



# PARADISE TOWN ADVISORY BOARD

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV 89121

November 10, 2020

7:00pm

## AGENDA

### Note:

- Social distancing will be practiced during this meeting. You will be asked to keep appropriate spacing (six (6) feet) away from other meeting attendees.
- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Secretary Name at Secretary's Phone Number and is/will be available on the County's website at [www.clarkcountynv.gov](http://www.clarkcountynv.gov).

Board/Council Members: Jon Wardlaw - Chairperson  
 John Williams, Vice Chairperson  
 Susan Philipp  
 Bart Donovan

Secretary: Maureen Helm 702-606-0747, [mhelmtab@gmail.com](mailto:mhelmtab@gmail.com)

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

- I. Call to Order, Pledge of Allegiance, Roll Call, and County Staff Introductions
- II. Public Comment- This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board/Council about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.
- III. Approval of Minutes for October 27, 2020. (For possible action)

**BOARD OF COUNTY COMMISSIONERS**  
 MARILYN KIRKPATRICK, Chair • LAWRENCE WEEKLY, Vice Chair  
 LARRY BROWN • JAMES B. GIBSON • JUSTIN C. JONES • MICHAEL NAFT • TICK SEGERBLOM  
 YOLANDA T. KING, County Manager

- IV. Approval of the Agenda for November 10, 2020 and Hold, Combine, or Delete any Items.  
(For possible action)
- V. Informational Items
- a. Announcements of upcoming neighborhood meetings and County or community meetings and events. (for discussion)
  - b. Applications are available until Tuesday, December 1, 2020 for appointments by the Board of County Commissioners to serve on the Paradise TAB for a two-year term beginning January 2021
- VI. Planning and Zoning
1. **AR-20-400097 (UC-18-0004) -DESERT INN PARTNERS LLC:**  
**USE PERMIT SECOND APPLICATION FOR REVIEW** to increase the number of vehicles (automobiles) displayed outside for an existing vehicle sales facility when the business has common parking with other businesses within an existing shopping center on a portion of 4.1 acres in a C-2 (General Commercial) Zone. Generally located on the west side of Sandhill Road and the south side of Desert Inn Road within Paradise. TS/sd/jd (For possible action) **11/18/20 BCC**
  2. **UC-20-0442-LYA PROPERTIES, LLC:**  
**USE PERMIT** for a school in conjunction with an office building on 0.5 acres in a C-P (Office and Professional) Zone in the Russell Road Transition Corridor Overlay District. Generally located on the north side of Russell Road, 240 feet west of McLeod Drive within Paradise. JG/jt/jd (For possible action) **12/01/20 PC**
  3. **WS-20-0451-DAYTON HUDSON CORPORATION:**  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce parking.  
**DESIGN REVIEW** for an electric vehicle charging station within an existing shopping center on a portion of 7.6 acres in a C-2 (General Commercial) (AE-60) Zone in the Midtown Maryland Parkway Overlay District. Generally located 415 feet west of Maryland Parkway, 275 feet north of Flamingo Road within Paradise. TS/al/ja (For possible action) **12/01/20 PC**
  4. **WS-20-0463-CHAVEZ, LESLIE:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setback; and 2) reduce building separation in conjunction with an existing single family residence on 0.2 acres in an R-D (Suburban Estates Residential) Zone. Generally located on the north side of Nicole Street, 450 feet west of Sandhill Road within Paradise. JG/jor/jd (For possible action) **12/01/20 PC**

5. **AR-20-400118 (UC-0373-10) -MGM GRAND PROPCO, LLC:**  
**USE PERMIT THIRD APPLICATION FOR REVIEW** of the following: 1) allow temporary events longer than 10 days per event; and 2) deviations to development standards per plans on file.  
**DEVIATIONS** for the following: 1) alternative external building materials; 2) permit a use not within a permanent enclosed building; and 3) all other deviations per plans on file.  
**DESIGN REVIEW** for 3 membrane structures (tents) in conjunction with an existing Resort Hotel (MGM Grand) on a portion of 100.3 acres in an H-1 (Limited Resort and Apartment) (AE-60 & AE-65) Zone in the MUD-1 Overlay District. Generally located on the southwest corner of Koval Lane and Harmon Avenue within Paradise. JG/jgh/ja (For possible action) **12/02/20 BCC**
  
6. **DR-20-0448-MANDALAY PROPCO, LLC:**  
**DESIGN REVIEWS** for the following: 1) amend a comprehensive sign plan for a resort hotel (Mandalay Bay); and 2) increase wall sign area on 124.1 acres in an H-1 (Limited Resort and Apartment) Zone and an H-1 (Limited Resort and Apartment) (AE-60 & AE-65) Zone. Generally located on the west side of Las Vegas Boulevard South and the north and south sides of Mandalay Bay Road within Paradise. MN/jt/jd (For possible action) **12/02/20 BCC**
  
7. **UC-20-0462-WESTSTATE LAND:**  
**USE PERMIT** for a restaurant.  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce landscaping.  
**DESIGN REVIEW** for a restaurant with drive-thru on 1.8 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the southeast corner of Russell Road and Polaris Avenue within Paradise. MN/jt/jd (For possible action) **12/02/20 BCC**

VII. General Business(For possible action)

VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No 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: November 24, 2020.

X. Adjournment.

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

Paradise Community Center – 4775 McLeod Dr

Clark County Library – 1401 E. Flamingo Rd.

Sunset Park – 2601 E. Sunset Rd.

Fire Station 38 – 1755 Silver Hawk Ave.

<https://notice.nv.gov>

**BOARD OF COUNTY COMMISSIONERS**  
 MARILYN KIRKPATRICK, Chair • LAWRENCE WEEKLY, Vice Chair  
 LARRY BROWN • JAMES B. GIBSON • JUSTIN C. JONES • MICHAEL NAFT • TICK SEGERBLOM  
 YOLANDA T. KING, County Manager

11/04/20 BCC AGENDA SHEET

VEHICLE SALES FACILITY  
(TITLE 30)

DESERT INN RD/SANDHILL RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**AR-20-400097 (UC-18-0004) -DESERT INN PARTNERS LLC:**

**USE PERMIT SECOND APPLICATION FOR REVIEW** to increase the number of vehicles (automobiles) displayed outside for an existing vehicle sales facility when the business has common parking with other businesses within an existing shopping center on a portion of 4.1 acres in a C-2 (General Commercial) Zone.

Generally located on the west side of Sandhill Road and the south side of Desert Inn Road within Paradise. TS/sd/jd (For possible action)

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RELATED INFORMATION:

**APN:**

161-18-123-002 through 161-18-123-004 pin

**USE PERMIT:**

Increase the number of displayed vehicles (automobiles) for sale outside to 15 spaces (approved by condition) where a maximum of 5 spaces are permitted when the business has common parking with other businesses per Table 30.44-1.

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3799 E. Desert Inn Road and various
- Site Acreage: 4.1 (portion)
- Project Type: Vehicle sales facility
- Number of Stories: 1
- Building Height (feet): 16 to 32
- Square Feet: 1,119 (office area)
- Parking Required/Provided: 144/190 (overall site)

**Site Plans**

The approved plans depict an existing shopping center consisting of 3 retail buildings. Building A is located on the southern portion of the site, Building B is located on the northern portion of

the site, and Building C is located on the northeastern portion of the site. The site has access to Desert Inn Road and Sandhill Road via existing driveways. No changes are proposed to the existing drive aisles, parking areas, or site layout other than the installation of a barrier around the inventory area as required by the conditions of the original approval. The existing vehicle sales facility is located in Building C, Suite 4 located on the northeastern portion of the site. The applicant requested to use the existing parking lot located on the northwestern portion of the site as a vehicle inventory display/storage area for 15 automobiles as approved by UC-18-0004.

#### Landscaping

All on-site landscaping exists and no new landscaping is required or proposed.

#### Elevations

The approved plans depict existing retail buildings. Improvements to the façade of the building were recently approved and include new exterior plaster columns, new aluminum storefront, pop-outs, new exterior cement plaster, cornice treatment, and new mansard roof with concrete tile. The roofline varies in height with the highest point at 32 feet. No changes are proposed or required to the exterior of the building.

#### Floor Plans

There were no proposed changes to the existing floor plans of the building with the original request. The existing vehicle sales facility is located in Building C, Suite 4 located on the northeastern portion of the site.

#### Previous Conditions of Approval

Listed below are the approved conditions for AR-19-400046 (UC-18-0004):

#### Current Planning

- Until April 4, 2020 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 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.

Listed below are the approved conditions for UC-18-0004:

#### Current Planning

- 1 year to review as a public hearing;
- Coordinate with Current Planning staff to provide barriers around the inventory display area to separate the inventory vehicles from the parking area;
- Limited to 15 cars on display at any one time;
- All inventory to be restricted to the designated area on the northwest portion of the site.
- Applicant is advised that a violation of this application will be cause for revocation; 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**

- Applicant to coordinate with Public Works - Development Review Division to correct the easement at the driveway.

**Building Department - Fire Prevention**

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; to show fire hydrant locations on-site and within 750 feet; and that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

**Signage**

Signage is not a part of this request.

**Applicant's Justification**

Simply Auto Sales is prepared to continue with a maximum of 15 vehicles for display and sales. In addition, due to the Covid-19 health crisis the applicant was late in submitting this application for review.

**Prior Land Use Requests**

Application Number	Request	Action	Date
AR-19-400046 (UC-18-0004)	First application to review increased number of vehicles (automobiles) displayed outside for an existing vehicle sales facility	Approved by BCC	June 2019
UC-18-0004	Increased the number of vehicles (automobiles) displayed outside for an existing vehicle sales facility	Approved by BCC	April 2018
DR-0076-17	Exterior remodel/modifications to façade within the existing shopping center	Approved by PC	March 2017
UC-0172-16	Established a supper club within a portion of the retail building	Approved by PC	May 2016
ADR-1218-07	Established a 12,000 square foot retail building	Approved by ZA	September 2007
DR-0443-03	Established a 9,600 square foot retail building	Approved by PC	April 2003
UC-166-80	Established live entertainment (disco floor) in a restaurant within the existing shopping center	Approved by PC	September 1980

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-1 & C-2	Commercial development
South & West	Residential High (8 to 18 du/ac)	R-3	Townhouse subdivision
East	Commercial General	C-2	Commercial development

**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.

Review of the property records show that no zoning related issues have been reported to the County, including Public Response, in relation to operational uses or the amount of vehicles on-site; therefore, staff can support this review with no additional review.

**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:**

**PROJECT:**

**APPLICANT:** GRACIELA MADRIGAL

**CONTACT:** GRACIELA MADRIGAL, SIMPLE AUTO SALES, 3799 E DESERT INN RD, STE 4, LAS, NV 89121



# LAND USE APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) <u>UC-18-0004</u> (ORIGINAL APPLICATION #) <u>AP-20-400097</u>	<b>STAFF</b>	DATE FILED: <u>8/25/20</u> PLANNER ASSIGNED: <u>SWD</u> ACCEPTED BY: <u>SWD</u> FEE: <u>4475</u> CHECK #: _____ COMMISSIONER: <u>F.S.</u> OVERLAY(S)? _____ PUBLIC HEARING? Y/N _____ TRAILS? Y/N <input checked="" type="checkbox"/> PFNA? Y/N <input checked="" type="checkbox"/> APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>AP-20-400097</u> TAB/CAC: <u>Paradise</u> TAB/CAC MTG DAT: <u>10/13</u> ME: <u>7PM</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11-4-20</u> ZONE / AE / RNP: <u>C-2</u> PLANNED LAND USE: <u>C-G</u> NOTIFICATION RADIUS: <u>500</u> SIGN? Y/N _____ LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	<b>PROPERTY OWNER</b>	NAME: <u>BENJAMIN DONEL / Desert Inn Partners, LLC</u> ADDRESS: <u>6125 Washington Blvd. #300</u> CITY: <u>Culver City</u> STATE: <u>CA</u> ZIP: <u>90232</u> TELEPHONE: <u>323-319-2580</u> CELL: <u>310-804-7600</u> E-MAIL: <u>Bon@sunsetequity.com</u>	
	<b>APPLICANT</b>	NAME: <u>Simple Auto Sales</u> ADDRESS: <u>3799 E Desert Inn Rd Suite 4</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: <u>702-431-2227</u> CELL: <u>702-278-4476</u> E-MAIL: <u>simpleautosaleslv@gmail.com</u> REF CONTACT ID #: _____	
	<b>CORRESPONDENT</b>	NAME: <u>Graciela Madrisa</u> ADDRESS: <u>3799 E. Desert Inn Rd Ste 4</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: <u>702-278-4476</u> CELL: <u>702-278-4476</u> E-MAIL: <u>graciela2020@hotmail.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 16118123003 - 008 & 009

PROPERTY ADDRESS and/or CROSS STREETS: Desert Inn / Sandhill

PROJECT DESCRIPTION: Auto Sales

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 make 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.

Benjamin Donel Property Owner (Signature)\*  
Benjamin Donel Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF CLARK  
 SUBSCRIBED AND SWORN BEFORE ME ON 06-12-2020 (DATE)  
 By BENJAMIN DONEL  
 NOTARY PUBLIC: [Signature]



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




# SIMPLE AUTO SALES

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## Justification Letter

In February of 2017, Simple Auto Sales was approved by parking space analysis to store 15 vehicles for sale. In 2018, Simple Auto Sales applied for a special land use permit to increase the vehicles allowed for display to 28. This permit was denied. Simple Auto Sales is prepared to continue with the initial ruling of 15 vehicles to be displayed for sale and is no longer interested in pursuing a special land use permit. This letter was meant to be submitted and processed before the end of April this year. Unfortunately, the ongoing health pandemic involving COVID-19 forced the dealership to close down for some time and in turn prevented the natural progression of this justification letter.

  
\_\_\_\_\_  
Graciela Madrigal 8/10/2020  
Simple Auto Sales.

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12/01/20 PC AGENDA SHEET

SCHOOL  
(TITLE 30)

RUSSELL RD/MCLEOD DR

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-20-0442-LYA PROPERTIES, LLC:**

**USE PERMIT** for a school in conjunction with an office building on 0.5 acres in a C-P (Office and Professional) Zone in the Russell Road Transition Corridor Overlay District.

Generally located on the north side of Russell Road, 240 feet west of McLeod Drive within Paradise. JG/jt/jd (For possible action)

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RELATED INFORMATION:

**APN:**  
162-25-415-007

**LAND USE PLAN:**  
WINCHESTER/PARADISE OFFICE PROFESSIONAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 2948 E. Russell Road
- Site Acreage: 0.5
- Project Type: School
- Number of Stories: 1
- Building Height (feet): 14
- Square Feet: 3,800
- Parking Required/Provided: 7/15

**Site Plan**

The site plan depicts an existing office building that will be used as a preschool. The office building was a previously approved residential conversion. Setbacks include 25 feet to the north (rear) property line, 10 feet to the east (side) property line, 50 feet to the south (front) property line along Russell Road, and 8 feet to the west (side) property line. Access to the site is provided from 2 driveways on Russell Road, and a drive aisle through a carport provides access to the rear of the site. Parking spaces are located both in front and behind the building. No changes are proposed for the site except placing a play structure in the rear parking lot and installing a fence to separate the play area from the parking lot. This will result in the net loss of 6 parking spaces. A total of 15 parking spaces are provided where 7 parking spaces are required.

Landscaping

No landscape changes are proposed or required. Existing landscaping includes trees in the front of the building, along the east side of the property, and along the rear property line which is adjacent to a single family residence.

Elevations

The existing building is approximately 14 feet high to the peak of the asphalt shingled pitched roof. Exterior materials include painted stucco and a brick veneer around the base of the building.

Floor Plans

The 3,800 square foot building will include a reception area, classrooms, kitchen, dining area, storage, and restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

According to the applicant, this preschool will host up to 45 children, and the circular driveway in the front of the building will assist with pick-up and drop-off of students. Many preschools are closing due to the pandemic; as a result, there is an increased demand for preschool facilities. Outside recess can create noise; however, recess will not occur in the early morning hours or after 6:00 p.m. As a result, this request will not create a negative impact on adjacent properties.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-1388-95	Reclassified the site to C-P zoning for an office conversion of a single family residence	Approved by BCC	September 1995

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residential
South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residential & undeveloped
East & West	Office Professional	C-P	Office conversions of 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**

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 accessed from an arterial street (Russell Road), and existing office uses are located on the east and west sides of the site. Although a single family residence is adjacent to the north side of the site, perimeter landscaping and a block wall will help buffer the play area from the adjacent residence. In addition, a condition of approval will limit use of the outside play area to 8:00 a.m. to 6:00 p.m. Lastly, there is adequate parking and on-site circulation to accommodate pick-up and drop-off of students. Therefore, staff does not anticipate any undue adverse effects on adjacent properties, and 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**

- Use of the outside play area limited to 8:00 a.m. to 6:00 p.m.;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

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

- Reconstruct driveways as commercial pan driveways per Uniform Standard Drawing 224 or provide a 5 foot wide concrete sidewalk behind the existing driveways for compliance with the Americans with Disabilities Act.

#### **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:** DARYLISHA BERRYMON

**CONTACT:** DARYLISHA BERRYMON, 2301 REDWOOD STREET, UNIT 3603, LAS VEGAS, NV 89146

DRAFT

VEHICLE CHARGING STATION  
(TITLE 30)

MARYLAND PKWY/FLAMINGO RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-20-0451-DAYTON HUDSON CORPORATION:**

**WAIVER OF DEVELOPMENT STANDARDS** to reduce parking.  
**DESIGN REVIEW** for an electric vehicle charging station within an existing shopping center on a portion of 7.6 acres in a C-2 (General Commercial) (AE-60) Zone in the Midtown Maryland Parkway Overlay District.

Generally located 415 feet west of Maryland Parkway, 275 feet north of Flamingo Road within Paradise. TS/al/ja (For possible action)

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RELATED INFORMATION:

**APN:**  
162-15-812-001 ptn

**WAIVER OF DEVELOPMENT STANDARDS:**  
Reduce parking for a shopping center to 693 spaces where 742 spaces are required per Table 30.60-1 (a 6.6% reduction) and a reduction to 703 spaces were approved by a prior waiver of development standards (WS-0201-07) (a 1.4% reduction from prior approval).

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

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

- Site Address: 4001 S. Maryland Parkway
- Site Acreage: 7.6 (portion)
- Project Type: Charging stations for electric vehicles
- Structure Height (feet): 8
- Square Feet: 1,700
- Parking Required/Provided: 693/703 shopping center

Site Plan

The request is to eliminate approximately 10 parking spaces within an existing shopping center parking lot and establish a charging station for electric vehicles. Access to the existing shopping center is provided from Flamingo Road and Maryland Parkway. The site of the proposed charging station is at the southern end of a double row of parking spaces that is adjacent to an

existing drive aisle for the parking lot. The charging station will occupy approximately 1,700 square feet of the parking lot. The western half of the facility will contain a power transformer and the electrical equipment to recharge vehicles. The eastern half of the facility will consist of 4 charging stations for vehicles to plug into the equipment. The existing shopping center has an area of approximately 185,413 square feet which would require a total of 742 spaces per Code. WS-0201-07 approved a reduction to 703 spaces for the shopping center in April 2007.

Landscaping

The plans indicate that an existing diamond shaped landscape planter will be removed from the parking lot to allow for the proposed charging station. The plan depicts trees and shrubs to be planted around the electrical equipment to screen the facility, which will be an increase in plant material compared to the landscape planter being removed.

Elevations

The vehicle charging station will occupy an area of approximately 1,700 square feet. The equipment is approximately 8 feet in height, consisting of a power transformer, the 4 plug in stations and the various electrical equipment needed to recharge the vehicles.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed facility will be an added amenity to the community to allow residents and visitors a location where they can charge their electric vehicles. As more electric vehicles are being used on the roads, additional facilities are needed to meet the demand to recharge the vehicles. The shopping center has adequate parking to allow for this reduction to be able to provide the charging station so the requested parking reduction will not have a negative impact on the shopping center.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-0201-07	Waiver of development standards to reduce parking for a shopping center	Approved by PC	April 2007
VC-1731-99	Reduced parking for a shopping center	Approved by PC	December 1999

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities & Commercial Neighborhood	P-F & C-1	Park & commercial development
South, East, & West	Commercial General	C-2	Commercial development

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Waiver of Development Standards & Design Review

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

The proposed charging facility is located within the interior of the shopping center away from public rights-of-way and will not create traffic conflicts with the public rights-of-way. The equipment will be screened with more landscape material than is being lost with the removal of the 1 landscape planter. Aerial photographs indicate the existing shopping center has an abundance of unused parking so the proposed facility will not create a parking shortage for the shopping center. The establishment of this facility will help to meet the increased demand for alternative fuel vehicles and will be an added amenity to the community; therefore, staff can support this request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

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

- No comment.



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

**APPLICANT:** DANIELLE PRESCOTT  
**CONTACT:** DANIELLE PRESCOTT, KIMLEY-HORN, 6671 LAS VEGAS BOULEVARD  
SOUTH, SUITE 320, LAS VEGAS, NV 89119

DRAFT



# LAND USE APPLICATION


## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

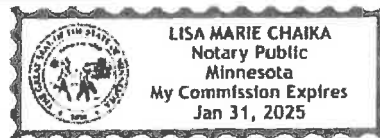
<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <u>475</u> <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <u>675</u> <input checked="" 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>	DATE FILED: <u>10-12-2020</u> PLANNER ASSIGNED: <u>A1</u> ACCEPTED BY: <u>A1</u> FEE: <u>\$1150<sup>00</sup></u> CHECK #: _____ COMMISSIONER: <u>T.S</u> OVERLAY(S)? <u>Maryland Parkway</u> PUBLIC HEARING? <input checked="" type="checkbox"/> N TRAILS? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N PFNA? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>WS 200451</u> TAB/CAC: <u>Paradise</u> TAB/CAC MTG DATE: <u>11-10</u> TIME: <u>7</u> PC MEETING DATE: <u>12-1-20</u> BCC MEETING DATE: <u>-</u> ZONE / AE / RNP: <u>C-2 AE60</u> PLANNED LAND USE: <u>CG</u> NOTIFICATION RADIUS: <u>50</u> SIGN? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	<b>PROPERTY OWNER</b>	NAME: <u>Target Cooperation</u> ADDRESS: <u>1000 Nicolett Mall</u> CITY: <u>Minneapolis</u> STATE: <u>MN</u> ZIP: <u>55403</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____	
	<b>APPLICANT</b>	NAME: <u>Electrify America (Ben Moore)</u> ADDRESS: <u>2001 SE Edmund Halley</u> CITY: <u>Reston</u> STATE: <u>AR</u> ZIP: <u>72716</u> TELEPHONE: <u>571-524-9070</u> CELL: _____ E-MAIL: <u>ben.moore.@electrifyamerica.com</u> REF CONTACT ID #: _____	
	<b>CORRESPONDENT</b>	NAME: <u>Kimley-Horn &amp; Associates (Danielle Prescott)</u> ADDRESS: <u>4582 S Ulster St</u> CITY: <u>Denver</u> STATE: <u>CO</u> ZIP: <u>80237</u> TELEPHONE: <u>720-897-6312</u> CELL: _____ E-MAIL: <u>danielle.prescott@kimley-horn.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 162-15-812-001  
 PROPERTY ADDRESS and/or CROSS STREETS: 4001 Maryland Pkwy, Las Vegas, NV 89119  
 PROJECT DESCRIPTION: Implementing 4 EV charging stations and the supporting electrical equipment

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

  
 Property Owner (Signature)\*  
 STATE OF Minnesota  
 COUNTY OF Anoka  
 SUBSCRIBED AND SWORN BEFORE ME ON June 11, 2020 (DATE)  
 By John Leisen  
 NOTARY PUBLIC: Lisa Chaika

John Leisen  
 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.

APR-20-100445

# Kimley»Horn

## Justification Letter

To: Clark County  
From: Danielle Prescott  
Kimley-Horn and Associates, Inc.  
Date: 8/12/2020  
Subject: Electric Vehicle Charging Improvements – Administrative Review

NS-20-0451

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Electrify America is looking to implement 4 new DC Fast Charging Stations for electric vehicles at the existing Target T0265 located at 4001 Maryland Parkway. The site is zoned C-2 and consists of a fully developed parking lot for an existing Target building.

The proposed EV charging spaces have fast charging capability and will be open to the public to provide a place for local citizens and visitors to charge their electric vehicles. This is a service that most municipalities are looking to implement more of as the number of electric vehicles on the road continues to grow each day.

The private improvement scope of work at this location includes transitioning four (4) existing parking stalls into four (4) EV charging stalls and the supporting equipment pad. Electrical powering equipment required to support the charging units will be implemented and will require the removal of 8 spaces from the existing parking lot. Please refer to the Overall Site Plan, Enlarged Site Plan, One-Line Diagram, and Elevation Plan sheets for more details. Overall, 9 spaces total will be removed and 4 EV charging stations will be implemented.

The parking requirements for this site are 4 spaces per 1000 SF. The existing building on site has an area of 122,275 SF and the required parking is 490 spaces. There are currently 402 spaces on the site and a ratio was 3.24 spaces per 1000 SF. Although the parking requirements for this site are not met we believe this site will still provide sufficient parking.

The implementation of these charging stations will require the removal of one landscape island. The landscape island will be replaced by screening around part of the proposed switch gear. This can be seen on the Overall Site Plan and the Enlarged Site Plan.

Thank you for your time and consideration and please feel free to contact me at 720-897-6312 with any questions.  
Danielle Prescott

# Kimley»Horn

## PARKING MEMORANDUM

To: Clark County  
From: Kimley-Horn and Associates, Inc.  
Date: 9/21/2020  
Subject: Electric Vehicle Charging Improvements – Clark County

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Electrify America is looking to implement 4 new DC Fast Charging Stations for electric vehicles at the existing Target T0265 located at 4001 Maryland Parkway. The site is zoned C-2 and consists of a fully developed parking lot for an existing Target building. The building area used for parking calculations summarized below.

The total Shopping Center building area used for parking calculation purposes is summarized as follows:

Building	Area Used for Parking Calculation (sf)
Fred Meyer	122,275
<b>Total Shopping Center Building Area</b>	<b>122,275</b>

The required parking for a Shopping Center per City code is 4/1000 sf. The required parking and the site's existing and proposed parking is summarized below:

	Building Area (sf)	Parking Stalls	Parking Ratio
<b>Required</b>	63,568 sf	490 (required)	4/1000 sf
<b>Existing</b>	63,568 sf	402	3.24/1000 sf
<b>Proposed</b>	63,568 sf	397	3.24/300 sf

There is not a significant change in the parking ratios of this lot. Based on the proposed improvements, the parking reduction does not significantly change the total Shopping Center parking spaces and minimum Code requirements for parking continue to be met.

Thank you for your time and consideration and please feel free to contact me at 720-897-6312 with any questions.

Thanks,  
Kimley-Horn & Associates

12/01/20 PC AGENDA SHEET

SETBACKS  
(TITLE 30)

NICOLE ST/SANDHILL RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-20-0463-CHAVEZ, LESLIE:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setback; and 2) reduce building separation in conjunction with an existing single family residence on 0.2 acres in an R-D (Suburban Estates Residential) Zone.

Generally located on the north side of Nicole Street 450 feet west of Sandhill Road within Paradise. JG/jor/jd (For possible action)

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RELATED INFORMATION:

APN:  
161-30-416-002

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the setback of an accessory structure to zero feet where 5 feet is required per Table 30.40-1 (a 100% decrease).
2. Reduce the building separation to 2 feet where 6 feet is required per Table 30.40-1 (a 67% decrease).

**LAND USE PLAN:**  
WINCHESTER/PARADISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3726 Nicole Street
- Site Acreage: 0.2
- Project Type: Accessory structure setback and separation requirements
- Number of Stories: 1
- Building Height: 9 feet, 4 inches (storage building)/8 feet, 10 inches (carport)/6 feet, 5 inches (pool pump shed)
- Square Feet: 119 (storage building)/336 (carport)/60 (pool pump shed)

Site Plan

The site plan depicts an existing single family residence on 0.2 acres in an R-D zoned parcel. The main residence is centrally located on the subject property and the front of the residence

faces south toward Nicole Street. The existing pool is located on the northeast corner, and the driveway is located on the southeast corner of the site.

Per the site plan, the first accessory structure that does not meet Title 30 setback standards, is the storage building that is located on the northwest corner of the site. The storage building is set back 3 feet from the rear property line (north), and 2 feet from the west property line. Lastly, the storage building has a building separation of 2 feet from the main residence.

The second accessory structure is an attached carport along the west facing elevation of the main residence. The carport is set back 2 feet from the west property line, 13 feet from the storage building to the north, 5 feet from the gate located south of the carport, and 49 feet from the south property line (adjacent to Nicole Street).

The third accessory structure is a pool pump shed located along the east property line, just north of the driveway. The pool shed has a zero foot setback to the east property line, and has a building separation of 5 feet from the main residence to the west.

#### Landscaping

The submitted photos show that the rear yard has approximately 460 square feet of grass east of the storage building, and there is existing flowering shrubs and trees along the north property line. Landscaping is also located along a portion of the east and south property lines. Landscaping is not a part of this request.

#### Elevations

The photos show that the main residence has exterior finishes which include stucco walls, a shingled roof, neutral paint colors, and wood trim details. The storage building has a wooden exterior with a shingled roof. The east facing elevation consists of a door, 2 windows, and a portico that has a cemented finished floor. The carport consists of wooden building materials, and the roof matches the shingles on the main residence. The pool pump shed is a tan colored shed with a shingled roof that matches the main residence, the storage building on the northwest corner of the site, and the carport. The pool pump shed also has vertical wood paneling.

#### Floor Plan

The floor plan for the storage building consists of an overall area of 119 square feet. The pool pump shed has an overall area of 60 square feet. Lastly, the carport has an overall area of 336 square feet.

#### Applicant's Justification

Per the submitted justification letter, the structures should have minimal impact to the surrounding neighbors. The carport will help declutter vehicles along Nicole Street, and does not impede any vehicular or pedestrian circulation within the immediate area. The storage building was not built to store hazardous materials, and does not have any eating, living, or sleeping amenities. The storage building is utilized solely for storing gardening and outdoor equipment. Lastly, the pool pump shed was existing, but was recently reconstructed due to its condition. The pool pump shed only stores the pool pump and was built to protect the equipment from the

harsh weather. The applicant states, that these accessory structures will not have negative impact on the community.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Residential Suburban (up to 5 du/ac)	R-1	Single family residential
South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residential
East & West	Residential Low (up to 3 du/ac)	R-D	Single family residential

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

CE20-06302 is a zoning violation for building without a permit.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Waivers of Development Standards

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

Waiver of Development Standards #1

Although the existing accessory structures are architecturally compatible to the site, and are aesthetically pleasing to the overall site, the structures do not meet the required rear and interior side setbacks per Table 30.40-1. Setbacks are encouraged in Title 30 so that there is consistency within the immediate area of the subject parcel in terms of streetscapes, public safety, and harmony within the neighborhood. Although staff finds the accessory structures to be harmonious to the site, staff cannot support this request.

Waiver of Development Standards #2

Building separation distance standards are encouraged for safety reasons. Since staff cannot support waiver of development standards #1, staff also cannot support this request.

**Staff Recommendation**

Denial.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

- Building permits to be completed for all applicable accessory structures;
- Storage building to be painted to match the main residence;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that additional landscaping should be added to the front yard so that hardscaping will not exceed 60 percent; approval of this application does not constitute or imply approval of any other County issued permit, or approval; 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**

- Applicant is advised that any new driveway must comply with Uniform Standard Drawings 222 and 223; and that an off-site permit will be required.

**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: LESLIE CHAVEZ**

**CONTACT: LESLIE CHAVEZ, 3726 NICOLE ST., LAS VEGAS, NV 89120**





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (Nzc) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> 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>WS-20-0463</u> DATE FILED: <u>10/13/20</u> PLANNER ASSIGNED: <u>JOR</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>11/10/20</u> PC MEETING DATE: <u>12/1/20</u> BCC MEETING DATE: _____ FEE: <u>\$ 775</u>
	<b>PROPERTY OWNER</b> NAME: <u>Leslie Chavez</u> ADDRESS: <u>3726 Nicole St</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702-326-4370</u> CELL: <u>702-326-4370</u> E-MAIL: <u>leslie.chavez@live.com</u>
	<b>APPLICANT</b> NAME: <u>Leslie Chavez</u> ADDRESS: <u>3726 Nicole St.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702-326-4370</u> CELL: _____ E-MAIL: <u>leslie.chavez@live.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b> NAME: <u>Leslie Chavez</u> ADDRESS: <u>3726 Nicole St.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702-326-4370</u> CELL: <u>702-326-4370</u> E-MAIL: <u>leslie.chavez@live.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(s): 161-30-416-002  
 PROPERTY ADDRESS and/or CROSS STREETS: 3726 Nicole St., Las Vegas, NV 89120  
 PROJECT DESCRIPTION: Carport & Shed

(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]      Leslie Chavez  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON September 08, 2020 (DATE)  
 By Leslie Chavez  
 NOTARY PUBLIC: Lolita Heer



4

\*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.

July 21<sup>st</sup>, 2020

From: Leslie L. Chavez  
Property owner of:  
3726 Nicole St.  
Las Vegas, NV 89120

WS-20-0463

To:  
Clark County Current Planning To Whom it may concern,

PLANNER  
COPY

This letter is pertaining to the property located at 3726 Nicole St, Las Vegas, NV, 89120 of which I am the owner. The developments include one carport, one shed located on the West side of the residence, and one pool pump shed on the south east end of the residence. Photos and site plans are included with this application for reference.

First, I would like to offer an apology as I was unaware that the previously described structures required a building permit. I recognize that ignorance does not justify the actions taken to build without the proper permits. I also recognize the importance of seeking a permit for this type of development. Following this incident, I have researched the proper land use application requirements, familiarized myself with the pre-requisites of building structures on my property relevant to Title 30, and will take special attention to these requirements in the future. I am also open and flexible to working with the county in making any necessary changes required of said structures to maintain the safety of the neighborhood.

With respect to the first structure and carport, it is my opinion that it will have a low impact on the harmonious development of the surrounding residences and maintain safety without impacting those neighbors nearby. The carport is securely attached to the property and grounded to ensure safety. Additionally, the carport structure will only add to the community's aesthetics as it will declutter vehicle traffic in front of the residence. Little to no impact will be incurred on the surrounding residences as the carport is not built to block or impede on any other residences nearby.

The next structure is the shed located on the northwest corner of the property. It is also my opinion that the shed will have little impact on the surrounding residences. The storage unit will not be built to store any hazardous materials and only will store

gardening/outdoor equipment. The intent with both the carport and shed is to create a community that is free of clutter inside and nearby the surrounding residences.

The shed does not have any electricity nor water running into the unit and thus I believe this lowers the risk on the surrounding areas. The shed was built about 2 feet 7 inches from the property line on the West side and 3 feet 2 inches on the north side without the proper set back requirements. However, despite the storage unit not having the proper setback requirements, the storage unit will not impact the nearby residences as it does not have any water or electricity to create hazards to the properties nearby. Efforts will be made to minimize the impact on the community and neighbors as well.

The third structure is a pool pump shed. The pool pump shed was recently reconstructed as the original one that was on the property when purchased was in bad condition. The reconstructed pool pump shed is 0 feet away from the property line and about 5 feet away from the main home. It measures 5 by 12 feet and is 60 sf in total. The interior of the shed only stores the pool pump and was built to protect it from the sun and other weather elements.

I am requesting approval of the following:

1. Waiver to reduce the building separation to 2 feet where 6 feet is required
2. Waiver to reduce the rear setback to 2 feet where 5 feet is required.
3. Waiver to reduce the interior side setback to 0 feet where 5 feet is required.

For the reasons listed above, please allow for approval of the waivers of the developmental standards for the carport, storage unit on the west side of the residence, and pool pump shed structure to remain. Their negative impact on the community is minimal and the benefits outweigh the costs. The structures add to a cleanly and aesthetic community that encourages its nearby residents to also uphold a beautiful community overall.

Sincerely,



Leslie L. Chavez

PLANNER  
COPY

WS-20-0463

MEMBRANE STRUCTURES (TENTS)  
(TITLE 30)

HARMON AVE/KOVAL LN

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**AR-20-400118 (UC-0373-10) -MGM GRAND PROPCO, LLC:**

**USE PERMIT THIRD APPLICATION FOR REVIEW** of the following: 1) allow temporary events longer than 10 days per event; and 2) deviations to development standards per plans on file.

**DEVIATIONS** for the following: 1) alternative external building materials; 2) permit a use not within a permanent enclosed building; and 3) all other deviations per plans on file.

**DESIGN REVIEW** for 3 membrane structures (tents) in conjunction with an existing Resort Hotel (MGM Grand) on a portion of 100.3 acres in an H-1 (Limited Resort and Apartment) (AE-60 & AE-65) Zone in the MUD-1 Overlay District.

Generally located on the southwest corner of Koval Lane and Harmon Avenue within Paradise.  
JG/jgh/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-21-414-001 ptn

**USE PERMITS:**

1. Allow temporary outdoor commercial events for 180 days per event where 10 days per event is permitted.
2. Allow deviations to development standards per plans on file.

**DEVIATIONS:**

1. Allow non-permanent building materials (fabric/membrane) where permanent materials are the standard.
2. Allow a banquet facility to be conducted within a membrane structure (tents) where a permanent building is the standard.
3. Allow all other deviations per plans on file.

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Acreage: 100.3 (portion)

- Project Type: Membrane structures (tents)
- Number of Stories: 1
- Building Height (feet): 40 maximum
- Square Feet: 75,000
- Parking Required/Provided: 8,885/10,829

#### Site Plans

The previously approved plans depict 3 membrane structures (tents) totaling 75,000 square feet on a portion of the former MGM Grand Adventure Theme Park location within the MGM Grand Resort Hotel compound. The structures are utilized for banquets and other events at the MGM Grand Resort Hotel. The site is accessed from interior driveways and pedestrian walkways within the MGM Grand compound. The banquet tents are placed in an "L" shape at the northwest corner of the site. The catering tent is located at the northeast corner of the site directly southeast of the banquet tents. Portable restrooms and other structures are depicted adjacent to the tents.

#### Landscaping

The tents will be installed on a newly paved area with no additional landscaping.

#### Elevations

The tents will be comprised of the same membrane (tent) material throughout without any variations between the sides and roof. The roof pitch is 3:12.

#### Previous Conditions of Approval

Listed below are the approved conditions for UC-0373-10 (AR-0135-16):

#### Current Planning

- Until October 6, 2020 to review as a public hearing;
- Per revised plans.
- 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.
- Building Fire Prevention
- Clark County Fire Department permits shall be required for all tents, canopies, and temporary membrane structures;
- A 20 foot clear space shall be required around the entire perimeter of each tent;
- Tents shall be used for no more than 180 days within any 12 month period;
- Fire department access shall be provided with minimum 24 foot width, the turning radius of access roads shall be no less than 52 feet outside and 28 feet inside turning radius, access roads shall be provided to maintain access within 150 feet of all portions of the exterior of the structures, and dead-end access roads exceeding 150 feet in length shall be provided with approved provisions for turning around fire apparatus;

- Approved Fire Department access shall be provided from the public street, Koval Lane, through the private road to the south of the proposed tent structures and continue around the proposed tent structures.

Previous Conditions of Approval

Listed below are the approved conditions for UC-0373-10 (ET-0118-12):

**Current Planning**

- Until October 6, 2016 to review as a public hearing;
- No outdoor live entertainment allowed on APN 162-21-301-027.
- Applicant is advised that a substantial change in circumstances or regulations may be justification for the denial of an extension of time.

**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.

Previous Conditions of Approval

Listed below are the approved conditions for UC-0373-10.

**CONDITIONS:**

**Current Planning**

- Staff to review use administratively every 6 months;
- 2 years to review as a public hearing;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- All applicable standard conditions for this application type.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

**Fire Department**

- Clark County Fire Department permits shall be required for all tents, canopies, and temporary membrane structures;
- A 20 foot clear space shall be required around the entire perimeter of each tent;
- Tents shall be used for no more than 180 days within any 12 month period;
- Fire department access shall be provided with 24 foot minimum width, the turning radius of access roads shall be no less than 52 feet outside and 28 feet inside turning radius, access roads shall be provided to maintain access to within 150 feet of all portions of the exterior of the structures, and dead-end access roads exceeding 150 feet in length shall be provided with approved provisions for turning around fire apparatus;
- Approved fire department access shall be provided from the public street, Koval Lane, through the private road to the south of the proposed tent structures and continue around the proposed tent structures.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates, this application for review is being submitted for temporary outside uses (membrane structures) that were approved with UC-0373-10. The applicant states that the MGM Grand Resort & Casino has shown proper stewardship over the membrane structures and they ask that this request be approved.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-0373-10 (AR-0135-16)	Review temporary events longer than 10 days per event, and deviations to development standards per plans on file	Approved by BCC	December 2010
UC-0373-10 (ET-0118-12)	Review temporary events longer than 10 days per event, and deviations to development standards per plans on file	Approved by BCC	December 2012
UC-373-10	Allow temporary events longer than 10 days per event, and deviations to development standards per plans on file	Approved by BCC	October 2010
UC-0455-06	Two, 45 story high-rise resort condominium towers, and increased building heights	Approved by BCC	September 2006
UC-0441-04	Two towers, total 1,156 room, hotel condominium project, increased building height, permit kitchens in the rooms, permit all associated accessory/incidental areas including recreational areas and mechanical/equipment area, and permit deviations	Approved by BCC	June 2004
UC-0686-03 (ET-0193-04)	First extension of time for a 576 room hotel condominium project, increased building height, permit kitchens in the rooms, permit all associated accessory/incidental areas including recreational areas and mechanical/equipment area, and permit deviations.	Approved by	August 2004
UC-0686-03	A 576 room hotel condominium project, increased building height, permit kitchens in the rooms, permit all associated accessory/incidental areas including recreational areas and mechanical/equipment area, and permit deviations	Approved by BCC	July 2003

\*Additional land use applications for the subject site are on file with the Department; applications listed above are most relevant to the project.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial Tourist	H-1	Undeveloped
South	Commercial Tourist	H-1	Portions of MGM Grand Resort Hotel
East	Commercial Tourist	H-1, R-4, & R-5	Hotel timeshare, apartment complex, & residential condominiums

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
West	Commercial Tourist	H-1	Signature Resort Condominiums at MGM Grand

**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.

Since the approval of the review in 2016, there have been no complaints about the use of the tents from surrounding property owners. Staff has no objection to the continued use of the tents on the site, and supports 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:** MGM RESORTS INTERNATIONAL OPERATIONS, INC

**CONTACT:** GMRA, 6325 S. JONES BOULEVARD, SUITE 100, LAS VEGAS, NV 89118

**DRAFT**

SIGNAGE  
(TITLE 30)

MANDALAY BAY RD/LAS VEGAS BLVD S

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**DR-20-0448-MANDALAY PROPCO, LLC:**

**DESIGN REVIEWS** for the following: 1) amend a comprehensive sign plan for a resort hotel (Mandalay Bay); and 2) increase wall sign area on 124.1 acres in an H-1 (Limited Resort and Apartment) Zone and an H-1 (Limited Resort and Apartment) (AE-60 & AE-65) Zone.

Generally located on the west side of Las Vegas Boulevard South and the north and south sides of Mandalay Bay Road within Paradise. MN/jt/jd (For possible action)

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RELATED INFORMATION:

**APN:**  
162-29-610-002; 162-29-710-002

**DESIGN REVIEWS:**

1. Modifications to an approved comprehensive sign package in conjunction with an existing resort hotel (Mandalay Bay).
2. Increase wall sign area to 144,601 square feet, where 144,398 square feet was previously approved and 84,960 square feet is the maximum area permitted per Table 30.72-1.

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

**BACKGROUND:**

**Project Description**  
General Summary

- Site Address: 3930 & 3950 Las Vegas Boulevard S.
- Site Acreage: 124.1
- Project Type: Amended comprehensive sign plan

**Site Plan and Request**

The existing resort hotel is located on the northwest corner of Russell Road and Las Vegas Boulevard South with additional frontage along Frank Sinatra Drive and Mandalay Bay Road. Access to the site is provided from all these adjacent streets. This request is for a new wall sign and a new roof advertisement on the arena, which is located on the west side of the site, adjacent to Frank Sinatra Drive.

**Signage**

The plans indicate that a 97 square foot wall sign will be replaced with a 300 square foot wall sign on the west side of the arena, facing Frank Sinatra Drive and I-15. In addition, a new 22,222 square foot advertisement will be placed on the roof of the area. Since this advertisement is flat on the roof and is in an area that will not be visible from any existing or proposed street, freeway, or adjacent use, it is not considered signage. This advertisement is listed in the "other" category in the summary of signage below. Both the new wall sign and roof advertisement will be LED channel letters and logos with internal illumination.

The following tables are a summary of existing and proposed signage:

Type of sign	Existing (sq ft)	Proposed (sq ft)	Total (sq ft)	Allowed per Title 30 (sq ft)	Percent increase	# of existing signs	# of proposed signs	Total # of signs
Freestanding	35,531	0	35,531	42,480	n/a	0	0	6
Monument	48	0	48	70	n/a	1	0	1
Wall*	144,398	300 new -97 old 203 net	144,601	84,960	0.14%	53	1 -1 (removed)	53
Directional	205	0	205	448	n/a	11	0	11
Projecting	30	0	30	192	n/a	1	0	1
Other	0	22,222	22,222	n/a	n/a	n/a	n/a	n/a
Overall Total	180,212	203	180,415	128,150	0.11%	72	1 -1	72

\*The freestanding and wall signs also contain animation. The details for animated signs are listed below:

Type of sign	Existing (sq ft)	Proposed (sq ft)	Total (sq ft)	Allowed per Title 30 (sq ft)	Percent increase	# of existing signs	# of proposed signs	Total # of signs
Animated	44,441	0	44,441	600	n/a	13	0	13

**Applicant's Justification**

According to the applicant, the new wall sign will clearly identify the arena from Frank Sinatra Drive, I-15, and Dean Martin Drive. The proposed horizontal advertisement on the roof of the arena is below the parapet, and it will only be visible from the sky above. Therefore, the new wall sign and the roof advertisement are appropriate for the resort hotel and the Las Vegas Boulevard Resort Corridor.

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-20-0272	Amended the comprehensive sign plan and increased wall sign area	Approved by BCC	August 2020

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WC-20-400020 (VS-0387-11)	Waived conditions pertaining to advertising visible from the public right-of-way and signage visible from the public right-of-way to be in accordance with federal, state, and local laws, ordinances, and codes	Approved by BCC	May 2020
DR-20-0061	Amended the comprehensive sign package and increased the overall animated sign area	Approved by BCC	April 2020
DR-19-0906	Amended the comprehensive sign package, increased wall sign area, and increased animated sign area	Approved by BCC	May 2020
DR-0646-16	Amended the comprehensive sign package and increased the overall wall sign area	Approved by BCC	November 2016
UC-0574-14 (WC-0023-16)	Waived a condition requiring the applicant to provide landscaping per plans on file for approved expansion to existing convention facilities for the Mandalay Bay Resort Hotel	Approved by BCC	April 2016
DR-0765-15	Amended the comprehensive sign plan for the Mandalay Bay Resort Hotel	Approved by BCC	January 2016
UC-0574-14	Expanded the existing convention facilities for the Mandalay Bay Resort Hotel	Approved by BCC	August 2014
DR-0209-13	Comprehensive sign plan for the Mandalay Bay Resort Hotel	Approved by BCC	June 2013
UC-0691-12	Secondhand sales (Four Seasons Hotel)	Approved by PC	January 2013
UC-0544-12	Pool area remodeled with exterior access point (Mandalay Bay)	Approved by PC	November 2012
UC-0740-02	1,126 guestroom hotel tower with incidental hotel uses (The Hotel)	Approved by BCC	August 2002
WS-1301-01	Revisions to a retail center (Mandalay Place)	Approved by PC	November 2001
UC-2067-98	Freestanding signs (Mandalay Bay)	Approved by PC	January 1999
UC-1322-98	Timeshare hotel tower with accessory uses in conjunction with a resort hotel (Mandalay Bay)	Approved by PC	September 1998
UC-0697-98	Modified an approved resort hotel (Mandalay Bay)	Approved by BCC	June 1998
UC-1546-97	Modified an approved resort hotel (Mandalay Bay)	Approved by BCC	October 1997
UC-0244-97	Resort hotel with accessory uses (Project Z)	Approved by BCC	April 1997
UC-1543-96	Resort hotel with accessory uses (Project Y)	Approved by PC	October 1996

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial Tourist	H-1	Luxor & Excalibur Resort Hotels
South	Business and Design/Research Park & Public Facilities	P-F	Undeveloped, Bali Hai Golf Club, Las Vegas Metro Police Substation, & Clark County Fire Station
East	Commercial Tourist	H-1	Motel, convenience store, retail uses, & undeveloped
West	Commercial Tourist	H-1	I-15 & Allegiant Stadium

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Code allows alternative sign standards for resort hotels that can be approved if they result in the development having a visual character which is more compatible with the adjacent development. The proposed wall signage is consistent in design and scale with signage for other resort hotels within the Resort Corridor. In addition, the proposed wall signage complies with Urban Specific Policy 20 of the Comprehensive Master Plan, which states that signage should be compatible with building styles both on-site and the surrounding developments. Lastly, the advertisement on the roof of the arena will not be visible from any existing or proposed right-of-way or adjacent uses; therefore, it is not regulated by Title 30. As a result, staff can support this request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: MANDALAY BAY, LLC**

**CONTACT: GMRA, 6325 S. JONES BLVD, STE 100, LAS VEGAS, NV 89118**

**DRAFT**

12/02/20 BCC AGENDA SHEET

RESTAURANT  
(TITLE 30)

RUSSELL RD/POLARIS AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-20-0462-WESTSTATE LAND:**

**USE PERMIT** for a restaurant.

**WAIVER OF DEVELOPMENT STANDARDS** to reduce landscaping.

**DESIGN REVIEW** for a restaurant with drive-thru on 1.8 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone.

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

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**RELATED INFORMATION:**

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

**WAIVER OF DEVELOPMENT STANDARDS:**

1. a. Eliminate street landscaping along a portion of Polaris Avenue where landscaping is required per Figure 30.64-13 (a 100% reduction).
- b. Eliminate street landscaping along a portion of Russell Road where landscaping is required per Figure 30.64-17 or 30.64-18 (a 100% reduction).

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

**BACKGROUND:**

**Project Description**  
General Summary

- Site Address: 3397 W. Russell Road
- Site Acreage: 1.8
- Project Type: Restaurant with drive-thru
- Number of Stories: 1
- Building Height (feet): 19 feet 8 inches
- Square Feet: 2,717
- Parking Required/Provided: 34/37

### Site Plan

The site plan depicts a restaurant located in the northeast portion of the site. Setbacks include 30 feet from the north property line along Russell Road, 110 feet from the east property line along Century Park Drive, 175 feet from the south property line, and 125 feet from the west property line along Polaris Avenue. An existing driveway on Polaris Avenue provides access to the site and cross access with the adjacent hotel development to the south. Two parallel drive-thru lanes circle the site in a counterclockwise direction along the south, east, and north property lines. Along the north property line, the drive-thru lanes separate and run along the north and south sides of the restaurant building. West of the restaurant, the parallel drive-thru lanes ramp down and converge into a single drive-thru lane underneath a pedestrian courtyard area. A single drive-thru lane resurfaces along Polaris Avenue and exits near the driveway entrance for the site.

The courtyard area in the northwest portion of the site, near the intersection of Russell Road and Polaris Avenue, provides outside dining and pedestrian access to a walk-up window on the west side of the restaurant. There is no interior dining at this location. Additional outside dining is located on the south side of the restaurant. All the outside dining is at least 5 feet from the adjacent drive-thru lanes and parking spaces. Protective barriers are provided adjacent to the drive-thru lanes; however, a protective barrier is not required between the outside dining area and the parking spaces. A separate restroom building, an IT/storage building, and trash enclosure are all located southeast of the restaurant. Parking spaces are located near the center of the site, and a loading zone is located on the east side of the trash enclosure.

### Landscaping

Landscaping includes a 10 foot wide strip along the south property line and a new attached sidewalk with a 15 foot wide landscape strip along Century Park Drive on the east side of the site. On the north side of the site, along Russell Road, the proposed landscaping varies from 16 feet to 35 feet behind an attached sidewalk. However, the northwest portion of the site includes a pedestrian plaza with hardscape, concrete seat walls, and outside dining, which reduces the required street landscape width. This necessitates a waiver of development standards to reduce street landscaping for both Russell Road and Polaris Avenue for the portion of the street frontage near the intersection. Farther south of the pedestrian plaza, landscaping along Polaris Avenue includes an attached sidewalk, a 10 foot wide landscape strip, a 5 foot wide walkway, and another 7 foot wide landscape strip. Interior to the site, landscaping is provided within the parking lot and along the drive-thru lanes.

### Elevations

The restaurant building is 19 feet 8 inches to the top of the parapet roof. A continuous metal awning extends from the sides of the building in all directions to cover the walk-up windows and drive-thru lanes. The sides of the building are finished in stucco, and the columns supporting the metal awnings are also finished in stucco. The restroom and IT/storage buildings are 17 feet 9 inches in height. Other features of the project include standard concrete circular tables and seats for outside dining, concrete seat walls, 5 foot high concrete walls along the depressed portion of the drive-thru lanes, and 3 foot 6 inch high stainless steel cable railing barriers along portions of the drive-thru.



Floor Plans

The 2,243 square foot restaurant building includes a kitchen area, cooler, potato peeling area, potato storage, office, and restroom. Other buildings include the 148 square foot IT/storage building and a 326 square foot restroom building.

Signage

Signage is not a part of this request.

Applicant's Justification

Given the proximity of the site to Allegiant Stadium, the design anticipates a significant number of walk-up customers who will order food and eat in the outside dining/plaza area. Additionally, the design accounts for a high volume of vehicular traffic using 2 drive-thru lanes with significant stacking capacity on-site. Since the site is surrounded by a stadium, hotels, and light industrial uses, the applicant believes this is an appropriate use for the site. Lastly, although street landscaping is not provided per Title 30 standards in the pedestrian plaza area, overall landscaping exceeds Title 30 standards.

**Prior Land Use Requests**

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

**Surrounding Land Use**

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

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Use Permit

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

Restaurants are a discretionary use in an H-1 zone and are not permitted by right, but rather, are considered on a case by case basis. This location is across the street from Allegiant Stadium and is adjacent and abutting to hotel uses as well as a gasoline station and convenience store. As a result, a restaurant is an appropriate use at this location, and it will not create any undue adverse effects on adjacent properties. Access to the site is also appropriate since the location is along an arterial street (Russell Road), and the site is less than 700 feet from entrance and exit ramps to I-15. As a result, staff can support the use permit at this location.

#### Waiver of Development Standards

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

Although portions of the landscaping adjacent to Russell Road are not 15 feet in width and portions of the landscaping adjacent to Polaris Avenue are not 6 feet in width, these areas will include a pedestrian plaza. The pedestrian plaza will accommodate the significant number of pedestrians expected in the area on event days at Allegiant Stadium; therefore, the alternative standard of a pedestrian plaza instead of standard street landscaping for portions of Russell Road and Polaris Avenue is appropriate at this location, and staff can support the request.

#### Design Review

The innovative design of the restaurant with outside dining and drive-thru will be an amenity to the evolving commercial options surrounding Allegiant Stadium. The design of the project accounts for the significant number of pedestrians and vehicles anticipated in the area on event days at the stadium. In addition, the design complies with Urban Specific Policy 70 of the Comprehensive Master Plan, which encourages site amenities such as plazas, pedestrian walkways, and site furnishings (such as benches). In addition, the policy goes on to encourage landscaping, building overhangs, and canopies to provide shade and improve the comfort of the area. The proposed design complies with all aspects of Policy 70 by including a large pedestrian plaza and outside dining, concrete wall seats, concrete picnic tables, and awnings to provide shade. These design features will make the outside dining area more comfortable, and it will improve the pedestrian experience for people walking to events at Allegiant Stadium. Lastly, the extended length of the drive-thru provides adequate on-site queuing for cars, and the tunnel design of the drive-thru prevents conflicts with the pedestrians and outside dining.

Staff is in the process of finalizing the design of specific street cross sections for the Stadium District area. To align with anticipated policies in the Stadium District Plan, staff recommends a condition to increase the width of the pedestrian walkway along Polaris from 5 feet to 10 feet. Combined with the existing attached sidewalk, this will create a total width of 15 feet for pedestrians, which is in-line with the anticipated design of the Stadium District street cross sections. Also, this will provide more area for pedestrians walking along Polaris Avenue, especially during events at Allegiant Stadium. Staff also recommends a condition for the applicant to continue to work with Current Planning on the design of the pedestrian realm along

Century Park Drive and Russell Road as the Stadium District Plan is finalized if recommendations from the Stadium District Plan could be incorporated into the design of the site.

**Staff Recommendation**  
Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Increase the width of the pedestrian walkway along Polaris Avenue from 5 feet to 10 feet;
- Applicant to work with Current Planning on the design of the pedestrian realm, sidewalks, and street landscaping along Century Park Drive, Russell Road, and Polaris Avenue to comply with the intent of the Stadium District Plan that is under development;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time, the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance.
- Applicant is advised that full off-site improvement permits may be required.

**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 #0399-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** ANN PIERCE

**CONTACT:** ANN PIERCE, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE,  
SUITE 650, LAS VEGAS, NV 89135

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) <i>675</i> <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <i>475</i> <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <i>675</i> <input checked="" type="checkbox"/> PUBLIC HEARING <i>675</i> <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-20-0462</u> DATE FILED: <u>10/14/20</u> PLANNER ASSIGNED: <u>JLT</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>11/10/20</u> PC MEETING DATE: <u>—</u> BCC MEETING DATE: <u>12/2/20</u> FEE: <u>1,825</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Weststate Land</u> ADDRESS: <u>9061 Santa Monica Blvd.</u> CITY: <u>Los Angeles</u> STATE: <u>CA</u> ZIP: <u>90069</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u>
	<b>APPLICANT</b>  NAME: <u>Weststate Land</u> ADDRESS: <u>9061 Santa Monica Blvd.</u> CITY: <u>Los Angeles</u> STATE: <u>CA</u> ZIP: <u>90069</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>
	<b>CORRESPONDENT</b>  NAME: <u>Kaempfer Crowell - Ann Pierce</u> ADDRESS: <u>1980 Festival Plaza Dr. #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>apierce@kcnvlaw.com</u> REF CONTACT ID #: <u>164674</u>

ASSESSOR'S PARCEL NUMBER(S): 162-32-111-002  
 PROPERTY ADDRESS and/or CROSS STREETS: Russell & Polaris  
 PROJECT DESCRIPTION: Fast food drive thru with outside dining

(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.

Joye Monkarsh      JOYE MONKARSH  
 Property Owner (Signature)      Property Owner (Print)

STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_  
 SUBSCRIBED AND SWORN BEFORE ME ON \_\_\_\_\_ (DATE) *see attached*  
 By \_\_\_\_\_  
 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.

**CALIFORNIA NOTARIAL CERTIFICATE  
(JURAT)**

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.

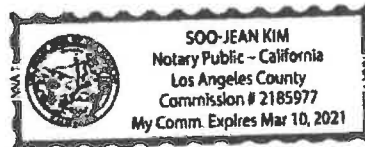
State of California  
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 17<sup>th</sup> day of September,  
2020, by Joyce Monkarrh, proved to me on the basis of  
satisfactory evidence to be the person(s) who appeared before me.

Signature

Soo-Jean Kim

(Seal)



**KALMPFER**

**CROWELL**

**ATTORNEYS AT LAW**

LAS VEGAS OFFICE

**JENNIFER LAZOVICH**

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October 13, 2020

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**VIA UPLOAD**

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

UC-20-0462

**Re: Justification Letter**  
**APN: 162-32-111-002**  
**3397 W. Russell Road**

Dear Mr. Tasko:

Please be advised, this firm is representing the applicant. On behalf of the applicant, we are submitting an application for a special use permit, design review and waiver of development standards to allow for a restaurant with a drive thru generally located on the southeast corner of Polaris Avenue and Russell Road and more particularly described as APN: 162-32-111-002 (the "Site"). The Site is zoned H-1 and master planned as Commercial Tourist.

**Special Use Permit**

The applicant is requesting a special use permit to allow for a restaurant with drive thru in an H-1 zone. The applicant intends to build an iconic and highly themed In-N-Out Burger on the Site.

**Waiver of Development Standards**

The applicant is seeking a waiver of development standards from Figure 30.64-13 that requires a 6-foot wide landscape area along Polaris Avenue. The applicant is proposing a significant landscaped plaza area and will exceed the minimum landscape requirements, however; the landscaping will not be located within a 6 foot strip as the code requires.

**Design Review**

The design of the building will be reminiscent of the very first In-N-Out Burger drive thru building constructed in 1948 and located in Southern California. The building will be approximately 2400 square feet with a heavy emphasis on drive thru and outdoor seating. There

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will also be a walk up window for pedestrian customers. The outdoor seating area will be approximately 1,600 square feet. The applicant has designed the outdoor dining area to comply with the conditions required in Title 30 and is providing the required 48 inch wide pedestrian access around the perimeter of the outside dining areas. There will not be any indoor seating at this location. There will be two drive thru lanes each with a stacking capacity of at least 23 cars for a total of 51 cars at any one time. Once the customers receive their food, each travel lane of the drive thru will traverse under a tunnel before exiting near the driveway off Polaris Avenue. Pedestrian seating will be provided above the tunnels in the plaza area. The applicant is providing 35 parking spaces where 32 parking spaces are required by Title 30. The maximum height of the building will be 20 feet. Access to the site will be off Polaris Avenue.

The applicant intends to keep the existing attached sidewalks along Russell Road and Polaris Avenue. The applicant will be adding a new pedestrian walkway along Polaris Avenue which will be separated from the existing sidewalk. The applicant will also construct a sidewalk adjacent to Century Park consistent with the treatment of sidewalks on Century Park on adjacent properties.

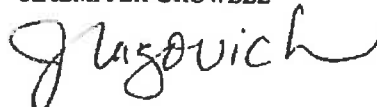
Signage is not a part of this application. The applicant will address signage at a later date.

Given the proximity to Allegiant Stadium, it is anticipated that there will be a number of walk up customers who can order at the walk up window area and eat in the plaza area. Additionally, the applicant has accounted for high volume vehicular traffic through the use of two drive thru lanes with significant stacking capacity. Since the Site is surrounded by H-1 property, the stadium, hotels and other light industrial warehouse uses, we believe the Site is appropriate for this type of use.

Thank you for your consideration of this request.

Sincerely,

KAEMPFER CROWELL



Jennifer Lazovich

JL/amp





## Paradise Town Advisory Board

October 27, 2020

### MINUTES

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Board Members:	Jon Wardlaw –Chair- <b>PRESENT</b> John Williams —Vice Chair- <b>PRESENT</b>	Susan Philipp – <b>PRESENT</b> Bart Donovan- <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

Greg Cervan; Planning, Blanca Vazquez; Town Liaison

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

II. Public Comment:  
None

III. Approval of October 13, 2020 Minutes

**Moved by: Philipp**  
**Action: Approval as submitted**  
**Vote: 4-0 Unanimous**

Approval of Agenda for October 27, 2020

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

IV. Informational Items

**Applications are available until Tuesday, December 1, 2020 for appointments by the Board of County Commissioners to serve on the Paradise TAB for a two-year term beginning January 2021. Applications can be obtained from Blanca Vazquez; Town Liaison, Maureen Helm; TAB secretary or the website clarkcounty.gov**

Receive a presentation from the Clark County Water Reclamation Department regarding the Sandhill Interceptor Project.

**Kimbery Adler gave a presentation on the new Sandhill Interceptor Project and answered questions.**

Receive a presentation from Lynn Purdue regarding the Maryland Parkway TOD Plan

**Greg Cervan gave a presentation on the Maryland Parkway TOD Plan and asked members of the audience to participate by filling out a survey to provide public input.**

I. Planning and Zoning

1. **UC-20-0436-HARSCH INVESTMENT PROPERTIES, LLC:**

**USE PERMITS** for the following: **1)** a health club; and **2)** a medical office in conjunction with an existing office/warehouse building on a portion of 4.0 acres in an M-D (Designed Manufacturing) (AE-60) Zone. Generally located on the north side of Patrick Lane and the west side of McLeod Drive within Paradise. JG/jor/jd (For possible action) **PC 11/17/20**

**MOVED BY-Williams**

**APPROVE- Subject to staff conditions**

**VOTE: 4-0 Unanimous**

2. **UC-20-0439-ADS INVESTMENTS, LLC:**

**USE PERMIT** for a pharmacy within an existing office warehouse building on a portion of 7.9 acres in an M-D (Designed Manufacturing) (AE-70) Zone and an M-1 (Light Manufacturing) (AE-70) Zone. Generally located on the northwest corner of Post Road and Dean Martin Drive within Paradise. MN/al/jd (For possible action) **PC 11/17/20**

**MOVED BY-Donovan**

**APPROVE- Subject to staff conditions**

**VOTE: 4-0 Unanimous**

3. **UC-20-0446-ROCK RIDGE BUSINESS PARK II, LLC:**

**USE PERMITS** for the following: **1)** recreational facility (indoor shooting range); **2)** sporting goods with firearms; and **3)** a minor training facility (shooting and safety classes).

**WAIVER OF DEVELOPMENT STANDARDS** to reduce parking.

**DESIGN REVIEW** for a proposed recreational facility (indoor shooting range) with sporting goods sales with firearms in conjunction with an existing office/warehouse complex on 2.3 acres in an M-1 (Light Manufacturing) Zone. Generally located on the south side of Hacienda Avenue and the east side of Cameron Street within Paradise. MN/lm/jd (For possible action) **PC 11/17/20**

**MOVED BY-Philipp**

**APPROVE- Subject to staff conditions**

**VOTE: 4-0 Unanimous**

4. **VS-20-0447-FLAMINGO PALMS VILLAS:**

**VACATE AND ABANDON** a portion of a right-of-way being Valley View Boulevard located between Flamingo Road and Harmon Avenue within Paradise (description on file). MN/lm/jd (For possible action) **PC 11/17/20**

**MOVED BY-Philipp**

**APPROVE- Subject to staff conditions**

**VOTE: 4-0 Unanimous**

5. **WS-20-0393-BARESE HERBERT HARRY & PEGGY G:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce the setback for accessory structures; and 2) to reduce the required separation between structures and an existing single family residence on 0.2 acres in an R-1 (Single Family Residential) Zone. Generally located on the southwest corner of Harmon Avenue and El Pastor Lane within Paradise. TS/sd/jd (For possible action) **PC 11/17/20**  
**MOVED BY-Williams**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous**
  
6. **WS-20-0438-REGENCY COVE 2.47 TRUST:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce rear setbacks; and 2) increase wall height.  
**DESIGN REVIEW** for a single family residential development on 2.6 acres in an R-1 (Single Family Residential) Zone. Generally located on the east side of Pacific Street, approximately 700 feet south of Emerson Avenue within Paradise. TS/bb/jd (For possible action) **PC 11/17/20**  
**MOVED BY-Williams**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous**
  
7. **TM-20-500150-REGENCY COVE 2.47 TRUST:**  
**TENTATIVE MAP** consisting of 16 lots and common lots on 2.6 acres in an R-1 (Single Family Residential) Zone. Generally located on the east side of Pacific Street, approximately 700 feet south of Emerson Avenue within Paradise. TS/bb/jd (For possible action) **PC 11/17/20**  
**MOVED BY-Williams**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous**
  
8. **UC-20-0395-KCSL, LLC:**  
**USE PERMIT** for personal services (beauty salon) on a portion of 1.2 acres in an M-1 (Light Manufacturing) Zone. Generally located on the west side of Polaris Avenue, approximately 400 feet south of Spring Mountain Road within Paradise. JJ/bb/jd (For possible action) **PC 11/3/20**  
**MOVED BY-Donovan**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous**
  
9. **AR-20-400097 (UC-18-0004) -DESERT INN PARTNERS LLC:**  
**USE PERMIT SECOND APPLICATION FOR REVIEW** to increase the number of vehicles (automobiles) displayed outside for an existing vehicle sales facility when the business has common parking with other businesses within an existing shopping center on a portion of 4.1 acres in a C-2 (General Commercial) Zone. Generally located on the west side of Sandhill Road and the south side of Desert Inn Road within Paradise. TS/sd/jd (For possible action) **BCC 11/4/20**  
**MOVED BY-Philipp**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous**

- VI. General Business
  - a. Review and approve 2021 TAB calendar  
**APPROVED as submitted**
  
- VII. Public Comment  
**None**
  
- VIII. Next Meeting Date  
**The next regular meeting will be November 10, 2020**
  
- IX. Adjournment  
**The meeting was adjourned at 7:55p.m.**