



## PARADISE TOWN ADVISORY BOARD

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV 89121

August 25, 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 August 11, 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 August 25, 2020 and Hold, Combine, or Delete any Items. (For possible action)

V. Informational Items

1. Announcements of upcoming neighborhood meetings and County or community meetings and events.

VI. Planning and Zoning

1. **TM-20-500109-MASS EQ-SPENCER & SERENE, LLC:**

**TENTATIVE MAP** for a 1 lot commercial subdivision on 2.0 acres in a C-1 (Local Business) Zone. Generally located on the north side of Serene Avenue and the west side of Spencer Street within Paradise. MN/bb/jd (For possible action) **PC 9/1/20**

2. **UC-20-0332-DIAMOND CREEK HOLDINGS, LLC SERIES 11:**

**USE PERMIT** for an assisted living facility.

**WAIVER OF DEVELOPMENT STANDARDS** to reduce the minimum lot area for an assisted living facility on 0.9 acres in a C-P (Office and Professional) Zone. Generally located on the east side of Eastern Avenue and the north side of Twain Avenue within Paradise. TS/rk/jd (For possible action) **PC 9/15/20**

3. **WS-20-0336-3900 PARADISE RETAIL OWNER SPE, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate street landscaping; **2)** allow alternative parking lot design standards; **3)** reduce parking; and **4)** allow alternative sign standards.

**DESIGN REVIEWS** for the following: **1)** modifications to an existing shopping center; **2)** alternative parking lot landscaping; and **3)** signage in conjunction with an existing shopping center on 4.0 acres in a H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Paradise Road, 640 feet south of Twain Avenue within Paradise. TS/jt/jd (For possible action) **PC 9/15/20**

4. **ET-20-400083 (ZC-18-0666) -BOMBARD ELECTRIC, LLC:**

**ZONE CHANGE FIRST EXTENSION OF TIME** to reclassify a 0.5 acre portion of 2.5 acres from R-E (Rural Estates Residential) Zone and M-1 (Light Manufacturing) Zone to M-1 (Light Manufacturing) Zone.

**USE PERMIT** to allow an office as a principal use in an M-1 (Light Manufacturing) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce parking; and **2)** allow modified commercial driveway geometrics.

**DESIGN REVIEWS** for the following: **1)** alternative parking lot landscaping; and **2)** a proposed office warehouse building on 4.1 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of Post Road and the east and west sides of Arville Street (alignment) within Paradise (description on file). MN/jgh/jd (For possible action) **BCC 9/16/20**

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

VII. General Business  
None

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: September 8, 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



# Paradise Town Advisory Board

August 11, 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

Jared Tasko; Planner, Blanca Vazquez; Town Liaison

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

II. Public Comment:  
None

III. Approval of July 28, 2020 Minutes

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

Approval of Agenda for August 11, 2020

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

IV. Informational Items  
None

V. Planning & Zoning

1. **TM-20-500099-PARBALL NEWCO, LLC:**

**TENTATIVE MAP** for a commercial subdivision on a 29.9 acre developed resort hotel site in an H-1 (Limited Resort and Apartment) Zone. Generally located on the south side of Flamingo Road and the east side of Las Vegas Boulevard South within Paradise. JG/rk/jd (For possible action) **PC 8/18/20**

**MOVED BY-Williams**

**APPROVE- Subject to staff conditions**

**VOTE: 4-0 Unanimous**

2. **UC-20-0330-MASSEY, THOMAS J. & ANITA L.:**

**USE PERMITS** for the following: 1) vehicle paint/body shop; and 2) vehicle repair. **WAIVER OF DEVELOPMENT STANDARDS** reduced trash enclosure setback from a residential development.

**DESIGN REVIEW** for vehicle paint/body and vehicle repair in an existing industrial building on 1.3 acres in an M-1 (Light Manufacturing) Zone. Generally located on the southwest corner of Cameron Street and Nevso Drive within Paradise. MN/bb/jd (For possible action) **PC 9/1/20**

**MOVED BY-Donovan**

**APPROVE- Subject to staff conditions**

**VOTE: 4-0 Unanimous**

3. **WC-20-400085 (UC-20-0154)-PARADISE & TWAIN HOLDINGS, LLC:**

**WAIVER OF CONDITIONS** of a use permit for the applicant shall design and bond for the curb return driveway on Paradise Road, with the improvements to be installed in concert with the Paradise Road improvement project in conjunction with a restaurant with a drive-thru on 0.6 acres in an H-1 (Limited Resort and Apartment) Zone and a C-1 (Local Business) Zone. Generally located on the southeast corner of Paradise Road and Twain Avenue within Paradise. TS/jgh/xx (For possible action) **BCC 9/2/20**

**MOVED BY-Philipp**

**APPROVE- Subject to staff conditions**

**VOTE: 4-0 Unanimous**

VI. General Business

**None**

VII. Public Comment

**None**

VIII. Next Meeting Date

**The next regular meeting will be August 25, 2020**

IX. Adjournment

**The meeting was adjourned at 7:15 p.m.**

09/01/20 PC AGENDA SHEET

RETAIL CENTER  
(TITLE 30)

SERENE AVE/SPENCER ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-20-500109-MASS EQ-SPENCER & SERENE, LLC:**

**TENTATIVE MAP** for a 1 lot commercial subdivision on 2.0 acres in a C-1 (Local Business) Zone.

Generally located on the north side of Serene Avenue and the west side of Spencer Street within Paradise. MN/bb/jd (For possible action)

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RELATED INFORMATION:

**APN:**  
177-23-208-005

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 1780 E. Serene Avenue
- Site Acreage: 2
- Number of Lots: 1
- Project Type: Retail center

The plan depicts a 1 lot commercial subdivision on a 2 acre site with 3 existing commercial buildings. The commercial center consists of a retail building on the north portion of the site, and 2 restaurant buildings with drive-thrus located on the southeast and southwest corners of the site. Access to the site is from Serene Avenue to the south, and Spencer Street to the east.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-19-0965	Reduced parking	Approved by PC	February 2020
DR-18-0355	Commercial retail center	Approved by PC	June 2018
VS-0466-17	Vacated and abandoned right-of-way	Approved by PC	July 2017
UC-0432-16	Recreational facility with retail and restaurant uses	Approved by PC	April 2016

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0115-08	Convenience store and supper club within an approved shopping center - expired	Approved by PC	March 2008
TM-0005-08	One lot commercial subdivision - expired	Approved by PC	February 2008
ZC-1251-07	Reclassified the site and adjacent parcels to the west to C-1 zoning, increased building height, & established a shopping center	Approved by BCC	November 2007
ZC-0777-07	Reclassified the site to C-1 zoning, reduced parking, increased building height, & established a shopping center	Approved by BCC	August 2007

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities	P-F	Clark County Fire Station
South	Public Facilities	R-E	Elementary school
East	Commercial General	C-1	Restaurant & retail buildings
West	Commercial Neighborhood	C-1	Undeveloped

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

This request meets the tentative map requirements as outlined in Title 30.

**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, 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 a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

**Public Works - Development Review**

- Right-of-way dedication to include 40 foot property line radius in the southeast corner of the site.

**Current Planning Division - Addressing**

- No comment.

**Building Department - Fire Prevention**

- No comment.

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

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

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MASS EQ-SERENE SPENCER

**CONTACT:** JPL ENGINEERING, INC., 6725 S. EASTERN AVE, SUITE 5, LAS VEGAS, NV 89119

**DRAFT**



09/15/20 PC AGENDA SHEET

ASSISTED LIVING FACILITY  
(TITLE 30)

EASTERN AVE/TWAIN AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-20-0332-DIAMOND CREEK HOLDINGS, LLC SERIES 11:**

**USE PERMIT** for an assisted living facility.

**WAIVER OF DEVELOPMENT STANDARDS** to reduce the minimum lot area for an assisted living facility on 0.9 acres in a C-P (Office and Professional) Zone.

Generally located on the east side of Eastern Avenue and the north side of Twain Avenue within Paradise. TS/rk/jd (For possible action)

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RELATED INFORMATION:

**APN:**

162-13-203-001

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the minimum lot area to 36,591 square feet where a minimum of 80,000 square feet is required per Table 30.44-1 (a 54% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE - OFFICE PROFESSIONAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3690 Eastern Avenue
- Site Acreage: 0.9
- Number of Bedroom Units: 11
- Density (du/ac): 4.25
- Project Type: Assisted living facility
- Number of Stories: 2
- Building Height (feet): 28
- Square Feet: 17,803 assisted living/2,925 place of worship (20,728 overall building)
- Parking Required/Provided: 49/59

**Site Plans**

The plans depict an existing 2 story building that is located near the western portion of the site. The plans depict a total of 59 parking spaces which are divided between 2 surface parking lots

and a parking garage. The parking garage is located under the second floor on the eastern half of the building with access provided from Twain Avenue. The first surface parking lot is located to the east of the building and will have access from 3 existing driveways on Twain Avenue. The second surface parking lot consists of 4 parking spaces located to the west side of the building with access from Eastern Avenue. The assisted living facility will encompass the second floor of the building which will consist of 11 rooms with 22 beds. On the first floor, a place of worship is currently in operation and is approximately 2,925 square feet.

Landscaping

No changes are proposed or required to existing landscape areas with this request. The existing street landscaping consists of trees, shrubs, and groundcover.

Elevations

No changes are proposed to the exterior of the building with this application. The existing building is 2 stories with a maximum height of 28 feet. The western portion of the building has a pitched roof with concrete tile roofing material. The eastern portion of the building has a flat roof behind a parapet wall. The exterior of the building has a stucco finish painted in earth tone colors.

Floor Plans

The building has a total area of approximately 20,728 square feet with the majority of the building area located on the second floor. The proposed assisted living facility consists of 11 rooms with 22 beds, a great room, restrooms, kitchen, laundry room, reception area, office and a conference room. The place of worship occupies an approximately 2,925 square foot lease area on the southwestern portion of the first floor.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant will be renovating portions of the second floor in order to accommodate the needs of their future residents. According to the applicant, even though the property does not meet the minimum Code requirement of 2 acres in size, the site is physically suitable for the purpose of their needs. Public transportation is within walking distance from the subject site and on-site parking is readily available. Southern Nevada CHIP's agency offers a number of services to which residents will have access including connection to primary health care providers, dieticians, and personal services to help them live a happier and healthier life.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-18-0067	Place of worship within an existing office building with a waiver for parking	Approved by PC	March 2018
ZC-243-85	Reclassified the site to C-P zoning	Approved by BCC	November 1985

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities & Office Professional	C-P	Flood Channel & office complex
South	Office Professional & Rural Neighborhood Preservation (up to 2 du/ac)	C-P & R-1	Office complex & assisted living facility
East	Public Facilities & Office Professional	C-P & R-1	Flood channel & undeveloped
West	Public Facilities	R-1	Golf course

### 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.

Staff finds that the proposed assisted living facility is appropriate for the site and will not adversely impact the residential properties in the general area. The proposed facility has a density of 4.25 dwelling units per acre and is immediately adjacent to an arterial street (Eastern Avenue). The establishment of this facility complies with Land Use Goal 7 of the Comprehensive Master Plan which promotes providing housing alternatives to meet a range of lifestyle choices, ages, and affordability levels.

#### Waiver of Development Standards

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

The proposed facility may not meet the 2 acre area requirement in Code; however, there is more than adequate parking available on-site and access to public transportation is provided along Eastern Avenue. Furthermore, the density of the proposed facility is 4.25 dwelling units per acre with a total of 22 beds, which makes the scale and intensity of this use fairly minor compared to most assisted living facilities.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

- No comment.

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

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

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

**APPLICANT:** SOUTHERN NEVADA CHIPS

**CONTACT:** SOUTHERN NEVADA CHIPS, 201 LAS VEGAS BLVD, 1533, LAS VEGAS, NV 89101

SHOPPING CENTER MODIFICATIONS  
(TITLE 30)

PARADISE RD/TWAIN AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-20-0336-3900 PARADISE RETAIL OWNER SPE, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate street landscaping; 2) allow alternative parking lot design standards; 3) reduce parking; and 4) allow alternative sign standards.

**DESIGN REVIEWS** for the following: 1) modifications to an existing shopping center; 2) alternative parking lot landscaping; and 3) signage in conjunction with an existing shopping center on 4.0 acres in a H-1 (Limited Resort and Apartment) Zone.

Generally located on the east side of Paradise Road, 640 feet south of Twain Avenue within Paradise. TS/jt/jd (For possible action)

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RELATED INFORMATION:

**APN:**

162-15-401-038

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate a portion of street landscaping adjacent to Paradise Road where 15 feet of landscaping is required per Figure 30.64-17 or Figure 30.64-18 (a 100% reduction).
2.
  - a. Reduce the area of diamond shaped landscape planters in the parking lot to 36 square feet (6 feet by 6 feet) where 49 square feet (7 feet by 7 feet) is the minimum area required per Figure 30.64-14 (a 27% reduction).
  - b. Reduce the size of parking spaces adjacent to diamond shaped landscape planters to 9 feet wide by 18 feet long where 10 feet wide by 19 feet long is the minimum required per Figure 30.64-14 (a 15% reduction).
3. Reduce the number to parking spaces to 181 spaces where 276 spaces are required per Table 30.60-1 (a 34% reduction).
4.
  - a. Increase freestanding sign height to 48 feet where 36 feet is the maximum allowed per Table 30.72-1 (a 33% increase).
  - b. Increase animated sign area in conjunction with a freestanding sign to 448 square feet where 150 square feet is the maximum allowed per Table 30.72-1 (a 199% increase).
  - c. Reduce setbacks for a freestanding sign to 5 feet where 10 feet is required from the right-of-way (Paradise Road) per Section 30.56.040 and Table 30.72-1 (a 50% reduction).
  - d. Allow roof signs where roof signs are prohibited per Section 30.72.040.

- e. Allow signage (wall signs and roof signs) to face adjacent residential development not separated by a street where not allowed per Table 30.72-1.

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3900 Paradise Road
- Site Acreage: 4
- Project Type: Modifications to an existing shopping center
- Number of Stories: 2
- Building Height (feet): 36
- Square Feet: 68,880
- Parking Required/Provided: 276/181

Overview

This application includes modifications to an existing shopping center. The modifications include changes to the parking lot layout, site landscaping, replacing an existing freestanding sign, changes to wall signs, and allowing roof signs. An approved multiple family residential development, which shares parking and cross access with the subject shopping center, is proposed to be built on the adjacent parcel to the east. Until the adjacent multiple family residential development is built, the subject shopping center is deficient in the number of parking spaces. As a result, the applicant is reducing existing landscaping and modifying the layout of the parking lot to add 6 additional parking spaces. In addition, Paradise Road will be widened, further reducing the street landscaping along Paradise Road. Lastly, this application includes a new, animated freestanding sign, wall signage, and roof signage, some of which will face the future multiple family residential development to the east.

Site Plans

The site plans depict an existing shopping center with access from Paradise Road to the west and cross access with an approved multiple family residential development to the east. No changes are proposed to the existing buildings on the site. However, several changes are proposed to the parking layout and landscaping to add additional parking spaces. For example, street landscaping will be eliminated on the southwest portion of the site, adjacent to Paradise Road, to add 5 additional parking spaces. The elimination of the landscaping in this area is due both to the proposed redesign of the parking lot and the future widening of Paradise Road. Specifically, the applicant is reducing an existing 20 foot wide landscape area by 15 feet for additional parking, and the street widening project will eliminate the remaining 5 feet of landscaping.

Other changes include restriping in the southeast portion of the site to add 6 additional parking spaces and reducing parking in the center and northern portion of the site by 5 parking spaces. Some of the reduced parking is due to adding additional parking lot landscape islands, including diamond shaped planters, which require both a design review and a waiver of development standards due to the reduced size of the planters and adjacent parking spaces. The net increase in

parking spaces for the site is 6 parking spaces. If the adjacent multiple-family residential development is constructed, 928 parking spaces will be provided where 919 parking spaces are required for the entire site (the multiple-family residential development will provide over 95 parking spaces to make-up the commercial deficiency). Therefore, the waiver of development standards to reduce parking for the subject shopping center is necessary in the interim until the approved multiple family residential development is constructed.

#### Landscaping

Existing and proposed landscaping along Paradise Road will range in width from 15 feet wide on the northern portion of the site down to approximately 5 inches of landscaping (essentially eliminating landscaping) near the southern portion of the site. Other landscaping areas include new 6 foot by 6 foot diamond shaped parking lot planters (7 foot by 7 foot is the minimum planter size) and additional areas of landscaping around portions of the base of the buildings.

#### Elevations

The existing buildings range from single story up to 2 stories with a maximum height of 36 feet. A variety of elements are included in the design, including painted brick, stucco finish, fiber cement siding, various types of porcelain tile, metal canopies, precast concrete wall bases, metal fascia, metal tube vertical slats, steel columns, and board formed concrete railing. The color scheme includes white, gray, dark gray, beige, and off-orange. No changes are proposed to the exterior of the buildings; however, the design of the buildings is provided as reference since new signage is proposed.

#### Floor Plans

Floor plans are not provided with this application since the tenants are existing, and no changes are proposed to the interior of the buildings.

#### Signage

Changes to signage include replacing an existing freestanding sign with an animated freestanding sign, adding wall signs and roof signs on the buildings, and adding non-illuminated signage that will face the approved multiple family residential development to the east.

The existing freestanding sign is approximately 24 feet high, which will be removed and replaced with an animated freestanding sign. The new animated freestanding sign is 48 feet high, and a waiver of development standards is necessary to increase the height since the existing buildings on the site are 36 feet high (maximum height for freestanding signs in the H-1 zone is the same as the building height). Total sign area for the freestanding sign will be 523 square feet, and 448 square feet of the area will be animated LED signage. A waiver of development standards is necessary to increase the size of the animated sign where 150 square feet is the maximum. Another waiver of development standards is necessary to reduce the setback from a right-of-way (Paradise Road) to 5 feet where 10 feet is required.

Existing wall signage around the building will also be replaced with new wall and roof signage. A total of 16 wall and roof signs are proposed, which total 1,940 square feet combined where over 12,000 square feet is allowed. Ten of the 16 signs face west towards Paradise Road or internal to the site. The remaining 6 signs will face east towards the approved multiple family

residential development, although these signs will be non-illuminated. Regarding the roof signs, the signs will be located on canopies, which extend out from the wall of the building. As a result, these signs are considered roof signs since they are on the roof of the canopies and not attached to the wall of the buildings. However, the roof signs do not extend above the roofline of the buildings.

Applicant's Justification

According to the applicant, the original shopping center was built in the 1980's, and more recently, exterior renovations to the buildings were approved in March 2020 (ADR-20-900190). To continue to modernize the shopping center, this application includes updates to the landscaping, parking lot, and signage. Although landscaping is being reduced along Paradise Road, additional landscaping is being added internal to the parking lot and around the base of the buildings.

Regarding the waiver of development standards to reduce parking, this is only necessary until the adjacent multiple family residential development is constructed, which will include additional parking spaces to make-up for the deficiency. By way of background, an office building, with additional parking for the shopping center, was previously constructed on the east side of the site; however, the office building was damaged in a fire and subsequently demolished. The multiple family residential development was approved on the same site as the office building. With the redesign of the parking lot and landscaping, the applicant is providing an additional 6 parking spaces on the site. Furthermore, the diamond shaped landscape planters and reduced size of parking spaces adjacent to the diamond shaped planters are the best alternative to provide additional landscaping and parking spaces on the existing site.

The applicant indicates that the increased height, reduced setback, and increased animated area for the freestanding sign is appropriate for several reasons. First, the site is zoned H-1. Second, the height is comparable to existing signs in the area along Paradise Road. Third, the sign is oriented towards Paradise Road and the existing commercial corridor, and finally, the existing shopping center buildings will partially shield the sign from the approved multiple family residential development to the east.

Lastly, the applicant indicates that the proposed wall signs and roof signs are below the allowed area for wall signs on the site. The signs that face the approved multiple family residential development to the east will be non-illuminated, and the remainder of the signs are appropriate in the commercial center, which is zoned H-1 and located along a busy commercial corridor.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ADR-20-900190	Exterior remodel of an existing shopping center	Approved by ZA	March 2020
UC-18-0894	Day spa - expired	Approved by PC	February 2019
UC-18-0079	Major training facility	Approved by PC	March 2018



**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0132-04	Real estate school including business related training and certification	Approved by PC	March 2004
UC-1841-03	Expanded on-premises consumption of alcohol and design review to allow standing seam metal roofs and partially enclose an existing outside dining/drinking patio with a proposed restaurant	Approved by PC	January 2004
UC-1454-01	On-premises consumption of alcohol within a restaurant	Approved by PC	December 2001
UC-0130-85	Retail and office complex	Approved by PC	August 1985

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Commercial Tourist	H-1	Hotel
East	Commercial Tourist	H-1	Multiple family residential development with cross access to the subject shopping center
West	Commercial Tourist	H-1	Restaurant & offices

**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 a portion of street landscaping along Paradise Road will be eliminated, the reduction to street landscaping will only occur in a small portion (less than 5 feet long) of the overall street frontage. Landscaping along other portions of the Paradise Road street frontage will extend up to 15 feet in width. In addition, the proposed design includes additional landscaping in diamond shaped landscape planters and around portions of the buildings. As a result, the proposed alternative standards mitigate the impact of the reduced landscaping, and staff can support the request.

### Waiver of Development Standards #2 & Design Review #2

Diamond shaped landscape planters can provide an alternative to standard landscape fingers on a dense site to maintain as many parking spaces as possible. However, the larger size (7 feet by 7 feet) of the diamond shaped planters required by Title 30 is intended to provide enough root area for healthy tree growth, and the larger parking spaces (10 feet wide by 19 feet long) are intended to provide adequate space for vehicles to park without damaging the undercarriage of the vehicles on the curb around the diamond shaped planters and without damaging the trees. Nevertheless, the existing site is in Community District 1, which consists of the most intense and urban development in Clark County. As a result, it may be appropriate to reduce certain design standards to accommodate the existing development on the site and building pattern in the area. Therefore, parking spaces and landscape areas are denser in this part of Clark County, and staff can support the alternative design standards since the diamond shaped landscape planters will still provide shade within the parking lot and visual relief in the urban area.

### Waiver of Development Standards #3

Although this application is to reduce parking spaces, the redesign of the parking lot and landscaping will create a net increase of 6 parking spaces. In addition, the deficiency in parking will be made-up if the adjacent multiple family residential development is constructed. This application is intended to allow businesses to operate and potential tenants to move into the existing shopping center with the existing number of parking spaces until the adjacent multiple family residential development is built. However, if the adjacent multiple family residential development is not constructed, staff recommends adding additional parking spaces (with a separate land use application) on the adjacent parcel to the east. Therefore, staff can support the request with a review period to ensure that adequate parking is eventually provided.

### Waiver of Development Standards #4 & Design Review #3

Staff recognizes that individual sites may present unique characteristics, including site shape and location, indicating that signage could best be developed through an application for alternative design standards. These alternative sign standards could be considered appropriate if the signage results in having a visual character that is compatible with adjacent development, encourages a development trend or visual character anticipated by Title 30, and results in development that exceeds other requirements. Since the site is in Community District 1 and the H-1 zone, and the site is located along a commercial corridor that is located near and compliments the tourist activities along the Resort Corridor, alternative sign standards may be appropriate.

The increased sign height and increased animated sign area are similar in scale to other signs in the area. In addition, the increased animated sign area helps activate the built environment and promote a sense of excitement, which is appropriate in this area. Staff does not anticipate any negative visual impacts to the approved multiple family residential development to the east. For example, the multiple family residential development was approved at a height of 86 feet, and it will be set back approximately 300 feet from the animated freestanding sign. As a result, the sign will be compatible in height and scale to the existing 38 foot high shopping center and the approved 86 foot high multiple family residential development. Staff also does not anticipate any potential negative impacts to motorists from the reduced street setback since the proposed sign is in the same location as the previous freestanding sign, and the reduced setback is due in part to the future street widening of Paradise Road.

Lastly, staff can support the design review for wall signs and the waiver of development standards for roof signs. The design, location, and scale of the wall and roof signs are appropriate for the shopping center and the location. In addition, the signs facing the approved multiple family residential development to the east are non-illuminated. As a result, all the proposed signs are compatible with building styles on-site and with surrounding neighborhoods, consistent with Urban Specific Policy 20 in the Comprehensive Master Plan.

#### Design Review #1

Staff can support the modifications to the existing shopping center. Although landscaping will be reduced along Paradise Road, additional landscaping will be provided within the parking lot and around portions of the buildings. The additional parking spaces will help accommodate visitors and employees of the site until the adjacent multiple family residential development is built. Finally, the proposed signage is also appropriate for the site and the area. As a result, staff can support the modifications to the existing shopping center.

#### **Staff Recommendation**

Approval.

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

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

##### **Current Planning**

- 2 years to review waiver of development standards #3;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

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

- Coordinate with Public Works - Design Division for the Paradise Road improvement project;
- Dedicate any right-of-way and easements necessary for the Paradise Road improvement project.

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

- No comment.

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

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

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** 3900 PARADISE RETAIL OWNERS SPE, LLC

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

DRAFT



# LAND USE APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

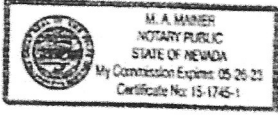
<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) 475 <input checked="" type="checkbox"/> DESIGN REVIEW (DR) 675 <input checked="" type="checkbox"/> PUBLIC HEARING 675 <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>7/28/20</u> PLANNER ASSIGNED: <u>JCT</u> ACCEPTED BY: <u>JCT</u> FEE: <u>\$1,150</u> CHECK #: <u>ONLINE</u> COMMISSIONER: <u>TS</u> OVERLAY(S)? <u>-</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N TRAILS? <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N      FFNA? <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY: <u>N/A</u>	APP. NUMBER: <u>WS-20-0336</u> TAB/CAC: <u>PARADISE</u> TAB/CAC MTG DATE: <u>8/25</u> TIME: <u>7pm</u> PC MEETING DATE: <u>9/15/20</u> BCC MEETING DATE: <u>-</u> ZONE / AE / RNP: <u>H-2</u> PLANNED LAND USE: <u>WPCT</u> NOTIFICATION RADIUS: <u>500'</u> SIGN? <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N LETTER DUE DATE: <u>N/A</u> COMMENCE/COMPLETE: <u>N/A</u>
	<b>PROPERTY OWNER</b> NAME: <u>3900 Paradise Retail Owners SPE, LLC</u> ADDRESS: <u>10777 Twain Avenue Ste 115</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u>	
	<b>APPLICANT</b> NAME: <u>3900 Paradise Retail Owners SPE, LLC</u> ADDRESS: <u>10777 Twain Avenue, Ste 115</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-290-4163</u> CELL: <u>000-000-0000</u> E-MAIL: <u>nima@standardnevada.com</u> REF CONTACT ID #: <u>n/a</u>	
	<b>CORRESPONDENT</b> NAME: <u>Tony Celeste - Kaempfer Crowell</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>ajc@kcnvlaw.com</u> REF CONTACT ID #: <u>175451</u>	

ASSESSOR'S PARCEL NUMBER(S): 162-15-401-038      # 164674  
 PROPERTY ADDRESS and/or CROSS STREETS: 3900 Paradise Road  
 PROJECT DESCRIPTION: Design review for remodel of shopping center

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

Property Owner (Signature) [Signature]      Property Owner (Print) Douglas Eisner

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 3/11/2020 (DATE)  
 By Douglas Eisner  
 NOTARY PUBLIC: Mamanu



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

**KAEMPFER****CROWELL****KAEMPFER CROWELL RENSHAW  
GRONAUER & FIORENTINO**LAS VEGAS OFFICE  
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Fax: 775.852.3982CARSON CITY OFFICE  
510 W. Fourth Street  
Carson City, NV 89703  
Tel: 775.884.8300  
Fax: 775.882.0257ATTORNEYS AT LAW  
LAS VEGAS OFFICEANTHONY J. CELESTE  
aceleste@kcwvlaw.com  
702.693.4215

July 27, 2020

**VIA HAND DELIVERY**

WS-20-0336

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

*Re: Calida Development  
Justification Letter – Design Review to Allow for Alternative Parking Lot  
Landscaping; Waivers of Development Standards to Reduce Street Landscaping;  
Waiver of Development Standards to Reduce Parking and to Allow Alternative  
Diamond Planters and Parking Spaces; and Design Review and Related Waivers for a  
Sign Plan Including an Animated Freestanding Sign, Wall Signs, and Roof Signs for  
an Existing Commercial Shopping Center  
APN: 162-15-401-038*

To Whom It May Concern:

Please be advised our office represents Calida (the "Applicant") in the above-referenced matter. The Applicant is proposing improvements to an existing commercial shopping center located on approximately 3.98 acres located on the east side of Paradise Road in between Twain Avenue to the north and Flamingo Road to the south. The property is more particularly described as APN: 162-15-401-038 (the "Site"). The Site is zoned H-1. By way of background, the Site was originally constructed in the early to mid 1980's. More recently, on March 27, 2020 ADR-20-900190 was approved allowing for the exterior remodeling of the elevations for the commercial shopping center. In an effort to continue to modernize and update the Site, the Applicant is now requesting a design review to allow for alternative landscaping, waivers of development standards to reduce street landscaping and to reduce parking, and a design review and related waivers to reduce setbacks and increase square footage for an animated freestanding sign.

**Design Review to Allow for Alternative Parking Lot Landscaping**

Because the parking lot design consists of parking lot landscape diamonds instead of parking lot landscape islands, the Applicant is requesting to modify the parking lot landscaping. While the parking lot landscaping is technically not met, the Applicant is otherwise providing the appropriate amount of landscaping. The Applicant is adding additional landscaping in front of Buildings A and B as well as in front of and behind the two (2) interior buildings.

3

### Waiver of Development Standards to Reduce Street Landscaping

The existing landscape width along Paradise Road north of Private Drive remains the same. The landscaping width on the north side of Private Drive is approximately 15'2". However, due to the Paradise Road widening and realignment project, the new location of the ROW is moving about 4' into the Site which causes the Site to lose landscaping along the parking on the south eastern boundary. The Site did not lose any parking (and as further discussed below the Site increased parking by 6 spaces); however, instead of the parking spaces being 8' from the back of sidewalk, the future condition shows that the parking in the southwest corner of the Site will be reduced to approximately 0.43' away from the future ROW line.

Additionally, the Applicant is removing some landscaping along the south and replacing the landscaping with four (4) additional parking spaces. Otherwise, the landscaping areas remain the same and, in fact as mentioned above, the Applicant are adding additional landscaping in front of Buildings A and B. The proposed new landscaping, however, will be an enhancement from what currently exists.

### Waiver of Development Standards to Reduce Parking

The Site currently has 175 parking spaces where 276 parking spaces are required. With the Applicant's changes to the landscaping and making the parking field more efficient, the number of parking spaces will increase from the current 175 parking spaces to a total of 181 parking spaces. Although the Site will provide 6 more parking spaces, the Site is still technically 95 parking spaces deficient.

However, a closer analysis of the Site and the adjacent approved multi-family development immediately to the east reveals that between the Site and the approved multi-family development there will be excess parking. The multi-family development, approved via UC-19-0668, accounts for the deficient parking on the Site. The breakdown is as follows:

The required parking breakdown for both the Site and the multi-family development is as follows:

- Commercial - 276 spaces (68,880 square feet/1000 square feet \* 4)
- Residential - 643 spaces
- Total Required - 919

The Site and the multi-family development will provide the following:

- Commercial - 181 spaces
- Residential 747 (643 required for the residential, 95 spaces to make up the commercial deficiency plus an additional 9 spaces)
- Total Provided - 928

As such, a waiver to reduce the parking on the Site is justified because the combined projects provide a total of 9 excess parking spaces. Finally, the Site is providing 6 additional spaces that do not currently exist. Therefore, the reconfigured parking field and landscaping enhances the overall Site.

#### Waiver of Development Standard to Allow Alternative Diamond Planter and Parking Spaces

The Applicant is requesting to provide 6' wide diamond planters with 9' by 18' parking space dimensions next to the diamond planters. In order to provide additional parking and to better enhance the overall landscaping aesthetics for the existing commercial shopping, the best alternative is to reduce the diamond planter and adjacent parking spaces.

#### Design Review and Related Waivers for a Sign Plan

- **Freestanding Sign and Waivers to Increase Sign Height, Reduce Setback, and Increase Animation Square Footage**

There is currently a freestanding sign on the Site that is about 24'6" in height. The Applicant is removing the existing freestanding sign and proposing to construct a new freestanding sign in the same location. The new freestanding sign will be approximately 48' in height. The Applicant is seeking to waiver to increase the allowed height from 36' to 48'. The slight increase in sign height is appropriate as (1) the Site is zoned H-1, (2) the sign's proposed height is compatible with existing signs in the area including the La Quinta sign immediately to the south, and (3) the sign is oriented towards Paradise Road and the existing commercial corridor and will be shielded by the existing commercial shopping center and the new apartment complex to the east. The design of the freestanding sign is a more modern, sleek look with larger animation. Although the Applicant is requesting to construct the new freestanding sign in the same location on the Site, the Applicant is requesting to reduce the setback of the sign from the right-of-way to 5' where 10' is required. Additionally, the new freestanding sign's total signage square footage is only 522.90 square feet; well under the allowed 3,400 square feet. Even though the proposed square footage of signage is well below what is allowed, the Applicant is seeking a waiver to increase the animation to about 448 square feet where 150 square feet is allowed. The waiver request to reduce the setback and increase the animation square footage will not have any adverse affect for the following reasons: (1) the signage faces Paradise Road, (2) the sign faces other retail and commercial uses, (3) the sign does not face and will not affect the residential uses to the east, and (4) the Site is zoned H-1.



- **Wall/Roof Signs and Waiver of Development Standards to Allow Non-Illuminated Signs Facing Residential**

In addition to replacing the existing freestanding sign on the Site, the Applicant is requesting to replace the existing wall/roof signage along the elevations of the buildings. The Applicant is looking to establish a total of 16 wall/roof signs. Although the Applicant is requesting a total of 16 signs, the total square footage of sign area for all 16 signs is only 1,940 square feet where over 12,000 square feet is allowed. Not one of the proposed 16 signs is proposed to be larger than what code allows. Additionally, 10 of the 16 signs face west towards Paradise Road or internal to the Site. The remaining 6 signs (signs 5, 5a, 5b, 11b, 9b, and 11a) will face east towards the approved multi-family development, although these signs are non-illuminated. With respect to the request to allow roof signs, the Applicant is simply requesting to allow the signage above the canopy and not literally on the roof. The requested signage is appropriate as the commercial center is zoned H-1 and located along busy commercial corridor. Additionally, the signage request is an improvement of the existing allowed signage.

We thank you in advance for your time and consideration of this matter. Should you have any questions or concerns, please feel free to contact me.

Sincerely,

KAEMPFER CROWELL RENSHAW  
GRONAUER & FIORENTINO



Anthony J. Celeste

AJC

OFFICE  
(TITLE 30)

ARVILLE ST/POST RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-20-400083 (ZC-18-0666) -BOMBARD ELECTRIC, LLC:**

**ZONE CHANGE FIRST EXTENSION OF TIME** to reclassify a 0.5 acre portion of 2.5 acres from R-E (Rural Estates Residential) Zone and M-1 (Light Manufacturing) Zone to M-1 (Light Manufacturing) Zone.

**USE PERMIT** to allow an office as a principal use in an M-1 (Light Manufacturing) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce parking; and **2)** allow modified commercial driveway geometrics.

**DESIGN REVIEWS** for the following: **1)** alternative parking lot landscaping; and **2)** a proposed office warehouse building on 4.1 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the north side of Post Road and the east and west sides of Arville Street (alignment) within Paradise (description on file). MN/jgh/jd (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-31-701-047

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow a reduction in parking to 118 spaces where 189 spaces are required per Table 30.60-1 (a 37.6% reduction).
2. Allow a 7 foot 11 inch throat depth where a 100 foot throat depth is required per Uniform Standard Drawing 222.1 (a 92% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE - INDUSTRIAL

**BACKGROUND:**

**Project Description**

- Site Address: N/A
- Site Acreage: 0.5 acre (portion) of 2.5 acres (zone change)/4.1 (overall site)
- Project Type: Office/warehouse
- Number of Stories: 2
- Building Height (feet): 39
- Square Feet: 62,431
- Parking Required/Provided: 189/118

### History and Request

The Board of County Commissioners approved ZC-18-0666 in October of 2018 permanently reclassifying the subject property to an M-1 Zoning for a proposed office warehouse building. A condition of approval for the zone change was 1 year to review parking as a public hearing. However, the applicant did not commence the use of the building prior to the expiration date; therefore, the parking cannot be reviewed. Staff determined an extension of time to commence the use may be requested for the previously approved Waiver of Development Standards to reduce parking.

### Site Plans

The previously approved plans depict a zone change on a 0.5-acre portion of 2.5 acres on APN 162-31-301-030 east of the Union Pacific Railroad tracks with a waiver of development standards and design review for a proposed office warehouse building and parking area on 4.1 acres, including an additional area farther east. An office warehouse building is centrally located on the northern portion of the site. The building is set back 100 feet from the front (south) property line, 5 feet 9 inches from the rear property line, and a minimum of 46 feet from the east property line. Parking is located on the east, west, and south sides of the building. There are 113 on-site parking spaces provided, with 5 on-street parking spaces for a total of 118 parking spaces provided. An employee patio area with shade canopy and landscaping is located at the northeast corner of the property. Access to the site is provided by 2 driveways from Post Road with the westerly driveway for emergency access. There is an existing communication tower located at the northeast corner of the property which will remain.

### Landscaping

The previously approved plans depict a minimum 10 foot wide landscape area with an attached sidewalk along Post Road consisting of trees, shrubs, and groundcover. Landscape islands consisting of trees, shrubbery, and groundcover are located in the parking areas to the east, south, and west of the building. Adjacent to the south side of the building are medium size evergreen trees.

### Elevations

The building is 2 story with a maximum height of 39 feet. The building is constructed of concrete tilt-up panels with a flat roof behind a parapet wall. The south and east elevations include a main entry feature along with painted metal shade awnings. The exterior of the building is painted in earth tone colors, with storefront window and door systems. The plans depict a 2 station loading dock area on the south side of the building that is recessed approximately 60 feet from the front of the building.

### Floor Plans

The previously approved plans depict that the building has a total area of 62,431 square feet with 19,623 square feet of office area on the first level, 18,431 square feet of office area on the second level and 24,377 square feet of warehouse space on the northwesterly side of the building. The office areas are located on the southerly and easterly portion of the building.

### Previous Conditions of Approval

Listed below are the approved conditions for ZC-18-0666:

#### Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- 1 year to review parking as a public hearing;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

#### Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Post Road, 40 feet for Arville Street, and a curve at the intersection with the radius to be as large as possible to be approved by
- Public Works - Development Review.

#### Department of Aviation

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

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

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0499-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states they believed the parking review would be completed within 1 year from the date the Certificate of Occupancy was issued, however, the applicant misunderstood that additional time to commence was also necessary.

Applications on APN 162-31-701-047

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-18-0666	Reclassified 0.5 acres from R-E & M-1 zoning to M-1 zoning	Approved by BCC	October 2018
ZC-0900-14 (ET-0018-17)	First extension of time for a zone change	Approved by BCC	March 2017
VS-0451-16	Vacated and abandoned patent easements	Approved by PC	December 2016
UC-0387-16	A communication tower	Approved by PC	December 2016
ZC-0900-14	Reclassified 2.6 acres from R-E zoning to M-1 zoning	Approved by BCC	February 2015

Applications with improvements on the west side of Union Pacific Railroad tracks on APN 162-31-301-030.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-18-0350	Waived cross access with a design review for an office warehouse complex	Approved by BCC	August 2018

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0396-17	Vehicle dismantling yard with a waiver to reduce the setback between a vehicle dismantling yard and a non-industrial use	Withdrawn at PC	September 2017
UC-0711-14	Vehicle dismantling yard with a waiver to reduce the setback between a vehicle dismantling yard and a non-industrial use	Withdrawn at BCC	December 2014

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Industrial	R-E & M-1	Undeveloped
South	Industrial	M-D & M-1	Office warehouse buildings
East	Industrial	M-1	Office warehouse building
West	Industrial	R-E & M-1	Undeveloped & Union Pacific Railroad tracks

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

**Public Works - Development Review**

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

Although the previously approved reduction of parking was significant, staff finds that this office warehouse building does not generate a high volume of vehicular traffic due to the nature of the industrial use; therefore, staff recommends.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until October 3, 2022 to review parking 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; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- Compliance with previous conditions.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** LARRY MONKARSH

**CONTACT:** LARRY MONKARSH, LM CONSTRUCTION CO., LLC, 7115 BERMUDA ROAD, LAS VEGAS, NV 89119

**DRAFT**



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC)  <input type="checkbox"/> USE PERMIT (UC)  <input type="checkbox"/> VARIANCE (VC)  <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)  <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING  <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)  <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)  <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX)  <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) <u>ZC-18-0666</u> (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>20-400083</u> DATE FILED: <u>7/20/2020</u> PLANNER ASSIGNED: <u>JGH</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>8/25/2020</u> PC MEETING DATE: <u>N/A</u> BCC MEETING DATE: <u>9/16/2020</u> FEE: <u>\$ 650</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Bombard Electric LLC</u> ADDRESS: <u>4380 W. Post Rd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-247-6095</u> CELL: _____ E-MAIL: <u>Ken@bombardsystems.com</u>
	<b>APPLICANT</b>  NAME: <u>LM Construction Co., LLC</u> ADDRESS: <u>7115 Bermuda Rd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-262-6032</u> CELL: _____ E-MAIL: <u>larry@lmconstructionco.com</u> COREF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>Larry Monkarsch</u> ADDRESS: <u>7115 Bermuda Rd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-262-6032</u> CELL: _____ E-MAIL: <u>Larry@lmconstructionco.com</u> COREF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 162-31-701-047

PROPERTY ADDRESS and/or CROSS STREETS: 4380 W. Post Rd, LV 89118 / NE Corner of Post & Arville

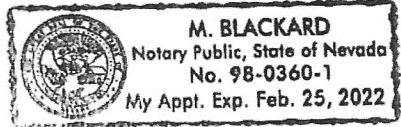
PROJECT DESCRIPTION: Extension of time for Parking waiver as a condition of final approval

(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]      Kenneth A. Kefalas  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF NV  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 15 July 2020 (DATE)  
 By Kenneth A. Kefalas  
 NOTARY PUBLIC: M. Blackard



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





7115 BERMUDA RD • LAS VEGAS, NV 89118 • (702) 262-6032 • FAX: (702) 262-6150  
[WWW.LMCONSTRUCTIONCO.COM](http://WWW.LMCONSTRUCTIONCO.COM)

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**Justification Letter**

July 20, 2020

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

ET-20-400083

**Re: Extension of Time, Original Permit # ZC-18-0666**

To Whom It May Concern:

Please allow this Justification Letter to explain the basis for Bombard Electric, LLC's ("Applicant") request for an Extension of Time for Permit No.: ZC-18-0666 – Waiver of Development Standards for reduced parking. This extension of time would allow the Current Planning staff time to review the reduced parking as a public hearing as required by the Notice of Final Action dated October 11, 2018.

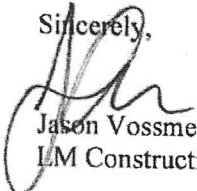
Unfortunately, LM Construction Co., LLC ("LMCC"), the Design-Build Contractor, inadvertently scheduled its review for this matter 1 year from the date the Certificate of Occupancy which was issued on or about January 9, 2020. Additionally, and considering that the Notice of Final Action states that a Certificate of Occupancy and/or business license "*shall not be issued without final zoning inspection,*" LMCC believed that this condition of approval was satisfied upon receiving the Certificate of Occupancy. By reason of LMCC's scheduling for review by January 9, 2021 as well as the issuance of a Certificate of Occupancy, the original application was not resubmitted.

It was not until the Applicant put in its request for a business license change of address that LMCC was made aware that the 1 year timeframe was from the time the Notice of Final Action rather than from the time of Certificate of Occupancy.

We hope that we can work together to provide the Comprehensive Planning Department any documentation and/or information it may need to help process the most recent business license change of address, which is currently pending and in reliance on this request of an Extension of Time.

Thank you in advance for your consideration.

Sincerely,

  
Jason Vossmer  
LM Construction Co., LLC