



# Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

October 12, 2021

7:00pm

## AGENDA

**Note:**

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

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

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

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

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

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

- III. Approval of Minutes for September 28, 2021. (For possible action)
- IV. Approval of the Agenda for October 12, 2021 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning
  - 1. **AR-21-400113 (UC-1188-04)-TUCKER NICOLETTE LIVING TRUST & TUCKER NICOLETTE TRS:**  
**HOLDOVER USE PERMIT FOURTH APPLICATION FOR REVIEW** of an existing massage establishment located within an existing retail center on 0.7 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Tropicana Avenue, 750 feet west of Spencer Street within Paradise. JG/sd/jo (For possible action) **BCC 10/6/21**
  - 2. **UC-21-0479-BRE/HC LAS VEGAS PPTY HOLDING:**  
**USE PERMITS** for the following: 1) outdoor dining, drinking and cooking; and 2) on-premises consumption of alcohol (supper club) in conjunction with an existing shopping center on 3.2 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the northeast corner of Howard Hughes Parkway and Flamingo Road within Paradise. TS/bb/jo (For possible action) **PC 10/19/21**
  - 3. **DR-21-0516-AG PROPERTY DEVELOPMENT, LLC:**  
**DESIGN REVIEW** for a proposed retail and restaurant building with a drive-thru in conjunction with an approved shopping center on a portion of 6.5 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Silverado Ranch Boulevard, 300 feet west of Maryland Parkway within Paradise. MN/sd/jo (for possible action) **PC 11/2/21**
  - 4. **UC-21-0498-AUTO HOUSE, LLC:**  
**USE PERMITS** for the following: 1) reduced separation of a proposed vehicle repair facility; and 2) reduced separation of a proposed vehicle maintenance facility in conjunction with an existing commercial building on 1.0 acre in a C-2 (General Commercial) Zone within the Midtown Maryland Parkway Overlay District. Generally located on the north side of Tropicana Avenue, 590 feet west of Spencer Street within Paradise. JG/jor/jd (For possible action) **PC 11/2/21**
  - 5. **UC-21-0518-SUHADOLNIK FAMILY TRUST:**  
**USE PERMITS** for the following: 1) temporary commercial events (Tailgate Zone); 2) allow live entertainment after daytime hours; 3) allow elimination of parking for temporary commercial events; 4) reduced setbacks; 5) allow more than 1 temporary commercial event in a month and more than 12 events in a year on 0.4 acres in a M-1 (Light Manufacturing) (AE-65) Zone. Generally located on the north side of Dewey Drive, 387 feet west of Polaris Avenue within Paradise. MN/nr/jd (For possible action) **PC 11/2/21**



6. **UC-21-0529-PACIFIC PLACE SITE LLC:**  
**USE PERMIT** for retail sales as a principal use within an existing office/warehouse complex on 3.2 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the south side of Spring Mountain Road, 310 feet east of Polaris Avenue within Paradise. JJ/bb/jd (For possible action) **PC 11/2/21**
7. **VS-21-0485-COUNTY OF CLARK (LV CONV AUTH):**  
**VACATE AND ABANDON** easement of interest to Clark County located between Sierra Vista Drive and Desert Inn Road, and between University Center Drive and Paradise Road within Paradise (description on file). TS/lm/jo (For possible action) **PC 11/2/21**
8. **WS-21-0501-HYLAND DELBERT EARL & SANDRA M:**  
**WAIVER OF DEVELOPMENT STANDARDS** to increase wall height in conjunction with a single family residence on 0.6 acres in an R-E (Rural Estates Residential) Zone. Generally located on the northeast side of Oakleigh Willow Way, 475 feet east of Topaz Street within Paradise. JG/jt/jd (For possible action) **PC 11/2/21**
9. **ET-21-400151 (NZC-19-0167)-OZ OPTICS HOLDINGS, INC:**  
**ZONE CHANGE FIRST EXTENSION OF TIME** to reclassify 3.8 acres from an R-E (Rural Estates Residential) (AE-65) Zone and a P-F (Public Facility) (AE-65) Zone to an M-1 (Light Manufacturing) (AE-65) Zone.  
**USE PERMITS** for the following: 1) bathhouse; 2) health club; and 3) retail.  
**DESIGN REVIEWS** for the following: 1) bathhouse/health club facility; and 2) alternative landscaping. Generally located on the northeast corner of Decatur Boulevard and Patrick Lane (alignment) within Paradise (description on file). MN/bb/jd (For possible action) **BCC 11/3/21**
10. **ZC-21-0455-PARADISE 12, LLC:**  
**ZONE CHANGES** for the following: 1) reclassify 0.4 acres from an H-1 (Limited Resort and Apartment) (AE-60) Zone to a C-1 (Local Business) (AE-60) Zone; and 2) reclassify 11.7 acres from an H-1 (Limited Resort and Apartment) (AE-60) Zone to an R-V-P (Recreational Vehicle Park) (AE-60) Zone.  
**USE PERMITS** for the following: 1) supper club; and 2) increase the distance of sanitary facilities from each recreational vehicle site.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase sign height; and 2) increase sign area.  
**DESIGN REVIEWS** for the following: 1) a recreational vehicle park with accessory supper club; and 2) signage on 12.1 acres. Generally located on the west side of Paradise Road, 550 feet south of Flamingo Road within Paradise (description on file). JG/jt/jo (For possible action) **BCC 11/3/21**
11. **TM-21-500135-PARADISE 12, LLC:**  
**TENTATIVE MAP** consisting of 1 lot and common lots on 12.1 acres in a C-1 (Local Business) (AE-60) Zone and a R-V-P (Recreational Vehicle Park) (AE-60) Zone. Generally located on the west side of Paradise Road, 550 feet south of Flamingo Road within Paradise. JG/jt/jo (For possible action) **BCC 11/3/21**

12. **UC-21-0482-CITYCENTER HARMON HOTEL HOLDINGS:**  
**USE PERMITS** for the following: 1) reduce sign separation; and 2) all deviations as shown per plans on file.  
**DEVIATIONS** for all other deviations as shown per plans on file.  
**DESIGN REVIEWS** for the following: 1) comprehensive sign package; 2) increase wall sign area; and 3) increase animated sign area on a portion of 61.4 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the southwest corner of Las Vegas Boulevard South and Harmon Avenue within Paradise. JG/jt/jd (For possible action) **BCC 11/3/21**
13. **UC-21-0517-MORALLY, JOHN P. REVOCABLE TRUST ETAL & MORALLY, JOHN P. TRS:**  
**USE PERMITS** for the following: 1) multiple family residential development; 2) increase density; 3) on-premises consumption of alcohol; 4) restaurants; 5) retail sales and services; 6) personal services; and 7) financial services.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced setbacks; 2) increase building height; 3) reduce parking; 4) allow tandem parking spaces; 5) landscaping; 6) non-standard improvements within rights-of-way; and 7) alternative driveway geometrics.  
**DESIGN REVIEWS** for the following: 1) multiple family residential development with commercial components; and 2) finished grade on 2.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the northwest corner of Harmon Avenue and Aldebaran Avenue within Paradise. MN/al/jo (For possible action) **BCC 11/3/21**
14. **UC-21-0527-PEPPER LANE HOLDINGS, LLC:**  
**USE PERMIT** to allow a cannabis establishment (cultivation) in conjunction with an existing office/warehouse building on 0.5 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/jor/jd (For possible action) **BCC 11/3/21**
14. **UC-21-0542-STONEGATE INVESTMENTS 2016:**  
**USE PERMIT** for a cannabis establishment (distributor) in conjunction with a previously approved cannabis facility on 0.7 acres in an M-1 (Light Manufacturing) (AE-65) Zone. Generally located on the south side of Ponderosa Way, 1,100 feet west of Valley View Boulevard within Paradise. MN/jvm/xx (For possible action) **BCC 11/3/21**
16. **ZC-21-0519-DPIF2 NV 7 SUNSET ROAD, LLC:**  
**ZONE CHANGE** to reclassify 0.6 acres from an R-E (Rural Estates Residential) (AE-65) Zone to an M-D (Designed Manufacturing) (AE-65) Zone.  
**DESIGN REVIEW** for the expansion of a parking lot in conjunction with a distribution center on a portion of 9.6 acres. Generally located on the south side of Sunset Road and the west side of Surrey Street within Paradise. JG/sd/jd (For possible action) **BCC 11/3/21**

VII. General Business

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

IX. Next Meeting Date: October 26, 2021.

X. Adjournment.

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



## Paradise Town Advisory Board

September 28, 2021

### MINUTES

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Board Members:	John Williams –Chair- <b>PRESENT</b> Susan Philipp - Vice Chair- <b>EXCUSED</b> Roger Haywood- <b>PRESENT</b>	Joh Wardlaw– <b>PRESENT</b> Katlyn Cunningham – <b>PRESENT</b>
Secretary:	Maureen Helm 702-606-0747 mhelmtab@gmail.com	
Town Liaison:	Blanca Vazquez 702-455-8531 bva@clarkcountynv.gov	

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

Jillee Rowland; Planning, Blanca Vazquez; Town Liaison

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

II. Public Comment:  
None

III. Approval of September 14, 2021 Minutes

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

Approval of Agenda for September 14, 2021

**Moved by: Wardlaw**  
**Action: Approve with the hold of items # 1 and # 2**  
**Vote: 4-0 Unanimous**

IV. Informational Items (For Discussion only)  
None

V. Planning & Zoning

1. **AR-21-400113 (UC-1188-04)-TUCKER NICOLETTE LIVING TRUST & TUCKER NICOLETTE TRS:**

**USE PERMIT FOURTH APPLICATION FOR REVIEW** of an existing massage establishment located within an existing retail center on 0.7 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Tropicana Avenue, 750 feet west of Spencer Street within Paradise. JG/sd/jo (For possible action)

**Held per applicant, Return to the Paradise October 12, 2021 TAB meeting**

2. **ET-21-400129 (ZC-0425-07)-PACIFIC PLACE SITE, LLC:**

**ZONE CHANGE FIFTH EXTENSION OF TIME** to reclassify 33.5 acres from M-1 (Light Manufacturing) Zone to H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District.

**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 10/6/21**

**Held per applicant, Return to the Paradise March 3, 2022 TAB meeting**

3. **UC-21-0479-BRE/HC LAS VEGAS PPTY HOLDING:**

**USE PERMITS** for the following: **1)** outdoor dining, drinking and cooking; and **2)** on-premises consumption of alcohol (supper club) in conjunction with an existing shopping center on 3.2 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the northeast corner of Howard Hughes Parkway and Flamingo Road within Paradise. TS/bb/jo (For possible action)

**PC 10/19/21**

**NO SHOW. Return to the Paradise October 12, 2021 TAB meeting**

4. **AR-21-400142 (UC-20-0087)-AVILA, MARIA DEL ROSARIO VERDUZCO & GUZMAN, ROBERTO JIMENEZ:**

**USE PERMIT SECOND APPLICATION FOR REVIEW** for an existing vehicle maintenance (automobile) facility.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce the separation from an automobile maintenance facility to a residential use; **2)** alternative design standards; **3)** increase fence height; and **4)** allow temporary signs (banner) to be permanent.

**DESIGN REVIEWS** for the following: **1)** vehicle maintenance (automobile) facility; and **2)** signage on 0.6 acres in an H-2 (General Highway Frontage) Zone. Generally located on the southwest corner of Boulder Highway and Nellis Boulevard within Paradise. TS/md/jd (For possible action)

**BCC 10/20/21**

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

5. **DR-21-0477-FLAMINGO LV OPERATING CO, LLC:**  
**DESIGN REVIEWS** for the following: 1) exterior remodel; 2) modify an existing comprehensive sign plan; 3) increase wall sign area; 4) increase the number of animated signs; and 5) increase the area of animated signs in conjunction with an existing resort hotel (Flamingo) on a portion of 19.4 acres in an H-1 (Limited Resort and Apartment) Zone in an MUD-1 Overlay District. Generally located on the east side of Las Vegas Boulevard South, 200 feet north of Flamingo Road within Paradise. TS/lm/jo (For possible action) **BCC 10/20/21**

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

6. **ZC-21-0451-G2-CAMPUS VILLAGE, LLC:**  
**ZONE CHANGE** to reclassify 0.6 acres from a C-1 (Local Business) (AE-60) Zone to a C-2 (General Commercial) (AE-60) Zone.  
**USE PERMITS** for the following: 1) dormitory; and 2) eliminate portions of the pedestrian realms.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setbacks; 2) increase building heights; 3) reduce landscaping; 4) reduce the trash enclosure setbacks; 5) alternative driveway geometrics; and 6) non-standard improvements in the right-of-way.  
**DESIGN REVIEWS** for the following: 1) commercial complex; and 2) finished grade on 3.4 acres in a C-2 (General Commercial) (AE-60) Zone in the Midtown Maryland Parkway District. Generally located on the east side of Maryland Parkway, the north side of Harmon Avenue, and the south side of University Avenue within Paradise (description on file). TS/jt/xx (For possible action) **BCC 10/20/21**

**MOVED BY-Wardlaw**  
**APPROVE- Zone change Subject to staff conditions**  
**DENY- Use permits, Waivers of standards, Design reviews**  
**VOTE: 4-0 Unanimous**

7. **VS-21-0452-G2-CAMPUS VILLAGE, LLC:**  
**VACATE AND ABANDON** of a portion of a right-of-way being University Avenue located between Escondido Street and Maryland Parkway, Harmon Avenue located between Escondido Street and Maryland Parkway, and Maryland Parkway located between University Avenue and Harmon Avenue within Paradise (description on file). TS/jt/xx (For possible action) **BCC 10/20/21**

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

8. **TM-21-500134-G2-CAMPUS VILLAGE, LLC:**  
**TENTATIVE MAP** consisting of 1 commercial lot and common lots on 3.4 acres in a C-2 (General Commercial) (AE-60) Zone in the Midtown Maryland Parkway Design Overlay District. Generally located on the east side of Maryland Parkway, the north side of Harmon Avenue, and the south side of University Avenue within Paradise. TS/jt/xx (For possible action)

**BCC 10/20/21**



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

- VI. General Business (for possible action)  
**Motion was made by Wardlaw to appoint Haywood as Representative and Cunningham as Alternate to serve on the CDAC Committee for the 2021/2022 FY. Voting was unanimous**
- VII. Public Comment  
**None**
- VIII. Next Meeting Date  
**The next regular meeting will be October 12, 2021**
- IX. Adjournment  
**The meeting was adjourned at 8:10 p.m.**

09/22/21 BCC AGENDA SHEET

MASSAGE  
(TITLE 30)

TROPICANA AVE/SPENCER ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

AR-21-400113 (UC-1188-04)-TUCKER NICOLETTE LIVING TRUST & TUCKER  
NICOLETTE TRS:

USE PERMIT FOURTH APPLICATION FOR REVIEW of an existing massage establishment located within an existing retail center on 0.7 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Tropicana Avenue, 750 feet west of Spencer Street within Paradise. JG/sd/jo (For possible action)

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RELATED INFORMATION:

**APN:**

162-23-403-012

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 1550 E. Tropicana Avenue
- Site Acreage: 0.7
- Project Type: Massage

**Site Plans & History**

The plans show a 720 square foot lease space within an existing in-line retail center used for massage. The massage business was first approved in January 2001, subject to 3 years for review. However, the applicant failed to apply for an extension of time; therefore, that use permit expired. UC-1188-04 re-established the massage use and was approved with a 5 year review. The subsequent extension of time, UC-1188-04 (ET-0184-09), was also approved with a 5 year review. In 2016, UC-1188-04 (AR-0098-16) was approved with a 5 year time limit for review, and this application represents a fourth application for review.

**Applicant's Justification**

The applicant states that Hawaii Massage was approved by the County and an application review was submitted as a required 5 year review. There have been no significant changes to the

business or location, and has maintained continuous operations. The applicant is also requesting removal of the time limit.

Previous Conditions of Approval

Listed below are the approved conditions for UC-1188-04 (AR-0098-16):

**Current Planning**

- Until August 4, 2021 to review as a public hearing.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application to review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Listed below are the approved conditions for UC-1188-04 (ET-0055-14):

**Current Planning**

- Until August 4, 2016 to review as a public hearing.

**Building/Fire Prevention**

- Applicant is advised that the proposal has been reviewed and it does not conflict with Fire Code Requirements.

Listed below are the approved conditions for UC-1188-04 (ET-0184-09):

**Current Planning**

- Until August 5, 2014 to review;
- All applicable standard conditions for this application type.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

Listed below are the approved conditions for UC-1188-04:

- Subject to 5 years for review; and all applicable standard conditions for this application type. Applicant is advised there is a review date and the applicant must apply for an extension of time when that date approaches to keep the use permit active; any change in circumstances or regulations may be justification for the denial of an extension of time; and that this application must commence within 2 years of the approval date or it will expire.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-1188-04 (AR-0098-16)	Third application to review a massage establishment	Approved by BCC	August 2016

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-1188-04 (ET-0055-14)	Second extension of time to review a massage establishment	Approved by BCC	June 2014
UC-1188-04 (ET-0184-09)	First extension of time to review a massage establishment	Approved by PC	August 2009
UC-1188-04	Massage establishment	Approved by PC	August 2004
UC-1805-00	Massage establishment - expired	Approved by PC	January 2001

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential High (8 to 18 du/ac)	R-3	Multiple family residential
South	Commercial General	R-2 & R-E	Undeveloped & commercial uses
East	Commercial General	C-2	Commercial uses
West	Commercial General	C-1	Commercial uses

**STANDARDS FOR APPROVAL:**

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

**Analysis .**

**Current Planning**

Title 30 standards of approval for an application for review 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 since the original approval.

Reviews of this massage establishment have been approved on 3 previous occasions in August 2009, June 2014, and August 2016 with the current application for the fourth review. An inquiry made to the Clark County Metropolitan Police Department shows that there have been no incidents, arrests, or complaints regarding this business since the last review. In addition, there have been no public response complaints filed against this massage business and the Clark County business license is in good standing; therefore, staff can support approval of this review and removal of the time limit.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Remove the time limit.

**Public Works - Development Review**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: XIAOTONG LI**

**CONTACT: KIRK KENNEDY, 815 S. CASINO CENTER BOULEVARD, LAS VEGAS, NV 89101**

DRAFT

10/19/21 PC AGENDA SHEET

SUPPER CLUB  
(TITLE 30)

FLAMINGO RD/HOWARD HUGHES PKWY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0479-BRE/HC LAS VEGAS PPTY HOLDING:**

**USE PERMITS** for the following: 1) outdoor dining, drinking and cooking; and 2) on-premises consumption of alcohol (supper club) in conjunction with an existing shopping center on 3.2 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone.

Generally located on the northeast corner of Howard Hughes Parkway and Flamingo Road within Paradise. TS/bb/jo (For possible action)

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RELATED INFORMATION:

**APN:**

162-16-811-015

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 325 Hughes Center Drive and 340 East Flamingo Road
- Site Acreage: 3.2
- Project Type: Supper club
- Number of Stories: 1
- Building Height (feet): 38
- Square Feet: 14,160
- Parking Required/Provided: 142/149

Site Plan

The site plan depicts an existing retail development in 1 building on the west side of the property. Access is provided through a driveway from Hughes Center Drive and by cross-access with the property to the east. The required 142 parking spaces were calculated by using the restaurant parking requirement for the entire building, this ensures adequate parking. Parking is located to the north, south, and east of the building. Existing outdoor patio areas are located on the north and south sides of the building with primary access from inside tenant spaces.



Landscaping

There are existing landscape areas consisting of trees, shrubs, and groundcover adjacent to Howard Hughes Parkway, Hughes Center Drive, and Flamingo Road.

Elevations

The existing 1 story building has a flat roof behind parapet walls with heights between 22 feet and 38 feet. Exterior walls are a combination of stucco, stone veneer, decorative metal panels, and glass curtain wall systems.

Floor Plans

The floor plans depict a 14,160 square foot building with up to 7 suites and dedicated outdoor dining areas on the north and south ends of the building.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is applying for special use permits in the H-1 zone for a supper club with outside dining and drinking. The proposed restaurant will continue the recent history of restaurants operating out of this building with outdoor seating. The previous restaurant was permitted to operate, but has been closed for over a year, leading to an expired permit and the need for this application.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0597-15	Retail center restaurants, office uses, and personal services	Approved by PC	October 2015
WS-0739-13	Signage for Starbucks	Approved by BCC	December 2013
UC-0704-12	Restaurant (Starbucks) with waivers for alternative landscaping along Flamingo Road	Approved by PC	January 2013

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North, East, & West	Commercial Tourist	H-1	Restaurants, offices, retail sales
South	Commercial Tourist	H-1 & C-2	Hotel, adult use, and undeveloped

**STANDARDS FOR APPROVAL:**

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

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## **Analysis**

### **Current Planning**

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties. The proposed use is in harmony with the purpose, goals, objectives and standards of the Plan and of the Code when considering the outdoor dining area is existing infrastructure that was successfully used for many years. The proposed supper club with outdoor dining will be adequately served by public improvements, facilities and services, and will not impose an undue burden. The available existing parking was calculated using the higher density and intensity use of restaurants for the entire building, ensuring compliance with Title 30 parking requirements.

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit, license or approval; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a 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.

#### **Building Department - Fire Prevention**

- No comment.

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

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

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

**APPLICANT:** LOLO'S CHICKEN & WAFFLES  
**CONTACT:** LOLO'S CHICKEN & WAFFLES, 325 HUGHES CENTER DRIVE, LAS VEGAS, NV 89129

DRAFT



# LAND USE APPLICATION

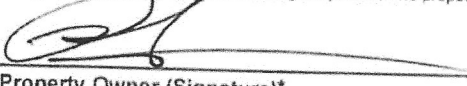
## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

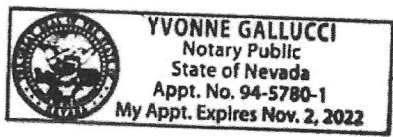
<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> 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 #)	<b>STAFF</b>  APP. NUMBER: <u>UC/DR-21-0479</u> DATE FILED: <u>8-25-2021</u> PLANNER ASSIGNED: <u>SSR</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>9-28-2021</u> PC MEETING DATE: <u>10-19-2021</u> BCC MEETING DATE: _____ FEE: <u>\$1,175</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Bre/HC Las Vegas Property Holding LLC</u> ADDRESS: <u>3800 Howard Hughes Pkwy Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89169</u> TELEPHONE: <u>702.728-5390</u> CELL: <u>702.305.0292</u> E-MAIL: <u>+cameron@egoffice.com</u>
	<b>APPLICANT</b>  NAME: <u>Lolo's CS LLC - dba Lolo's Chicken + Waffles</u> ADDRESS: <u>5027 E. Calle del Norte</u> <u>Rasheedah White</u> CITY: <u>Phoenix</u> STATE: <u>AZ</u> ZIP: <u>85018</u> TELEPHONE: <u>602.763.2148</u> CELL: <u>602.705.5088</u> E-MAIL: <u>rasheedah@loloscw.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>Lolo's CS LLC - dba Lolo's Chicken + Waffles</u> ADDRESS: <u>5027 E. Calle del Norte</u> <u>Rasheedah White</u> CITY: <u>Phoenix</u> STATE: <u>AZ</u> ZIP: <u>85018</u> TELEPHONE: <u>602.763.2148</u> CELL: <u>602.705.5088</u> E-MAIL: <u>rasheedah@loloscw.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 162-16-811-015 and 162-21-502-002  
 PROPERTY ADDRESS and/or CROSS STREETS: Howard Hughes Pkwy + Flamingo Rd  
 PROJECT DESCRIPTION: Supper club/restaurant

(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)\*  
 STATE OF Clark Nevada    48.  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON August 11, 2021 (DATE)  
 By Paul Joseph Gordon  
 NOTARY PUBLIC: Yvonne Gallucci

Paul Gordon  
 Property Owner (Print)



\*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

We are applying for a special use permit in an H-1 zone per title 30 as this restaurant is not part of a resort hotel. It requires a special use permit. There was a special use permit on this parcel for restaurants but it has expired as the last restaurant (Bandito Latin Kitchen) went out of business more than one year ago in August 2019.

We are a chicken & waffle restaurant leasing the space at 325 Hughes Center Pkwy St. 100.

RWhite

Rasmeedah White

7/20/21

CIVIL  
ENGINEERING

UC-21-0479

C  
R

Justification Letter

We are applying for a special use permit in an H-1 zone per title 30 as this restaurant is not part of a resort hotel. It requires a special use permit. There was a special use permit on this parcel for restaurants but it has expired as the last restaurant (Bandito Latin Kitchen) went out of business more than one year ago in August 2019.

We are a chicken & waffle restaurant leasing the space at 325 Hughes Center Pkwy St. 100.

RWhite

Rasmeedah White

7/20/21

UC-21-0479

PLANNER  
COPY

3



11/02/21 PC AGENDA SHEET

RETAIL BUILDING  
(TITLE 30)

SILVERADO RANCH BLVD/MARYLAND PKWY

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**DR-21-0516-AG PROPERTY DEVELOPMENT, LLC:**

**DESIGN REVIEW** for a proposed retail and restaurant building with a drive-thru in conjunction with an approved shopping center on a portion of 6.5 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Silverado Ranch Boulevard, 300 feet west of Maryland Parkway within Paradise. MN/sd/jo (for possible action)

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RELATED INFORMATION:

**APN:**  
177-22-813-004 ptn

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

**BACKGROUND:**  
**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 6.5 (portion)
- Project Type: Retail & restaurant building
- Number of Stories: 1
- Building Height (feet): 20 to 28
- Square Feet: 4,950
- Parking Required/Provided: 203/269 (overall shopping center)

Site Plans & History

The approved plans depict a pad site for a retail building with a proposed drive-thru. The original design review (DR-0485-16) was approved for this retail pad site, however the applicants have requested revisions to the originally approved site plan. In addition, a previous condition of DR-0485-16 requires a design review as a public hearing for this pad and all other pad sites that are proposed for development. Access to the site is from internal driveways of the approved shopping center. Cross-access is provided with the existing CVS pharmacy to the southeast.

Landscaping

The plans show a pad site with most of the parking lot and street landscaping proposed as part of the approved shopping center.

Elevations

The plans depict a retail building up to 28 feet in height consisting of stucco finish, decorative trellises, metal canopies, and dual clear glazing with aluminum frames. Decorative accents and reveal joints are incorporated into all buildings. The roofs are flat with parapet walls at varying heights.

Floor Plans

The proposed 4,950 square foot retail/restaurant building consists of a shell and is designed to accommodate 3 tenants, including a restaurant with a drive-thru service.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that as required by a previous condition of approval for DR-0485-16, the proposed request for a retail and restaurant building with a drive-thru is consistent and compatible with the approved shopping center. The request is to increase the overall square footage for Pad "C". The increased square footage does not create any need for additional required parking.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-19-0670	Massage establishment	Approved by BCC	October 2019
DR-18-0252	Amended the comprehensive sign plan	Approved by BCC	May 2018
DR-0836-17	A retail and restaurant building with a drive-thru in conjunction with an approved shopping center	Approved by BCC	November 2017
DR-0590-17	Comprehensive sign plan for an approved shopping center	Approved by BCC	September 2017
DR-0485-16	Shopping center with several pad sites	Approved by BCC	September 2016
NZC-0020-15	Reclassified the site from C-2 to R-3 zoning for a multiple family residential development	Withdrawn by BCC	July 2015
UC-1631-04	A planned unit development for a condominium complex with various waivers of a zone change (ZC-0443-98) - expired	Approved by BCC	October 2004
ZC-0443-98	Reclassified the site from R-E to C-2 zoning for a shopping center	Approved by BCC	October 1998

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Public Facilities	P-F	Roger Gehring Elementary School
South	Commercial General	C-2	Shopping center
East	Commercial Neighborhood	C-1	Undeveloped
West	Residential Suburban & Medium Density Residential (8 du/ac)	R-2	Single family residential

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

The project complies with Urban Specific Policy 74 of the Comprehensive Master Plan which encourages the siting of a portion of the total building area at the street perimeter of commercial developments. Perimeter of streets also strengthens the streetscape and helps to screen off-street parking areas. Likewise, the proposed building will have architectural design elements on all sides of the buildings; therefore, the request complies with Urban Specific Policy 78 which encourages architectural treatments. Staff finds the project complies with both Title 30 standards and the policies in the Comprehensive Master Plan; therefore, staff can support the request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

- Comply with approved drainage study PW17-16436
- Traffic study and compliance.

**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:** AG PROPERTY DEVELOPMENT, LLC

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

**DRAFT**



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

### APPLICATION TYPE

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

STAFF

APP. NUMBER: DR-21-0516 DATE FILED: 9/14/21  
 PLANNER ASSIGNED: SD  
 TAB/CAC: Paradise TAB/CAC DATE: 10/12/21  
 PC MEETING DATE: 11/2/21  
 BCC MEETING DATE: \_\_\_\_\_  
 FEE: \$ 675

PROPERTY OWNER

NAME: AG Property Development, LLC  
 ADDRESS: 8018 S. Durango Dr. #110  
 CITY: Las Vegas STATE: NV ZIP: 89113  
 TELEPHONE: 000-000-0000 CELL: 000-000-0000  
 E-MAIL: n/a

APPLICANT

NAME: AG Property Development, LLC  
 ADDRESS: 6018 S. Durango Dr. #110  
 CITY: Las Vegas STATE: NV ZIP: 89113  
 TELEPHONE: 000-000-0000 CELL: 000-000-0000  
 E-MAIL: n/a REF CONTACT ID #: n/a

CORRESPONDENT

NAME: Kaempfer Crowell - Bob Gronauer  
 ADDRESS: 1980 Festival Plaza Dr. #650  
 CITY: Las Vegas STATE: NV ZIP: 89135  
 TELEPHONE: 702-792-7000 CELL: 000-000-0000  
 E-MAIL: rgronauer@kcnvlaw.com REF CONTACT ID #: 164674

ASSESSOR'S PARCEL NUMBER(S): 177-22-813-004

PROPERTY ADDRESS and/or CROSS STREETS: 1110 E. Silverado Ranch Blvd

PROJECT DESCRIPTION: Design review for a fast food drive thru and drive thru dry cleaner

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

Property Owner (Signature)\*

Property Owner (Print)

Scott A. Godino

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON August 4, 2021 (DATE)  
By Scott Godino

NOTARY PUBLIC: Sarah A. Graham



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

**KAEMPFER**

**CROWELL**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

**ANTHONY J. CELESTE**

[aceleste@kcnvlaw.com](mailto:aceleste@kcnvlaw.com)

702.693.4215

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

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

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

August 13, 2021

**VIA UPLOAD**

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

DR-21-0516

**Re: Justification Letter – Design Review Amending Commercial Pad C in  
an Approved Commercial Shopping Center  
APN: 177-22-813-004**

To Whom It May Concern:

Please be advised our office represents the Applicant in the above-referenced matter. By way of background, on September 7, 2016, the BCC approved DR-0485-16 allowing for a commercial shopping center development on 6.5 acres of property located at the northwest corner of Silverado Ranch Boulevard and Maryland Parkway, more particularly described as APN: 177-22-813-004 (the "Site"). The Applicant is requesting a design review amending Pad C's design on the Site.

Pad C is located along Maryland Parkway. Pad C is currently approved for a 2,800 square retail pad with a drive through. The Applicant is requesting to increase Pad C's square footage to 4,950 square feet. The proposed revised Pad C can be divided into four (4) leasing bays. The revised Pad C, however, does retain the drive-thru component. The proposed elevation for the revised Pad C is consistent with the prior approval and elevations of the existing commercial buildings on the Site. Even though Pad C's square footage has slightly increased, the Site's overall parking is not impacted as there are 277 parking spaces where only 215 parking spaces are required. Additionally, all other previous conditions of DR-0485-16 are in compliance.

We thank you in advance for your time and consideration. Should you need any additional information, please feel free to contact me.

Sincerely,

KAEMPFER CROWELL

  
Anthony J. Celeste

AJC/



11/02/21 PC AGENDA SHEET

VEHICLE REPAIR/MAINTENANCE  
(TITLE 30)

TROPICANA AVE/SPENCER ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0498-AUTO HOUSE, LLC:**

**USE PERMITS** for the following: 1) reduced separation of a proposed vehicle repair facility; and 2) reduced separation of a proposed vehicle maintenance facility in conjunction with an existing commercial building on 1.0 acre in a C-2 (General Commercial) Zone within the Midtown Maryland Parkway Overlay District.

Generally located on the north side of Tropicana Avenue, 590 feet west of Spencer Street within Paradise. JG/jor/jd (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-23-418-013

**USE PERMITS:**

1. Reduce the separation of a proposed vehicle repair facility to 80 feet where 200 feet is required per Table 30.44-1 (a 60% decrease).
2. Reduce the separation of a proposed vehicle maintenance facility to 80 feet where 200 feet is required per Table 30.44-1 (a 60% decrease).

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 1610 E. Tropicana Avenue
- Site Acreage: 1
- Project Type: Vehicle repair and maintenance facility
- Number of Stories: 1
- Building Height (feet): 20
- Square Feet: 8,622
- Parking Required/Provided: 32/56

**Site Plan**

The site plan depicts an existing commercial building located in the center of the subject parcel. Access is located via existing driveways along the south property line (adjacent to Tropicana

Avenue). Parking is located along the south, east, and north property lines and along the south facing elevation of the existing commercial building. Thirty-two parking spaces are required where 56 parking spaces are provided. Cross-access to the previously approved vehicle wash business on the parcel to the east will remain. The nearest residential use is located to the north, approximately 80 feet away from the proposed facility. Title 30 requires a 200 foot separation between any vehicle repair and a vehicle maintenance facility. The applicant is requesting to reduce the separation to 80 feet. The applicant's intent is to renovate the interior of the building so that the facility can properly operate as a vehicle maintenance/repair and vehicle sales facility. Since the building area will not be increased and no significant changes are proposed on the subject parcel, the site is not required to comply with Part P of the Midtown Maryland Parkway Overlay District per Chapter 30.48. Lastly, the driveway on the southeast corner is shared with the previously approved vehicle wash business on the parcel to the east. This driveway will be reconstructed to meet the uniform standard drawing for commercial driveways, and a waiver of development standards for the driveway throat depth was approved with UC-19-0676.

#### Landscaping

There is an existing landscape planter along the south property line and landscape finger islands along the south facing elevation of the building. Since there are only 2 trees on-site in addition to decorative rocks, staff is recommending enhancing the landscape planters and adding additional trees and shrubs to the existing landscape planters and finger islands.

#### Elevations

The existing building has an overall height of 20 feet and consists of exterior materials of tan, beige, and white CMU block walls. Ingress and egress doors are located along the south facing elevation, and bay doors are located on the north facing elevation which face a 20 foot wide alley along the subject parcel's north property line. By Title 30 definition, an alley is not a street; therefore, the bay doors do not need to be screened as required per Table 30.44-1.

#### Floor Plans

The floor plans include the following areas: restrooms, 2 service bays, service area, and a vehicle sales area.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

Per the applicant's justification, the area is rapidly growing and changing, and there are no privately and locally owned vehicle service centers in the immediate area. The vehicle service business will greatly improve the local area and stimulate the local economy via new jobs. The plan is to clean up the site and be proactive in maintaining it. Business hours will be Monday through Saturday from 9:00 a.m. to 7:00 p.m.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-19-0676	Reduced setback and open space requirement for a vehicle wash facility; waiver for reduced throat depth	Approved by BCC	October 2019
UC-0293-09	Allowed a museum (Pinball Museum) in conjunction with an arcade - expired	Approved by PC	June 2009
UC-0975-03	Allowed vehicle repair and waivers for reduced parking and waived the trash enclosure design standards - expired	Approved by PC	September 2003
UC-2127-96 (ET-0252-02)	Second extension of time to allow live entertainment and outside dining and drinking area - expired	Approved by PC	September 2002
UC-2127-96 (ET-0074-97)	First extension of time to allow live entertainment and outside dining and drinking area - expired	Approved by PC	August 1997
UC-2127-96	Allowed live entertainment (night club, bands, disc jockey) and an outside dining and drinking area in conjunction with an existing restaurant and bar - expired	Approved by PC	February 1997
ZC-0035-94	Reclassified the site from R-2 zoning to C-2 zoning for a retail building	Approved by BCC	February 1994

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential High (from 8 to 18 du/ac)	R-3 & R-4	Multiple family and duplex development
South	Commercial General	R-2 & C-1	Undeveloped
East	Commercial General	C-2	Vehicle wash (permits in process)
West	Commercial General	C-2	Retail building

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

Staff does not object to the applicants request to reduce the separation to 80 feet for a proposed vehicle maintenance and repair facility. Staff finds that there is a 20 foot wide alley to the north, an existing block wall with wrought iron fencing on top along the north property line, and the existing rear parking area which creates a physical and visual buffer between the commercial

building and the residential use to the north. The proposed facility is consistent with the vehicle wash establishment that was previously approved on the parcel to the east. Staff supports both use permits with the recommendation that additional landscaping to be added within the existing landscape finger islands and landscape planter on the southern half of the subject parcel.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Trees and shrubs to be planted within the landscape planter along the south property line, and within the landscape finger islands on the south facing elevation of the building;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- 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:** MENA BOKTOR

**CONTACT:** MENA BOKTOR, BOKTOR MOTORS, 2690 E SUNSET RD, LAS VEGAS, NV 89120

PLANNER  
COPY



**LAND USE APPLICATION**  
**DEPARTMENT OF COMPREHENSIVE PLANNING**

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p><input type="checkbox"/> CONFORMING (ZC)</p> <p><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input checked="" 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 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>	<p><b>STAFF</b></p> <p>APP. NUMBER: <u>UC-21-0498</u>      DATE FILED: <u>9/2/21</u></p> <p>PLANNER ASSIGNED: <u>JOR</u></p> <p>TAB/CAC: <u>PARADISE</u>      TAB/CAC DATE: <u>10/12/21</u></p> <p>PC MEETING DATE: <u>11/2/21</u></p> <p>BCC MEETING DATE: _____</p> <p>FEE: <u>\$675</u></p>
	<p><b>PROPERTY OWNER</b></p> <p>NAME: <u>QNC 55 LLC</u></p> <p>ADDRESS: <u>7291 E ADOBE DR STE 115</u></p> <p>CITY: <u>SCOTTSDALE</u>      STATE: <u>AZ</u>      ZIP: <u>85255</u></p> <p>TELEPHONE: _____      CELL: <u>480-444-8060</u></p> <p>E-MAIL: <u>RICHARD@QNC55.COM</u></p>
	<p><b>APPLICANT</b></p> <p>NAME: <u>MENA BOKTOR</u></p> <p>ADDRESS: <u>3939 CORAN LN</u></p> <p>CITY: <u>LAS VEGAS</u>      STATE: <u>NV</u>      ZIP: <u>89108</u></p> <p>TELEPHONE: <u>702-886-8679</u>      CELL: _____</p> <p>E-MAIL: <u>MGBOKTOR@GMAIL.COM</u>      REF CONTACT ID #: _____</p>
	<p><b>CORRESPONDENT</b></p> <p>NAME: <u>SAME AS ABOVE (APPLICANT)</u></p> <p>ADDRESS: _____</p> <p>CITY: _____      STATE: _____      ZIP: _____</p> <p>TELEPHONE: _____      CELL: _____</p> <p>E-MAIL: _____      REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): ~~162-23-403-013~~ 162-23-418-013

PROPERTY ADDRESS and/or CROSS STREETS: 1610 E Tropicana Ave

PROJECT DESCRIPTION: Secondhand Dealer (Used Motor Vehicles)

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) Michael Scarbrough

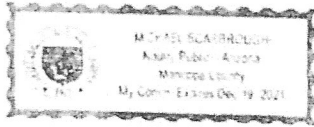
STATE OF Arizona

COUNTY OF Maricopa

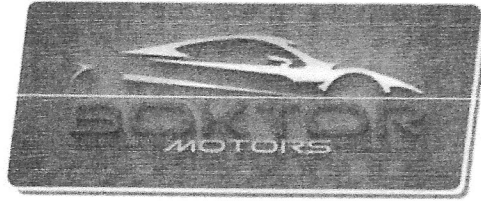
SUBSCRIBED AND SWORN BEFORE ME ON June 9, 2021 (DATE)

By [Signature]

NOTARY PUBLIC Michael Scarbrough



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



UC-21-0498

JL

7/23/2021

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

Please allow this letter to be submitted as a justification letter per requirements of Clark County Planning Department. This letter is submitted by Boktor Motors for a new auto service center located at **1610 E Tropicana Ave.** APN 162-23-418-013. I am applying for the following: Use Permit to reduce the separation of a proposed Vehicle Maintenance Facility. Also, a Use Permit to reduce the separation of a proposed Vehicle Repair Facility. The vehicle sales associated would be a used vehicle sales. The area is growing rapidly, and there are not any privately and locally owned service centers in the area. The service center will greatly improve the local area, it will also stimulate the local economy as the owners / workers / etc. would all be local members of the Las Vegas Valley. We also plan to use our location to help clean the area of homelessness, crime, and vagrants by being proactive members of the local community. Our hours of operation would be from 9am -7pm Mon- Saturday. Number of employees would be one.

PLANNER  
COPY

Sincerely,

Mena Boktor

We are requesting for the following applications:

1. Use Permit to reduce the separation of a proposed vehicle maintenance establishment from a residential use to 80 feet where 200 feet is required per Table 30.44-1.
2. Use Permit to reduce the separation of a proposed vehicle repair establishment from a residential use to 80 feet where 200 feet is required per Table 30.44-1.



11/02/21 PC AGENDA SHEET

TEMPORARY COMMERCIAL USE  
(TITLE 30)

DEWEY DR/POLARIS AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-21-0518-SUHADOLNIK FAMILY TRUST:**

**USE PERMITS** for the following: **1)** temporary commercial events (Tailgate Zone); **2)** allow live entertainment after daytime hours; **3)** allow elimination of parking for temporary commercial events; **4)** reduced setbacks; **5)** allow more than 1 temporary commercial event in a month and more than 12 events in a year on 0.4 acres in a M-1 (Light Manufacturing) (AE-65) Zone.

Generally located on the north side of Dewey Drive, 387 feet west of Polaris Avenue within Paradise. MN/nr/jd (For possible action)

---

**RELATED INFORMATION:**

**APN:**

162-29-401-009

**USE PERMITS:**

1. Allow a temporary outdoor commercial event (Tailgate Zone) not licensed through, or on the same property as, an existing licensed business as required per Table 30.44-1.
2. Allow live entertainment after daytime hours where not permitted per Table 30.44-1.
3. Allow for elimination of parking for a temporary commercial event where required per Table 30.44-1.
4. Reduce the setback from property lines to zero feet where 10 feet is required for outside activities, live entertainment, and temporary structures per Table 30.44-1.
5. Allow more than 1 temporary commercial event per month and more than 12 temporary commercial events per year where limited per Table 30.44-1.

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3550 W. Dewey Drive
- Site Acreage: 0.4
- Project Type: Temporary commercial events



Site Plans

The plans show an existing warehouse with parking on the south side of the building off Dewey Drive, and open yard area on the east and north sides of the building. The proposed Tailgate Zone includes fencing along the existing parking area and street entrance which would eliminate vehicular traffic on the site. The yard area east of the existing structure includes an area for a restroom trailer, bar and retail area, and food truck area. There are 2 elevated seating areas (couches and low tables), 1 on the north side of the building and the other along the east property line on the northern side of the site. A stage with associated video walls is located on the northern boundary on the site. High-top tables are located in the interior of the site. Access to the site will be through the fenced entrance from Dewey Drive. The above structures and activities are located along the north and east property lines, with no setbacks from the adjacent properties.

Landscaping

No landscaping is required or proposed.

Elevations

The photos depict an existing 4,000 square foot building which will be used for storage of temporary structures associated with the proposed use.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed Tailgate Zone would provide an alternative location where fans can participate in tailgating activities such as eating food from various food trucks, enjoying refreshments, and watching live entertainment within walking distance of Allegiant Stadium. The proposed venue will be open several hours before and after scheduled NFL games. The food trucks and restroom trailer would be placed before each event and removed after each event. The applicant states that there is currently no other facility like this proposal in the area and that the proposed use is appropriate for the area.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, East & West	Commercial Tourist	M-1	Warehousing
South	Commercial Tourist	M-1	NV Energy substation

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Current Planning**

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

The site is located in the Commercial Tourist (CT) Planned Land Use area within an existing industrial area. The Winchester/Paradise Land Use Plan states that the CT land use category areas are designated for commercial establishments that primarily cater to tourists. The proposed use would cater to tourists and locals visiting Allegiant Stadium. Although the proposed use would be unique to the area, the events are temporary in nature and there is no residential in the area; therefore, there should not be an impact due to reduced setbacks or live entertainment after the events. The Comprehensive Master Plan encourages uses that provide opportunities for a mix of uses which are connected and integrated into nodes such as entertainment. The Comprehensive Master Plan also encourages reducing the dependence on the automobiles and pedestrian connections between development types. The applicant has worked with staff to address concerns regarding vehicle traffic/circulation by eliminating vehicles from the site, except for the allowance of emergency vehicles when necessary. The applicant has indicated that patrons of events will likely arrive to the area, park elsewhere and walk to the site. Staff finds that the proposed temporary commercial event use permits meet the intent of the Land Use Plan for the area and the Comprehensive Master Plan for commercial tourist types of uses. Staff can support the use with a review within a year to ensure the use does not have negative impacts on the area.

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- Until November 2, 2022 to review as 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 application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

**Southern Nevada Health District (SNHD) - Septic**

- Applicant is advised to contact the SNHD Environmental Health Division at [septics@snhd.org](mailto: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:**

**PROTESTS:**

**APPLICANT:** TIMOTHY R HAUGHINBERRY

**CONTACT:** TINA EVANS, BACK BAR USA, 2673 WESTERN AVE, LAS VEGAS, NV 89109

**DRAFT**



APR 21-10/1079

# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b> APP. NUMBER: <u>UC-21-0518</u> DATE FILED: <u>9/14/21</u> PLANNER ASSIGNED: <u>NR</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>10/12/21</u> PC MEETING DATE: <u>11/02/21</u> BCC MEETING DATE: _____ FEE: <u>\$675</u>
	<b>PROPERTY OWNER</b> NAME: <u>Suhadoinik Family Trust</u> ADDRESS: <u>3725 Darren Thornton Way</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702-435-2776</u> CELL: <u>702-733-8847</u> E-MAIL: <u>UnitedRentALL702@gmail.com</u>
	<b>APPLICANT</b> NAME: <u>Timothy R Haughinberry</u> ADDRESS: <u>3049 Silent Wind Way</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: <u>702-318-8446 x101</u> CELL: <u>702-249-6669</u> E-MAIL: <u>Tim@backbarusa.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b> NAME: <u>Tina Evans</u> ADDRESS: <u>2673 Western Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: <u>702-318-8446 x165</u> CELL: <u>702-809-1353</u> E-MAIL: <u>Tina@backbarusa.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-29-401-009  
 PROPERTY ADDRESS and/or CROSS STREETS: 3550 W Dewey Dr., Las Vegas, NV 89118  
 PROJECT DESCRIPTION: Tailgate/Pop-up Hosted Activations during Allegiant Stadium events

(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.

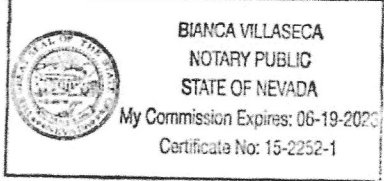
Raymond R. Suhadoinik  
 Property Owner (Signature)\*

Trustee Raymond R. Suhadoinik  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 7/13/2021 (DATE)  
 By Raymond R. Suhadoinik

NOTARY PUBLIC: Bianca Villaseca



5

\*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 UC-21-0518

## JUSTIFICATION LETTER

The approval of the Land Use Application for The Tailgate Zone located at 3550 W. Dewey Dr. Las Vegas, NV 89118 is needed to please both the demand of the guests attending the NFL games at Allegiant Stadium and the county/city of Las Vegas by turning this industrial area into an alternative location for tailgate celebrations on special event dates. The Tailgate Zone provides a safe and temporary place for locals and visitors alike, where guests may eat food, enjoy refreshments, listen to and watch live entertainment, and use restrooms all within .3 miles of the stadium. Currently, to our knowledge there are no other spaces West of the stadium that offer anything similar. The Tailgate Zone is similar to other cities that already have bars and tailgate infrastructure built into their stadiums, such as, Chicago Wrigley Field.

There will be no impact on the adjacent properties, see below:

- South - There is no access to buildings on the opposite side of the street.
- East - The neighboring space is blocked off in its entirety by a 30' wall, and the space is currently being used by the Raiders as a storage facility.
- West - Space is currently not being used, but has a fence running along the property line.
- North - The space on the North side will not be affected as there is a 30ft wall blocking half of the property and a fence blocking the other half of the property.

## PROJECT DESCRIPTION

### **Brief description**

The Tailgate Zone is a free and open to the public event and the place to be before, during, and after attending home-team NFL games at Allegiant Stadium, providing a safe space to enjoy food, drinks, and entertainment for approximately 4-hours before kick-off and 2 to 4-hours after scheduled games.

Raiders Home Game Schedule + NFL Events listed below. Depending on the turnout and how successful The Tailgate Zone activation space is, additional dates for sports related events may be added.

1. September 13, 2021 5:15 p.m.
2. September 26, 2021 1:05 p.m.
3. October 10, 2021
4. October 24, 2021
5. November 11, 2021
6. November 21, 2021
7. December 5, 2021
8. December 26, 2021
9. January 9, 2022, 2021
10. February 6, 2022 – Pro Bowl

Located at 3550 W. Dewey Dr., Las Vegas, NV 89118, the Tailgate Zone will be activated on a .44-acre lot consisting of paved, concrete, and gravel flooring cover, with an existing, permanent 4,000 sq ft. building/warehouse for storage use. All tailgate related activation elements will be temporary structures that will be built and torn down for each activation and stored on site, inside the existing warehouse. Additionally, food trucks, vendor/retail bars, and 10-stall restroom trailer will be set up and removed after each event. The property is currently a licensed business *United Party Rentals*. The licensed business on the property is currently not doing events or using their space, it will be empty and used solely for The Tailgate Zone activations.

This current industrial area (zoning classification Light Manufacturing (M-1)) will turn into an entertainment/restaurant space during special events. Site plans include (2) 12'x40'x36" elevated VIP areas with safety rails, and (1) 10-stall restroom trailer.

# PLANNER COPY UC-21-0518

## Detailed Description:

Explanation of site plan with rendering plan.

The Tailgate Zone is the place to be for guests before, during, and after attending home-team NFL games at Allegiant Stadium, providing a safe space to enjoy food, drinks, and entertainment. The site capacity is 2,500 persons (estimated 6' sq. ft. per person / 15,200 sq. ft.), however with structures in place we anticipate a maximum capacity of 1,500.

### • Site Includes:

- (1) 10'x40' bar/retail area
- (1) 20'x32' stage flanked by (2) 4'x24" video walls on each side
- VIP Areas
  - Considerations for the (2) 12'x40'x36" spaces are:
    - Elevated VIP areas with safety rails with seating areas including couches, low tables, individual plush seating
    - OR (2) 4-row 15'L bleachers (up to 3'-5' height)
- (1) 10-stall restroom trailer
- Area for Food Trucks

Below is description of site map for you:

Address: 3550 W. Dewey Dr. Las Vegas, NV 89118

### • Property Size:

- .44 Acres (19,200 sq. ft.)
- 4,000 Sq Ft Building (40 ft. X 100 ft.)
- 15,200 sq ft outside area
- South side of property is located on W. Dewey Rd.
- Entrance Access

### • Front Area:

- 3,840 sq ft (40ft X 96ft) South Side of Building
- Area is paved
- Area w/ 5 parking spots
- South side of area is located on W. Dewey Rd.

### • Inside Main Gate (floorplan / landscape description):

- Area is fenced in with Roll Gate
- Fencing on South, East, and half of North side
- Wall on West and half of North side
- 5,000 sq ft paved (100 ft X 50 ft) East Side of Building
  - Area is Paved
- 5,760 sq ft gravel area in back (60 ft X 96 ft) North Side of Building
  - Area is Gravel
- 600 sq ft gravel area (6 ft X 100 ft) West End of Building
  - Area is Gravel
- 4,000 sq ft Building (40 ft X 100 ft) – already on property
  - Building will only be used as storage
  - Area is concrete
- There is no existing vegetation on the site
  - During events, artificial turf, hedge walls, or other temporary greenery may be added for aesthetics/ambiance.

# PLANNER COPY UC-21-0518

- **Parking**
  - This is a walk-up only venue. There are 5 parking spots on the property that will not be used during event activation. The perimeter of the existing parking lot will be blockaded for pedestrian access. This site does not share parking with any other property along Dewey Drive.
- **Emergency Access**
  - Currently Dewey Dr. is accessible during special events and would be accessible to emergency vehicles as needed.

The Temporary Commercial Event Use Permit will include:

1. Allow a temporary outdoor commercial event (Tailgate Zone) not licensed through, or on the same property as, an existing licensed business as required per Table 30.44-1.
2. Allow live entertainment after daytime hours where not permitted per Table 30.44-1.
3. Allow for elimination of parking for a Temporary Commercial Event.
4. Allow for zero-foot setback from property lines where 10 feet is required per Table 30.44-1.
5. Allow more than 1 temporary commercial event per month and more than 12 per year where limited per Table 30.44-1.



11/02/21 PC AGENDA SHEET

RETAIL SALES  
(TITLE 30)

SPRING MOUNTAIN RD/POLARIS AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-21-0529-PACIFIC PLACE SITE LLC:**

**USE PERMIT** for retail sales as a principal use within an existing office/warehouse complex on 3.2 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the south side of Spring Mountain Road, 310 feet east of Polaris Avenue within Paradise. JJ/bb/jd (For possible action)

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RELATED INFORMATION:

**APN:**  
162-17-211-001

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

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

- Site Address: 3305 Spring Mountain Road, Suites 2, 3, and 24
- Site Acreage: 3.2
- Project Type: Retail sales (furniture)
- Number of Stories: 1
- Square Feet: 792 (lease area)
- Parking Required/Provided: 106/139

Site Plans

The purpose of the request is to operate a retail sales (furniture) store as a primary use located in an existing office building on the northern portion of the site. Parking spaces are located on the east, south, and west sides of the building. The site has access to Spring Mountain Road and Polaris Avenue via shared access with the adjacent parcel to the west. No changes to the drive aisle or parking spaces are proposed or required for this application. H-1 zoning was approved for this site in 2007 for a resort hotel. The warehouse has been maintained while plans for the resort are still being finalized.

Landscaping

The plans depict an existing landscape area along Spring Mountain Road and interior parking lot trees distributed throughout the site. No changes to the landscaping are proposed or required for this application.

Elevations

Pictures submitted with the application show an existing single story building with stucco facade and a pitched roof with concrete roof tile. No changes to the elevations are proposed or required for this application.

Floor Plans

The plans depict a 1,260 square foot lease area, consisting of 3 units with an office and showroom space for furniture sales.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is proposing to operate a retail furniture store as a primary use in an existing office building. The entire complex has more than enough parking with adequate access for customers. Another site will be used for warehouse storage and delivery of furniture. The hours of operation will be Tuesday through Saturday 11:00 a.m. to 7:00 p.m.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ET-21-400129 (ZC-0425-07)	Fifth extension of time to reclassify to H-1 zoning and expansion of the Gaming Enterprise District for a resort hotel with high-rise condos	<b>Approved /denied by BCC</b>	October 2021
ET-18-400166 (ZC-0425-07)	Fourth extension of time to reclassify 33.5 acres from M-1 to H-1 zoning for a resort hotel/casino with high rise towers including hotel rooms and resort condominiums, and all incidental buildings and structures	Approved by BCC	September 2018
UC-18-0054	Minor training facility (DUI School)	Approved by PC	March 2018
ZC-0425-07 (ET-0035-16)	Third extension of time to reclassify to H-1 zoning and expansion of the Gaming Enterprise District for a resort hotel with high-rise condos	Approved by BCC	May 2016
ZC-0425-07 (ET-0046-13)	Second extension of time to reclassify to H-1 zoning and expansion of the Gaming Enterprise District for a resort hotel with high-rise condos	Approved by BCC	July 2013

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0146-11	Health club (yoga/fitness studio)	Approved by PC	June 2011
ZC-0425-07 (ET-0070-10)	First extension of time of a zone change to reclassify 33.5 acres from M-1 to H-1 zoning for a resort hotel/casino with high rise towers including hotel rooms and resort condominiums and all incidental buildings and structures	Approved by BCC	June 2010
UC-0368-10	A place of worship	Approved by PC	September 2010
ZC-0425-07	Reclassified to H-1 zoning and expanded the Gaming Enterprise District for a resort hotel with high-rise condos	Approved by BCC	July 2007
UC-1139-99	A psychic arts business	Approved by PC	September 1999
UC-0209-98	A trade school	Approved by BCC	March 1998

**Surrounding Land Use**

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

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

It is important to ensure compatibility with existing or planned surrounding uses and that there is adequate on-site parking to accommodate the intended patrons. Staff finds that on-site parking will accommodate the proposed use, given the limited size of the show room and on-site storage of furniture. Additionally, similar uses have been approved on the site. The parcel fronts on a major street (Spring Mountain Road), which can accommodate high traffic volumes. There are no residential uses in the surrounding area, and staff does not anticipate any negative impacts on the adjacent properties from a retail furniture sales use at the subject location. The proposed use will not create a burden for existing local street or pedestrian infrastructure or facilities.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

- No comment.

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

- 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:** MILLENNIAL FURNITURE

**CONTACT:** MILLENNIAL FURNITURE, 3305 SPRING MOUNTAIN RD, SUITE 3, LAS VEGAS, NV 89102





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>UC-21-0529</u> DATE FILED: <u>9-15-2021</u> PLANNER ASSIGNED: <u>BBK</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>10-12-2021</u> PC MEETING DATE: <u>11-2-2021</u> BCC MEETING DATE: _____ FEE: <u>\$675</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Pacific Place Site, LLC</u> ADDRESS: <u>3301 W. Spring Mountain Rd #4</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89102</u> TELEPHONE: <u>702-876-7868</u> CELL: _____ E-MAIL: <u>al@oasis inc</u>
	<b>APPLICANT</b>  NAME: <u>Lauren Ramirez</u> ADDRESS: <u>3305 Spring Mountain Rd #2 #3 #24</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89102</u> TELEPHONE: <u>818-233-1293</u> CELL: <u>818-233-1293</u> E-MAIL: <u>info@millennialfurniturestore.com</u> REF CONTACT ID #: <u>2005563.044-101</u>
	<b>CORRESPONDENT</b>  NAME: <u>Same as applicant</u> ADDRESS: _____ CITY: _____      STATE: _____      ZIP: _____ TELEPHONE: _____      CELL: _____ E-MAIL: _____      REF CONTACT ID #: _____

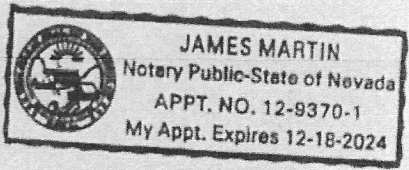
ASSESSOR'S PARCEL NUMBER(S): 162-17-211-001  
 PROPERTY ADDRESS and/or CROSS STREETS: 3305 Spring Mountain Rd Las Vegas NV 89102  
 PROJECT DESCRIPTION: Retail Furniture Store

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

[Signature]      Kwok-on Lo (Manager, Pacific Place Site LLC)  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF NV  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 11/26/21 (DA E)  
 By Kwok-on Lo  
 NOTARY PUBLIC: \_\_\_\_\_



\*NOTE: Certificate of 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



Millennial Furniture

3305 Spring Mountain Rd

Suite #2, #3, #24

Las Vegas NV 89102

Email: info@MillennialFurnitureStore.com

Phone: (818) 233-1293

August 16, 2021

Clark County Department of Comprehensive Planning

500 S Grand Central Parkway, Box 551741

Las Vegas NV 89155-1741

Re: Title 30 Land Use Application- Justification Letter- Millennial Furniture

Application Number 21-101138

UC-21-0529  
PLANNER  
COPY

To Whom It May Concern,

The intent of this justification letter is to provide the use information required for application approval.

Millennial LLC DBA Millennial Furniture is a modern retail furniture and home decor store incorporated in the state of Nevada. The intent of the business is to provide services enabling customers in our local community to order and purchase furniture and home decor, and all other items consistent in the home furnishings industry. The following information is provided to assist in processing this application.

parcel number: 162-17-211-001. The property address is 3305 Spring Mountain Rd #2, #3, #24 (Combined Units ) Our space measures 1260 Sq Ft. Our complex has a total of 213 parking spaces. According to the leasing office the complex has a total of 20,658 office spaces leased. There are another 19,518 spaces that are vacant. This complex is recognized as a non-conforming shopping center.

Millennial Furniture has established itself and renovated the interior of this location and appears to not disturb or have any impact on adjacent properties and will complement the desirable character of the area encouraged by the comprehensive plan. The hours of operation will be Tuesday - Saturday 11am - 7pm Mondays and Sundays By Appointment.

If you have any questions or need for additional information, please feel free to contact me anytime.

Respectfully,

Lauren Ramirez- Owner



11/02/21 PC AGENDA SHEET

EASEMENT  
(TITLE 30)

SIERRA VISTA DR/UNIVERSITY CENTER DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-21-0485-COUNTY OF CLARK (LV CONV AUTH):**

**VACATE AND ABANDON** easement of interest to Clark County located between Sierra Vista Drive and Desert Inn Road, and between University Center Drive and Paradise Road within Paradise (description on file). TS/lm/jo (For possible action)

RELATED INFORMATION:

**APN:**

162-15-101-035

**LAND USE PLAN:**

WINCHESTER/PARADISE - PUBLIC FACILITIES

**BACKGROUND:**

**Project Description**

This application is a request to vacate and abandon an access easement granted to Clark County under Parcel Map file 120, page 85. The subject property is currently used for parking as part of the Las Vegas Convention Center. The easement is being eliminated due to an expansion of the existing Las Vegas Metropolitan Police Department command station.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ADR-21-900312	Police Station Expansion	Approved by ZA	July 2021
ZC-0188-15	Reclassified 14.4 acres to P-F zoning for a parking lot and outside storage area expansion for the Las Vegas Convention Center	Approved by BCC	May 2015
ZC-0696-07 (ET-0160-09)	Second extension of time to review progress on an expansion to the Las Vegas Convention Center	Approved by BCC	July 2009
ZC-0696-07 (ET-0158-08)	First extension of time to review progress on an expansion to the Las Vegas Convention Center	Approved by BCC	July 2008
ZC-0696-07	Reclassified 5.4 acres to P-F zoning for expansion to the Las Vegas Convention Center	Approved by BCC	July 2007
ZC-1526-06	Reclassified 4.1 acres to P-F zoning for the Las Vegas Convention Center	Approved by BCC	December 2006



**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Public Facilities	P-F	Las Vegas Convention Center (south)
South	Commercial Tourist	H-1 & R-5	Multiple family residential & undeveloped
East	Commercial Tourist	P-F	Las Vegas Metropolitan Police Department substation
West	Commercial Tourist	H-1	Hotel (Renaissance)

**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 the pedestrian access easement that is not necessary for site, drainage, or roadway development.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

- Grant a pedestrian access easement at the new location;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

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

- No objection.

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

**APPLICANT:** LAS VEGAS CONVENTION & VISITORS AUTHORITY  
**CONTACT:** ELENA ARELLANO, GCW ENGINEERING, 1555 S. RAINBOW  
BOULEVARD, LAS VEGAS, NV 89146

DRAFT



# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-21-0485</u>	DATE FILED: <u>9/2/2021</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: <u>LMN</u>	TAB/CAC DATE: <u>10/12/2021</u>
		TAB/CAC: <u>PARADISE</u>	
		PC MEETING DATE: <u>11/2/2021</u>	
		BCC MEETING DATE: _____	
		FEE: <u>\$875-</u>	

<b>PROPERTY OWNER</b>	NAME: <u>Las Vegas Convention &amp; Visitors Authority, a Political Subdivision of the State of Nevada</u> ADDRESS: <u>3150 Paradise Road</u> CITY: <u>Las Vegas</u> STATE: <u>Nevada</u> ZIP: <u>89109</u> TELEPHONE: <u>702-892-0711</u> CELL: _____ E-MAIL: <u>cbateman@lvcsa.com</u>
-----------------------	--

<b>APPLICANT</b>	NAME: <u>same as owner</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____
------------------	--

<b>CORRESPONDENT</b>	NAME: <u>GCW, Inc./Elena Arellano</u> ADDRESS: <u>1555 S. Rainbow Boulevard</u> CITY: <u>Las Vegas</u> STATE: <u>Nevada</u> ZIP: <u>89146</u> TELEPHONE: <u>702-804-2145</u> CELL: <u>702-804-2000</u> E-MAIL: <u>earellano@gcwwengineering.com</u> REF CONTACT ID #: <u>187090</u>
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ASSESSOR'S PARCEL NUMBER(S): 162-15-101-035

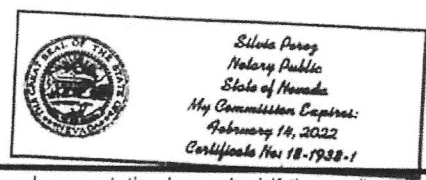
PROPERTY ADDRESS and/or CROSS STREETS: Sierra Vista Drive & University Center Drive (NW corner)

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.

Caroline Bateman  
Property Owner (Signature)

Caroline Bateman  
Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON June 23, 2021 (DATE)  
 By Caroline Bateman  
 NOTARY PUBLIC: Silvia Rey



\*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.

640-047

August 13, 2021

REVISED

VS-21-0485

Clark County  
Department of Comprehensive Planning  
500 Grand Central Parkway  
Las Vegas, Nevada

Subject: Justification Letter to accompany Vacation Application of Pedestrian Access Easement  
Assessor's Parcel Numbers: 162-15-101-035

To Whom It May Concern:

GCW Engineering has been retained to file the subject application for the property owner, the Las Vegas Convention and Visitors Authority (LVCVA). The intent of the application is to vacate a pedestrian access easement granted by way of a parcel map recorded in File 120 Page 85 in Clark County, NV.

LVCVA and the Las Vegas Metropolitan Police Department are working to effect a new parcel map that will facilitate an expansion of the existing command station. An administrative design review of the project has been submitted and approved under ADR 21-900312. The approval of this vacation application will facilitate the relocation of a pedestrian access easement that will be granted with the aforementioned project. Enclosed for your use in evaluating this request, are the following documents:

- 1 Signed application & disclosure form
- 2 copies of the site plan
- 2 copies of Exhibit A with the legal description of areas being vacated
- 1 assessor's parcel maps
- 1 copy of the deed
- 1 copy of easement documents
- 2 copies of the Justification letter

Please email the invoice for the filing fee to [earellano@gcwengineering.com](mailto:earellano@gcwengineering.com) and place this application on the next available Planning Commission agenda. Should you have any questions, please contact the undersigned at 702-804-2145.

Sincerely,

*Elena M Arellano*

Elena Arellano  
Project Coordinator

11/02/21 PC AGENDA SHEET

WALL HEIGHT  
(TITLE 30)

OAKLEIGH WILLOW WY/TOPAZ ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-21-0501-HYLAND DELBERT EARL & SANDRA M:**

**WAIVER OF DEVELOPMENT STANDARDS** to increase wall height in conjunction with a single family residence on 0.6 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the northeast side of Oakleigh Willow Way, 475 feet east of Topaz Street within Paradise. JG/jt/jd (For possible action)

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RELATED INFORMATION:

**APN:**

162-25-301-018

**WAIVER OF DEVELOPMENT STANDARDS:**

1. a. Allow a solid wall up to 8 feet in height in the front yard where a 6 foot maximum decorative fence is permitted per Table 30.64-1.
- b. Increase perimeter wall height up to 10 feet where 6 feet is the maximum permitted per Section 30.64.020 (a 67% increase).

**LAND USE PLAN:**

WINCHESTER/PARADISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 2760 Oakleigh Willow Way
- Site Acreage: 0.6
- Project Type: Walls

Site Plan

The site plan depicts an existing single family residence centrally located on the site. The parcel is located on the northeast side of the terminus of Oakleigh Willow Way, and the house faces southwest. A gated driveway extends from the end of Oakleigh Willow Way along the south side of the site.

Landscaping

No changes to the existing landscaping are proposed with this application.

Elevations

Existing walls surrounding the property were extended to various heights. Along the west property line and within the front yard, the wall transitions from 2 feet high up to 8 feet high. Along the north property line, the wall height varies between 5 feet and 8 feet. Along the east property line, the wall transitions from 7 feet up to 10 feet in height, and along the south property line, the wall is 7 feet to 8 feet in height, part of which is also in the front yard. All the walls consist of tan colored block. Wrought iron is included on portions of the wall along the west property line to create an overall height of 6 feet for the lower block portions of the wall.

Applicant's Justification

According to the applicant, the structural integrity of the perimeter block walls were in jeopardy; therefore, the walls were repaired, and the increase in wall height was intended for additional privacy as part of the same project to repair the walls. Also, the additional courses created a level wall height around the entire property. The applicant indicates that the repairs included the proper footings and reinforcements, although permits were not obtained for the project. The applicant indicates that permits for the work will be obtained if this waiver of development standards is approved.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residential
South	Residential Low (up to 3.5 du/ac)	R-D	Single family residential
East	Residential Low (up to 3.5 du/ac)	R-E	Single family residential

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

CE19-14985 is an active Public Response Office violation for building without permits.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

Title 30 limits the height of residential perimeter walls to encourage visual connections within the community and to help prevent oppressive physical barriers. A maximum height of 6 feet (3 feet of block with 3 feet of wrought iron) is allowed in the front yard, which maintains a visual connection between the public realm (street) and private property. Although portions of the front



wall meet this requirement, the 8 feet of solid block wall along the south property line creates an unnecessary separation in the community.

Within the side and rear yards, 6 foot high walls are deemed appropriate to create privacy but to not limit upward visibility over the walls. This would allow neighbors to maintain connections without an excessive barrier between properties. Staff finds that a 10 foot high wall is not necessary, and it may be detrimental to the visual cohesiveness in the community. In addition, the walls were modified without permits, and therefore, the structural integrity of the construction is not verified. For these reasons, staff cannot support the request.

**Staff Recommendation**

Denial.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

- 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 any other County issued permit, license or approval; 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.

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

- No comment.

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

**APPLICANT: DELBERT HYLAND**

**CONTACT: DELBERT HYLAND, LAS VEGAS, 2760 OAKLEIGH WILLOW WAY, LAS VEGAS, NV 89120**





# LAND USE APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

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

**STAFF**

DATE FILED: 9/7/21 APP. NUMBER: WS-21-0501  
 PLANNER ASSIGNED: JCT TAB/CAC: PARADISE  
 ACCEPTED BY: JCT TAB/CAC MTG DATE: 10/12 TIME: 7pm  
 FEE: \$775.00 PC MEETING DATE: 11/2/21  
 CHECK #: 118 BCC MEETING DATE: \_\_\_\_\_  
 COMMISSIONER: JG ZONE / AE / RNP: R-E  
 OVERLAY(S)? \_\_\_\_\_ PLANNED LAND USE: WRNP  
 PUBLIC HEARING?  N NOTIFICATION RADIUS: 500' SIGN?  N  
 TRAILS?  N PFNA?  N LETTER DUE DATE: \_\_\_\_\_  
 APPROVAL/DENIAL BY: \_\_\_\_\_ COMMENCE/COMPLETE: \_\_\_\_\_

**PROPERTY OWNER** \*

NAME: Delbert Hyland  
 ADDRESS: 2760 OAKLEIGH willow way  
 CITY: Las Vegas STATE: NV ZIP: 89120  
 TELEPHONE: 504-296-9187 CELL: 504-669-9095  
 E-MAIL: hyland29e@msn.com

**APPLICANT** \*

NAME: Delbert Hyland  
 ADDRESS: 2760 OAKLEIGH willow way  
 CITY: Las Vegas STATE: NV ZIP: 89120  
 TELEPHONE: 504-296-9187 CELL: 702-406-1180  
 E-MAIL: hyland29e@msn.com REF CONTACT ID #: \_\_\_\_\_

**CORRESPONDENT** \*

NAME: Delbert Hyland  
 ADDRESS: 2760 OAKLEIGH willow way  
 CITY: Las Vegas STATE: NV ZIP: 89120  
 TELEPHONE: 504-296-9187 CELL: 702-406-1180  
 E-MAIL: hyland29e@msn.com REF CONTACT ID #: \_\_\_\_\_

ASSESSOR'S PARCEL NUMBER(S): 162-25-301-018  
 PROPERTY ADDRESS and/or CROSS STREETS: 2760 OAKLEIGH willow way Las Vegas 89120 / Pope Z  
 PROJECT DESCRIPTION: Complete Existing 8FT Fence

(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)\*  
Delbert E. Hyland  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON December 10, 2020 (DATE)  
 By Delbert Earl Hyland

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.

TO: Clark County Code Enforcement

2911 E. Sunset Rd.

Las Vegas, NV 89120

FROM: Dell Hyland

2760 Oakleigh Willow Way

Las Vegas, NV 89120

WS-21-0501

Subject: Violation Notice / The Property owner is to obtain permits along with final approved inspections for extra courses of block added to the south block wall or remove them.

To whom it may concern,

I am writing this request to explain and ask for the necessary waiver to ensure my fence is now in compliance as requested per violation. We just purchased this property, and the existing wall/fence was in bad shape and in need of repair to ensure the integrity of the wall and provide privacy for residence. This existing 8 ft wall is also a barrier between my private road and neighbors on the other side. We properly repaired the wall and added three courses in a few areas to complete what was already existing and to make it level around the property as to finish what was already started and existing. The wall height is currently between 7-10 feet. The existing wall was not in proper order and felt that it should be completed with proper reinforcement and filled properly, as well as connected in several places that were not structurally sound.

I do apologize for not applying for a waiver before I started but was told that because I was only repairing and finishing an existing wall on my property that was just purchased that it was not needed. I was wrong and again apologize for any inconvenience this may have caused to this office. I have also spoken to all neighbors that share the wall and they are all very happy with what has been fixed and finished. I respectfully request that my waiver be granted and am happy to have inspections as you see fit. I can also provide progress pictures of the repair to ensure all codes were met and exceeded. I thank you again in advance for your attention to this matter.

Always Diligent

Dell Hyland



504-296-9187/702-406-1180



BATHHOUSE  
(TITLE 30)

DECATUR BLVD/PATRICK LN

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-21-400151 (NZC-19-0167)-OZ OPTICS HOLDINGS, INC:**

**ZONE CHANGE FIRST EXTENSION OF TIME** to reclassify 3.8 acres from an R-E (Rural Estates Residential) (AE-65) Zone and a P-F (Public Facility) (AE-65) Zone to an M-1 (Light Manufacturing) (AE-65) Zone.

**USE PERMITS** for the following: 1) bathhouse; 2) health club; and 3) retail.

**DESIGN REVIEWS** for the following: 1) bathhouse/health club facility; and 2) alternative landscaping.

Generally located on the northeast corner of Decatur Boulevard and Patrick Lane (alignment) within Paradise (description on file). MN/bb/jd (For possible action)

---

**RELATED INFORMATION:**

**APN:**

162-31-201-014; 162-31-201-015; 162-31-201-019

**LAND USE PLAN:**

WINCHESTER/PARADISE - BUSINESS AND DESIGN/RESEARCH PARK

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 3.8
- Project Type: Bathhouse/health club
- Number of Stories: 2
- Building Height (feet): 42
- Square Feet: 34,565
- Parking Required/Provided: 171/185

**Site Plan**

The site plan depicts a proposed bathhouse/health club facility located on the eastern portion of the site. Setbacks for the building include 207 feet from the front property line along Decatur Boulevard, 92 feet from the east property line, 75 feet from the north property line, and 98 feet from the south property line. Access to the site is provided by a driveway on Decatur Boulevard, and parking spaces are mostly located in front of the building; however, parking spaces are also

located adjacent to the side property lines and the rear property line. A trash enclosure is located on the southeast portion of the site, and a loading zone is located adjacent to the south side of the building. A pedestrian path connects Decatur Boulevard to the front of the building entrance, which faces west, and 16 bicycle spaces are provided near the northwest corner of the building.

#### Landscaping

Abundant landscaping is provided on the site, including a detached sidewalk along Decatur Boulevard that consists of a 5 foot wide landscape strip, 5 foot wide sidewalk, and a 12 foot wide landscape strip behind the sidewalk. Landscaping also includes approximately 20 foot wide landscape strips on both sides of the front drive aisle leading to the front of the building. Eight foot wide planter strips with block walls are located on the north, south, and east sides of the site, and landscaping fingers are provided throughout the parking lot. A design review for alternative landscaping is necessary because 1 area of the site, located on the northeast side of the building exceeds the minimum number of parking spaces in a row without a landscape finger. All other aspects of the landscaping comply with Title 30 standards.

#### Elevations

Approximately half of the 2 story building consists of 40 foot high walls with a parapet wall along the roofline. This portion of the building includes horizontal rows of windows, but otherwise includes no architectural features to reduce the visual mass on the east elevation. Other portions of the building are less than 30 feet in height and include architectural features to reduce the visual mass such as overhangs, columns, and various surface planes. Exterior finish materials evoke a Middle Eastern design influence, and include marble veneer cladding, gold colored metal roof domes, and an intricate decorative pattern around the main entrance, which faces west towards Decatur Boulevard.

#### Floor Plans

The first floor of the 34,565 square foot facility is 23,750 square feet and includes a reception lobby with customer check-in, separate male and female locker rooms/changing rooms, 5 massage rooms, 5 Hamam/Turkish bath areas/rooms, an open health/fitness studio, and a marble showroom (marble veneers are a component of the Middle Eastern design of the facades, and the applicant intends to wholesale marble in the facility). Massage rooms occupy less than 25% of the public floor area per Title 30 standards for massage as an accessory use to a health club. The second floor is 10,815 square feet and includes an elevator/stair lobby, separate male and female locker rooms/changing rooms, additional health/fitness studio space, a yoga room, and administrative office space.

#### Previous Conditions of Approval

Listed below are the approved conditions for NZC-19-0167:

#### Current Planning

- A Resolution of Intent to complete in 3 years;
- 2 years to review as a public hearing;
- Design review as a public hearing for significant changes to plans;
- 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

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 55 feet to the back of curb for Decatur Boulevard.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

#### Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the FAA will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

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

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0696-2018 to obtain your POC exhibit; and that wastewater flow rates that exceed CCWRD estimates may require another POC analysis.



Signage

Signage is not a part of this request.

Applicant's Justification

Covid-19 delayed the construction activities and scheduling of work that was required to move this application forward. This development request was originally filed with the Federal Aviation Administration (FAA) on February 2019 at a time when the FAA transitioned away from email and fax submissions to electronic upload system. The FAA never processed the Aeronautical Study for the project, requiring a recent resubmittal. The owner agreed to sell the property to Clark County for a road project and buy back some of the same property when asked. This sale and repurchase delayed the final map. The project is back on track and moving forward, having recently graded the property and working on off-sites.

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-19-0167	Reclassified 3.8 acres from R-E & P-F to M-1 zoning for a bathhouse, health club, and retail	Approved by BCC	May 2019
VS-19-0126	Vacated and abandoned patent easements	Approved by PC	April 2019

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	C-2 & P-F	Undeveloped
South	Business and Design/Research Park & Public Facilities	P-F	Drainage channel & detention basin
East	Public Facilities	P-F	Drainage channel & detention basin
West	Business and Design/Research Park	M-1	Industrial development (wholesale of building materials)

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval. The applicant has made progress toward the completion of the project, the offsite permit has been issued (PW20-10411),

traffic mitigation fees have been paid (PW19-16038) and the drainage study has been approved (PW19-15446); therefore, staff can support an extension of time for this project.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until May 22, 2021 to complete and review.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review, and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- Compliance with previous conditions.
- Coordinate with Clark County Public Works - Design Division for the Decatur Boulevard improvement project.

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

- No comment.

**TAB/CAC:  
APPROVALS:  
PROTEST:**

**APPLICANT:** OZ OPTICS HOLDINS, INC

**CONTACT:** MICHAEL BELLON, 1408 SAINTSBURY DRIVE, LAS VEGAS, NV 89144





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) <u>NZC-19-0167</u> (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>ET-21-400151</u> DATE FILED: <u>9-16-2021</u> PLANNER ASSIGNED: <u>BBB</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>10-22-2021</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11-3-21 9am</u> FEE: <u>41075</u>
	<b>PROPERTY OWNER</b>  NAME: <u>OZ Optics Holdings, Inc.</u> ADDRESS: <u>18 Tanner Crescent</u> CITY: <u>Ottawa</u> Canada      STATE: <u>Ontario</u> ZIP: <u>K2K 2M7</u> TELEPHONE: <u>613-831-0981</u> CELL: <u>613-291-1996</u> E-MAIL: <u>osezerman@ozoptics.com</u>
	<b>APPLICANT</b>  NAME: <u>OZ Optics Holdings, Inc.</u> ADDRESS: <u>18 Tanner Crescent</u> CITY: <u>Ottawa</u> Canada      STATE: <u>Ontario</u> ZIP: <u>K2K 2M7</u> TELEPHONE: <u>613-831-0981</u> CELL: <u>613-291-1996</u> E-MAIL: <u>osezerman@ozoptics.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Elysium Enterprises, Inc. - Michael Bellon</u> ADDRESS: <u>1408 Saintsbury Drive</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89144</u> TELEPHONE: <u>702-501-6392</u> CELL: <u>702-501-6392</u> E-MAIL: <u>elysium_mb@hotmail.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-31-201-014, 162-31-201-015, 162-31-201-109

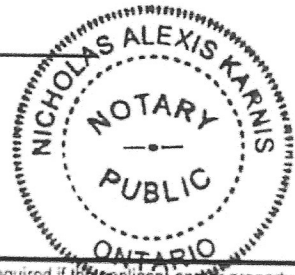
PROPERTY ADDRESS and/or CROSS STREETS: NEC Decatur Blvd and Patrick Lane

PROJECT DESCRIPTION: Day Spa/Health Club/Turkish Hamam/Cafe/Retail

(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]  
 Omur Sezerman  
 Property Owner (Print)

STATE OF PROVINCE OF ONTARIO  
 COUNTY OF OTTAWA  
 SUBSCRIBED AND SWORN BEFORE ME ON JUNE 23, 2021 (DATE)  
 By [Signature]  
 NOTARY PUBLIC: ONTARIO, CANADA



\*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.

15 August 2021

Clark County  
Comprehensive Planning Department  
500 South Grand Central Parkway  
Las Vegas, NV 89106

ET-21-400151  
PLANNER  
COPY

RE: Compelling Justification Letter for the requested Extension of Time for the Marble Oz Turkish Spa, Salon, Café and Retail Marble and Stone Sales Facility to be located on South Decatur Blvd. at West Patrick Lane.

To Whom It May Concern;

Please accept this Justification Letter with regard to our request for an Extension of Time regarding the proposed Marble OZ Hamam Turkish Spa and Retail Facility, located on South Decatur Boulevard at West Patrick Lane. In support of that request, we are pleased to submit this Compelling Justification Letter in support of our project.

As a reminder, we are currently developing a two-story facility totaling approximately 34,565 square feet on approximately 3.77 acres also known as APN's 162-31-201-014, 015 & 019 in Clark County, Nevada (the "Property")

All of our entitlements were previously approved, however, as part of the Conditions of Approval, we are required to have a review after two years as a public hearing, to confirm that we are moving forward with the development of the project. To that end I would like to offer the following bullet points that demonstrate our progress and the reasons for the slight delay.

**REASONS FOR THE CURRENT DELAY:**

1. Initially I will state that the single most significant reason for the delay, was the Covid-19 outbreak which put not only our project, but so many projects and developments around the County, State and Nation on hold, as no one was certain what we were all in for. Since the project has been started up again, we have begun construction and are moving forward as quickly as possible.
2. The project was originally filed with the FAA in February of 2019. (see attached documents) At that time the FAA was changing from email and fax submissions, to an all-electronic upload portal submission process. Somehow the Aeronautical Study for the project was never processed by the FAA and had to be resubmitted only recently. The project has been submitted

and accepted by the FAA and we are currently awaiting the Final Determination Letter, which we will then present to the Clark County Department of Aviation for their final approval.

3. The Clark County Department of Public Works came to the owner of the project and requested to purchase a portion of his property in the right of way on Decatur Blvd as part of their improvement project to widen that thoroughfare. Later the Public Works Dept. told my client he would need to purchase back from the County some of this property. He had no problem with this, but just needed to work through the valuation and getting an invoice from Public Works. The re-purchase has been complete, but it held up his filing his final map and the vacation of the necessary easements for the project to go forward. All of this has been attended to, and the project received unanimous approval to extend the Application for the Vacation of the Easements on Tuesday, 17 August 2021 from the Clark County Planning Commission.

**PROOF THAT THE PROJECT IS MOVING FORWARD TO WHATEVER EXTENT POSSIBLE:**

1. We have pulled an Early Grading Permit and completed all of the grading possible.
2. In order to file for the building permit, we renewed the Early Grading Permit, even though the grading of the project is complete.
3. We have pulled the Off-Site Permit and have begun and partially completed extensive off-site utility work for the project.
4. We are in for review with NV Energy and continue to participate and expedite that process.
5. We have filed all necessary documents with the FAA, and I have been personally in touch with Mr. John Howard, the Airspace & Airport Program Administrator at McCarran International Airport with regard to filing the project with the Clark County Department of Aviation. As part of that filing Mr. Howard declared that he needed the Final Determination Letter from the FAA to complete the package.
6. To date, the owner Mr. Sezerman, has already spent in excess of \$2 million dollars on construction and development costs, not including the additional cost for the land.

As you can hopefully see, we have pulled permits for, begun and even completed, all the portions of work for the project that we possibly could at this time. Under these trying and never before experienced times, driven by the personal, financial and social ravages of the Covid-19 pandemic, the owner and his development team, remain 100% committed to building and completing this project.

FLANNIER  
COPY

ET-21-900151

11/03/21 BCC AGENDA SHEET

RECREATIONAL VEHICLE PARK/  
SUPPER CLUB/SIGNAGE  
(TITLE 30)

PARADISE RD/FLAMINGO RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-21-0455-PARADISE 12, LLC:**

**ZONE CHANGES** for the following: **1)** reclassify 0.4 acres from an H-1 (Limited Resort and Apartment) (AE-60) Zone to a C-1 (Local Business) (AE-60) Zone; and **2)** reclassify 11.7 acres from an H-1 (Limited Resort and Apartment) (AE-60) Zone to an R-V-P (Recreational Vehicle Park) (AE-60) Zone.

**USE PERMITS** for the following: **1)** supper club; and **2)** increase the distance of sanitary facilities from each recreational vehicle site.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase sign height; and **2)** increase sign area.

**DESIGN REVIEWS** for the following: **1)** a recreational vehicle park with accessory supper club; and **2)** signage on 12.1 acres.

Generally located on the west side of Paradise Road, 550 feet south of Flamingo Road within Paradise (description on file). JG/jt/jo (For possible action)

---

**RELATED INFORMATION:**

**APN:**

162-21-512-001 through 162-21-512-003; 162-22-103-004

**USE PERMITS:**

1. Allow a supper in a C-1 Zone.
2. Increase the distance of sanitary facilities from each recreational vehicle site to 1,000 feet where 400 feet is the maximum per Table 30.44-1 (a 150% increase).

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase the height of a freestanding sign to 43 feet where 35 feet is the maximum per Table 30.72-1 (a 23% increase).
2. Increase the area of a freestanding sign to 300 square feet where 142 square feet is the maximum per Table 30.72-1 (a 111% increase).

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

## **BACKGROUND:**

### **Project Description**

#### General Summary

- Site Address: 4185 Paradise Road
- Site Acreage: 12.1
- Number of Units (RV spaces): 203
- Density (du/ac): 16.8
- Project Type: Recreational vehicle park with accessory supper club
- Number of Stories: 2
- Clubhouse Height (feet): 30
- Square Feet: 8,060 (clubhouse)/2,867 (laundry building)/780 (maintenance building)/106 (security building)/11,813 (total)
- Open Space Required/Provided: 12,180/32,701
- Parking Required/Provided: 41/223

#### Site Plan

The site plan depicts a proposed recreational vehicle (RV) park with gated access from Paradise Road on the east side. A security building is located approximately 115 feet from the east property line, and the gates are set back approximately 185 feet from the east property line (40 feet west of the security building). Continuing west, the driveway provides access to parking spaces for the clubhouse, which is located on the north side of the drive aisle, set back 5 feet from the north property line. The clubhouse includes an accessory retail store, office, supper club, and gym. A pool will be located west of the clubhouse. This application includes zone boundary amendments to reclassify the site to R-V-P zoning, and to reclassify the clubhouse and pool area to C-1 zoning to allow a supper club. A use permit is also necessary to allow a supper club in a C-1 zone.

South of the pool is a bathroom and laundry building. Setbacks for the building are 80 feet from the north property line, 100 feet from the east property line, and 275 feet from the south property line. A special use permit is necessary to allow the sanitary facilities up to 1,000 feet from recreational vehicle sites where 400 feet is the maximum. Drive aisles extend east/west across the site, and the recreational vehicle site that is farthest from the restroom and laundry building (sanitary facilities) is 1,000 feet. A recreation area is located southeast of the laundry building, and a dog park is located southwest of the recreation area. Trash enclosures are located on the east and west sides of the drive aisles, and near the southern portion of the site. Lastly, a maintenance building is shown in the southwest portion of the site.

#### Landscaping

Landscaping is located on either side of the driveway from Paradise Road and within the driveway median. Trees are located along the north side of the drive aisle continuing to the clubhouse. West of the clubhouse, trees are located along the north property line, in front of each recreational vehicle space, between double loaded recreational vehicle spaces, in the recreation area on the east property line, and within the dog park on the south side of the site.



### Elevations

Materials and design of the buildings include painted stucco, parapet walls along the rooflines, metal railings, and trellis accents. Heights for the various buildings include 30 feet for the clubhouse, 20 feet for the bathroom and laundry building, 18 feet for the maintenance building, and 16 feet for the security building.

### Floor Plan

The 8,060 square foot clubhouse includes a lobby, reception area, offices, restrooms, retail store, and supper club on the first floor, and the second floor includes a gym, storage area, and managers living unit. The bathroom and laundry building, which also includes an office, is 2,867 square feet, the maintenance building is 780 square feet, and the security building is 106 square feet.

### Signage

Signage includes a 43 foot high freestanding sign located on the south side of the driveway along Paradise Road. Setbacks include 19 feet to the east property line and 4 feet to the drive aisle. A decorative pole cover is provided around the base, and portions of the freestanding sign include halo illuminated reverse pan channel letters, face-lit channel letters flush mounted to the sign cabinet, and a dual-lit channel wrap logo. Waivers of development standards are necessary to increase the height of the sign to 43 feet and to increase the area of the sign to 300 square feet.

### Applicant's Justification

According to the applicant, each RV space will include a picnic table, fire pit, and privacy hedge around the perimeter. Amenities will include the clubhouse, gym, supper club, pool, dog park, splash pad, and pickleball courts. The applicant indicates that guests will stay a maximum of 9 months, and the operators will keep a register of all guests. The proposed RV park complies with most Title 30 standards.

Although the bathroom and laundry facilities are located up to 1,000 feet from the farthest RV space, each RV space will be equipped with sanitary connections. Therefore, the recreational vehicles can utilize their own bathrooms, and the bathroom and laundry building is appropriately located near the entrance to the facility where guests check-in. Also, a supper club will be a valued amenity for the RV park guests, and the zone change to C-1 for a portion of the site and the use permit to allow a supper club are appropriate. Lastly, the waivers of development standards for signage are appropriate for the area, which is near the Virgin Resort Hotel to the south and Silver Sevens Resort Hotel to the northeast, both of which include large freestanding signs. Also, the increase in sign area is due to the narrow street frontage along Paradise Road. If the street frontage was longer, more sign area would be allowed.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-1219-98	Converted an existing 544 unit apartment complex to a timeshare hotel	Approved by PC	September 1998
UC-0242-86	Apartment complex	Approved by PC	December 1986

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial Tourist	H-1	Hotel, undeveloped, in-line retail building, & vacant restaurant building
South	Commercial Tourist	H-1	Apartment complex, Virgin Resort Hotel, & vacant hotel
East	Commercial Tourist	H-1	Silver Sevens Resort Hotel & apartment complex
West	Commercial Tourist	H-1	Tuscany Hotel & undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
TM-21-500135	A tentative map for a 1 lot commercial subdivision is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Zone Changes

While C-1 zoning and R-V-P zoning are within the range of intensities and densities anticipated for this site by the Winchester/Paradise Land Use Plan, these zoning districts are inconsistent with the surrounding H-1 zoning. This area is in Community District 1, which is designed for the most intense development in Clark County. As a result, downzoning the site to allow less intense uses could be detrimental to the surrounding properties. In addition, an RV park is only allowed in an H-1 zone as an accessory use to a resort hotel. Rezoning the site to R-V-P to allow an RV park undermines the intent of Title 30 and the zoning districts to promote consistent and compatible developments. This application is a spot zoning request to allow for a specific use. Similarly, spot zoning a portion of the site to a C-1 zone to allow for a supper club also undermines the intent of the development Code. As a result, the site should remain in an H-1 zone to allow for more intense development that is compatible and consistent with the area.

Use Permits

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

Use Permit #1

A supper club is an appropriate use for this area and in conjunction with an RV park. However, since staff cannot support the zone change to C-1 zoning nor the zone change to R-V-P for the RV park, staff also cannot support the use permit to allow a supper club.



### Use Permit #2

Sanitary facilities should be located within 400 feet of each RV site regardless of whether the RV sites have sanitary connections. Sanitary facilities are a critical feature that should be conveniently located within a short walking distance of each RV site. As a result, staff cannot support the request.

### 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 & Design Review #2

While larger freestanding signs are located along Paradise Road, those signs are either for resort hotels or properties with larger street frontages. Signs should be scaled appropriately for each site, and the narrow street frontage for this site indicates that the sign should be proportionally smaller than sites with larger street frontages. Therefore, staff cannot support these requests.

### Design Review #1

The amenities for this RV park are grouped near the entrance to the site and along the eastern side. Centrally located amenities would create a more coherent layout, and the amenities would be conveniently located for all guests. Furthermore, staff is concerned about the lack of greenspace and abundant pavement that will contribute to the urban heat island effect. Also, fire pits at each RV space could create fire hazards and contribute to poor air quality in the area.

Lastly, although guests are permitted to stay up to 9 months, guests staying for an extended period at this location may not be appropriate for the level of intensity of uses located nearby. For example, resort hotels are located south and northeast of the site (Virgin and Silver Sevens, respectively), and the Tuscany Hotel is located to the west. This site would be more appropriately development with buildings that contribute to additional tourist amenities.

### **Department of Aviation**

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

### **Staff Recommendation**

Denial.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Current Planning**

If approved:

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

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

- Drainage study and compliance;
- Traffic study and compliance.
- Coordinate with Public Works - Design Division for the Paradise Road improvement project;
- Dedicate any right-of-way and easements necessary for the Paradise Road improvement project;
- Coordinate with Public Works - Design Division for the Howard Hughes Parkway Extension improvement project;
- Dedicate any right-of-way and easements necessary for the Howard Hughes Parkway Extension improvement project;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for the above-mentioned projects;
- 90 days to record required right-of-way dedications and any corresponding easements for the above-mentioned projects.
- Applicant is advised that off-site improvement permits may be required.

### **Department of Aviation**

- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that issuing a stand-alone noise disclosure statement to the renter of each recreational vehicle parking space in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking

#0100-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** PARADISE 12, LLC

**CONTACT:** LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,  
BLDG 3 STE 577, LAS VEGAS, NV 89134

DRAFT



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>ZC-21-0455</u> DATE FILED: <u>9/1/21</u> PLANNER ASSIGNED: <u>JCT</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>10/12/21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11/3/21</u> FEE: <u>\$2,875</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Paradise 12, LLC, c/o Ochoa Dev. Corp</u> ADDRESS: <u>N Green Valley PKWY STE 130</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u> TELEPHONE: <u>702-444-4795</u> CELL: _____ E-MAIL: <u>Michael@wdcnevada.com</u>
	<b>APPLICANT</b>  NAME: <u>same as owner</u> ADDRESS: _____ CITY: _____      STATE: _____      ZIP: _____ TELEPHONE: _____      CELL: _____ E-MAIL: _____      REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>LAS Consulting-Lucy Stewart</u> ADDRESS: <u>1930 Village Center Circle Bldg 3-577</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-499-6469</u> CELL: _____ E-MAIL: <u>stewplan@gmail.com</u> REF CONTACT ID #: <u>165577</u>

ASSESSOR'S PARCEL NUMBER(S): 162-21-512-001, 002, 003, & 162-22-103-004

PROPERTY ADDRESS and/or CROSS STREETS: W. side of Paradise, south of Flamingo

PROJECT DESCRIPTION: Rezone for a RVP park

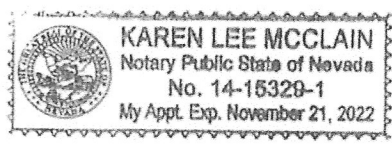
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON April 28, 2021 (DATE)

By Michael Ochoa  
NOTARY PUBLIC: Karen Lee McClain



\*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.

*LAS Consulting*  
1930 Village Center Circle 3 #577  
Las Vegas, NV. 89134  
(702) 499-6469-cell  
(702) 946-0857

August 12, 2021

Mr. Jared Tasko, Principal Planner  
Clark County Comprehensive Planning  
500 Grand Central Pkwy. 1<sup>st</sup> Floor  
Las Vegas, NV 89155

RE: APR-21-100598 RV Park

Dear Mr. Tasko:

Please accept this as our request for a zone change from H-1 to Recreational Vehicle Park (RVP) and C-1. The property is currently zoned H-1 and the land use guide designates the property as C-T Commercial Tourist. A tentative map is included with this request.

**Project Description**

Property Size- 12.08 acres

Existing Zoning- H-1

Requested Zoning- RVP/C-1

Total number of RV spaces- 203- 23 Big Rig Spaces/49 Premium Plus spaces/131 other spaces

Total number of car parking spaces-223

The property is surrounded with a block wall and a guard will allow guests onto the property. A laundry building with showers is at the eastern portion of the site, with the clubhouse/reception/lobby across the drive aisle. There is a gym on the second floor of the clubhouse and a watchman's quarters. A convenience

store and restaurant are shown in the clubhouse/reception/lobby. The restaurant is planned as a supper club and will provide food and drinks to the guests.

Each RV space has a picnic table and a fire pit. A privacy hedge is placed between each space, and there are trash receptacles placed throughout the park. There is programmed open space- a pool and spa, dog park, splash pad, pickle ball and a variety of activities. Attached is a of programmed space.

The Park will comply with the conditions for a recreational vehicle park in Table 30.44-1. The recreational vehicles will only stay a maximum of 9 months and a register of all persons staying in the park shall be kept at all times.

Title 30 requires - a centrally located service building is provided containing the following. A. Management offices. B. Laundry facilities. C. Sanitary facilities. Sanitary facilities shall be located no more than 400 feet from each recreational vehicle site. 4. Any area greater than 5,000 square feet used for parking, maneuvering, or storing motor vehicles, equipment, or materials shall be paved. We meet all of these requirements with the exception of the 400-foot distance to the facilities. The buildings are located near the entrance of the park so people can check in as they enter the park. Each RV spot has sanitary connections so the distance to the bathroom, the furthest RV spot is approximately 1000 feet to the bathrooms and laundry facilities. This is similar to that RV Park's furthest distance's guests have to use at the Oasis RV Park at Windmill and I-15.

We are requesting the following **use permits**:

- A use permit for the supper club in a C-1 zone. *The intent is to provide a place for the guests to eat and drink and socialize with the other guests.*
- A use permit to allow the sanitary facilities up to 1,000 feet from each recreational vehicle site where 400 feet is the maximum per Table 30.44-1. *Each spot has water and sewer connections, so each RV can use the bathrooms located within the vehicle.*

**Waiver of Development Standards:**

- A waiver of development standards for the freestanding sign height up to 40 feet where 35 feet is the maximum per Table 30.72-1. *This is in a resort area where the signs are larger, the RV Park is located setback from the street, this will assist guests in finding the park.*



- A waiver of development standards to increase the freestanding sign area up to 300 SF where 142 SF is the maximum (1.25 X 114' street frontage). *This is a large park with narrow street frontage, but the site is larger/wider once on-site. If the property fronted the street, there would be more available square footage.*

In addition, we are including the main sign for approval.

We think this is an excellent use on the site and respectfully request approval of this request.

Yours truly,

*Lucy Stewart*

Lucy Stewart

11/03/21 BCC AGENDA SHEET

PARADISE 12 RV-PARK  
(TITLE 30)

PARADISE RD/FLAMINGO RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**TM-21-500135-PARADISE 12, LLC:**

**TENTATIVE MAP** consisting of 1 lot and common lots on 12.1 acres in a C-1 (Local Business) (AE-60) Zone and a R-V-P (Recreational Vehicle Park) (AE-60) Zone.

Generally located on the west side of Paradise Road, 550 feet south of Flamingo Road within Paradise. JG/jt/jo (For possible action)

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RELATED INFORMATION:

**APN:**

162-21-512-001 through 162-21-512-003; 162-22-103-004

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 4185 Paradise Road
- Site Acreage: 12.1
- Number of Lots: 1
- Project Type: Recreational vehicle park with accessory supper club

The tentative map depicts a 1 lot commercial subdivision. Ingress and egress are provided from Paradise Road on the east side of the site. No cross access is proposed for any surrounding parcels. Four existing parcels will be combined into 1 lot for a proposed recreational vehicle park with accessory supper club, which is a companion application.

Existing attached sidewalks will remain along Paradise Road, and landscaping is provided behind the existing sidewalks.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-1219-98	Converted an existing 544 unit apartment complex to a timeshare hotel	Approved by PC	September 1998
UC-0242-86	Apartment complex	Approved by PC	December 1986

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial Tourist	H-1	Hotel, undeveloped, in-line retail building, & vacant restaurant building
South	Commercial Tourist	H-1	Apartment complex, Virgin Resort Hotel, & vacant hotel
East	Commercial Tourist	H-1	Silver Sevens Resort Hotel & apartment complex
West	Commercial Tourist	H-1	Tuscany Hotel & undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-21-0455	A zone change to reclassify the site to R-V-P and C-1 zoning for a recreational vehicle park with an accessory supper club is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

This request meets the tentative map requirements as outlined in Title 30. However, since staff cannot support the companion application, staff also cannot support this request.

**Department of Aviation**

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

**Staff Recommendation**

Denial.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change

in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

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

- Drainage study and compliance;
- Traffic study and compliance.
- Coordinate with Public Works - Design Division for the Paradise Road improvement project;
- Dedicate any right-of-way and easements necessary for the Paradise Road improvement project;
- Coordinate with Public Works - Design Division for the Howard Hughes Parkway Extension improvement project;
- Dedicate any right-of-way and easements necessary for the Howard Hughes Parkway Extension improvement project;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for the above-mentioned projects;
- 90 days to record required right-of-way dedications and any corresponding easements for the above-mentioned projects.
- Applicant is advised that off-site improvement permits may be required.

#### **Department of Aviation**

- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that issuing a stand-alone noise disclosure statement to the renter of each recreational vehicle parking space in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

#### **Building Department - Fire Prevention**

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

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0100-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** PARADISE 12, LLC

**CONTACT:** LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,  
BLDG 3 STE 577, LAS VEGAS, NV 89134

DRAFT



# TENTATIVE MAP APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

<b>APPLICATION TYPE</b>  <input checked="" type="checkbox"/> TENTATIVE MAP (TM)	STAFF	DATE FILED: <u>9/1/21</u> PLANNER ASSIGNED: <u>JCT</u> ACCEPTED BY: <u>JCT</u> FEE: <u>\$750<sup>00</sup></u> CHECK #: _____ COMMISSIONER: <u>JG</u> OVERLAY(S)? _____ TRAILS? Y/ <input checked="" type="checkbox"/> N	APP. NUMBER: <u>TM-21-500135</u> TAB/CAC: <u>PARADISE</u> TAB/CAC MTG DATE: <u>10/12/21</u> TIME: <u>7am</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11/3/21</u> ZONE / AE / RNP: <u>RVP+ C-1</u> PLANNED LAND USE: <u>WPCT</u> NOTES: _____
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PROPERTY OWNER	NAME: <u>Paradise 12 LLC</u> ADDRESS: <u>901 N Green Valley Pkwy, Ste #130</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
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APPLICANT	NAME: <u>Michael Ochoa, Manager</u> ADDRESS: <u>901 N Green Valley Pkwy, Ste #130</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u> TELEPHONE: <u>702-444-4795</u> CELL: <u>702-292-9213</u> E-MAIL: <u>michael@wdcnevada.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Christopher J. Bolton</u> ADDRESS: <u>6345 S. Jones Blvd., Suite 100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-365-9312</u> CELL: _____ E-MAIL: <u>Chris.Bolton@Lochsa.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 162-21-512-001; 002; 003 & 162-22-103-004

PROPERTY ADDRESS and/or CROSS STREETS: 4185 Paradise Road

TENTATIVE MAP NAME: Paradise 12 RV Park

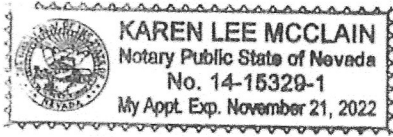
NUMBER OF LOTS: 4 GROSS/NET ACREAGE 12.08 ac/ 12.08 ac GROSS/NET DENSITY \_\_\_\_\_

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

Property Owner (Signature)\* \_\_\_\_\_  
 Property Owner (Print) MICHAEL OCHOA

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON April 13, 2021 (DATE)  
 By Michael Ochoa

NOTARY PUBLIC: Karen Lee McClain



\*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.

*Handwritten initials and number 11*



SIGNAGE  
(TITLE 30)

HARMON AVE/LAS VEGAS BLVD S

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0482-CITYCENTER HARMON HOTEL HOLDINGS:**

**USE PERMITS** for the following: 1) reduce sign separation; and 2) all deviations as shown per plans on file.

**DEVIATIONS** for all other deviations as shown per plans on file.

**DESIGN REVIEWS** for the following: 1) comprehensive sign package; 2) increase wall sign area; and 3) increase animated sign area on a portion of 61.4 acres in an H-1 (Limited Resort and Apartment) Zone.

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

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**RELATED INFORMATION:**

**APN:**

162-20-711-008 ptn; 162-20-711-013; 162-20-711-014

**USE PERMITS:**

1. Reduce the separation between a proposed animated (wall) sign and an existing animated (freestanding) sign to 76 feet where 100 feet is the minimum per Table 30.72-1.
2. All deviations as shown per plans on file.

**DESIGN REVIEWS:**

1. Comprehensive sign package.
2. Increase wall sign area to 7,502 square feet where 6,648 square feet is the maximum area per Table 30.72-1.
3. Increase the animated sign area to 6,116 square feet where 150 square feet is the maximum area allowed.

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3414 & 3716 Las Vegas Boulevard South
- Site Acreage: 61.4 (portion)
- Project Type: 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 3 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

The comprehensive sign package includes an illuminated freestanding sign, an animated (video unit) wall sign, 31 various other wall signs, and 4 directional signs. The freestanding sign is located along Harmon Avenue on the east side of the driveway entrance. The sign is 10 feet high, 75 square feet in area, and set back 11 feet from the right-of-way.

Meanwhile, the animated (video unit) wall sign wraps around the northeast face of the shopping center and is directed towards the Harmon Avenue and Las Vegas Boulevard South intersection. The animated sign is approximately 40 feet 6 inches tall by 151 feet wide for an area of 6,116 square feet, and the sign is located 82 feet above grade and extends to an overall height of 123 feet. This is below the height of the parapet wall along the roof of the building, which is 127 feet at its highest point. A use permit is necessary to reduce the separation between the proposed animated (wall) sign and an existing animated (freestanding) sign for the Aria Hotel to 76 feet where 100 feet is the minimum. Also, a design review is necessary to increase the animated sign area to 6,116 square feet where 150 square feet is the maximum area allowed.

Other signage includes 31 illuminated wall signs of various sizes located around the shopping center façade to provide tenant signage and 4 directional signs. The illuminated directional signs are 5 feet tall and 2 feet wide. A design review is necessary to increase total wall sign area to 7,502 square feet where 6,648 square feet is the maximum area.

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.)	Percent Increase	# of Existing Signs	# of Proposed Signs	Total # of Signs
Freestanding	0	75	75	3,950	N/A	0	1	1
*Wall	0	7,502	7,502	6,648	13%	0	32	32
Directional	0	40	40	64	N/A	0	4	4
Monument	0	0	0	490	N/A	0	0	0
Projecting	0	0	0	32	N/A	0	0	0
Hanging	0	0	0	32	N/A	0	0	0
Roof	0	0	0	0	N/A	0	0	0
Temporary	0	0	0	1,500	N/A	0	0	0
Overall Total	0	7,617	7,617	12,716	N/A	0	37	37

\*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.)	Percent Increase	# of Existing Signs	# of Proposed Signs	Total # of Signs
Video/LED	0	6,116	6,116	150	3,977%	0	1	1

#### Applicant's Justification

According to the applicant, the signage is appropriate along Las Vegas Boulevard South, and the animated wall sign is similar in size and scale to animated wall signs approved for Harmon Corner (northeast corner of Harmon Avenue and Las Vegas Boulevard South) and the Treasure Island Resort Hotel (southwest corner of Spring Mountain Road and Las Vegas Boulevard South). Furthermore, the sign will not impact street level directional signs and streetlights, and it is positioned to curve away from the existing freestanding sign for the CityCenter/Aria Resort Hotel. Therefore, the sign does not obstruct the view of the existing freestanding sign for the resort complex. Overall, the signage will enhance this iconic intersection and 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-21-0382	Shopping center in conjunction with the CityCenter Resort Hotel	Approved by BCC	August 2021
DR-20-0136	Building modifications including changes to the entrance of an existing lease space in conjunction with a resort hotel (CityCenter)	Approved by ZA	March 2020

### Prior Land Use Requests

Application Number	Request	Action	Date
UC-0749-13	Recreational facility (T-Mobile Arena), fairgrounds, retail sales, restaurants, on-premises consumption of alcohol, accessory commercial uses, and parking reduction that combined parking for CityCenter, New York-New York, Monte Carlo, and the T-Mobile Arena	Approved by BCC	January 2014
UC-0364-09	Reduced parking for Project CityCenter and the Monte Carlo Resort Hotel	Approved by BCC	July 2009
UC-0341-09	Reduced setbacks from right-of-way to outside dining area	Approved by BCC	June 2009
UC-0712-08	Comprehensive sign plan	Approved by BCC	August 2008
DR-0711-08	Landscaping additions (public art)	Approved by BCC	August 2008
UC-0669-07	Increased height of a high-rise tower in conjunction with a resort hotel	Approved by BCC	July 2007
UC-0281-07	Increased height of 4 high-rise towers in conjunction with a resort hotel	Approved by BCC	April 2007
DR-0290-07	Modified the retail portion of an approved resort hotel	Approved by BCC	April 2007
WS-0007-07	Allowed a pedestrian grade system at the intersection of Las Vegas Boulevard South and Harmon Avenue	Approved by BCC	February 2007
DR-1436-06	Landscaping	Approved by BCC	November 2006
UC-1336-06	Modified an approved resort hotel, waiver for non-standard improvements in a right-of-way and landscaping	Approved by BCC	November 2006
UC-0712-06	Modified an approved resort hotel	Approved by BCC	June 2006
UC-0711-06	Modified an approved resort hotel	Approved by BCC	June 2006
UC-0013-06	Resort hotel	Approved by BCC	March 2006

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

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Cosmopolitan Resort Hotel
South & West	Commercial Tourist	H-1	Project CityCenter
East	Commercial Tourist	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**

#### **Current Planning**

##### Use Permits

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

##### Use Permits, Deviations, & Design Reviews

Large, animated signs are an integral part of creating the energy and sense of place along Las Vegas Boulevard South. The proposed signage is similar in scale to other existing signage along Las Vegas Boulevard South, and it will further enhance visual characteristics of the Strip. Furthermore, Urban Specific Policy 20 of the Comprehensive Master Plan, states that all signage should be compatible with building styles on-site and with surrounding developments. 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 the 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

## **PRELIMINARY STAFF CONDITIONS:**

### **Current Planning**

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

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

- No comment.

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

- No comment.

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

**APPLICANT:** CURT CARLSON  
**CONTACT:** CURT CARLSON 7250 PEAK DRIVE, SUITE 216, LAS VEGAS, NV 89128

**DRAFT**



MULTIPLE FAMILY RESIDENTIAL  
DEVELOPMENT  
(TITLE 30)

HARMON AVE/ALDEBARAN AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0517-MORALLY, JOHN P. REVOCABLE TRUST ETAL & MORALLY, JOHN P. TRS:**

**USE PERMITS** for the following: 1) multiple family residential development; 2) increase density; 3) on-premises consumption of alcohol; 4) restaurants; 5) retail sales and services; 6) personal services; and 7) financial services.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced setbacks; 2) increase building height; 3) reduce parking; 4) allow tandem parking spaces; 5) landscaping; 6) non-standard improvements within rights-of-way; and 7) alternative driveway geometrics.

**DESIGN REVIEWS** for the following: 1) multiple family residential development with commercial components; and 2) finished grade on 2.0 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the northwest corner of Harmon Avenue and Aldebaran Avenue within Paradise. MN/al/jo (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-20-203-011; 162-20-203-012

**USE PERMITS:**

1. A multiple family residential development in an H-1 Zone per R-5 development standards per Table 30.40-7.
2. Increase density to 92 du/ac per Table 30.50-7 (H-1 Zone) where a maximum of 50 du/ac is standard per Table 30.4-3 (R-5 Zone) (an 83% increase).
3. Permit on-premises consumption of alcohol (supper clubs and/or taverns).
4. Restaurants.
5. Retail sales and services.
6. Personal services.
7. Financial services.

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce the front setback to 16 feet where a minimum of 20 feet is required per Table 30.40-7 (H-1 Zone) and Table 30.40-3 (R-5 Zone) (a 20% reduction).

- b. Reduce the side street (corner) setback to 7 feet where a minimum of 20 feet is required per Table 30.40-7 (H-1 Zone) and Table 30.40-3 (R-5 Zone) (a 65% reduction).
- c. Reduce the setback from a rights-of-way (Harmon Avenue and Aldebaran Avenue) to a minimum of 7 feet where a minimum of 10 feet is required per Section 30.56.040 (a 30% reduction).
2. Increase building height to 89 feet where a maximum of 50 feet is allowed per Table 30.40-7 (H-1 Zone) and Table 30.40-3 (R-5 Zone) (a 78% increase).
3. Reduce parking to 295 spaces where 343 spaces are required per Table 30.60-1 (a 14% reduction).
4. Permit the use of 5 tandem parking spaces where not permitted per Section 30.60.050.
5.
  - a. Permit alternative landscaping along Harmon Avenue where landscaping per Figure 30.64-17 is required.
  - b. Permit alternative landscaping along Aldebaran Avenue where landscaping per Figure 30.64-13 is required.
6. Permit non-standard improvements within the rights-of-way (landscaping benches and trash receptacles) where not permitted per Section 30.52.050.
7.
  - a. Reduce departure distance along Harmon Avenue to 184 feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1 (a 3.2% reduction).
  - b. Reduce driveway throat depth to a minimum of 64 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 54.7% reduction).

**DESIGN REVIEWS:**

1. For a multiple family residential development with commercial components.
2. Increase finished grade to 54 inches (4.5 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 200% increase).

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3250 W. Harmon Avenue
- Site Acreage: 2
- Number of Units: 184
- Density (du/ac): 92
- Project Type: Multiple family residential development with commercial components
- Number of Stories: 7
- Building Height (feet): 89
- Square Feet: 5,063 (commercial components)/(residential units) from 693 to 1,381
- Open Space Required/Provided (square feet): 18,400/45,429
- Parking Required/Provided: 295/343

### Site Plan

There is an existing print shop on the site that will be demolished. The plan depicts a multiple family residential development with commercial components consisting of a single building located in the central portion of the site. The site is located in an H-1 zone; however, Table 30.40-7 requires multiple family residential developments in an H-1 zone to comply with the design standards of the R-5 zone. The residential portion of the project will consist of 184 units on approximately 2 acres with a density of 92 dwelling units per acre. Access to the site will be provided by 2 driveways with the first located on the southwest corner of the site providing access from Harmon Avenue. The second driveway is located on the northeast corner of the site providing access from Aldebaran Avenue. A minimum 27 foot wide access road is located along the north and west sides of the building, which connects the 2 access driveways. Parking for the development will be provided by a parking garage that is incorporated into the design of the building and occupies the first 3 levels of the building. The commercial component of the project is located on the ground level in the eastern portion of the building. The residential units are located on levels 4 through 7 and are designed in a squarish shape around a central courtyard on the fourth level. The courtyard consist of a pool, fire pits, outdoor lounge, and seating and barbeque areas. The building will be set back a minimum of 7 feet from Aldebaran Avenue (east/side street property line), 17 feet from Harmon Avenue (south/front property line), 37 feet from the west (side) property line, and 41 feet front the north (rear) property line.

### Landscaping

The site is required to have a minimum of 18,400 square feet of open space and 45,429 square feet of open space is being provided. The open space includes approximately 10,080 square feet for the central courtyard. The remaining open space consists of indoor recreational and lounge areas for the residents, public areas within the building, and landscape areas located along the streets and property lines.

The plan depicts minimum 5 foot wide landscape areas along the north and west property lines consisting of trees, shrubs, and groundcover. The plan depicts landscape areas along Harmon Avenue and Aldebaran Avenue consisting of trees, shrubs, groundcover, and amenities that include benches, bike racks, and trash receptacles. These landscape areas and amenities extend into the rights-of way.

### Elevations

The building is 7 stories with a maximum height of 89 feet. The building has a flat roof behind a parapet wall and varies in height to break-up the roofline. On the ground floor of the eastern portion of the building where the leasing offices and commercial components are located the exterior of the building will consist of stone veneer with aluminum and glass store fronts. The parking levels of the building will consist of stucco finish in earth tone colors, decorative metal panels, and metal railings. Levels 4 through 7 are the residential units where the exterior of the building consists of stucco finish painted in earth tone colors and decorative metal panels. Each residential unit will have a balcony included with metal railings. Within the portion of the building where the residential units are located there will be accents painted in different shades of blue.

**Floor Plans**

The plans show a 7 story building consisting of a 3 level parking garage, 4 levels of residential units, and commercial space. The parking garage has a total of 295 parking spaces. On level 3 of the parking garage the plan depicts 5 garage spaces with additional parking located in front of the garages (tandem spaces). In addition to providing parking spaces the ground floor of the building includes 5,063 square feet of commercial space, lobby and leasing offices, restrooms, recreational areas for the residents, a mail room, and storage and mechanical areas. Floors 4 through 7 will consist of 184 dwelling units consisting 141, one bedroom units; 35, two bedroom units; and 8, three bedroom units. The units will be between 693 square feet to 1,381 square feet in area.

**Signage**

Signage is not a part of this request. The building elevations depict some signage; however, detailed information was not submitted for the signage.

**Applicant's Justification**

The applicant indicates that there have been prior projects approved for this site of greater density and intensity. The site is located in the central portion of the Las Vegas Valley in close proximity to the Resort Corridor, economic centers and recreation areas. The proposed development is consistent with past approvals in this area and is compatible with existing and planned development in this area.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-1149-05	Reclassified the site to H-1 zoning for a residential condominium development with a density of 99 du/ac, an increase in building height to 510 feet, and a parking reduction of 15.2%	Approved by BCC	September 2005
NZC-1160-04	Reclassified the site to U-V zoning for a mixed-use development at a height of 465 feet and a density of 126.3 du/ac with 33,906 square feet of commercial space	Approved by BCC	November 2004

**Surrounding Land Use**

	Planned land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Warehouse building
South	Commercial Tourist	M-D	Parking lot
East	Commercial Tourist	M-1 & U-V	Office/warehouse buildings & mixed-use development (Panorama Tower)
West	Commercial Tourist	R-E	Electrical substation

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Current Planning**

#### Use Permits

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

#### Use Permits #1 through #7

This proposed project complies in part with Goal 2 of the Comprehensive Master Plan to provide opportunities for a mix of uses such as commercial, office, recreational, entertainment, public facilities, multiple family residential, and other activities within close proximity to each other, both vertically and horizontally. This request also complies with Goal 7 of the Comprehensive Master Plan to provide housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. There are 2 mixed-use developments a U-V zone to the east and southeast of this site, which are developments with commercial and residential components. The proposed project is similar to these developments. Although these are not strictly residential developments, staff finds the project complies with the intent of Urban Specific Policy 4 of the Comprehensive Master Plan to preserve existing residential neighborhood by encouraging development at similar densities as the existing area. The site is designated Commercial Tourist in the Winchester/Paradise Land Use Plan. The central courtyard with its amenities and the indoor lounge and recreation areas comply with Commercial Tourist Policy 80 of the Comprehensive Master Plan to encourage the development of multiple storied residential uses with appropriate indoor and outdoor amenities, and local support commercial uses. This request also complies with Commercial Tourist Policy 81 of the Comprehensive Master Plan to encourage a diversity of land uses within multiple storied structures. Additionally, there have been past approvals on this site for projects of greater density and intensity than the proposed project. Therefore, staff finds the proposed uses are appropriate at the proposed location and will not result in a substantial or undue adverse effect on adjacent properties.

#### Waivers of Development Standards

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

#### Waiver of Development Standards #1a through #1c

This site is located in an H-1 zone but because it is a residential development it is required to comply with the development standards of the R-5 zone, which requires 20 foot setbacks from the front and side street property lines. Nonresidential developments in the H-1 zone are required to have a minimum 10 foot setback from the front and side street property lines. The proposed building is set back a minimum of 17 feet from Harmon Avenue, the front property line. Aldebaran Avenue is the side street, and the plans depict a minimum setback of approximately 7 feet at the southeast corner of the building and a maximum setback of



approximately 9 feet at the northeast corner of the building. Staff is concerned about the proposed reductions from Aldebaran Avenue. The narrowest portion of this setback at the southeast corner of the building is close to the intersection of Aldebaran Avenue and Harmon Avenue. The building is set back 37 feet from the west property line and 41 feet from the north property line. Additionally, staff finds the applicant has not provided a sufficient justification to warrant approval for setback reductions of less than 10 feet. Since the H-1 zone allows a minimum 10 foot setback for nonresidential developments from the front and side street property lines staff can support a reduction to 10 feet for these setbacks and supports waiver #1a. However, staff does not support reducing the setbacks from the street to less than 10 feet and recommends denial of waivers #1b and #1c.

#### Waiver of Development Standards #2

This is a unique request; the applicant is requesting to have a maximum building height of 89 feet. The site is located in an H-1 zone which allows building heights up to 100 feet, except for residential developments which are required to comply with the R-5 development standard, which allows a maximum height of 50 feet. To the east and southeast of this site are mixed-use developments with buildings up to 500 feet in height. There have been past approvals for developments on this site with buildings up to 510 feet in height. Since there are existing buildings in this area that tower over the proposed structure, there have been taller buildings approved for this site, and the proposed height of the building is lower than the allowed height for nonresidential development in an H-1 zone, staff has no objection to the increase in building height.

#### Waiver of Development Standards #3

The proposed development will consist of residential and commercial uses. The applicant calculated all the commercial area within the development as restaurant uses, which requires 10 parking spaces per 1,000 square feet of floor area to determine the worst case scenario for parking. The applicant is also requesting other commercial uses which only require 4 parking spaces per 1,000 square feet. It is unlikely that all of the commercial area will consist of restaurant use, so the actual parking requirement could be as low as 313 parking spaces which would only be a 5.8% reduction in parking. Traditionally when the commercial uses are open most of the residents will be away, and when the majority of the residents are home it is typically during the hours when the commercial business will be closed. The different hours of operation will help to control parking demand and limit parking conflicts between the residents and the commercial uses. Because the actual parking reduction will more than likely be lower once the commercial uses are established and the uses will have peak parking demands at different times, staff can support the waiver to reduce parking.

#### Waiver of Development Standards #4

The plans indicate there will be 5 garage spaces within the parking area. This request is to allow tandem parking in front of these garages. Staff finds allowing the 5 tandem spaces will have a minimal impact on parking for the project. If the use of these 5 tandem spaces were not allowed the parking for the facility would be reduced to 290 parking spaces which would be a 15.5% reduction in parking. Based on the analysis for waiver #3, staff could still support this reduction. Allowing the 5 tandem spaces is a minor improvement to the parking situation, therefore, staff can support this request.



Waiver of Development Standards #5a & #5b

The plans are depicting alternative landscaping designs along the streets with included amenities like benches and trash receptacles and the design is providing a more pedestrian friendly area. The existing developments in the area have limited landscaping along the streets. The plan proposed by the applicant is providing more landscaping along the street than existing developments have provided. Therefore, staff can support these waivers.

Design Review #1

Staff finds the proposed uses are consistent and compatible with planned and existing uses in the area. Staff also finds that the design of the proposed building is compatible with existing developments in the area. However, staff does not support waiver of development standards #1b and #1c to reduce setbacks from Aldebaran Avenue to less than 10 feet. Therefore, staff cannot support this design review for his project.

**Public Works - Development Review**

Waiver of Development Standards #6

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any improvement placed in the right-of-way. Staff can support waiver of development standards #6 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

Waiver of Development Standards #7a

Staff has no objection to the reduction in the departure distance for the Harmon Avenue commercial driveway. The applicant placed the driveway as far west as the site will allow.

Waiver of Development Standards #7b

Staff has no objection to the reduction in throat depth for the Harmon Avenue commercial driveway. The applicant worked with staff to redesign the site to allow the requested throat depth.

Design Review #2

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

**Department of Aviation**

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

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

continue to upgrade the McCarran International Airport facilities to meet future air traffic demand.

### **Staff Recommendation**

Approval of the use permits, waivers of development standards #1a, #2, #3, #4, #5, #6, #7a and #7b, and design review #2; denial of waiver of development standards #1b and #1c, and design review #1.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

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

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

#### **Department of Aviation**

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment

(AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

**Building Department - Fire Prevention**

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

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0218-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: PETE TRAN**

**CONTACT: PETE TRAN, FORE PROPERTIES, 1741 VILLAGE CENTER CIRCLE, LAS VEGAS, NV 89134**



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <u>675</u> <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <u>475</u> <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <u>675</u> <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>UC-21-0517</u> DATE FILED: <u>9-14-21</u> PLANNER ASSIGNED: <u>A1</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>10-12-21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11-3-21</u> FEE: <u>\$ 1,825<sup>00</sup></u>
	<b>PROPERTY OWNER</b>  NAME: <u>John P. Morally Revocable Trust</u> ADDRESS: <u>6965 El Camino Real, Ste 105</u> CITY: <u>Carlsbad</u> STATE: <u>CA</u> ZIP: <u>92009</u> TELEPHONE: _____      CELL: _____ E-MAIL: <u>jp.morally@gmail.com</u>
	<b>APPLICANT</b>  NAME: <u>Fore Green Development LLC</u> ADDRESS: <u>174 Village Center Circle</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-851-1644</u> CELL: <u>702-523-5794</u> E-MAIL: <u>aburk@foreproperty.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>Alison Burk</u> ADDRESS: <u>174 Village Center Circle</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-851-1644</u> CELL: <u>702-523-5794</u> E-MAIL: <u>aburk@foreproperty.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 162 - 20 - 203 - 012, 011  
 PROPERTY ADDRESS and/or CROSS STREETS: 3250 W. Harmon Ave.  
 PROJECT DESCRIPTION: 185 apartments with retail and amenity space.

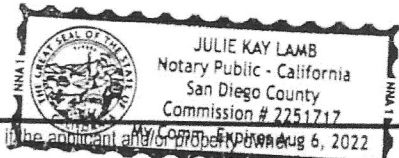
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF CALIFORNIA  
 COUNTY OF STANBURY  
 SUBSCRIBED AND SWORN BEFORE ME ON 3-15-21 (DATE)

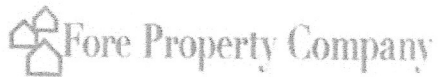
By [Signature]  
 NOTARY PUBLIC [Signature]

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.



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

APR-21-100356



Fore Property Company  
1741 Village Center Circle  
Las Vegas, NV 89134  
Phone: 702-562-6050 ext. 2261  
E-fax: 702-853-2117  
[ptran@foreproperty.com](mailto:ptran@foreproperty.com)

August 16, 2021

Clark County Department of Comprehensive Planning  
500 S. Grand Central Parkway  
Las Vegas, NV 89155-1741  
(702) 455-4314

Re: Revised Pre-submittal Filing Package APR-21-100356 (APN: 162-20-203-011, 012)

Aldebaran Apartments (3250 W Harmon) Project Description:

Please find attached our response to the planning and public works comments for the Aldebaran submittal APR-21-100356.

It is our intention to revitalize a 2.02 acre parcel at 3250 W. Harmon Ave into a walkable development. The parcel is currently zoned H-1. The current zoning and overlay allow for this type of project under Special Use Permits. In 2005 the site was approved for a 99 units to the acre under ZC-1149-05.

We intend to tear down the existing printing press and build 184 multi-family rental units with approximately 6,000 square feet of ground floor commercial/retail space and an attached parking structure. Four floors of multi-family units will reside over three floors of parking and ground-floor retail. Our initial submitted plans had included 185 units and one unit was deleted to accommodate comments from Comprehensive Planning and Public Works. We request consideration for approval of 185 multifamily units as initially applied.

The building will not exceed the 100 feet allowable. The Roof line is currently just under 81 feet. There are some parapets and design features that are not over 90 feet but stay within the allowable 100 feet. Previously the site was approved for a building that was 510 feet and the neighboring uses to the east and southeast are 420 to 500 foot towers. As the county is in process of changing the code we will be applying for a special use permit to seek a density of 92 units to the acre under the H-1 zoning. We are also seeking a special use permit for the retail space under the following allowed uses: 1) Alcohol on premises 5800 2) Financial Services 6100 3) Personal Services 6200 4) Restaurant Space 5800 5) Retail Sales and Service 5900 6) Apartments 1100

The project site is located less than a 1/2 from the Strip and is central to all of Las Vegas' communities and employment centers. Over the past 6 years we have developed 2 projects in the submarket, which have been well received by residents and truly offer Class A rental living in an area which before did not exist. This site is

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the closest to the strip and offers residents a truly walkable experience. A short 5-minute walk allows residents to enter Aria, Vdara, The Crystal Shops, and Cosmopolitan.

#### Requested Design Review

- To increase the grade up to 4.5 feet where 18 inches is allowed. The proposed finish floor has been set at the minimum elevation to meet current drainage criteria. This buildings footprint is larger than the existing building and the area being filled over 18" is a result of the existing parking lot sloping towards the street that will now be within the building footprint.

#### Requested Waivers of Development Standards

In response to initial response comments from Public Works and Comprehensive Planning, we would like to request the following waivers of development standards:

- *To allow nonstandard improvements within a right-of-way (landscaping). As a condition of approval, we are prepared to enter into a License and Maintenance Agreement.*
- *To reduce the minimum setback of 10 feet from a right-of-way*
  - *There is a 10' building setback on both Harmon and Aldebaran. Along Aldebaran, the ROW/property lines vary in width when it transitions to Harmon Ave. The building envelope generally responds to the property line setback by stepping back but encroaches into the building setback along the northeast face of the building. The encroachment is approximately 3'. We are requesting a reduction to a 7' building setback.*
  - *The corner of the building encroaches 2'-6"*
    - *We are requesting a reduction to a 7' setback.*
  - *The building cantilever at the roof line encroaches 7'-6" over the setback line. If applicable, we are requesting a reduction to a 2' setback.*
- *To reduce the required 20 foot front and side street setback for multiple family residential in an H-1 zone (R-5 standards)*
  - *The minimum setbacks to be provided:*
    - *7'-1" to the east side of the property line (facing Aldebaran Ave)*
    - *16'-9" to the south side of the property line (facing Harmon Ave)*
    - *38'-9" to the north side of the property line*
    - *37'-0" to the west side of the property line*



- To reduce the provided parking
  - Shared Parking Schedule: to 295 spaces, a variance of 7.2%. Current calculations project a variance of 1.9% but we are requesting a minor additional buffer to accommodate potential site plan adjustments introduced in pursuit of building permits and to account for any changes due to constructability of the project for example the way the columns need to lay out and be supported in the parking areas as construction drawing progress. The limited size constraints of the site poses tremendous challenges in integrating utility and life safety systems. This extra parking buffer will help to accommodate unexpected requirements to locations of fire risers, electrical rooms, backup generators, etc. We have also accounted for a parking count of 10 spaces for our commercial area based on 100% of the space being restaurants which requires 10 spaces per 100 square feet, whereas retail is only 4 spaces per 1000 square feet. At this time we do not know the exact user of the space so we are calculating at the highest use so we don't have an issue on the backend if it is all restaurant space. We are well below other waivers received on other projects in the area we have built in Las Vegas with larger parking reductions and have not had any issue with parking for tenants. At JADE on Twain Ave we received a parking waiver of 19.7% and at Lotus on Procyon Street we received a parking waiver of 9.9% reduction.
  - Not using a Shared Parking Schedule: Not incorporating the Shared Parking Schedule to accommodate for the Project's mixed-use component, the Project would require 343 parking spaces. Actual tenants have not yet been secured so we are including the highest parking requirements (restaurant usage) in our calculations as a worst-case scenario. As we requested under the Shared Parking Schedule scenario, we are again requesting to provide 295 total parking spaces, a 14.0% parking reduction.
- To allow (5) five tandem parking spaces where not permitted per Section 30.60.050.
- To reduce the **throat depth** to:
  - At the driveway along Harmon Ave
    - 64 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 57% reduction).
  - At the driveway along Aldebaran Ave
    - 88 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 41% reduction).
  - The primarily residential use of this project would dictate a lower volume of vehicular traffic compared with other commercial uses. No gates or other impediments to traffic will be implemented within these areas.
- To allow for alternative landscaping along Harmon Avenue where landscaping is required per Figure 30.64-17 and for alternative landscaping along Aldebaran Avenue where landscaping is required per Figure 30.64-13.

- Along Harmon Ave: The 15' landscape area has a combination of a 5' landscape band with a secondary row of trees encompassed by enhanced paving and streetscape element.
- Along Aldebaran Ave: Landscape area is less than 50% coverage in the landscape area. However, the pedestrian realm has shrubs, trees, and hardscape features appropriate for a commercial development. The landscape area varies in width from 31' max to 12'-3" min. It has an average width of 19'. The building is a mixed use commercial and residential development.
- To reduce the Departure Distance to 184' from the intersection of Harmon Ave/Aldebaran Ave to the Harmon Ave commercial driveway, where 190' is normally required.

Responses to 2<sup>nd</sup> set of Comprehensive Planning comments are attached below.

The justification letter indicates the project consists of 185 units; however, the unit mix and area tabulations table indicates the project consists of 184 units. Please amend the justification letter and plans to depict the same number of units. Addressed to reflect 184 units

In the justification letter please add the following information:

- For bullet point #2 the setback from a right-of way please list the minimum setback to be provided – A reduction to X? feet where a minimum of 10 feet is required. Please be sure to depict this setback dimension of the site plan. Addressed
- For bullet point #3 the front and side street reductions please list the minimum setbacks to be provided like in the example above and also be sure to depict this on the site plan. Addressed
- For bullet point #6 please make sure the approach distance is depicted on the site plan.
  - \* Correction: The waiver request for "approach distance" was corrected to "throat depth"
- Please add a request for a waiver of development standards for alternative landscaping along Harmon Avenue where landscaping is required per Figure 30.64-17 and for alternative landscaping along Aldebaran Avenue where landscaping is required per Figure 30.64-13. Addressed

The documents uploaded as the site plan and the floor plans appear to be duplicates. Please separate the site plan from the floor plans and upload these as separate documents in the prereview file. Noted.

The plans indicate that 309 parking spaces are provide which includes 7 handicapped spaces. per Table 30.60-5 this facility is required to have a minimum of 8 handicapped parking spaces, please amend the plan to show compliance with Table 30.60-5. Additionally, per figure 30.60-5 handicapped spaces required to have a minimum stall length of 20 feet. The plans are depicting handicapped spaces with a stall length of 18 feet. Per Section 30.60.060.d the standards for handicapped spaces cannot be waived. Please amend the plans to show handicapped parking stalls in compliance with the standards of Figure 30.60-5 and Table 30.60-5 9 handicap spaces are now provided, where 8 are required. Dimensions have been corrected to reflect 20' stall lengths.

For the parking analysis please round the parking up to the next whole number. The parking waiver should be based on the highest number to lowest in a worse case situation. The project is required to have a total of 350 parking spaces and 309 are being provided. Therefore, the request would be to reduce parking from 350 to 309 an 11.7% reduction. To allow for the buffer described in the justification letter you could request a reduction to 298 spaces which is a 14.9% reduction. Depending on the justification you provide, and mitigation measures you propose within the justification letter, it is possible that staff could support this reduction. A minimum of 1 loading space that is 10 feet wide and 25 feet in length is required for the project based on the commercial square footage. Please add the dimensions of the loading space to the site plan.

Updated the parking waiver request to include calculations under both a 1) Shared Parking Schedule, and 2) Worst case scenario not factoring Shared Parking Schedule allowances. Calculation rounding guidance addressed. Dimensions of loading space added.

Please provide a detailed floor plans to depict an example of each of the residential units with dimensions and area of the units depicted on the plans. Addressed.

Responses to comments by Public Works and Comprehensive Planning:

Public Works Comments & Responses, 2<sup>nd</sup> Set

Please see the Public Works comments below:

The original comments are in black. The new comments are in red. [Please see our corresponding responses in BLUE]

Justification letter:

- The waiver request for the approach distance will change. If it is needed (see below).
  - Approach distances exceed the 150' minimums, waivers not required. Previous request corrected to request a "Throat Depth" waiver

Site Plan:

- Label and show the throat depth on both sides for both commercial driveways, measured from the PT/PC to the first area of conflict with a minimum distance of 150 per Uniform Standard Drawing 222.1. Not provided. The throat depth measurements will be different due to the back of curb radii. Addressed
- Label and show the departure and approach distances to both commercial driveways on the site per Uniform Standard Drawing 222.1. Correct both the departure and approach distances. The measurements should be from the PC/PT of the intersection of Harmon Avenue/Aldebaran Avenue to the PT/PC of the commercial driveways. Refer to Uniform Standard Drawing 222.1. Addressed
- Make sure the entire ADA ramp on the commercial driveways are on the site, this might require them to shift in location. Show the ADA ramp location of the south side of the Aldebaran Avenue commercial driveway. Addressed

Grading/cross section Plan:

Provide a grading/cross section plan in compliance with 30.32.040(a)(9). The grading/cross section plan is not in compliance with 30.32.040(a)(9). Attached are examples of approved plans. Provided

- Be submitted with any subdivision map or any non-single family development.
- Extend a minimum of 100 feet beyond the limits of the development site. Measurements shall be made from the centerline of adjacent streets or from the property line where no street exists. The Zoning Administrator may require cross sections that extend more than 100 feet.
- Show proposed and existing grades, building locations, and building height information for the development site.
- Show the existing finished grade of structures on abutting developed properties or existing grade on undeveloped abutting properties.
- Any request to increase the finished grade over 18 inches shall be considered by the Board through a Design Review as a public hearing.
- Label any increase over the minimum 18 inches on the plan.
- Add horizontal lines in 1 foot increments for the elevations. Addressed
- Provide a cross section showing the improvements for Harmon Avenue and Aldebaran Avenue. Not provided. Provided

Comprehensive Planning Comments & Responses, 1<sup>st</sup> Set

*The following comments are based on the plans submitted. Please review these comments and revise the plans and/or provide additional information for further review and application submittal.*

*The site is currently zoned H-1 and the uses being requested in the justification letter for this project are allowed in the H-1 zone with the approval of a use permit. The justification letter mentions the MUD-1 overlay district and the U-V Urban Village zoning district. The County is in the process of updating the Zoning Ordinances and the Comprehensive Master Plan. As part of this update the County is looking at phasing out the MUD Overlay Districts and the U-V zoning district. Therefore, this project should be developed with the existing H-1 zoning with requests for use permits to allow a multiple family residential with commercial uses being retail sales, restaurants, offices, personal services, etc.*

*In the H-1 zone Table 30.40-7 note 3 allows residential developments to R-5 standards; however, residential densities up to 100du/ac are allowed if the development complies to the MUD-1 standards for open space, height, and pedestrian realms. Since the County is no longer using the standards of the MUD Overlay districts, this project will be reviewed based on the design standards for the H-1 and R-5 zoning districts and as a part of your use permit request the Board will consider the design for your project. The site will not have to provide the pedestrian realm and open space to the MUD-1 standards.*

*Based on the site plan please amend the justification letter to include requests for the following; Waiver requests amended*

- *To allow nonstandard improvements within a right-of-way (landscaping)*
- *To reduce the minim setback of 10 feet from a right-of-way*
- *To reduce the required 20 foot front and side street setback for multiple family residential in an H-1 zone (R-5 standards)*

*On the floor plan for the parking garage levels please provide dimensions for the handicapped parking stalls, the access aisles adjacent to the handicapped stalls, the drive aisle widths. Amended*

*Please label the amenities within the sidewalk/pedestrian realm area - benches, bike racks etc. Amended*

*Please provide more information about the pool and pool deck level. The are of this space and please show and proposed amenities/recreational facilities – bar-b-que area, fire pits, etc. Amended*

*The FAA document that was uploaded into the file is faded and not legible. Additionally, based on the overall height of the building and information available to staff, this letter may not be necessary for the proposed project. Please Check with Anthony Perkins of the Clark County Department of Aviation at [anthonyper@mccarran.com](mailto:anthonyper@mccarran.com) for additional information about height standards and FAA notifications. If documentation from the FAA/DOA is required, please delete the current letter, and upload a legible copy. If no documentation is needed, then please delete the current copy from the file. Current copy deleted from the file.*

*Please provide a site plan that does not include the floor plan for the parking garage. The site plan should be a bird's eye view of the site depicting the roof lines of the building and in the case of this project the public area in the center of the building. Since you are providing a separate landscape plan, please remove the landscaping information from the site plan. Also, for the landscape plans do not depict the floor plan for the parking garage.*

*Amended.*

*According to the Transportation Element of the Clark County Comprehensive Master Plan, Harmon Avenue is a collector street. The height/setback per Section 30.56.040.d.4 and Figure 30.56-4 are required for project adjacent to arterial streets and would not apply to this project. Please delete the information from the plans that depict the height/setback from Harmon Avenue. Amended*

*Public Works has sent you their comments by a separate email. For any plans and documents that have to be amended you will have to go back into the ACA Portal and upload the revised plans and/or documents. Please delete the older copies of any plans and/or documents that are being amended. Once you have uploaded any revised plans and/or documents please email me so that I can review these. Once all Current Planning and Public Works comments and concerns have been addressed the application can be accepted and scheduled for meetings. Please see addressed comments above.*

We look forward to discussing this development opportunity soon.

Best Regards,



Alison Burk  
Vice President  
702-851-1644  
[aburk@foreproperty.com](mailto:aburk@foreproperty.com)



CANNABIS CULTIVATION  
(TITLE 30)

PEPPER LN/PECOS RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-21-0527-PEPPER LANE HOLDINGS, LLC:**

**USE PERMIT** to allow a cannabis establishment (cultivation) in conjunction with an existing office/warehouse building on 0.5 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/jor/jd (For possible action)

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**RELATED INFORMATION:**

**APN:**  
162-36-703-008

**LAND USE PLAN:**  
WINCHESTER/PARADISE BUSINESS AND DESIGN/RESEARCH PARK

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3345 Pepper Lane
- Site Acreage: 0.5
- Project Type: Cannabis establishment (cultivation)
- Number of Stories: 3
- Building Height (feet): 43
- Square Feet: 20,904
- Parking Required/Provided: 20/22

**Site Plan**

The site plan depicts an existing office/warehouse building on the southwest corner of an office/warehouse complex that includes 5 other buildings. The subject site 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. The site provides 22 parking spaces where 20 parking spaces are required per the proposed use.

Landscaping

Existing landscaping is located within a landscape planter along the north and west property lines of the overall complex, and within the parking lot landscape finger islands. No new landscaping is required or a part of this request.

Elevations

The existing 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 stucco and windows on all 4 elevations. No other exterior changes are proposed.

Floor Plans

Since the first floor garage will be converted into useable floor space for the cannabis cultivation establishment, 17 parking spaces will be removed. However, the plan shows that 22 parking spaces are still available where 20 parking spaces are required per Title 30. The floor plans include rooms for the plants, offices, restrooms, breakroom, storage, and other ancillary spaces for the business.

Signage

Signage is not a part of this request.

Applicant's Justification

The justification letter states that the applicant is proposing a cannabis cultivation facility operating 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.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
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
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

\*Additional land use applications have been approved within this office/warehouse complex.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Business and Design/Research Park	M-D	Commercial complex
South	Business and Design/Research Park	M-D	Office/warehouse building & industrial buildings
East & West	Business and Design/Research Park	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**

**Current Planning**

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

The separation survey indicates that all required separations are being met. The crime report indicates that there were 86 occurrences within 1 mile of the facility over the 60 days prior to submittal of this application.

Staff finds that the proposed cannabis cultivation use will not have an undue adverse effect on adjacent properties and the character of the neighborhood. Furthermore, the request is in harmony with the goals and objectives of the Comprehensive Master Plan, specifically Goal 1 to promote economic viability, employment opportunities with developments that are compatible with adjacent land uses, the natural environment, and are well integrated with appropriate circulation systems, services, and facilities.

**Department of Aviation**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- A valid Clark County business license must be issued for this business within 2 years of approval or the application will expire;
- To prevent odor nuisances, an odor control plan must be submitted to the Clark County Business License Department.
- Applicant is advised that the 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.

**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:** GB SCIENCES NOPAH, LLC

**CONTACT:** ADAM FULTON, ADAM FULTON, ESQ., 2580 SORREL STREET, LAS VEGAS, NV 89146



# CANNABIS ESTABLISHMENT APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION FOR REVIEW (AR) (ORIGINAL APPLICATION #) <b>CANNABIS ESTABLISHMENT</b> <input checked="" type="checkbox"/> CULTIVATION FACILITY <input type="checkbox"/> DISPENSARY <input type="checkbox"/> INDEPENDENT TESTING LABORATORY <input type="checkbox"/> PRODUCTION FACILITY <input type="checkbox"/> RETAIL CANNABIS STORE	<b>STAFF</b> APP. NUMBER: <u>UC-21-0527</u> DATE FILED: <u>9/15/21</u> PLANNER ASSIGNED: <u>JOR</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>10/12/21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11/3/21</u> FEE: <u>\$5000.00</u> + NOTICE FEE \$175 = <u>\$5,175</u>
	<b>PROPERTY OWNER</b> 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>702-994-7799</u> CELL: _____ E-MAIL: <u>brian@twelve12nv.com</u>

<b>APPLICANT</b>	NAME: <u>GB Sciences Nopah, LLC</u> ADDRESS: _____      CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: _____ TELEPHONE: _____      CELL: _____ E-MAIL: _____      REF CONTACT ID #: _____
------------------	--

<b>CORRESPONDENT</b>	NAME: <u>Adam R. Fulton, Esq.</u> ADDRESS: <u>2580 Sorrel Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>702-979-3565</u> CELL: <u>702-701-3869</u> E-MAIL: <u>afulton@jfnvlaw.com</u> REF CONTACT ID #: <u>171651</u>
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ASSESSOR'S PARCEL NUMBER(S): 16236703008

PROPERTY ADDRESS and/or CROSS STREETS: Pepper Lane and S. Pecos Road      3345 PEPPER LN

PROJECT DESCRIPTION: Cannabis Cultivation Establishment - Medical and Adult Use

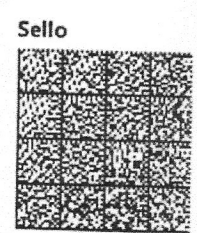
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF Puerto Rico  
 COUNTY OF \_\_\_\_\_

SUBSCRIBED AND SWORN BEFORE ME ON May 24th 2021 (DATE) Guaynabo

By \_\_\_\_\_  
 NOTARY PUBLIC: Magisabel PR



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

*Legal one, executor, resident of Guaynabo, married and known to me*

LAW OFFICES  
JENNINGS & FULTON, LTD.  
2580 SORREL STREET  
LAS VEGAS, NV 89146

TELEPHONE  
(702) 979-3565  
TELECOPIER  
(702) 362-2060

May 31, 2021

UC-21-0527

Sammy Real, Planning Manager  
500 Grand Central Pkwy, 1<sup>st</sup> 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 Ms. Real:

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 of 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 on site 24/7 365 days a year.

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 employees and the general public, as well as the building and its contents. Moreover, there is more than adequate water and power available to supply the proposed cultivation of marijuana.

PLANNER  
COPY

Page 1 of 2

14



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.

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,

*Adam R. Fulton, Esq*  
Adam R. Fulton, Esq

CANNABIS ESTABLISHMENT  
(DISTRIBUTOR)  
(TITLE 30)

PONDEROSA WY/VALLEY VIEW BLVD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-21-0542-STONEGATE INVESTMENTS 2016:**

**USE PERMIT** for a cannabis establishment (distributor) in conjunction with a previously approved cannabis facility on 0.7 acres in an M-1 (Light Manufacturing) (AE-65) Zone.

Generally located on the south side of Ponderosa Way, 1,100 feet west of Valley View Boulevard within Paradise. MN/jvm/xx (For possible action)

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**RELATED INFORMATION:**

**APN:**  
162-31-611-008

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

**BACKGROUND:**  
**Project Description**

**General Summary**

- Site Address: 4071 Ponderosa Way
- Site Acreage: 0.7
- Project Type: Cannabis distributor
- Number of Stories: 2
- Building Height (feet): 27
- Square Feet: 19,960
- Parking Required/Provided: 40/29

**Site Plans & Landscaping**

The plans show an existing office/warehouse building located along the west property line. The purpose of this application is to add a cannabis distributor use to the existing cannabis facility. The parking and drive aisle are located on the east side of the building, with the majority of the parking area located behind a gated fence. Access to the site is from Ponderosa Way. No changes are proposed or required to the exterior of the building, site, or landscape areas.

**Elevations**

The plans depict an existing 2 story, 27 foot high building constructed of concrete tilt-up panels, stucco finish, metal canopies, and opaque glazing.

Floor Plans

The plans show the following:

- Vegetative rooms
- Flowering rooms
- Drying rooms
- Propagation room
- Office space
- Loading area
- Restrooms

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the proposed location meets all requirements found in NRS 678 A-D and Clark County Title 30.44-1. In addition, the property is zoned M-1 and is at a distance of at least 1,500 feet from a business that holds a non-restricted gaming license, 1,000 feet from any school, and 300 feet from a community facility.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ADR-21-900634	Retail cannabis establishment (cultivation)	Approved by ZA	June 2017
ADR-21-900635	Retail cannabis establishment (production)	Approved by ZA	June 2017
WS-0885-14	Second floor addition and reduce parking	Approved by BCC	December 2014
UC-0434-14	Medical cannabis establishment (production)	Approved by BCC	June 2014
UC-0429-14	Medical cannabis establishment (cultivation)	Approved by BCC	June 2014
ADR-0169-02	Administrative design review for the existing office/warehouse building and site improvements	Approved by ZA	February 2002

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North, East, & West	Industrial	M-1	Office/warehouse
South	Industrial	M-1	Union Pacific Railway & office/warehouse

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Current Planning**

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

The separation survey indicates that all required separations are being met. The crime report indicates that there were 78 occurrences within 1 mile of the facility over the 60 days prior to submittal of this application.

Staff finds that the proposed cannabis distributor use will not have an undue adverse effect on adjacent properties and the character of the neighborhood. Furthermore, the request is in harmony with the goals and objectives of the Comprehensive Master Plan, specifically Goal 1 to promote economic viability, employment opportunities with development that is compatible with adjacent land uses, the natural environment, and is well integrated with appropriate circulation systems, services, and facilities. Therefore, staff can support the request.

### **Department of Aviation**

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

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- A valid Clark County business license must be issued for this business within 2 years of approval or the application will expire.
- 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.

**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.

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

**APPLICANT:** SILVER SAGE WELLNESS, LLC  
**CONTACT:** CONNOR & CONNOR PLLC, 2580 ANTHEM VILLAGE DRIVE,  
HENDERSON, NV 89052

**DRAFT**

PARKING LOT  
(TITLE 30)

SUNSET RD/SURREY ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ZC-21-0519-DPIF2 NV 7 SUNSET ROAD, LLC:**

**ZONE CHANGE** to reclassify 0.6 acres from an R-E (Rural Estates Residential) (AE-65) Zone to an M-D (Designed Manufacturing) (AE-65) Zone.

**DESIGN REVIEW** for the expansion of a parking lot in conjunction with a distribution center on a portion of 9.6 acres.

Generally located on the south side of Sunset Road and the west side of Surrey Street within Paradise. JG/sd/jd (For possible action)

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**RELATED INFORMATION:**

**APN:**  
177-02-501-021; 177-02-501-038

**LAND USE PLAN:**  
WINCHESTER/PARADISE - BUSINESS AND DESIGN/RESEARCH PARK

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

- Site Address: 6639 Surrey Street & 6550 Bruce Street
- Site Acreage: 9.6
- Project Type: Parking lot expansion
- Number of Stories: 1
- Building Height (feet): 43
- Square Feet: 151,200 (distribution center)
- Parking Required/Provided: 371/115

**Site Plans**

The plans depict an approved 151,200 square foot distribution center consisting of a single building located in the central portion of the site. The site is bounded by public right-of-way on the north, east, and west sides of the property. Access to the site is provided from Sunset Road, Surrey Street, and Bruce Street. The loading and service areas are located on the east side of the building. Parking for the facility is located along the west, south, and north perimeters of the parcel. The service area that contains overhead doors and loading docks are screened from public view by a 6 foot high masonry wall. The current request is to re-zone a vacant property currently



zoned R-E to an M-D zone, which would allow for an expansion of parking lot associated with the distribution center. Cross access is provided between the 2 parcels in order to allow employee parking.

Landscaping

The street landscaping consists of a 23 foot wide landscape area behind an existing attached sidewalk along Sunset Road, and a minimum 27 foot wide landscape area behind an attached sidewalk along Bruce Street. Along Surrey Street, a 22 foot wide landscape area with a double row of trees is shown along street frontage since this project is across the street from a multiple family apartment complex. Additionally, the project provides a 6 foot high masonry wall along a portion of this street frontage. Interior to the site, landscaping is distributed throughout the parking lot and around portions of the building footprints. The landscape materials include large trees, shrubs, and groundcover.

Elevations

The building will be 43 feet high and constructed of concrete tilt-up panels with glass store fronts, and vertical/horizontal reveal lines, and color changes. The height of the building varies slightly from 35 feet to 43 feet and has been designed to break-up the roofline and enhance the overall look of the building. The loading dock area will be located on the east side of the building and screened from public view by a wall and intense landscaping.

Floor Plans

The plans depict an open floor plan for warehouse storage and processing of goods in open bays.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the original application for a distribution center was heard and approved at an earlier date. The applicant had acquired the adjacent parcel, 177-02-501-021 and is rezoning the parcel so they can construct an expanded parking lot. The applicant indicates this site has been designed to be compatible with the surrounding area as well as most of the objectives of Title 30 and the Comprehensive Master Plan.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-19-0542	Reclassified R-E and M-1 to M-D zoning, waivers for permit encroachment into airspace and modified driveway design, design review for distribution center, and increase grade	Approved by BCC	September 2019
ZC-321-88	Reclassified a portion of this site to M-1 zoning for an office/warehouse building with outside storage of vehicles and equipment	Approved by BCC	December 1988

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Public Facilities	P-F	McCarran Airport
South	Business and Design/Research Park	R-E & M-D	Undeveloped, & converted residence into a transportation service facility
East	Business and Design/Research Park	C-2 & R-4	Undeveloped, hotel, & multiple family apartment complex
West	Business and Design/Research Park	M-D	Office/warehouse

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Zone Change & Design Review

The zone change that is part of this application is on APN: 177-02-501-021, which the applicant is requesting a zone change from R-E to an M-D zone to be used for parking in conjunction with the main parcel and will allow for additional parking for the distribution center. The project complies with Urban Land Use Policy 99 of the Comprehensive Master Plan which promotes ensuring that Business and Design/Research Park developments are complementary with abutting uses through site planning and building design. The proposed adjacent parking lot to be associated with the approved distribution center will incorporate the requisite landscape and design standards that currently exists. Cross access is shown with the main parcel where the distribution center will be constructed. Therefore, staff can support these requests.

**Department of Aviation**

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

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

**Staff Recommendation**

Approval.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Current Planning**

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- 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 design review must commence within 2 years of this approval date or it will expire.

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

- Drainage study and compliance.

### **Department of Aviation**

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

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

- Applicant is advised that the CCWRD is unable to verify sewer capacity based on this zoning application; you may find instruction for submitting a Point of Connection (POC) request on the CCWRD's website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

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

**APPLICANT:** TREASEA WOLF

**CONTACT:** TREASEA WOLF, KIMLEY-HORN, 6671 LAS VEGAS BLVD., SOUTH,  
SUITE 320, LAS VEGAS, NV 89119

**DRAFT**



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>2C-21-0519</u> DATE FILED: <u>9/14/21</u> PLANNER ASSIGNED: <u>SWD</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>10/12/21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11/3/21</u> FEE: <u>\$1,725</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Peter &amp; Lynda Lou Post</u> ADDRESS: <u>6639 Surrey Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: _____      CELL: <u>209-601-1177</u> E-MAIL: <u>hoppypost@gmail.com</u>
	<b>APPLICANT</b>  NAME: <u>DPIF2 NV 7 Sunset Road LLC</u> ADDRESS: <u>5500 Equity Avenue</u> CITY: <u>Reno</u> STATE: <u>NV</u> ZIP: <u>89502</u> TELEPHONE: <u>775.335.0172</u> CELL: <u>702.743.7673</u> E-MAIL: <u>jramous@dermody.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Treasea Wolf c/o Kimley-Horn</u> ADDRESS: <u>6671 Las Vegas Blvd. South, Suite 320</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702.786.1830</u> CELL: <u>702.683.1107</u> E-MAIL: <u>treasea.wolf@kimley-horn</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-02-501-021

PROPERTY ADDRESS and/or CROSS STREETS: SEC Sunset & Bruce

PROJECT DESCRIPTION: proposed parking lot for adjacent industrial development

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

Peter H. Post  
Property Owner (Signature)\*

PETER H. POST  
Property Owner (Print)

STATE OF California  
COUNTY OF Stanislaus

SUBSCRIBED AND SWORN BEFORE ME ON Aug. 26, 2021 (DATE)

By Peter H. Post  
NOTARY PUBLIC: Lisa K. Miller



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\*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.

# Kimley»Horn

June 21, 2021  
Project No. 092272001

Clark County  
Current Planning  
500 South Grand Central Pkwy.  
Las Vegas, Nevada 89155

## **RE: JUSTIFICATION FOR CAE AT SUNSET ROAD – CONFORMING ZONE CHANGE & DESIGN REVIEW**

To Whom It May Concern:

This letter is to provide justification, for the request by DPIF2 NV 7 Sunset Road LLC and Peter & Lynda Post, for a conforming zone change and design review for an industrial warehouse/distribution project on APN's 177-02-501-038 & 177-02-501-021.

APN 177-02-501-021 is currently zoned R-E and mater planned BDRP – Business and Design/Research Park. The current project is zoned M-D, Design Manufacturing. We are requesting to rezone APN 177-02-501-021 to M-D, which is in conformance with the Planned Land Designation of Business Design and Research Park.

The previous application on this project site is ZC-19-0542. The approved design review and waivers from that application still apply to this project. The building floorplan and elevations are not changing. The majority of the site plan is also not changing. The developer of the project site has acquired a tenant that requires additional parking so they are acquiring the adjacent parcel, 177-02-501-021, and rezoning it so they can construct additional parking on the project site. The site plan has also been modified at the northeast corner to remove some loading dock areas to convert to vehicle parking for the tenant specific needs as well as reconfigure the south parking lot to add the acquired parcel. The landscape plan has been revised accordingly.

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We look forward to working with Current Planning for a favorable recommendation for this Conforming Zone Change and Design Review. Please do not hesitate to contact me if you have any questions or require any additional information.

Sincerely,  
Kimley-Horn



Treasea Wolf, P.E.

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