.

Project Description:

The proposed amendment to the previously approved sign package is to increase the wall and animated sign area for the shopping center. The project is a part of the CityCenter/Aria complex; however, it is considered as freestanding/standalone project as far as parking and signage is concerned.

Signage:

The plans depict a proposed 3,000 square foot wall and animated sign (video unit). The sign is located on the southeastern facade of the shopping center building along the Harmon Avenue frontage and is oriented to face both Harmon Avenue and Las Vegas Boulevard. This request will increase the wall sign for the shopping center to 10,502 square feet and the animated (video units) signage to 9,116 square feet. The proposed sign is located 42 feet above street level and is visible from Harmon Avenue and Las Vegas Boulevard as well as the pedestrian bridges along the sides of the site, the shopping center and the intersection.

We respectfully request the following applications:

Design Reviews:

8

LAW OFFICE

Brown, Brown & Premisrut

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

1. Increase wall sign area to by 3,000 square feet where 7,502 square feet was previously approved for a total of 10,502 where 6,648 square feet is allowed.
2. Increase animated sign area (video unit) by 3,000 square feet where 6,116 square feet was previously approved for a total of 9,116 where 150 square feet per street frontage is allowed.

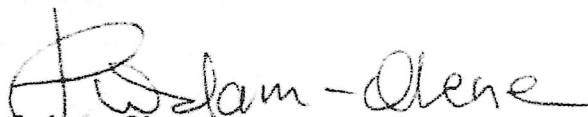
Justification:

The proposed amendment is for the shopping center which is under construction and is in conjunction with the City Center/Aria Resort Hotel complex and is located on one of the most iconic intersections of the world famous "Las Vegas Strip" and the resort corridor of the County. This amendment to increase the wall/animated sign area (video unit) is appropriate for the area and is compatible with existing signage along this intersection of Las Vegas Boulevard and the "Strip" in general. The proposed sign is much smaller than the animated signage most recently approved for Resorts World at the intersection of Las Vegas Boulevard South and Convention Center Drive. The total signage for the Shopping center and for the Resort is comparable with other approvals on the "Las Vegas Strip". Additionally, this amendment to the previous approval and the total signage for the resort will further enhance this iconic intersection and add value to the designation of the "Las Vegas Strip" as a world renown Scenic Byway.

We appreciate your consideration in the review and positive recommendation of the applications.

Please contact me at 702-598-1429, if you have any questions or need additional information.

Sincerely,


Ebene Ohene
Land Use and Development Consultant

8

SIGNAGE
(TITLE 30)

HARMON AVE/AUDRIE ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
DR-23-0336-LV TOWER 52, LLC:

DESIGN REVIEW for modifications to an approved comprehensive sign package in conjunction with an existing resort hotel, resort condominium, and shopping center development (Planet Hollywood/Elara/Miracle Mile Shops) on 41.3 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the north side of Harmon Avenue and the west side of Audrie Street within Paradise. JG/hw/syp (For possible action)

RELATED INFORMATION:

APNs:

162-21-210-003 through 162-21-210-005; 162-21-210-007; 162-21-210-009 through 162-21-210-010; 162-21-213-000; 162-21-213-001

DESIGN REVIEW:

Modifications to an approved comprehensive sign package for an existing resort hotel, resort condominium, and shopping center development (Planet Hollywood/Elara/Miracle Mile Shops) to increase animated sign area to 99,494 square feet where 98,259 square feet was previously approved (a 1.3% increase) and where a maximum of 450 square feet is allowed per Table 30.72-1.

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 80 E. Harmon Avenue
- Site Acreage: Specific sign is on a 4.0 acre portion of the total 41.3 acres
- Project Type: Signage
- Sign Height (feet): 100
- Square Feet: 1,600 total (1,235 increase)

Site Plan & Request

The plan depicts an existing resort hotel, resort condominium, and shopping center development (Planet Hollywood, Elara, and Miracle Mile Shops) located on the east side of Las Vegas

Boulevard South and north of Harmon Avenue. The applicant is requesting to conduct renovations to the existing freestanding sign associated with the Elara portion of the site. The renovation would include updating the existing freestanding sign with expanded animated video boards on each face of the sign, which would also require updating the comprehensive sign package for the site. The comprehensive sign package for the site was previously modified in August of 2020 through DR-20-0303 to allow for the addition of 2 wall signs related to the Miracle Mile Shops, with 1 of the wall signs being animated. The site plan shows that the existing freestanding sign is located in the south central portion of the Elara section of the site in the southeastern corner of the property. The existing freestanding sign is shown to be set back 24 feet from the right-of-way and property line and approximately 4 feet from the edge of the building. The plans show that the freestanding sign is not within the existing pedestrian access easement, any drive aisles, or the right-of-way.

Signage

The elevations provided show that the existing freestanding sign is 100 feet tall, 30 feet wide, and 9 feet thick for a total of 3,000 square feet for each side of the sign. The sign's exterior will be updated with grey metal paneling, and decorative lights on the lower half of the sign and along the edges will be updated and replaced as necessary. A 53.3 foot tall by 30 feet wide (1,600 square feet) animated video board will be placed on both sides of the freestanding sign. The new animated video board is approximately 1,235 square feet larger than the 365 square foot sign that is currently on the freestanding sign. At the top of the existing freestanding sign, a channel lettering sign will replace a larger, similar channel lettering sign and measures 28 feet wide and 5.5 feet tall for a total of 154 square feet. The plans show that the existing freestanding sign and proposed animated sign are not within 200 feet of residential development outside the H-1 zone and are not within 100 feet of the freestanding sign to the west.

The following table is a summary for signage for the resort hotel, resort condominium, and shopping center development:

Type of Sign	Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	Percent Increase	# of Existing Signs	# of Proposed Signs	Total # of Signs
*Freestanding	14,020	0	14,020	18,445	N/A	5	0	5
*Wall	139,589	0	139,589	35,360	295	156	0	156
*Roof Sign	1,834	0	1,834	0	N/A	8	0	8
*Projecting	1,719	0	1,719	**32	N/A	9	0	9
Hanging	27	0	27	**32	N/A	2	0	2
Directional	610	0	610	256	138	8	0	8
Overall Total	157,799	0	157,799	54,125	N/A	188	0	188

*The freestanding, wall, roof, and projecting signs also contain animation. **Per tenant.

The details for animated signs are listed below:

Type of Sign	Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	Percent Increase	# of Existing Signs	# of Proposed Signs	Total # of Signs
Animated	98,259	1,235	99,494	***450	1.27	45	0	45

***150 square feet permitted per street frontage.

Applicant's Justification

The applicant states that the purpose of this request is to modify the existing sign package at the Elara to enhance the existing freestanding sign and the branding of the site. They state that the changes to the signage are relatively minor with general painting and maintenance and that the additional animated sign area should not impact the area given the existing signage in the area and the location of the site and surrounding area in the Resort Corridor. Additionally, the changes being proposed will allow for technology upgrades and higher quality advertising of the site.

Prior Land Use Requests*

Application Number	Request	Action	Date
DR-20-0303	Modifications to the comprehensive sign package to increase wall sign area	Approved by BCC	August 2020
UC-19-0641	Facade remodeled to a portion of an existing shopping center (Miracle Mile Shops) and modifications to an approved comprehensive sign package	Approved by BCC	October 2019
DR-19-0296	Outside drinking area (Daiquiri Bar) and amended the comprehensive sign package	Approved by BCC	June 2019
UC-0544-17	Facade remodeled for a proposed restaurant with outside dining/drinking area, and amended the approved comprehensive sign plan within an existing shopping center (Miracle Mile Shops)	Approved by BCC	August 2017
UC-0209-16	Exterior facade remodeled and addition for outside dining	Approved by BCC	May 2016
UC-0149-16	Facade remodeled with outside dining	Approved by BCC	April 2016
DR-0540-15	Exterior modification of an entrance facade and outside dining with a bar	Approved by BCC	October 2015
UC-0185-15	Facade modifications and demolition with site modifications (sidewalks, gates, driveways) for outside dining	Approved by BCC	May 2015
UC-0985-14	Modified the comprehensive sign package to allow roof signs and increased wall, roof, and animated sign area with facade modifications	Approved by BCC	February 2015
UC-0978-14	Facade demolition and modification to Miracle Mile Shops	Approved by BCC	February 2015
DR-0016-13	Modified the comprehensive sign package to increase wall, animated, freestanding, and directional sign area	Approved by BCC	March 2013
DR-0402-10	Comprehensive sign package for the Planet Hollywood Resort Hotel Site	Approved by BCC	October 2010
UC-1588-05	Resort Condo high-rise building	Approved by BCC	December 2005

* Several land use applications have been submitted for this site. The most relevant and recent are listed above.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Paris Resort Hotel
South	Entertainment Mixed-Use	H-1 & R-5	Carriage House, Grand Chateau, restaurants, & retail
East	Entertainment Mixed-Use	H-1	Parking lots
West	Entertainment Mixed-Use	H-1	Bellagio Resort Hotel, Cosmopolitan Resort Hotel, Aria Resort Hotel, & Crystals Shopping Mall

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Overall, staff finds that the proposed sign is compatible with the existing developments surrounding the Las Vegas Boulevard South Corridor and with the other signage within the Planet Hollywood and Elara developments. The modifications to the already existing comprehensive sign package comply with Policy 6.2.1 of the Master Plan which states that all new development should be compatible with the established neighborhood in terms of building styles on-site, and also with surrounding developments. Policy 5.1.3 of the Master Plan also states that tourism is one of the bases of the local economy and should continue to be enhanced where possible. Given that Las Vegas Boulevard South and its surrounding area are designated as a National Scenic Byway, to which signage contributes, staff finds that the proposed signage and modifications to the approved sign package would positively contribute to the existing slate of signage in the Byway. Additionally, the proposed signage is appropriate and compatible with the surrounding uses and should not create any additional negative effects on surrounding residential and neighboring uses given the signage and lighting are already present on the site and the small increase being proposed. 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

- 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)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: HILTON GRAND VACATIONS

CONTACT: GREGORY BORGEL, FENNEMORE LAW, 3790 PARADISE ROAD #250,
LAS VEGAS, NV 89169

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE (ZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>DR 23-0336</u> DATE FILED: <u>6/17/23</u></p> <p>PLANNER ASSIGNED: <u>HJD</u></p> <p>TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>7/11/23</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>8/2/23</u></p> <p>FEE: <u>\$675</u></p>
	PROPERTY OWNER	<p>NAME: <u>LV Tower 52, LLC</u></p> <p>ADDRESS: <u>c/o Lantern Asset Management, LLC, 100 Crescent Court, Suite 260</u></p> <p>CITY: <u>Dallas</u> STATE: <u>TX</u> ZIP: <u>75201</u></p> <p>TELEPHONE: <u>212-583-5059</u> CELL: _____</p> <p>E-MAIL: <u>Brian.Kaufman@Blackstone.com</u></p>
	APPLICANT	<p>NAME: <u>Michael Elliott</u></p> <p>ADDRESS: <u>5323 Millenia Lakes Boulevard, Suite 120</u></p> <p>CITY: <u>Oriando</u> STATE: <u>FL</u> ZIP: <u>32839</u></p> <p>TELEPHONE: <u>407-613-3348</u> CELL: <u>407-256-3285</u></p> <p>E-MAIL: <u>michael.elliott@hgv.com</u> REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>Gregory Borgel</u></p> <p>ADDRESS: <u>3790 Paradise Rd., #250</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89169</u></p> <p>TELEPHONE: <u>702.791.8219</u> CELL: _____</p> <p>E-MAIL: <u>gborgel@fennemorelaw.com</u> REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 162-21-213-001

PROPERTY ADDRESS and/or CROSS STREETS: 80 E Harmon Ave, Las Vegas, NV 89109 Cross Streets = Harmon Ave & Audrie St

PROJECT DESCRIPTION: Improvement to the existing pylon sign, to include larger LED screens on the west and east facades of the sign.

(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.

Brian Kaufman
Property Owner (Print)

Brian Kaufman
Property Owner (Signature)*

STATE OF New York
COUNTY OF New York

SUBSCRIBED AND SWORN BEFORE ME ON April 10, 2023 (DATE)

By Besa Reka

NOTARY PUBLIC: _____

BESA REKA
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. **01RE6388632**
Qualified in New York County
Commission Expires **March 12, 2027**

*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.

PLANNER
COPY

DR-23-0336

May 21, 2023


Clark County Planning
For electronic submission

Dear Ladies/Gentlemen:

Please accept this as the required justification letter for design review approval of a modified sign package at Elara Center Strip, 80 E. Harmon Avenue, APN 162-21-213-001, including a new 1600 sq. ft. animated sign panel on the main pylon sign together with new non-animated graphics and general painting and maintenance of the main pylon sign:

1. The basic pylon sign structure will be retained at an overall height of 100'.
2. No movement of the existing sign structure is requested, so all existing setbacks and separations will be unchanged.
3. Overall property signage will remain at 157,799 sq. ft.

Justification: The Elara property is located in the H-1 District and within the Las Vegas Boulevard Corridor, where similar signs are common. The existing pylon sign is in need of the proposed technology upgrade and maintenance and will be used to advertise the existing Elara property, other Hilton Grand Vacation properties, and possible third party off-premises advertising.



Greg Borgel
Ph: 702-791-8219

UPDATE

RESORT HOTEL
(TITLE 30)

SPRING MOUNTAIN RD/POLARIS AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-21-400129 (ZC-0425-07)-PACIFIC PLACE SITE, LLC:

HOLDOVER ZONE CHANGE FIFTH EXTENSION OF TIME to reclassify 33.5 acres from an M-1 (Light Manufacturing) Zone to an H-1 (Limited Resort and Apartment) Zone.

USE PERMITS for the following: 1) an expansion of the Gaming Enterprise Overlay District; 2) a resort hotel/casino consisting of 2,700 hotel rooms; 3) 1,120 resort condominiums; 4) public areas including all casino areas, showrooms, live entertainment, cinema, performing arts center, shopping center, indoor and outdoor dining, entertainment, offices, meeting and convention, back-of-house, and parking structures; 5) increase the height of high-rise towers; 6) associated accessory and incidental commercial uses, buildings, and structures; and 7) deviations from development standards.

DEVIATIONS for the following: 1) encroachment into airspace; 2) reduced loading spaces; and 3) all other deviations as shown per plans on file.

Generally located on the southeast corner of Spring Mountain Road and Polaris Avenue within Paradise (description on file). JJ/jgh/jo (For possible action)

RELATED INFORMATION:

APN:

162-17-210-001; 162-17-210-002; 162-17-211-001; 162-17-212-002; 162-17-212-003; 162-17-212-005; 162-17-213-004; 162-17-214-002; 162-17-215-001; 162-17-216-001; 162-17-217-001; 162-17-218-001; 162-17-219-001; 162-17-220-001; 162-17-221-001 through 162-17-221-003; 162-17-222-001; 162-17-223-001; 162-17-224-001

USE PERMITS:

1. Allow an expansion of the Gaming Enterprise Overlay District.
2. Allow a resort hotel/casino consisting of 2,700 hotel rooms.
3. Allow 1,120 resort condominiums.
4. Allow public areas including all casino areas, showrooms, live entertainment, cinema, performing arts center, shopping center, indoor and outdoor dining, entertainment, offices, meeting and convention, back-of-house, and parking structures.
5. Increase the height of high-rise towers to 590 feet where 100 feet is the standard (a 490% reduction).
6. Allow all associated accessory and incidental commercial uses, buildings, and structures.
7. Allow for deviations from development standards.

DEVIATIONS:

1. Permit encroachment into airspace.

2. Reduce the number of loading spaces from 39 spaces to 7 spaces.
3. Permit all other deviations as shown per plans on file.

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

BACKGROUND:

Project Description

General Summary

- Site Address: 3355 Spring Mountain Road
- Site Acreage: 33.5
- Project Type: Resort hotel

History

The original approval included a deviation to reduce the 1:3 height setback ratio from Spring Mountain Road (deviation #1) but was withdrawn. The numbering of the deviations has changed. Also, during the last extension of time application, the design reviews for the project were withdrawn.

Previous Conditions of Approval

Listed below are the approved conditions for ET-18-400166 (ZC-0425-07):

Current Planning

- Until July 18, 2021 to complete;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for ZC-0425-07 (ET-0035-16):

Current Planning

- Until July 18, 2018 to complete.
- Applicant is advised that the application is subject to a Development Agreement and conditions of the original application (ZC-0425-07); 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.

Listed below are the approved conditions for ZC-0425-07 (ET-0046-13):

Current Planning

- Until July 18, 2016 to complete.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

Public Works – Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that at the time of development CCWRD requires submittal of civil improvement plans and estimated wastewater flow rates from all phases of the proposed project at build-out before sewer point-of-connection can be approved; there is an existing public 15 inch sanitary sewer line on the property adjacent to Highland Drive; applicant is required to confirm the existence of the easements, provide any new easements where missing, and to confirm that the applicant's improvements do not encumber the sewer easement, CCWRD must have 24 hour access to maintain public sewer lines; applicant may propose relocation of the public sewer at his expense, maintaining flow capacity and meeting all CCWRD design standards; and that CCWRD has no exception to the requested extension of time.

Listed below are the approved conditions for ZC-0425-07 (ET-0070-10):

Current Planning

- Until July 18, 2013 to complete;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- All applicable standard conditions for this application type.
- Applicant is advised that the application is subject to a Development Agreement; conditions of approval of the original application ZC-0425-07; and that any change in circumstances or regulations may be justification for the denial of an extension of time.

Civil Engineering

- Compliance with previous conditions.

Listed below are the approved conditions for ZC-0425-07:

Current Planning

- A Development Agreement as agreed upon by the applicant to mitigate impacts of the project including but not limited to issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners;
- Design review as a public hearing for the tower buildings in the northwest corner of the site;
- Pedestrian realm to be provided per plans on file;
- All applicable standard conditions for this application type.
- 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; any change in circumstances or regulations may be justification for the denial

of an extension of time; and that this application must be completed within 3 years of approval date or it will expire.

Civil Engineering

- Compliance with Development Agreement with Clark County;
- Dedication of additional right-of-way to complete a 60 foot half street width on Spring Mountain Road;
- Construct full off-site improvements;
- Detached sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control which may require a vacation of excess right-of-way or execute a license and maintenance agreement for non-standard improvements in the right-of-way;
- Drainage study and compliance;
- Traffic study and compliance;
- Traffic study to also address: a) any additional right-of-way dedications required for construction of turning lanes for Spring Mountain Road and Polaris Street, b) dedication of right-of-way for bus turnout relocation and/or passenger loading/shelter areas in accordance with Regional Transportation Commission standards, c) minimum required width of all public access walkway segments so that a minimum Level of Service "C" is achieved under peak pedestrian volumes, d) turnover analysis for the porte-cochere and recommendation of mitigation measures as applicable;
- Reconstruct any unused driveways with full off-sites;
- Driveway widths and locations to be approved by Clark County Civil Engineering Division;
- Nevada Department of Transportation approval.

Department of Aviation

- No building permits shall be released for the project prior to the Department of Aviation notifying Zoning Plan Check that the applicant has received all necessary airspace approvals;
- 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 the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved.

Applicant's Justification

The applicant states that the property was recently acquired by the current property owner and needs additional time to determine optimal feasibility of the site.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-18-400166 (ZC-0425-07)	Fourth extension of time on a zone change to reclassify 33.5 acres from M-1 to H-1 zoning for resort hotel/casino with high rise towers including hotel rooms and resort condominiums and all incidental buildings and structures	Approved by BCC	September 2018
ZC-0425-07 (ET-0035-16)	Third extension of time on a zone change to reclassify 33.5 acres from M-1 to H-1 zoning for resort hotel/casino with high rise towers including hotel rooms and resort condominiums and all incidental buildings and structures	Approved by BCC	May 2016
ZC-0425-07 (ET-0046-13)	Second extension of time on a zone change to reclassify 33.5 acres from M-1 to H-1 zoning for resort hotel/casino with high rise towers including hotel rooms and resort condominiums and all incidental buildings and structures	Approved by BCC	July 2013
ZC-0425-07 (ET-0070-10)	First extension of time on a zone change to reclassify 33.5 acres from M-1 to H-1 zoning for resort hotel/casino with high-rise towers including hotel rooms, resort condominiums, and all incidental buildings and structures	Approved by BCC	June 2010
ZC-0425-07	Original application to reclassify 33.5 acres from U-V to H-1 zoning with use permits to expand the gaming enterprise overlay district, a resort hotel/casino, resort condominiums, public areas, increased building height, associated accessory uses, buildings and structures and deviations from development standards and design reviews for resort hotel/casino with high rise towers including hotel rooms and resort condominiums and all incidental buildings and structures	Approved by BCC	July 2007
NZC-1687-04	Reclassified from M-1 to U-V zoning for a mixed-use development - expired	Approved by BCC	February 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	M-1 & H-1	Adult use, check cashing, & retail sales
South	Entertainment Mixed-Use	H-1	Retail & office spaces
East	Entertainment Mixed-Use	M-1	Industrial buildings
West	Entertainment Mixed-Use	M-1 & H-1 (under ROI)	Vehicle repair & industrial buildings

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.

Since approval of the original zone change in July 2007 there have been no technical studies submitted to Clark County for review. The application has been extended 4 times; once in June 2010 with ZC-0425-07 (ET-0070-10), once in July 2013 with ZC-0425-07 (ET-0046-13), once in May 2016 with ZC-0245-07 (ET-0035-16) and the most recent in September 2018 with ET-18-400166 (ZC-0425-07). During the last extension of time, staff indicated there is an expectation for progress to provide technical studies or complete the required Development Agreement. Since no progress has been made, staff cannot support the request to extend this application.

Department of Aviation

The development still penetrates 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.

More importantly, the development still penetrates the Part 77 airspace surface (Airport Airspace Overlay District), as defined by Section 30.48.100 of the Clark County Unified Development Code. Therefore, as required by Section 30.16.210(12)(D) of the Clark County Unified Development Code, final action cannot occur until the FAA has issued an airspace Determination of No Hazard that is still valid and the Department of Aviation has reviewed the latest determination. (Note that Section 30.16.210(12)(D) requires that the FAA Determination of No Hazard shall be submitted 2 weeks prior to final approval for any proposed structure that intrudes into Airport Airspace Overlay District [see Chapter 30.48 Part B].)

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- **Until September 5, 2024 to complete.**
- **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.

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;
- Applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 PART B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA and is still valid.
- 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:

PROTEST:

COUNTY COMMISSION ACTION: October 6, 2021 – HELD – To 04/06/22 – per the applicant.

COUNTY COMMISSION ACTION: April 6, 2022 – HELD – To 08/03/22 – per the applicant.

COUNTY COMMISSION ACTION: August 3, 2022 – HELD – To 02/08/23 – per the applicant.

COUNTY COMMISSION ACTION: February 8, 2023 – HELD – To 08/02/23 – per the applicant.

APPLICANT: PACIFIC PLACE SITE, LLC

CONTACT: LINDSAY KAEMPFER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135

DRAFT

08/02/23 BCC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL
(TITLE 30)

PECOS-MCLEOD INT/DESERT INN RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-23-400096 (DR-19-0352)-DIAMOND PM, LLC:

DESIGN REVIEW SECOND EXTENSION OF TIME for a multiple family residential development (condominiums) and associated accessory structures on 1.6 acres in an R-3 (Multiple Family Residential) Zone.

Generally located on the east side of Pecos-McLeod Interconnect, 650 feet south of Desert Inn Road within Paradise. TS/mh/syp (For possible action)

RELATED INFORMATION:

APN:
162-13-501-006

LAND USE PLAN:
WINCHESTER/PARADISE - URBAN NEIGHBORHOOD (GREATER THAN 18 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.6
- Number of Units: 40
- Density (du/ac): 17.6
- Project Type: Multiple family residential (condominiums)
- Number of Stories: 2 to 3 (Building 1)/3 (Building 2)
- Building Height (feet): Up to 35
- Open Space Required/Provided: 8,000/9,450
- Parking Required/Provided: 70/70

Site Plans

The approved plans depict a gated multiple family residential development (condominiums) consisting of 40, one and 2 bedroom units for an overall density of 17.6 dwelling units per acre. Building 1 is comprised of 16, one bedroom units and Building 2 consists of 24, two bedroom units. Building 1 is set back 20 feet from the west property line, adjacent to the Pecos-McLeod Interconnect, and 70 feet from the improved drainage channel to the east. Building 2 is also set back 20 feet from the west property line, 32 feet from the drainage channel to the east, and 5 feet from the property line to the north. The development includes 9,450 square feet of open space

consisting of a pool area, dog park, and several areas with benches. Access to the site is provided via a proposed two-way driveway located at the southwestern portion of the site. An "exit only" gate is provided at the northwestern portion of the site. The proposed development requires 70 parking spaces and 70 parking spaces are provided. Bicycle parking spaces are located at the northeast corner of Building 1. The required trash enclosure is centrally located within the site, between Buildings 1 and 2. The pool area, consisting of 4,351 square feet, is located immediately south of Building 1. A gazebo/cabana shade structure is located to the west of the pool and is set back 20 feet from the west property line. A 301 square foot pool equipment room is located immediately south of the pool and also has a minimum setback of 20 feet from the west property line. A 5 foot wide internal pedestrian walkway connects the buildings to the proposed 5 foot wide detached sidewalk along the Pecos-McLeod Interconnect.

Landscaping

The approved plans depict a 15 foot wide landscape area, including a 5 foot wide detached sidewalk, along the Pecos-McLeod Interconnect. The street landscape area consists of trees, shrubs, and groundcover. Open space is generally distributed throughout the site, and primarily consists of 4 areas measuring between 873 square feet and 4,351 square feet. Parking lot trees are generally distributed throughout the site, including landscape finger islands located along the east property line adjacent to the improved drainage channel.

Elevations

Building 1 consists of 2 to 3 stories with a height ranging from 31 feet up to a maximum of 35 feet. The building is constructed with a pitched, concrete tile roof with a stucco exterior. Decorative pop-outs and window trimming are featured on the east, south, and west elevations of the building. Patios and balconies are featured on the east and west elevations of Building 1. The north elevation of the building features a stucco exterior with decorative plaster corbels. Access to the residential units is provided via an open staircase leading to each floor.

Building 2 consists of 3 stories with a maximum height of 35 feet. The building is constructed with a pitched, concrete tile roof with a stucco exterior. Decorative pop-outs and window trimming are featured on all sides of the building, which include decorative plaster corbels. Patios and balconies are featured on the north and south elevations of Building 2. Access to the residential units is provided via an open staircase leading to each floor.

The pool equipment building has an overall height of 15 feet and consists of a pitched, concrete tile roof, stucco exterior, and decorative plaster corbels. The carports have a maximum height of 10 feet and feature tube steel columns with a painted metal roof.

Floor Plans

Building 1 features 16, one bedroom units each measuring 800 square feet. The plans for Building 1 depict a kitchen, living room, dining room, bedroom, patio, laundry room, bathroom, and a walk-in closet. Building 2 features 24, two bedroom units each measuring 1,000 square feet. The plans for Building 2 depict 2 bedrooms, a kitchen, dining room, living room, patio, laundry room, bathroom, and a walk-in closet. The pool equipment building consists of 301 square feet and features an office, restroom, shower, and equipment room.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for ET-21-400121 (DR-19-0352):

Current Planning

- Until June 19, 2023 to commence.
- 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

- Compliance with previous conditions.

Listed below are the approved conditions for DR-19-0352:

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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;
- Full off-site improvements;
- Right-of-way dedication to include any necessary portions of Pecos-McLeod Interconnect to achieve 45 feet of right-of-way to the back of curb.
- Applicant is advised that the installation of detached sidewalks may require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0224-2019 to obtain your POC exhibit; and that wastewater flow rates that exceed CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant is requesting a second extension of time for an additional 2 years. The applicant indicates that significant progress has been made on the project, noting that a drainage study, traffic study, and water network analysis have been approved. The applicant has received approvals from the Fire Department, Water Reclamation District, Las Vegas Valley Water District, Public Works Department, and is in the process of submitting revised plans to the Building Department.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-22-0224	Vacated and abandoned easements of interest located between the Pecos-McLeod Interconnect and the Flamingo Wash Flood Control Channel, and between Desert Inn Road and Emerson Avenue, and a portion of a right-of-way being a portion of the Pecos-McLeod Interconnect located between Desert Inn Road and Emerson Avenue	Approved by PC	June 2022
ET-21-400121 (DR-19-0352)	First extension of time for a multiple family residential development and associated structures	Approved by BCC	September 2021
WC-19-400059 (ZC-1382-06)	Waived conditions for a design review as a public hearing to address deceleration lane and amenities, reduced density from 40 units to 24 units, reduced 15 units to 2 story units, 3 point turning analysis to be approved by traffic prior to tentative map approval, relocated entrances further to the north, and right-in/right-out only ingress and egress to the site	Approved by BCC	June 2019
DR-19-0352	Multiple family residential development and associated structures on 1.6 acres in R-3 zoning	Approved by BCC	June 2019
ET-19-400036 (VS-0090-15)	Second extension of time to vacate and abandon right-of-way and easements	Approved by PC	May 2019
VS-0090-15 (ET-0037-17)	First extension of time to vacate and abandon right-of-way and easements	Approved by PC	March 2017
UC-0427-11 (ET-0025-15)	First extension of time for a use permit for an assisted/independent living facility with a waiver for reduced lot size, a waiver of conditions of a zone change, and a design review for an assisted/independent living facility and project amenities - expired	Approved by BCC	June 2015
VS-0090-15	Vacated and abandoned easements of interest and vacated a portion of Pecos-McLeod Interconnect	Approved by PC	April 2015

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0427-11	Reduced lot size, waived a condition of a zone change to change the product from for rent multiple family to for sale condominiums and reduced 15 units to 2 story units with only 9, three story units remaining along with a design review for an assisted/independent living facility with project amenities - expired	Approved by BCC	June 2012
VS-0002-11	Vacated and abandoned a portion of the Pecos-McLeod Interconnect and patent easement - expired	Approved by PC	March 2011
VS-0061-08	Vacated and abandoned a portion of the Pecos-McLeod Interconnect and patent easement - expired	Approved by BCC	April 2008
WS-1162-07	Reduced driveway length with a waiver of conditions of a zone change, and design review for a deceleration lane, project amenities, and a condominium complex - expired	Approved by BCC	December 2007
ZC-1382-06	Reclassified 1.6 acres from R-1 to R-4 (reduced to R-3) zoning with waivers and a design review for a multiple family complex	Approved by BCC	August 2007

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-2	Shopping center
South & East	Public Use	R-1	Drainage channel/Flamingo wash
West	Neighborhood Commercial	R-3	Congregate care facility

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 continued to make progress toward commencement of the project by completing drainage studies (PW29-13096) and (PW20-14037), and vacation and abandonment (VS-22-0224). Approval from utility companies have also been received, and the applicant has several permits that are currently in process with the Building Department. 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

- Until June 19, 2025 to commence.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: PETERSEN MANAGEMENT, LLC

CONTACT: DC PETERSEN PROFESSIONAL CONSULTANTS, LLC, 5052 S. JONES BLVD., SUITE 110, LAS VEGAS, NV 89118

ET-23-400096

PLANNER COPY



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (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) DR-19-0352 (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>ET-23-400096</u> DATE FILED: <u>6/7/23</u> PLANNER ASSIGNED: <u>MH</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>7/11/23</u> PC MEETING DATE: <u>N/A</u> BCC MEETING DATE: <u>8/2/23</u> FEE: <u>\$300</u>
	PROPERTY OWNER NAME: <u>DIAMOND PM LLC c/o PETERSEN MANAGEMENT LLC</u> ADDRESS: <u>5052 S. JONES BLVD. SUITE 110</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-734-9393</u> CELL: <u>702-768-1861</u> E-MAIL: <u>dpetersen@visiconlv.com</u>
	APPLICANT NAME: <u>PETERSEN MANAGEMENT LLC - DARREN C. PETERSEN, MANAGER</u> ADDRESS: <u>5052 S. JONES BLVD. SUITE 110</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-734-9393</u> CELL: <u>702-768-1861</u> E-MAIL: <u>dpetersen@visiconlv.com</u> REF CONTACT ID #: <u>186247</u>
	CORRESPONDENT NAME: <u>RICHARD C. GALLEGOS - D C PETERSEN PROFESSIONAL CONSULTANTS</u> ADDRESS: <u>5052 S. JONES BLVD. SUITE 110</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-734-9393</u> CELL: <u>702-524-0054</u> E-MAIL: <u>rgallegos@visiconlv.com</u> REF CONTACT ID #: <u>168799</u>

ASSESSOR'S PARCEL NUMBER(S): 162 - 13 - 501 - 006

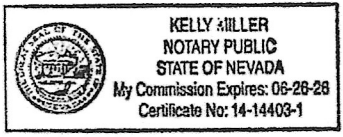
PROPERTY ADDRESS and/or CROSS STREETS: East side of PECOS RD abutting FLAMINGO WASH

PROJECT DESCRIPTION: Extension of time for an approved design review

(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)* Darren C. Petersen Property Owner (Print) DARREN C. PETERSEN, Manager

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON May 31, 2023 (DATE)
 By Darren C. Petersen
 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.

DC PETERSEN, LLC
5052 S. Jones Blvd, Suite 110., Las Vegas, NV 89118 (702) 734-9393

May 23, 2023

Clark County Current Planning
500 S. Grand Central Parkway
Las Vegas, NV 89101

Attn: Principal Planner

**RE: DIAMOND PECOS MULTI FAMIL
APR-23-100513
DR-19-0352
APN: 162-23-501-006
2nd EXTENSION OF TIME
JUSTIFICATION LETTER**

Dear Staff,

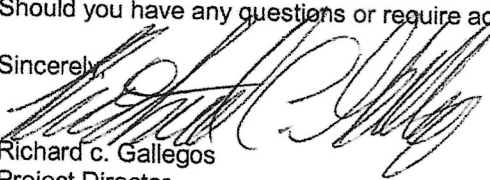
We respectfully request our second extension of time on the above referenced project for a period of two (2) years to commence.

There has been significant progress since first extension was granted and we have accomplished the following

1. Drainage Study - Approved.
2. Traffic Study- Approved.
3. Water Network Analysis - Approved.
4. Clark County Fire Department Approval
5. Clark County Water Reclamation Approval
6. Las Vegas Valley Water District Approval ..Water Fees paid (approximately \$200,000.00)
7. NV Energy, Century Link, Southwest Gas approval of plans
8. Clark County Public Works approval of Civil Improvement Plans and bonds posted
9. Construction Documents completed and Building Department review complete and we are responding to comments and expect to resubmit on 6-8-23

Should you have any questions or require additional information please contact me at 702.524.0054.

Sincerely,


Richard c. Gallegos
Project Director