



- III. Approval of Minutes for December 12, 2023. (For possible action)
- IV. Approval of the Agenda for January 9, 2024 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. (For discussion only)
- VI. Planning and Zoning
  - 1. **UC-23-0760-SAHARA MEDICAL INSTITUTE, LLC:**  
**USE PERMIT** to allow an on-premises consumption of alcohol (supper club) in conjunction with an existing restaurant in an office and retail development on a portion of 0.8 acres in a C-1 (Local Business) Zone. Generally located on the east side of Duneville Street, 150 feet south of Sahara Avenue within Spring Valley. JJ/rp/syp (For possible action) **01/02/24 PC**
  - 2. **DR-23-0855-WELLS CARGO INC:**  
**DESIGN REVIEW** for a vehicle wash on 3.1 acres in a C-2 (Commercial General) Zone. Generally located on the southeast corner of Spring Mountain Road and Tenaya Way within Spring Valley. JJ/jud/syp (For possible action) **02/06/24 PC**
  - 3. **SDR-23-0831-SUNSET AND DURGANGO PARTNERS, LLC**  
**SIGN DESIGN REVIEW** for signage in conjunction with an approved shopping center on 6.5 acres in a CG (Commercial General) Zone. Generally located on the north side of Sunset Road, 300 feet west of Durango Drive within Spring Valley. JJ/jud/syp (For possible action) **02/06/24 PC**
  - 4. **ET-23-400179 (VS-21-0602)-DWW CO INC:**  
**VACATE AND ADANDON FIRST EXTENSION OF TIME** for a portion of a right-of-way being Valadez Street located between Cimarron Road and Buffalo Drive, a portion of right-of-way being Pamalyn Avenue (alignment) located between Roy Horn Way and Maule Avenue, and a portion of Cimarron Road located between Roy Horn Way and Maule Avenue within Spring Valley. (description on file) MN/jm/syp (for possible action) **02/06/24 PC**
  - 5. **PA-23-700048-MKAT CAPITAL GROUP, LLC:**  
**PLAN AMENDMENT** to redesignate the existing land use category from Ranch Estate Neighborhood (RN) to Business Employment (BE) on 2.3 acres. Generally located on the east side of Santa Margarita Street, 300 feet south of Patrick Lane within Spring Valley. MN/gc (For possible action) **02/06/24 PC**

6. **ZC-23-0838-MKAT CAPITAL GROUP, LLC:**  
**ZONE CHANGE** to reclassify 2.3 acres from an R-E (Rural Estates Residential) (AE-60) Zone to an M-D (Designed Manufacturing) (AE-60) Zone.  
**USE PERMIT** to allow offices as a primary use.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce landscaping adjacent to a less intensive use; 2) parking lot configuration; 3) building height; 4) reduce required parking; and 5) driveway geometrics.  
**DESIGN REVIEWS** for the following: 1) a proposed office/warehouse facility; 2) alternative parking lot landscaping; and 3) finished grade in the CMA Design Overlay District. Generally located on the east side of Santa Margarita Street, 300 feet south of Patrick Lane within Spring Valley (description on file). MN/hw/syp (For possible action) **02/06/24 PC**
  
7. **VS-23-0839-MKAT CAPITAL GROUP, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Patrick Lane and Post Road; and between Santa Margarita Street and Redwood Street; and a portion of right-of-way being Santa Margarita Street located between Patrick Lane and Post Road within Spring Valley (description on file). MN/hw/syp (For possible action) **02/06/24 PC**
  
8. **UC-23-0833-FOSSEN TRACY:**  
**USE PERMITS** for the following: 1) allow an accessory structure (metal building) to exceed one-half of the footprint of the principal building; 2) allow an accessory structure not architecturally compatible with the principal building; and 3) waive design standards for an accessory structure.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) waive design standards for an addition; and 2) reduce the interior side setback on 0.6 acres in an R-E (Rural Estates Residential) Zone. Generally located on the east side of Westwind Road, approximately 330 feet north of Del Rey Avenue within Spring Valley. RM/mh/syp (For possible action) **02/06/24 PC**
  
9. **VS-23-0806-HUGHES HOWARD PROPERTIES INC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Town Center Drive and Spruce Goose Street; and between La Madre Mountain Drive and Sahara Avenue within Summerlin South (description on file). JJ/nai/syp (For possible action) **02/06/24 PC**
  
10. **DR-23-0814-JRJ INVESTMENTS, INC:**  
**DESIGN REVIEW** for an expansion of an existing vehicle sales facility on 1.9 acres in a C-2 (General Commercial) Zone. Generally located on the southwest corner of Sahara Avenue and Bronco Street within Spring Valley. JJ/sd/syp (For possible action) **02/07/24 BCC**
  
11. **WC-23-400174 (ZC-19-0343)-UNCOMMONS LIVING BLDG 1, LLC:**  
**WAIVERS OF CONDITIONS** of a zone change requiring the following: 1) live entertainment limited to daytime hours when it is within 500 feet of existing abutting residential uses; and 2) temporary outdoor commercial events located within 200 feet of existing abutting residential development and live entertainment associated with a temporary outdoor commercial event located within 500 feet of existing abutting residential development limited to daytime hours in conjunction with a previously approved mixed-use development on 32.5 acres in a U-V (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District. Generally located on the east side of Durango Drive and the south side of CC 215 within Spring Valley. MN/jud/syp (For possible action) **02/07/24 BCC**

12. **DR-23-0802-UNCOMMONS LIVING BLDG 1, LLC:**  
**DESIGN REVIEW** for a recreational facility in conjunction with a previously approved mixed-use development on 32.5 acres in a U-V (Urban Village Mixed-Use) Zone in the CMA Design Overlay District. Generally located on the east side of Durango Drive and the south side of CC 215 within Spring Valley. MN/jud/syp (For possible action) **02/07/24 BCC**
  
13. **WS-23-0808-GREENMAP GROUP, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** 1) to eliminate detached sidewalks and street landscaping; and 2) reduce minimum lot size in conjunction with a minor subdivision on 2.5 acres in an R-E (Rural Estates Residential) (AE-60) Zone. Generally located on the north side of Oquendo Road and the west side of Torrey Pines Drive within Spring Valley. MN/rr/syp (For possible action) **02/07/24 BCC**
  
14. **WS-23-0850-SID 52, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced street landscaping; and 2) increased building height.  
**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; 2) signage; 3) lighting; and 4) hotel on a 2.1 acre portion of a 14.0 acre office and commercial complex in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the east side of Quarterhorse Lane and the north side of Post Road within Spring Valley. JJ/md/syp (For possible action) **02/07/24 BCC**
  
15. **ZC-23-0794-DEAN, JERRY & DEANNA FAMILY TRUST:**  
**ZONE CHANGE** to reclassify 1.2 acres from an R-E (Rural Estates Residential) Zone to an R-D (Suburban Estates Residential) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) retaining wall height; and 2) modified driveway geometrics.  
**DESIGN REVIEW** for finished grade in conjunction with a proposed single family residential development in the CMA Design Overlay District. Generally located on the southeast corner of Diablo Drive and Mann Street within Spring Valley (description on file). MN/jor/syp (For possible action) **02/07/24 BCC**
  
16. **VS-23-0793-DEAN, JERRY & DEANNA FAMILY TRUST:**  
**VACATE AND ABANDON** an easement of interest to Clark County located between Diablo Drive (alignment) and Dewey Drive (alignment) and between Torrey Pines Drive and El Camino Road (alignment) within Spring Valley (description on file). MN/jor/syp (For possible action) **02/07/24 BCC**

VII. General Business

1. 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 discussion, action, or vote may be taken on this agenda item. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: January 30, 2024.

X. Adjournment.

**POSTING LOCATIONS:** This meeting was legally noticed and posted at the following locations:  
Desert Breeze Community Center, 8275 W. Spring Mountain Rd.  
<https://notice.nv.gov>





# Spring Valley Town Advisory Board

December 12, 2023

## MINUTES

---

Board Members:	John Getter, Chair <b>PRESENT</b> Dale Devitt <b>PRESENT</b> Randal Okamura <b>PRESENT</b>	Brian A. Morris <b>PRESENT</b> Juana Leia Jordan <b>PRESENT</b>
Secretary:	Carmen Hayes, 702 371-7991, <a href="mailto:chayes70@yahoo.com">chayes70@yahoo.com</a> <b>PRESENT</b>	
County Liaison:	Mike Shannon 702-455-8338 <a href="mailto:mds@clarkcountynv.gov">mds@clarkcountynv.gov</a> <b>PRESENT</b>	

---

I. Call to Order, Pledge of Allegiance and Roll Call

**Judith M. Rodriguez, Current Planning**

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 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 Chair or the Board/Council by majority vote.

- **None**

III. Approval of **November 14, 2023 and November 28, 2023** Minutes (For possible action)

Motion by: **Randy Okamura**

Action: **APPROVE November 14, 2023 and November 28, 2023 Minutes** as published

Vote: 5-0/Unanimous

IV. Approval of Agenda for **December 12, 2023** and Hold, Combine or Delete Any Items (For possible action)

Motion by: **Dr. Juana Leia Jordan**

Action: **APPROVE** as published

Vote: 5-0/Unanimous

V. Informational Items

1. Announcements of upcoming meetings and County and community meetings and events. (for discussion)

- **None**

VI. Planning & Zoning

1. **NZC-23-0764-LV WS MEYER, LLC:**

**ZONE CHANGE** to reclassify 14.3 acres from a C-1 (Local Business) Zone to an R-4 (Multiple Family Residential - High Density) Zone.

**USE PERMIT** for a High Impact Project.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase building height; and 2) dedication of right-of-way.

**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; 2) multiple family development; and 3) finished grade in the CMA Design Overlay District. Generally located on the south side of Warm Springs Road, 270 feet west of Buffalo Drive within Spring Valley (description on file). MN/md/syp (For possible action) **01/02/24 PC**

Motion by: **Randy Okamura**

Action: **APPROVE** with staff conditions

Vote: 5-0/Unanimous

2. **VS-23-0765-LV WS MEYER, LLC:**

**VACATE AND ABANDON** a portion of right-of-way being Warm Springs Road located between Buffalo Drive and Cimmaron Road within Spring Valley (description on file). MN/md/syp (For possible action) **01/02/24 PC**

Motion by: **Randy Okamura**

Action: **APPROVE**

Vote: 5-0/Unanimous

3. **PA-23-700038-DURANGO ROBINDALE, LLC:**

**PLAN AMENDMENT** to redesignate the existing land use category from Neighborhood Commercial (NC) to Corridor Mixed-Use (CM) on 0.8 acres. Generally located on the north side of Robindale Road and the east side of Durango Drive within Spring Valley. MN/rk (For possible action) **01/02/24 PC**

Motion by: **Brian Morris**

Action: **APPROVE** subject to staff conditions

Vote: 5-0/Unanimous

4. **ZC-23-0744-DURANGO ROBINDALE, LLC:**

**ZONE CHANGE** to reclassify a 0.8 acre portion of a 2.2 acre site from a C-1 (Local Business) Zone to a C-2 (General Commercial) Zone.

**USE PERMITS** for the following: 1) outside dining, drinking, and cooking; and 2) eliminate pedestrian access.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow modified driveway design standards; 2) alternative landscaping; and 3) non-standard improvements in the right-of-way.

**DESIGN REVIEWS** for the following: 1) tavern; and 2) finished grade in the CMA Design Overlay District. Generally located on the north side of Robindale Road and the east side of Durango Drive within Spring Valley (description on file). MN/rr/syp (For possible action) **01/02/24 PC**

Motion by: **Brian Morris**

Action: **APPROVE** subject to staff conditions

Vote: 5-0/Unanimous



5. **UC-23-0760-SAHARA MEDICAL INSTITUTE, LLC:**  
**USE PERMIT** to allow an on-premises consumption of alcohol (supper club) in conjunction with an existing restaurant in an office and retail development on a portion of 0.8 acres in a C-1 (Local Business) Zone. Generally located on the east side of Duneville Street, 150 feet south of Sahara Avenue within Spring Valley. JJ/rp/syp (For possible action) **01/02/24 PC**

Motion by: **John Getter**

Action: **Hold** and request return to Spring Valley Town Board as applicant not present

Vote: 5-0/Unanimous

6. **VS-23-0704-KAO FAMILY TRUST ETAL & KAO JEFFREY TRS:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Duneville Street and Lindell Road, and between Edna Avenue and Coley Avenue within Spring Valley (description on file). JJ/jud/syp (For possible action) **01/02/24 PC**

Motion by: **Brian Morris**

Action: **APPROVE** subject to staff conditions

Vote: 5-0/Unanimous

7. **WS-23-0703-KAO FAMILY TRUST ETAL & KAO JEFFREY TRS:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate sidewalk and street landscaping; and **2)** drainage study on 2.1 acres in an R-E (Rural Estate Residential) (RNP-I) Zone. Generally located on the northeast corner of Duneville Street and Coley Avenue within Spring Valley. JJ/jud/syp (For possible action) **01/02/24 PC**

Motion by: **Randy Okamura**

Action: **DENY**

Vote: 4-1/NAY - Devitt

8. **DR-23-0772-HD POST BUFFALO, LLC:**  
**DESIGN REVIEW** for finished grade in conjunction with an approved warehouse, retail, and office complex on 1.9 acres in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District. Generally located on the east side of Buffalo Drive and the north side of Post Road within Spring Valley. MN/jud/syp (For possible action) **01/03/24 BCC**

Motion by: **Dale Devitt**

Action: **APPROVE** per staff conditions

Vote: 4-0/with Jordan out of the room

9. **TM-23-500165-HD POST BUFFALO, LLC:**  
**TENTATIVE MAP** consisting of a 1 lot commercial subdivision on 1.9 acres in an M-D (Designed Manufacturing) Zone in the CMA Design Overlay District. Generally located on the east side of Buffalo Drive and the north side of Post Road within Spring Valley. MN/jud/syp (For possible action) **01/03/24 BCC**

Motion by: **Dale Devitt**

Action: **APPROVE** per staff conditions

Vote: 4-0/with Jordan out of the room

10. **ET-23-400163 (UC-21-0495)-5335 LAS VEGAS, LLC:**  
**USE PERMIT FIRST EXTENSION OF TIME** for a cannabis establishment (cannabis retail store).  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce landscaping.  
**DESIGN REVIEWS** for the following: 1) commercial building; and 2) finished grade on 0.4 acres in a C-2 (General Commercial) Zone. Generally located on the west side of Fort Apache Road, 175 feet south of Hacienda Avenue within Spring Valley. JJ/dd/syp (For possible action) **01/03/24 BCC**

Motion by: **Dr. Juana Leia Jordan**  
Action: **APPROVE** per staff conditions  
Vote: 5-0/Unanimous

11. **UC-23-0759-ROMANCAL, LLC:**  
**USE PERMIT** for a proposed vehicle repair facility within an existing commercial building.  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce the separation from a vehicle repair facility to a residential use on a portion of 1.6 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Sahara Avenue, 200 feet east of Sorrel Street within Spring Valley. JJ/bb/syp (For possible action) **01/03/24 BCC**

Motion by: **Dr. Juana Leia Jordan**  
Action: **APPROVE** per staff conditions  
Vote: 5-0/Unanimous

VII General Business

1. Approve 2024 Spring Valley Town Advisory Board meeting calendar (For possible action)

**Approved 2024 meeting calendar, noting Spring Valley Town Board will not meet on June 11, 2024 and December 31, 2024**

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.

- **None**

IX. Next Meeting Date December 26, 2023.

X Adjournment

Motion by: John Getter  
Action: **ADJOURN** meeting at 7:40 p.m.  
Vote: 5-0/Unanimous

01/02/24 PC AGENDA SHEET

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**UC-23-0760-SAHARA MEDICAL INSTITUTE, LLC:**

**USE PERMIT** to allow an on-premises consumption of alcohol (supper club) in conjunction with an existing restaurant in an office and retail development on a portion of 0.8 acres in a C-1 (Local Business) Zone.

Generally located on the east side of Duneville Street, 150 feet south of Sahara Avenue within Spring Valley. JJ/rp/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**

163-12-102-007 ptn

**LAND USE PLAN:**

SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 5781 W. Sahara Avenue
- Site Acreage: 0.8 (portion)
- Project Type: Supper club with outside dining and drinking
- Square Feet: 2,000

**Site Plans & History**

The plans depict an existing restaurant occupying a suite within an office and personal services development. No change is required or planned to the site design or restaurant. A supper club with outside dining and drinking previously occupied the same suite and went out of business in September 2022.

**Landscaping**

All street and site landscaping exists, and no new landscaping is required or proposed.

**Elevations**

The existing building is single story with stucco siding and glass storefront.

**Floor Plans**

The plans show a 2,000 square foot restaurant/supper club with a kitchen, restrooms, seating area, patio, and bar area.

Applicant's Justification

The applicant would like to sell alcohol while patrons eat at Te'kila Lil Time Bar and Grill.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0366-13	On-premises consumption of alcohol in conjunction with an existing restaurant - expired	Approved by PC	August 2013
UC-1594-05	Service bar in conjunction with another restaurant within the office and retail development	Approved by PC	November 2005
DR-168-92 & VC-860-92	Office and retail center with a variance to reduce parking	Approved by PC	December 1992

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use	C-1	Office & retail development
East, South, & West	Corridor Mixed-Use	C-2	Shopping & commercial uses

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Comprehensive Planning**

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

The site is surrounded by commercial properties and uses with the nearest residential use approximately 500 feet to the south. The suite was previously occupied with the same use with no known issues. Staff does not anticipate any negative impacts to the surrounding area. Therefore, staff can support the application.

**Staff Recommendation**

**Approval**

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and that the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**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: TE'KILA LIL TIME BAR & GRILL LLC**

**CONTACT: MARISOL MEDINA, TE'KILA LIL TIME BAR & GRILL, 5781 W. SAHARA AVE #100, LAS VEGAS, NV 89146**



02/06/24 PC AGENDA SHEET

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**DR-23-0855-WELLS CARGO INC:**

**DESIGN REVIEW** for a vehicle wash on 3.1 acres in a C-2 (Commercial General) Zone.

Generally located on the southeast corner of Spring Mountain Road and Tenaya Way within Spring Valley. JJ/jud/syp (For possible action)

---

RELATED INFORMATION:

**APN:**  
163-15-610-021

**LAND USE PLAN:**  
SPRING VALLEY - CORRIDOR MIXED-USE

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

**General Summary**

- Site Acreage: 3.1
- Project Type: Vehicle wash
- Number of Stories: 1
- Building Height (feet): 32.25
- Square Feet: 5,150
- Parking Required/Provided: 15/17

Site Plans

The plans depict a vehicle wash facility with access to the site via existing driveways along Tenaya Way and Spring Mountain Road, with cross access to the shopping center to the east. Seventeen customer and employee parking spaces are to the north and northwest of the vehicle wash building. Twenty-seven vacuum spaces are located between Tenaya Way and the vehicle wash building. The plans indicate that residential uses are present to the north of the site, setback 200 feet from the proposed vehicle wash in compliance with Title 30 standards. A canopy and pay stations are provided along the east side of the vehicle wash building. There will be 3 vehicle queuing lines running north to south funneling into 1 queue into the carwash tunnel that will run from south to north. The proposed egress from the tunnel will be facing Spring Mountain Road; however the applicant is proposing landscaping to buffer the bay door from the right-of-way.

Landscaping

Along the northern and western perimeters of the subject site, a minimum 15 foot wide landscape buffer is shown. There are existing attached sidewalks, which are to remain, along Spring Mountain Road and Tenaya Way. The trees have been provided in a single row behind the

attached sidewalks, generally spaced 20 feet on center. Parking lot landscaping is proposed with finger islands containing trees and landscape ground coverage.

**Elevations**

The maximum building height is 32 feet, 3 inches, although most of the building is approximately 21 feet, 6 inches high. The building elevations show articulation and building materials that include decorative molding, clear anodized aluminum, and clear tempered glazing. The proposed color scheme includes shades of tan, almond, gray, and seafoam pantone.

**Floor Plans**

The carwash building including the tunnel, office area, and equipment room is approximately 5,150 square feet.

**Applicant's Justification**

The applicant states that the proposed development is meeting all code requirements.

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-1695-00	Retail store on a pad site in conjunction with an existing shopping center on a portion of 14.1 acres	Approved by PC	December 2000
WT-0519-97	Extend the time limit for off-site improvement permits for a period of 2 years for a shopping center	Approved by BCC	June 1997
UC-0363-95	A 5 day event (carnival) in the parking lot of an existing shopping center	Approved by PC	April 1995

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
South & East	Corridor Mixed-Use	C-2	Undeveloped & retail
West	Industrial Employment	R-E	Sand & gravel operation

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.



## **Analysis**

### **Comprehensive Planning**

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Staff does not have concerns with the location of the vehicle wash as it's across an arterial street, meeting the required setback to residential uses. The residential uses to the north will not be negatively impacted by the sight and sound of the car wash tunnel, since landscaping and Spring Mountain Road will act as buffers. The vehicle wash site has also been integrated with the retail store with which it shares driveway access to the east. Lastly, the development of the site is in-fill in nature, which supports Master Plan Policy 1.4.4. For these reasons, staff can support this design 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

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

- Drainage study and compliance;
- Traffic study and compliance.

#### **Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0461-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: ULTRA CLEAN INTERMEDIATE, LLC**

**CONTACT: JENNIFER LAZOVICH, 1980 FESTIVAL PLAZA DR. 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 (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)  <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>DR-23-0855</u> DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>1/10/24</u> PC MEETING DATE: <u>2/16/24</u> BCC MEETING DATE: _____ FEE: <u>\$675</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Wells Cargo, Inc.</u> ADDRESS: <u>10191 Park Run Drive</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89145</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u>
	<b>APPLICANT</b>  NAME: <u>Ultra Clean Intermediate, LLC</u> ADDRESS: <u>840 N. Estrella Way</u> CITY: <u>Goodyear</u> STATE: <u>AZ</u> ZIP: <u>85338</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>Keampfer Crowell - Jennifer Lazovich</u> ADDRESS: <u>1880 Festival Plaza Dr. #850</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>702-792-7048</u> E-MAIL: <u>aplerea@kcnvlaw.com</u> REF CONTACT ID #: <u>167674</u>

ASSESSOR'S PARCEL NUMBER(S): 163-15-810-021  
 PROPERTY ADDRESS and/or CROSS STREETS: Spring Mountain and Tenaya  
 PROJECT DESCRIPTION: Car Wash

(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.

Wm Trent Scarlett      Wm Trent Scarlett  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 10/11/2023 (DATE)  
 By Wm. Trent Scarlett

NOTARY PUBLIC: Sheri Olson



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

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

KAEMPTER

CROWELL

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

November 14, 2023

VIA EMAIL

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

DR-23-0855

**Re: Justification Letter – Design Review for a Carwash  
Ultra Clean Intermediate, LLC  
APNs: 163-15-610-021 (Spring Mountain/Tenaya)**

To Whom It May Concern:

Please be advised our office represents Ultra Clean Intermediate (the “Applicant”) in the above-referenced matter. The Applicant is seeking to develop a carwash on property located at the southeast corner of Spring Mountain Road and Tenaya Way. The property is more particularly described as APN: 163-15-610-021 (the “Site”).

### Design Review

The Applicant is proposing to develop and build a carwash on the Site. Access to the Site will be from existing driveway locations off of Tenaya Way and Spring Mountain Road. There will be three vehicle queuing lines running north to south funneling into one queuing into the carwash tunnel that will run from north to south. There will be 27 parking spaces with vacuums located on the west side of the carwash tunnel between Tenaya Way and the carwash building. There are also 17 customer parking spaces.

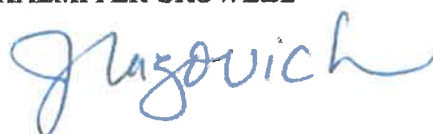
The carwash building including the tunnel, office area, and equipment room is approximately 5,150 square feet. The maximum building height is 32-feet and 3-inches although most of the building is approximately 21-feet and 6-inches. The building elevations show enhanced articulation and building materials that include decorative molding, clear anodized aluminum, and clear tempered glazing.

The applicant is meeting all code requirements including throat depths. No desing review for grade fill is needed.

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



Jennifer Lazovich

JL/ajc



02/06/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**SDR-23-0831-SUNSET AND DURANGO PARTNERS, LLC**

**SIGN DESIGN REVIEW** for signage in conjunction with an approved shopping center on 6.5 acres in a CG (Commercial General) Zone.

Generally located on the north side of Sunset Road, 300 feet west of Durango Drive within Spring Valley. JJ/jud/syp (For possible action)

RELATED INFORMATION:

**APN:**

163-32-814-002

**SIGN DESIGN REVIEW:**

1. a. Allow a freestanding sign with 750 square feet of electronic message unit, static where 100 square feet is the standard per Section 30.05.02.G.
- b. Increase the height of project entrance signs to 6.5 feet where 5 feet is the standard per Section 30.05.02.N.
- c. Allow up to 3 projecting signs per tenant where 1 is permitted per Section 30.05.02.O.

**LAND USE PLAN:**

SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 8670 W. Sunset Road
- Site Acreage: 6.5
- Project Type: Sign package (Phase I only)

Site Plan

The Bend is a 6.5 acre retail, office, and recreational development that will feature restaurants, retail, office, and Electric Pickle. Phase 1 is under construction, which is approximately 50,000 square feet of restaurants and retail among 5 buildings.

Sign Plan

The applicant is proposing 1 freestanding pylon sign with a static electronic message unit at the main entrance on Sunset Road. It is double facing to be visible east and west along Sunset Road. The size of the proposed electronic message unit is 750 square feet, where Code allows for 100 square feet. In addition, 2 project entrance signs as well as tenants' storefront signage (projecting

and canopy signs) are included in this sign package. The project entrance signs are 6 feet 6 inches tall, where Code allows for a height of no more than 5 feet tall. The proposed sign package also includes 41 tenants' storefront projecting signs and 1 canopy sign.

The applicant is proposing the below signage for the overall site:

Type of Sign	Requested (sq. ft.)	Total (sq. ft.)	# of Proposed Signs
Freestanding	876*	876	1
Project Entrance	64	64	2
Projecting	32	1,312	41
Canopy	32	32	1
Overall	2,284	2,284	45

\*750 square feet of the proposed sign will be electronic message unit, static

#### Applicant's Justification

The applicant states that the reason for having a static electronic message unit in lieu of tenant panels is that there would be far too many static tenant signs, while the electronic sign can rotate tenant names every few seconds. The proposed freestanding and project entrance signs are clad in the same materials as the buildings for continuity for the overall project.

#### Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0433	Request for recreational facility, retail and office use	Approved by BCC	September 2022
ET-21-400037 (VS-19-0025)	Extension of time for the vacation and abandonment of right-of-way for portions of Durango Drive and Sunset Road	Approved by PC	May 2021
ET-20-400084 (VS-18-0435)	Extension of time for the vacation and abandonment of easements	Approved by PC	September 2020
WS-19-0371	Comprehensive sign plan - expired	Approved by PC	July 2019
VS-19-0025	Vacated and abandoned right-of-way for portions of Durango Drive and Sunset Road - recorded	Approved by PC	March 2019
VS-18-0435	Vacated and abandoned easements - recorded	Approved by PC	July 2018
TM-18-500094	Lot commercial subdivision	Approved by PC	July 2018
WS-18-0093	Shopping center consisting of multiple buildings, a movie theater, and subterranean parking garage	Approved by BCC	March 2018
ZC-0081-17	Reclassified the site to C-2 zoning for future commercial development	Approved by BCC	March 2017



**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Corridor Mixed-Use	CG	The Bend Commercial Phase II
East	Corridor Mixed-Use	CG	Retail center
West	Corridor Mixed-Use	CG	Undeveloped
South	Entertainment Mixed-Use	CG	IKEA store

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Comprehensive Planning**

The proposed signage on the subject property is reviewed to determine 1) compatibility, in terms of scale and architectural features, with the site and surrounding area; 2) harmony with the character of the neighborhood; 3) impact on the surrounding land uses; and 4) the health, safety, and welfare of the inhabitants of the area.

Overall, staff finds that the proposed signs are compatible with existing developments along Sunset Road. The proposed sign package complies with Policy 6.2.1 of the Master Plan which states that all new developments should be compatible with the established neighborhood in terms of building styles on-site as well as with Policy 6.2.3 which address neighborhood transition zones between commercial and residential areas. The previously approved shopping center serves as a transition to the residential to the north. The proposed freestanding sign, as well as the 2 project entrance signs, are located along a major arterial street. Staff finds that the proposed sign package follows Policy 5.1.3 and the proposed signage is appropriate and compatible with the surrounding uses and would contribute to the overall visual atmosphere. Therefore, staff can support these requests.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: SUNSET & DURANGO PARTNERS, LLC**

**CONTACT: GEORGE ROSS, DAPPER BUILDING COMPANY, LLC, 5030 PARADISE ROAD, C-214, LAS VEGAS, NV 89119**

**DRAFT**

New Title 30



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>SDR-23-0831</u> DATE FILED: <u>12/7/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>SPRING VALLEY</u> TAB/CAC DATE: <u>1/9/24</u> PC MEETING DATE: <u>2/16/2024</u> BCC MEETING DATE: _____ FEE: <u>\$1000 (500+500)</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Sunset &amp; Durango Partners, LLC</u> ADDRESS: <u>5030 Paradise Road, Suite C-214</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>(702) 733-3622</u> CELL: <u>(310) 487-0881</u> E-MAIL: <u>gr@dapperdevelopment.com</u>
	<b>APPLICANT</b>  NAME: <u>Sunset &amp; Durango Partners, LLC</u> ADDRESS: <u>5030 Paradise Road, Suite C-214</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>(702) 733-3622</u> CELL: <u>(310) 487-0881</u> E-MAIL: <u>gr@dapperdevelopment.com</u> REF CONTACT D #: _____
	<b>CORRESPONDENT</b>  NAME: <u>George Ross</u> ADDRESS: <u>5030 Paradise Rd. Suite C-214</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>(702) 733-3622</u> CELL: _____ E-MAIL: <u>gr@dapperdevelopment.com</u> REF CONTACT ID #: _____

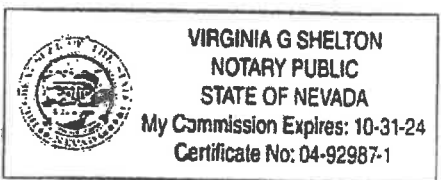
ASSESSOR'S PARCEL NUMBER(S): 163-32-814-002

PROPERTY ADDRESS and/or CROSS STREETS: 8700 West Sunset Rd. (Sunset & Durango)

PROJECT DESCRIPTION: Phase 1 - The Bend signage package

(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)\* J Dapper  
 STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON November 13, 2023 (DATE)  
 By J Dapper  
 NOTARY PUBLIC: Virginia G. Shelton



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

APR-23-101561



# AUTHORIZATION TO SUBMIT APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

Application Pre-review (APR) record number: APR-23-101561 ODR-23-0831

Application Materials have been deemed ready to submit  without revisions  with minor revisions.

Notes: Minor update to justification letter & sheet 3.1 of plans.

Reviewed to new T30 (1/1/24)

By: Lana Phagley

Date: 11/30/2023

Advisory: Authorization to submit expires 2 weeks after determination is made. If all required documents are not provided to staff within this timeframe, an appointment to re-review the application materials is required.

**Required Application(s):**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Master Plan Amendment                | <input type="checkbox"/> Land Use – Administrative Design Review (ADR) | <input type="checkbox"/> Tentative Map (TM)            |
| <input checked="" type="checkbox"/> Land Use                  | <input type="checkbox"/> Land Use – Wavier of Conditions (WC)          | <input type="checkbox"/> Vacation and Abandonment (VS) |
| <input type="checkbox"/> Zone Change (ZC)                     | <input type="checkbox"/> Land Use – Application for Review (AR)        | <input type="checkbox"/> Other:                        |
| <input type="checkbox"/> Special Use Permit (UC)              |  |  |
| <input type="checkbox"/> Waiver of Development Standards (WS) | <input type="checkbox"/> Land Use – Extension of Time (ET)             |  |
| <input type="checkbox"/> Design Review (DR) <u>Sign</u>       |  |  |

**Required Fees:**

- Refer to the attached Fee Sheet.

**Next Steps:**

- Review the attached submittal requirements for the applicable application type(s).
- Go to the Application Pre-review record in the County's Citizen Access Portal (ACA) and upload all required application documents in PDF format (regardless of the format specified in the submittal requirements).
- Once all the application documents are uploaded, coordinate the transmittal of the required hard copy documents with the planner who authorized the submittal (see name above); all transmittals shall include a cover letter and/or transmittal memo and a copy of this form. The Personnel Contact Information list on Department's Contact Us webpage includes the phone number and email address for all planners.
- When the application package is received, the documents will be re-reviewed to ensure no changes except those noted above have been made and, if in an acceptable form, the planner will accept the application documents. Staff will then create the application records. If payment for the application fees was not included in the application package, an email notice will be sent to the record(s) contact indicating the application fees are due. This step may take up to 2 business days to complete.
- Once fees are paid, the application(s) will be considered "Submitted".



**DAPPER**  
C O M P A N I E S

5030 Paradise Road, Suite C-214  
Las Vegas, NV 89119  
702-733-3622

PLANNER  
COPY

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

SDR-23-0881

November 20, 2023

Re: Justification Letter for a sign package under the New Development Code effective January 1, 2024 and the Sign Design Review (SDR) at 8700 West Sunset Rd (The Bend) - APN 163-32-814-002 (Phase 1 only).

Please accept this as our official justification letter for our Sign Design Review Package at 8700 West Sunset Rd (The Bend) - APN 163-32-814-002 (Phase 1 only). On behalf of Sunset and Durango Partners, LLC, in conjunction with Dapper Companies, the developer of the project known as The Bend, we are requesting a proposed sign package with one (1) freestanding electronic LED pylon sign with animation (non-video), all Tenants' storefront signage, and two (2) project entrance signs.

The Bend is a 9.66 acre retail, office, and recreational development that will feature restaurants, retail, office, and Electric Pickle. Phase 1 is under construction, which is approximately 50,000 square feet of restaurants and retail among five (5) buildings. We are proposing one (1) freestanding electronic LED pylon sign with animation (non-video) at the main entrance on Sunset Rd. In addition, we are proposing the Tenants' storefront signage, and two (2) project entrance signs. Since this is a sign package application, I have not included a landscape plan nor a parking analysis under this application.

#### **Analysis per Code 30.06.07 (ii) (a)**

The intent and the purpose of Code Section 30.06.07 (ii)(a) is the measurable items of signage including size, quantity, and this administrative sign design review rather than a site development review, along with our request that may justify an alternative to the code.

Accordingly, we are asking for our animation portion, which is 750 sq. ft. of messaging within the proposed freestanding electronic sign, where code allows for 100 sq. ft. of animation. It is double facing, so it can be seen traveling east and west along Sunset Rd. The reason and analysis for having animation vs. a static sign is that there would be far too many typical, static tenant signs, but rather on the freestanding electronic sign they will rotate every few seconds. Additionally, as traffic from the 215 beltway is traveling eastbound, this freestanding electric sign might be seen. This sign and the buildings will also have the same Trespa cladding materials so that there is continuity for the overall project.

Our second request is for the Tenants' storefront projecting signs, and because the buildings are orientated along Sunset Rd. the tenants' have two customer entrances; one on Sunset and one that faces the parking field, which is why we have requested two signs per tenant, however, in some cases, per plans, three (3) signs are requested (Buildings D,E,F,G,H), all of which will be projecting signs.

Our third request is for two (2) project entrance signs which are 6 feet 6 inches tall, where code allows for a height of no more than five (5) feet tall.



02/06/24 PC AGENDA SHEET

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-23-400179 (VS-21-0602)-DWW CO INC:**

**VACATE AND ADANDON FIRST EXTENSION OF TIME** for a portion of a right-of-way being Valadez Street located between Cimarron Road and Buffalo Drive, a portion of right-of-way being Pamalyn Avenue (alignment) located between Roy Horn Way and Maule Avenue, and a portion of Cimarron Road located between Roy Horn Way and Maule Avenue within Spring Valley. (description on file) MN/jm/syp (for possible action)

**RELATED INFORMATION:**

**APN:**  
176-04-601-001; 176-04-601-003; 176-04-601-018

**LAND USE PLAN:**  
SPRING VALLEY - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

The applicant requests the vacation and abandonment of a 30 foot wide right-of-way being Valadez Street, a 30 foot wide right-of-way being Pamalyn Avenue (alignment), and a portion of a 5 foot wide right-of-way being Cimarron Road. The adjacent parcels to the east, south, and west are undeveloped and the CC 215 runs along the north property line. The applicant states these rights-of-way are no longer needed for the development of the parcel.

**Previous Conditions of Approval**

Listed below are the approved conditions for VS-21-0602:

**Current Planning**

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

**Public Works - Development Review**

- Right-of-way dedication to include 35 feet to the back of curb for Cimmaron Road, a portion of right-of-way for Roy Horn Way as determined by Public Works, and the associated spandrel;

- Dedicate any right-of-way and easements necessary for the Beltway, Frontage Road improvement project;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other dedications to occur with the subdivision map;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation and the dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Applicant's Justification**

The applicant states the original request is dependent on the recordation of MSM-22-600079 for which a drainage study and off-site improvements plans are required. The drainage study is still under review (PW23-11763) and the improvement plans have not been submitted yet.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0569-02	Reclassified 2.2 acres from R-E to M-D zoning with a use permit for an off-premises sign	Approved by BCC	June 2002
VS-21-0602	Vacated and abandoned a right-of-way along Valadez Street, Pamalyn Avenue, and Cimarron Road	Approved by PC	December 2021

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	C-2 & R-E	CC 215
South	Business Employment	C-2	Medical Offices
East	Business Employment	U-V	Mixed-Use
West	Business Employment	M-D	Offices

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Public Works - Development Review**

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

Title 30 standards of approval for an extension of time state an application may be denied 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, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Until December 7, 2025 to record.
- Applicant is advised 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; the applicant is solely responsible for ensuring compliance with all conditions and deadlines, and that re-approval by the utility companies is required.

**Public Works - Development Review**

- Compliance with previous conditions.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: TOYOTA OF LAS VEGAS**

**CONTACT: SUZANNE LASPINA, LOCHSA ENGINEERING, 6345 S. JONES BOULEVARD #100, LAS VEGAS, NV 89118**



ET-23-40019

PLANNED COPY



# Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 176-04-601-018  
PROPERTY ADDRESS/ CROSS STREETS: S. Cimmaron Road/Roy Horn

### DETAILED SUMMARY PROJECT DESCRIPTION

Request Extension of Time #1 of the application for VS-21-0602, which expires 12/07/2023.

### PROPERTY OWNER INFORMATION

NAME: DWW Co., LLC Attn: David Wilson  
ADDRESS: 1400 N. Tustin Avenue  
CITY: Orange STATE: CA ZIP CODE: 92867  
TELEPHONE: 714-639-6750 CELL: \_\_\_\_\_ EMAIL: dww123@aol.com

### APPLICANT INFORMATION

NAME: Logan Asset Management Attn: Casey Griffin  
ADDRESS: 30100 Town Center Dr. #O-310  
CITY: Laguan Nigel STATE: CA ZIP CODE: 92677 REF CONTACT ID # \_\_\_\_\_  
TELEPHONE: 949-503-3400 CELL: \_\_\_\_\_ EMAIL: cgriffin@loganam.com

### CORRESPONDENT INFORMATION

NAME: Lochsa Engineering LLC Attn: Suzanne LaSpina  
ADDRESS: 6345 S. Jones Blvd. #100  
CITY: Las Vegas STATE: NV ZIP CODE: 89118 REF CONTACT ID # 129963  
TELEPHONE: 702-365-9312 CELL: \_\_\_\_\_ EMAIL: suzanne.laspina@lochsa.com

\*Correspondent will receive all project communication

(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 and 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)\*

David W. Wilson  
Property Owner (Print)

12-05-2023  
Date

#### DEPARTMENT USE ONLY:

- |                              |                             |  |                               |                             |                             |                             |
|------------------------------|-----------------------------|--|-------------------------------|-----------------------------|-----------------------------|-----------------------------|
| <input type="checkbox"/> AC  | <input type="checkbox"/> AR | <input checked="" type="checkbox"/> ET | <input type="checkbox"/> PUDD | <input type="checkbox"/> SN | <input type="checkbox"/> UC | <input type="checkbox"/> WS |
| <input type="checkbox"/> ADR | <input type="checkbox"/> AV | <input type="checkbox"/> PA            | <input type="checkbox"/> SC   | <input type="checkbox"/> TC | <input type="checkbox"/> VS | <input type="checkbox"/> ZC |
| <input type="checkbox"/> AG  | <input type="checkbox"/> DR | <input type="checkbox"/> PUD           | <input type="checkbox"/> SDR  | <input type="checkbox"/> TM | <input type="checkbox"/> WC | OTHER _____                 |

APPLICATION # (s) ET-23-40019  
PC MEETING DATE 2-6-24  
BCC MEETING DATE N/A  
TAB/CAC LOCATION Spring Valley

ACCEPTED BY MH  
DATE 12-5-23

DATE 1-9-24

ET-23-40019



# Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 176-04-601-001 and 003

PROPERTY ADDRESS/ CROSS STREETS: S. Cimmaron Road/Roy Horn

### DETAILED SUMMARY PROJECT DESCRIPTION

Request Extension of Time #1 of the application for VS-21-0602, which expires 12/07/2023.

### PROPERTY OWNER INFORMATION

NAME: DWWFCF, LLC Attn: Jay Francis  
ADDRESS: 3255 E. Sahara Ave.  
CITY: Las Vegas STATE: NV ZIP CODE: 89104  
TELEPHONE: 480-771-6449 CELL: \_\_\_\_\_ EMAIL: JHF@righttoyota.com

### APPLICANT INFORMATION

NAME: Logan Asset Management Attn: Casey Griffin  
ADDRESS: 30100 Town Center Dr. #O-310  
CITY: Laquan Nigel STATE: CA ZIP CODE: 92677 REF CONTACT ID # \_\_\_\_\_  
TELEPHONE: 949-503-3400 CELL: \_\_\_\_\_ EMAIL: cgriffin@loganam.com

### CORRESPONDENT INFORMATION

NAME: Lochsa Engineering LLC Attn: Suzanne LaSpina  
ADDRESS: 6345 S. Jones Blvd. #100  
CITY: Las Vegas STATE: NV ZIP CODE: 89118 REF CONTACT ID # 129963  
TELEPHONE: 702-365-9312 CELL: \_\_\_\_\_ EMAIL: suzanne.laspina@lochsa.com

\*Correspondent will receive all project communication

(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 and understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

[Signature] Property Owner (Signature)\*      Jay Francis Property Owner (Print)      12-05-2023 Date

- DEPARTMENT USE ONLY:
- |                              |                             |  |                               |                             |                             |                             |
|------------------------------|-----------------------------|--|-------------------------------|-----------------------------|-----------------------------|-----------------------------|
| <input type="checkbox"/> AC  | <input type="checkbox"/> AR | <input checked="" type="checkbox"/> ET | <input type="checkbox"/> PUDD | <input type="checkbox"/> SN | <input type="checkbox"/> UC | <input type="checkbox"/> WS |
| <input type="checkbox"/> ADR | <input type="checkbox"/> AV | <input type="checkbox"/> PA            | <input type="checkbox"/> SC   | <input type="checkbox"/> TC | <input type="checkbox"/> VS | <input type="checkbox"/> ZC |
| <input type="checkbox"/> AG  | <input type="checkbox"/> DR | <input type="checkbox"/> PUD           | <input type="checkbox"/> SDR  | <input type="checkbox"/> TM | <input type="checkbox"/> WC | OTHER _____                 |

APPLICATION # (s) ET-23-40019 ACCEPTED BY MH  
PC MEETING DATE 2-6-24 DATE 12-5-23  
BCC MEETING DATE N/A  
TAB/CAC LOCATION Spring Valley DATE 1-9-24

ET-23-40079

T 702-365-9312 | F 702-365-9317  
6345 S Jones Blvd. Suite 100  
Las Vegas, NV 89118



November 27, 2023

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

**SUBJECT: VS-21-0602 - VACATION OF RIGHT(S)-OF-WAY  
JUSTIFICATION LETTER FOR EXTENSION OF TIME FOR VS APPLICATION  
APNS 176-04-601-001, 003 and 018**

TO WHOM IT MAY CONCERN,

Please accept this submittal for an Extension of Time for Application VS-21-0602, which is set to expire 12/07/23 per the NOFA dated 12/16/23, attached.

The VS is dependent on the recordation of MSM-22-600079 for which a drainage stud and offsite improvement plans were conditioned per CCPW Map team letter dated 09/12/2022. The study (PW23-11763) is still under review, and the improvement plans have not been submitted yet.

Please contact us if you have any questions.

Sincerely,

Lochsa Engineering, LLC

A handwritten signature in black ink, appearing to read 'Suzanne LaSpina'.

Suzanne LaSpina  
Mapping Specialist



02/06/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**PA-23-700048-MKAT CAPITAL GROUP, LLC:**

**PLAN AMENDMENT** to redesignate the existing land use category from Ranch Estate Neighborhood (RN) to Business Employment (BE) on 2.3 acres.

Generally located on the east side of Santa Margarita Street, 300 feet south of Patrick Lane within Spring Valley. MN/gc (For possible action)

RELATED INFORMATION:

**APN:**

163-35-301-014

**EXISTING LAND USE PLAN:**

SPRING VALLEY - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

**PROPOSED LAND USE PLAN:**

SPRING VALLEY - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 2.3
- Existing Land Use: Undeveloped

**Applicant's Justification**

The applicant states that the request to Business Employment (BE) for the site is appropriate since there is a place of worship to the north, commercial properties to the west, a recently approved warehouse development (NZC-22-0496) 330 feet to the south, and Department of Aviation (DOA) owned land immediately to the east and south. DOA controlled land is typically auctioned off and is deed restricted against residential uses. Therefore, it is possible the land immediately adjacent to the site will not develop as residential in the future. Considering the current status of neighboring properties, a low-density residential use is no longer practical for the site. The proposed plan amendment will not result in any additional impacts on surrounding infrastructure not already contemplated for the area.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ET-23-400004 (NZN-18-0813)	Second extension of time to reclassify the site from R-E to C-P zoning for a major training facility and office complex	Denied by BCC	March 2023
ADET-22-900001 (NZN-18-0813)	First extension of time to reclassify the site from R-E to C-P zoning for a major training facility and office complex subject until January 23, 2023 to complete	Approved by ZA	February 2022
NZN-18-0813	Reclassified the site from R-E to C-P zoning for a major training facility and office complex subject to a resolution of intent to complete in 3 years	Approved by BCC	January 2019
NZN-0558-07	Reclassify the site from R-E to C-P zoning for an assisted living facility - expired	Approved by BCC	July 2007

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (AE-60 & CMA)	Place of worship
South & East	Open Lands	R-E (AE-60 & CMA)	Undeveloped
West	Corridor Mixed-Use	C-2 (AE-60 & CMA)	Mini-warehouse facility

**Related Applications**

Application Number	Request
ZC-23-0838	Zone change to reclassify the site from R-E to M-D zoning with a use permit, waivers of development standards, and design reviews for a proposed office/warehouse facility is a companion item on this agenda.
VS-23-0839	A request to vacate and abandon government patent easements, a streetlight and utility easement, and a portion of right-of-way being Santa Margarita Street is a companion item on this agenda.

**STANDARDS FOR ADOPTION:**

The applicant shall demonstrate the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Comprehensive Planning**

The applicant shall establish the request is consistent with the overall intent of the Master Plan by demonstrating the proposed amendment: 1) is based on changed conditions or further studies; 2) is compatible with the surrounding area; 3) will not have a negative effect on adjacent properties or on transportation services and facilities; 4) will have a minimal effect on service



provision or is compatible with existing and planned service provision and future development of the area; 5) will not cause a detriment to the public health, safety, and general welfare of the people of Clark County; and 6) adherence to the current goals and policies of the Master Plan would result in a situation neither intended by nor in keeping with other core values, goals, and policies.

The applicant requests a change from Ranch Estate Neighborhood (RN) to Business Employment (BE). Intended primary land uses in the proposed BE land use category include office, distribution centers, warehouse/flex space, technology, and light industry. Supporting land uses include small scale commercial services, such as restaurants, athletic clubs, service commercial, and other similar uses.

Staff finds that the request for the Business Employment (BE) land use category will not adversely impact the surrounding area. The area has experienced a change with the approval of M-D zoning (NZA-22-0496) on the northeast corner of Santa Margarita Street and Post Road. The parcel between the subject site and the parcel on the northeast corner of Santa Margarita Street and Post Road is owned by the Department of Aviation, and therefore, will be deed restricted to not allow residential uses if auctioned for private ownership. The property to the north of the subject site is developed as a place of worship, and therefore, all of the properties on the east side of Santa Margarita Street between Post Road and Patrick Lane will not be developed with residential uses. Additionally, the parcel to the east of the site is also owned by the Department of Aviation and subject to the same deed restrictions. Thus, the designation of RN is no longer practical for the site. The proposed designation of BE is in harmony with the recently approved M-D zoning farther to the south. The request also complies with Policy 5.5.1 of the Master Plan which promotes designating and supporting the development of industrial and employment uses in areas that are proximate to major air, rail, and highway facilities, as the CC 215 is nearby to the south. For these reasons, staff finds the request for the BE land use category appropriate for this location.

#### **Staff Recommendation**

Adopt and direct the Chair to sign a resolution adopting the amendment. This item will be forwarded to the Board of County Commissioners' meeting for final action on March 6, 2024 at 9:00 a.m., unless otherwise announced.

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

#### **STAFF ADVISORIES:**

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

- No comment.

**TAB/CAC:**

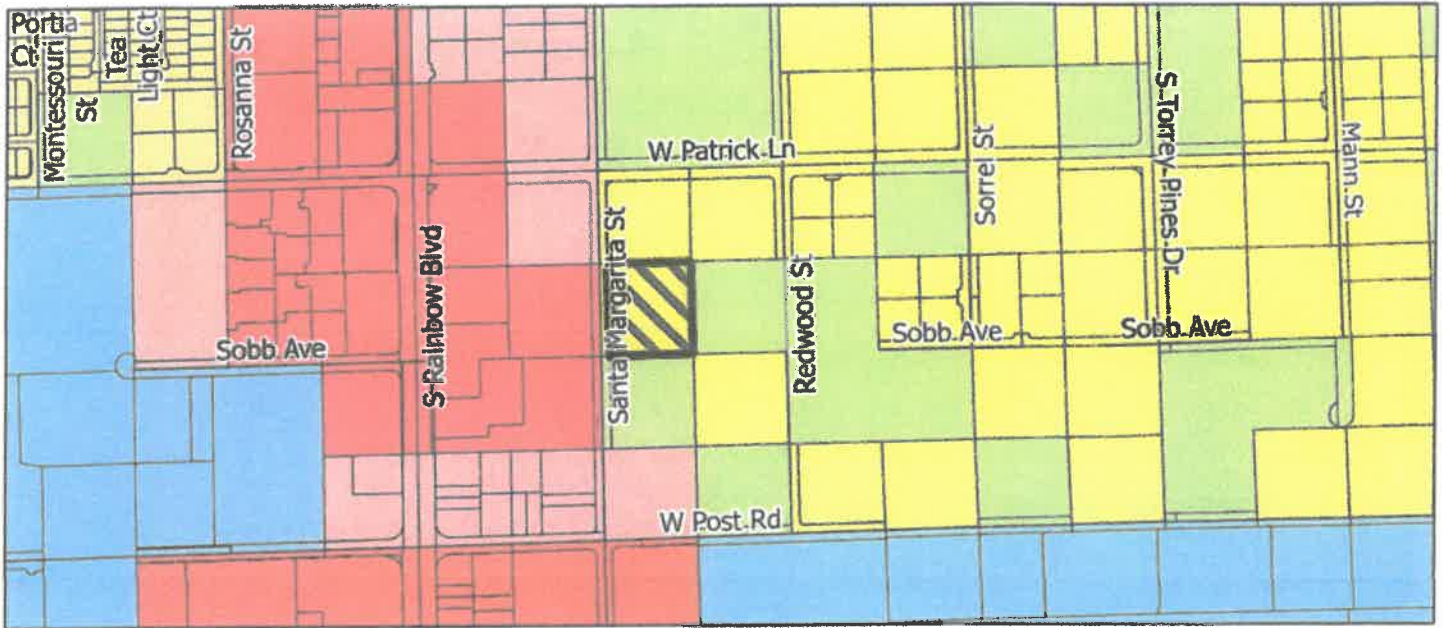
**APPROVALS:**

**PROTEST:**

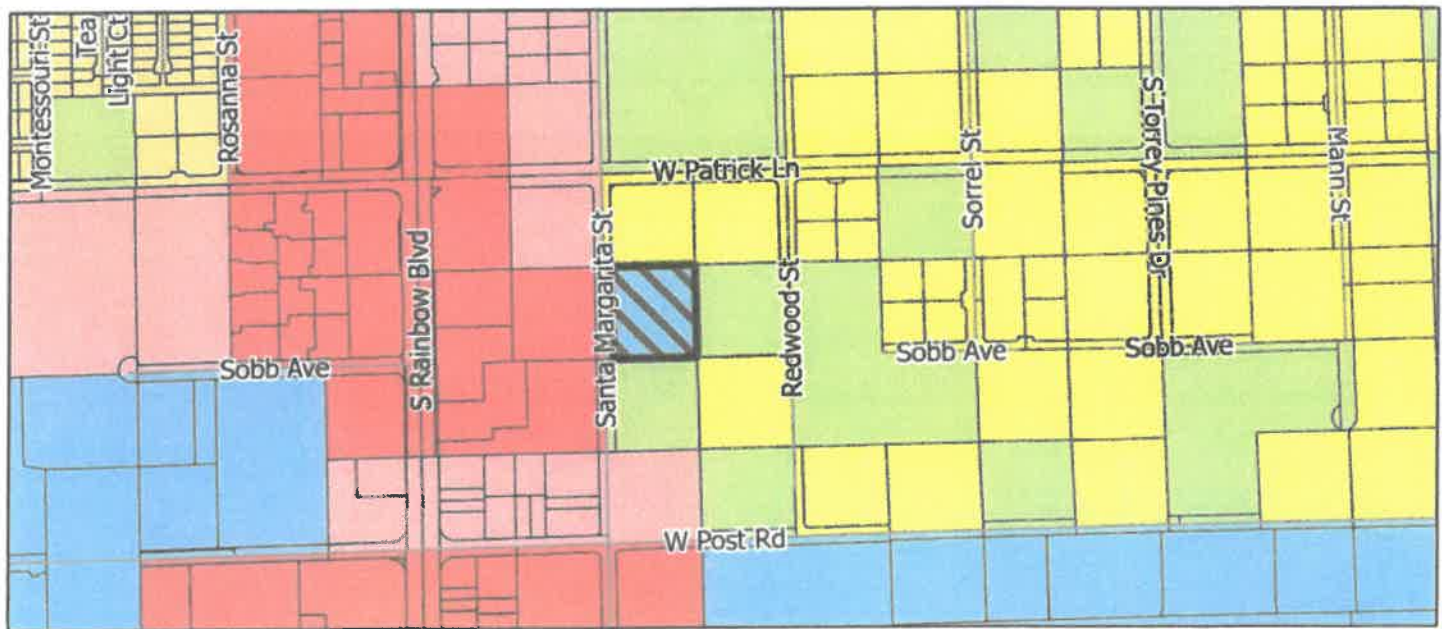
**APPLICANT:** MKAT CAPITAL GROUP, LLC  
**CONTACT:** LIZ OLSON, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE,  
SUITE 650, LAS VEGAS, NV 89135

DRAFT

# Planned Land Use Amendment PA-23-700048



**Current**



**Requested**

**Neighborhoods**

- Outlying Neighborhood (ON)
- Edge Neighborhood (EN)
- Ranch Estate Neighborhood (RN)
- Low-Intensity Suburban Neighborhood (LN)
- Mid-Intensity Suburban Neighborhood (MN)
- Compact Neighborhood (CN)
- Urban Neighborhood (UN)

**Employment**

- Business Employment (BE)
- Industrial Employment (IE)

**Commercial and Mixed Use**

- Neighborhood Commercial (NC)
- Corridor Mixed-Use (CM)
- Entertainment Mixed-Use (EM)

**Other**

- Agriculture (AG)
- Open Lands (OL)
- Public Use (PU)
- Major Projects (MP)

Requested Area To Change

Planning Areas

PA-23-700048

**Spring Valley  
Clark County, Nevada**

*Note: Categories denoted in the legend may not apply to the presented area.*





# MASTER PLAN AMENDMENT APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

PROCESS AND SUBMITTAL REQUIREMENTS INCLUDED

<b>APPLICATION TYPE</b>	<b>APP. NUMBER:</b> <u>PA-23-700048</u>	<b>DATE FILED:</b> <u>12-11-23</u>
<input checked="" type="checkbox"/> MASTER PLAN AMENDMENT (PA) <input checked="" type="checkbox"/> MAP <input type="checkbox"/> TEXT	<b>PLANNER ASSIGNED:</b> _____	
	<b>TAB/CAC:</b> <u>SPRING VALLEY</u>	<b>TAB/CAC MTG DATE:</b> <u>1-9-24</u>
	<b>PC MEETING DATE:</b> <u>2-6-24</u>	
	<b>BCC MEETING DATE:</b> <u>3-6-24</u>	
	<b>TRAILS?</b> Yes <input type="checkbox"/> No <input type="checkbox"/>	
<b>STAFF</b>	<b>FEE:</b> <u>\$2700.00</u>	

<b>PROPERTY OWNER</b>	<b>NAME:</b> <u>MKAT CAPITAL GROUP LLC</u>
	<b>ADDRESS:</b> <u>9205 W. Russell Rd. #240</u> <b>CITY:</b> <u>Las Vegas</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89148</u>
	<b>TELEPHONE:</b> <u>n/a</u> <b>CELL:</b> <u>n/a</u>
	<b>E-MAIL:</b> <u>n/a</u> <b>REF CONTACT ID #:</b> <u>n/a</u>

<b>APPLICANT</b>	<b>NAME:</b> <u>MKAT CAPITAL GROUP LLC</u>
	<b>ADDRESS:</b> <u>9205 W. Russell Rd. #240</u> <b>CITY:</b> <u>Las Vegas</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89148</u>
	<b>TELEPHONE:</b> <u>n/a</u> <b>CELL:</b> <u>n/a</u>
	<b>E-MAIL:</b> <u>n/a</u> <b>REF CONTACT ID #:</b> <u>n/a</u>

<b>CORRESPONDENT</b>	<b>NAME:</b> <u>Liz Olson - Kaempfer Crowell</u>
	<b>ADDRESS:</b> <u>1980 Festival Plaza Dr., Suite 650</u> <b>CITY:</b> <u>Las Vegas</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89135</u>
	<b>TELEPHONE:</b> <u>702-693-4262</u> <b>CELL:</b> <u>702-792-7000</u>
	<b>E-MAIL:</b> <u>psieck@kcnvlaw.com</u> <b>REF CONTACT ID #:</b> <u>n/a</u>

**ASSESSOR'S PARCEL NUMBER(S):** 163-35-301-014

**CURRENT LAND USE PLAN DESIGNATION:** RN

**REQUESTED LAND USE PLAN DESIGNATION:** BE

**PROPERTY ADDRESS and/or CROSS STREETS:** Santa Margarita/Patrick

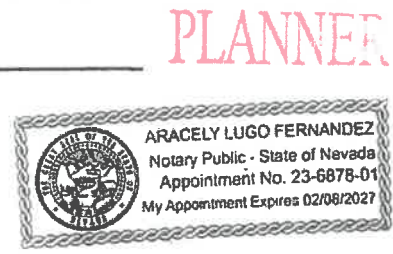
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Maria Alarcon      Maria Alarcon / Manager  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON September 14, 2023 (DATE)  
 By Maria Elena Alarcon

NOTARY PUBLIC: Aracely Lugo Fernandez



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

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

KAEMPFER

CROWELL

ELISABETH E. OLSON  
[eolson@kcnvlaw.com](mailto:eolson@kcnvlaw.com)  
 D: 702.792.7000

September 21, 2023

**VIA ONLINE SUBMITTAL**

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

**Re: *Justification Letter – Master Plan Amendment***  
***MKAT Capital Group, LLC***  
***APN: 163-35-301-014***

To Whom It May Concern:

Please be advised this office represents MKAT Capital Group, LLC (the “Applicant”) in the above-referenced matter. The proposed project is located on approximately 2.27 acres and is generally located near the southeast corner of Patrick Lane and Santa Margarita Street. The property is more particularly described as APN: 163-35-301-014 (the “Site”). The Applicant is proposing an office and warehouse development. As such, the Applicant is requesting a master plan amendment from Ranch Estate Neighborhood (RN) to Business Employment (BE). A corresponding application for a zone change to M-D has also been submitted.

**Master Plan Amendment:**

The Site is currently planned RN and zoned Rural Estates Residential (R-E). This request for a master plan amendment to BE is appropriate for the Site and consistent with the overall intent of the Master Plan. The Site is south of an existing church, east of an existing commercial shopping center, and north of a previously approved, but not yet developed, warehouse development (via NZC-22-0496).

Immediately adjacent to the south and east is property zoned and planned for rural residential and owned by the Department of Aviation (DOA) within the AE-60 airport overlay. Typically, property controlled by the DOA and subsequently auctioned off, is deed restricted against residential uses. Therefore, it is possible the land immediately adjacent to the Site will not develop as residential in the future.

A change of the land use plan to BE satisfies the requirements set forth in Table 30.12-3(h):

- The proposed amendment is consistent with the overall intent of the Master Plan:**

PLANNER COPY

The Site is planned for RN, which allows for up to two units per acre. Based on the location of the Site and the surrounding adjacent commercial and church uses, large residential estates are no longer compatible for the Site. Whereas the Applicant is requesting an amendment to BE, which allows for more compatible uses adjacent to the commercial and church properties, such as the proposed office and warehouse use.

As discussed above, the proposed amendment is appropriate for the Site and consistent with the overall intent of the Master Plan. Specifically, this proposed amendment meets the following Master Plan Goal for Enterprise, where the Site is located:

- Policy EN-4.1: Maintain existing rights-of-way and plan for the extension of rights-of-way needed for the continuation of major streets to support street connectivity. Here, development of the Site would require the development of the east side of Santa Margarita along the frontage of the Site.
- Policy EN-6.2: Prohibit residential uses, or other incompatible uses on deed-restricted parcels or as prohibited within the Airport Environs Overlay District. Here, the Site is located within the AE-60 Airport Overlay, which typically does not favor single-family residential development due to the constant airplane noise.

**2. The proposed amendment is required based on changed conditions or further studies:**

The proposed master plan amendment to BE meets the newly adopted Transform Clark County Master Plan Countywide Goals and Policies.

There is a change in trend occurring in the area, from what was once a low-density residential area, to commercial and industrial uses. With the Site adjacent to commercial uses and a church, a low-density residential use is no longer practical for the Site.

**3. The proposed amendment is compatible with the surrounding area:**

Due to the commercial uses and nearby industrial uses, the Site is better suited for the low impact BE use that is proposed. The existing residential to the east is buffered by the DOA property between the Site and will therefore not be impacted by the proposed use.

**4. Strict adherence to the current goals and policies of the Master Plan would result in a situation neither intended by nor in keeping with the other core values, goals and policies:**

The proposed plan amendment meets various Countywide goals and policies listed in the Master Plan, including but not limited to the following:

Policy 1.4.1: Support efforts to make neighborhood improvements (e.g., trail connects, complete street improvements). Here, the amendment would allow for an industrial project that would require the improvement of Santa Margarita.

Policy 1.6.3 encourages economic opportunity. The proposed project does just that. Not only will the project bring short-term construction jobs, it will provide many long term and permanent jobs available to Clark County residents.

**5. The proposed amendment will not have a negative effect on the adjacent properties or on transportation services and facilities:**

The proposed master plan amendment to BE will not have a negative effect on adjacent properties, transportation, or facilities. The surrounding area is largely commercial and industrial uses. Access to the Site will not impede on traffic with the residential to the east, and assist overall with the completion of the infrastructure in the area.

**6. The proposed amendment will have a minimal effect on service provisions or is compatible with existing and planned service provisions and further development of the area:**

The proposed plan amendment will not result in any additional impacts on surrounding infrastructure not already contemplated in the area. In fact, development of the Site as an industrial project will require the paving of Santa Margarita along the frontage and assist with the completion of the right-of-way in the area.

**7. The proposed amendment will not cause a detriment to the public health, safety, and general welfare of the people of Clark County:**

The proposed amendment will not cause any detriment to public health, safety or general welfare to the people of Clark County. There is a need for industrial uses throughout the Las Vegas Valley. This project will be a benefit, not a detriment, to the community. Fire services and police services similarly will not be substantially affected by the development of the Site.

Based on the above information, a master plan amendment to BE is appropriate, and the Applicant has satisfied the standard for approval. Thank you for your consideration of this request. Please let me know if you have any questions.

Sincerely,

KAEMPFER CROWELL



Elisabeth E. Olson



02/06/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0838-MKAT CAPITAL GROUP, LLC:

**ZONE CHANGE** to reclassify 2.3 acres from an R-E (Rural Estates Residential) (AE-60) Zone to an M-D (Designed Manufacturing) (AE-60) Zone.

**USE PERMIT** to allow offices as a primary use.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce landscaping adjacent to a less intensive use; 2) parking lot configuration; 3) building height; 4) reduce required parking; and 5) driveway geometrics.

**DESIGN REVIEWS** for the following: 1) a proposed office/warehouse facility; 2) alternative parking lot landscaping; and 3) finished grade in the CMA Design Overlay District.

Generally located on the east side of Santa Margarita Street, 300 feet south of Patrick Lane within Spring Valley (description on file). MN/hw/syp (For possible action)

RELATED INFORMATION:

APN:

163-35-301-014

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce the width along a portion (northeast corner) of a landscape buffer adjacent to a less intensive use to 4.5 feet where 5.5 feet is required per Figure 30.64-11 (an 18% reduction).
- b. Eliminate trees along a portion (northeast corner) of a landscape buffer adjacent to a less intensive use where 1 tree is required every 20 feet per Figure 30.64-11.
2. Allow the parking area to be continuous lot where parking areas with 100 spaces or more are required to be designed as a series of smaller, connected parking courts dispersed throughout the site per Section 30.48.660.
3. Increase the height of the building to 2 stories where only single story buildings are permitted per Section 30.48.650 (a 100% increase).
4. Reduce the number of required parking spaces to 133 stalls where 150 stalls are required per Table 30.60-1 (an 11% reduction).
5. Reduce throat depth to 12 feet where a minimum of 75 feet is required per Uniform Standard Drawing 222.1 (an 84% reduction).

**DESIGN REVIEWS:**

1. Office/warehouse facility.
2. Allow alternative parking lot landscaping (finger island configuration) where parking lot landscaping is required per Figure 30.64-14.

3. Increase finished grade to 93 inches (7.7 feet) where a maximum of 36 inches (3 feet) is the standard per Section 30.32.040 (a 158% increase).

**LAND USE PLAN:  
SPRING VALLEY - BUSINESS EMPLOYMENT**

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 2.3
- Project Type: Office/warehouse facility
- Number of Stories: 2
- Building Height (feet): 36
- Square Feet: 45,135
- Parking Required/Provided: 150/133

History & Request

There have been several non-conforming zone change requests on the site since at least 2004 to allow for commercial developments. A non-conforming zone change from the R-E (Rural Estates Residential) zone to the C-P (Office Professional) zone was requested in May 2004 for an office center but was ultimately withdrawn by the applicant. Another non-conforming zone change from the R-E (Rural Estates Residential) zone to the C-P (Office Professional) zone was requested in July of 2007 to allow for an assisted living facility, but this application expired in July 2010 after the facility was not completed. The latest application on the property was a non-conforming zone change from the R-E (Rural Estates Residential) zone to the C-P (Office Professional) zone that was requested in January of 2019 to allow for an office complex with a major training facility. This application was extended administratively once in February 2022, but was not extended again by the Board of County Commissioners in March 2023 due to several changes being requested by the applicant at the time of the requested extension. The applicant is now requesting a zone change from the R-E (Rural Estates Residential) zone to the M-D (Designed Manufacturing) zone along with a use permit to allow offices as a primary use and a design review for an office/warehouse complex on the site.

Site Plans

The site plan depicts a 45,135 square foot office and office/warehouse facility with a 24,265 square foot footprint on a 2.3 acre lot located to the east side of Santa Margarita Street, approximately 300 feet south of Patrick Lane. The plans show that the office/warehouse building is rectangular in shape and is centrally located on the site. The building is shown to be set back 90 feet from the property line along Santa Margarita Street, 68.6 feet from the northern property line, 74.8 feet from the eastern property line, and 65.6 feet from the southern property line. Parking and drive aisles are located surrounding the office/warehouse building with parking located along the perimeter of the site and located in a single row along the eastern side of the building. The site is accessed by 2 commercial driveways located in the northwest corner and the southwest corner of the site. These driveways are shown to be 35 feet wide and will access Santa Margarita Street. Two 10 foot by 25

foot loading spaces are shown to the north of the northwest corner of the building with a trash enclosure immediately to the west of the loading spaces. A 15 foot wide drainage easement is shown to cross the north portion of the property, but no structures are located within the easement. The cross sections indicate that a maximum fill of 7.7 feet is required under the proposed building, particularly in the northwest corner of the foundation.

### Landscaping

The landscape plans show that perimeter, street, and parking lot landscaping will be provided throughout the site. Along Santa Margarita Street, a 15 foot landscape strip is being provided, which includes a 5 foot landscape strip followed by a 5 foot sidewalk followed by another 5 foot landscape strip. This landscape strip consists of 2 rows of trees on each side with the trees alternating sides and spaced 20 feet apart. Trees within sight zones have been moved to the opposite side of the sidewalk. The trees within the street landscaping strip consist of Shoestring Acacia (*Acacia stenophylla*) and Holly Oak (*Quercus ilex*) trees.

Along the perimeter, a less intense buffer per Figure 30.64-11 is provided along the south and east property lines. The buffer is 6.6 feet wide along the southern property line and 7.8 feet along the western property line. Trees within these buffers are 20 feet apart and consist of alternating Shoestring Acacia and Holly Oak trees in a single row. Along the northern property line, an intense landscape buffer is provided per Figure 30.64-12, except for the western 98.7 feet along the northern property line where only shrubs and a 5 foot sidewalk is provided. Along the rest of the northern property line, 2 alternating rows of Shoestring Acacia and Holly Oak trees are provided 10 feet apart. Due to the lack of trees along the northwestern property line, a waiver of development standards is needed. The landscape plans also show that a 6 foot tall decorative CMU block wall will be utilized along the northern, southern, and eastern property lines.

Within the parking lot, 9 foot wide finger islands are provided approximately every 4 to 10 spaces throughout the parking lot. Shoestring Acacia trees are provided within the islands and a total of 22 trees are required where 22 trees are provided. Due to the correct number of trees being provided, and the configuration of the landscape islands not being per Figure 30.64-14, a design review for alternative parking lot landscaping is required.

### Elevations

The elevations depict a 2 story, 36 foot tall, painted EIFS panel office/warehouse building. The building is rectangular with fascia popouts and roofline extensions in the center of each building face. The popouts are painted a black color with the area between the popouts painted white. The building is accented with decorative metal awnings and metal paneling along the roofline and level separation. Access to the building is provided by aluminum commercial window/doors systems along the first floor western façade with 1 window-door system located on the first floor portions of the northern and southern facades. Overhead metal doors are provided on the first floor portion of the eastern façade. Strip windows are provided on all facades on the second floor.

### Floor Plans

The floor plans show that the first floor will consist of 24,265 square feet of office and warehouse space. The first floor will consist of 6 office/warehouse suites with each suite containing a 1,212 square foot office space in front of a connecting 2,083 square foot warehouse space with 2

bathrooms. A central office suite consisting of 2,508 square feet is also provided. On the second floor, the plans show that 18,176 square feet of office space is going to be provided. The second floor will consist of 13 professional office suites that will range in size from 1,205 square feet up to 1,635 square feet. A central office suite will be provided that will contain 1,870 square feet of office, work, reception, and conference room space.

**Applicant's Justification**

The applicant indicates that the zone change to M-D and the use permit for office uses are appropriate due to the surrounding industrial and commercial uses nearby and the history of non-residential zone changes in the area. The applicant also states that many of the surrounding parcels are owned by the Clark County Department of Aviation and, due to deed restrictions, will never be developed as residential uses. In addition, the applicant states that the appropriate number of trees have been provided in the parking lot, and the alternative proposed still meets the spirit of the parking lot landscaping code. The applicant also states that the reduction in the perimeter landscaping is needed due to a sidewall and will not affect the place of worship to the north. Finally, the applicant states that the building and its design are like other commercial and warehouse building in the area.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ET-23-400004 (NZN-18-0813)	Second extension of time to reclassify the site from R-E to C-P zoning for an office complex and major training facility	Denied by BCC	March 2023
ADET-22-900001 (NZN-18-0813)	First extension of time to reclassify the site from R-E to C-P zoning for an office complex and major training facility - expired	Approved by ZA	February 2022
NZN-18-0813	Reclassified the site from R-E to C-P zoning for an office complex and major training facility - expired	Approved by BCC	January 2019
NZN-0594-17	Reclassified the site from R-E to C-P zoning for an office center - expired	Held	December 2017
NZN-0558-07	Reclassified the site from R-E to C-P zoning for an assisted living facility - expired	Approved by BCC	July 2007
NZN-0753-04	Reclassified the site from R-E to C-P zoning for an office center - expired	Withdrawn	May 2004

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Place of worship
South & East	Open Lands	R-E	Undeveloped

### Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
West	Corridor Mixed-Use	C-2	Mini-warehouse facility

### Related Applications

Application Number	Request
PA-23-700048	A plan amendment to change the land use plan designation from Ranch Estate Neighborhood (RN) to Business Employment (BE) is a companion item on this agenda.
VS-23-0839	A request to vacate and abandon government patent easements, a streetlight and utility easement, and a portion of right-of-way being Santa Margarita Street is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### Analysis

#### Comprehensive Planning

##### Zone Change

In addition to the standards for approval, the applicant must demonstrate the zoning district is compatible with the surrounding area. Staff finds that to the west of Santa Margarita Street along Rainbow Boulevard there are several commercial developments within either the C-2 (General Commercial) or C-P (Office and Professional) zones. In addition, to the south of the site, south of Post Road, there are also several industrial and warehouse development within the M-D zone. To the south of the site, north of Post Road within the same block as the site, there is a previously approved non-conforming zone change to M-D for a warehouse development. Also, the properties to the east and south of the site are owned and deed restricted by the Department of Aviation. Overall, staff finds that the rezone to the M-D zone is appropriate due to the commercial and industrial nature of the directly neighboring area. In addition, the block between Redwood Street and Santa Margarita Street is already trending toward non-residential uses due to the previously approved zone change and place of worship, as well as the likelihood that the Department of Aviation land will be either industrial or commercial in nature, once sold into the private sector. Finally, Policy 5.5.1 of the Master Plan encourages the development of industrial and employment type uses in appropriate areas, and staff finds that the proposed zone change would comply with this Policy. For these reasons, staff can support this zone change.

##### Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden. Staff finds that much of the directly abutting area to the west of the site is

commercial in nature with retail, service, and office uses while the area to the south is primarily office/warehouse facilities. Given that the building will contain a combination of both office and office/warehouse uses, staff finds that the combination of uses on the site will serve as a sensible transition between the commercial areas to the west and the industrial areas to the south. Ultimately, office uses are compatible within the zoning, the uses in the area, and will serve to enhance the commercial nature of the existing neighborhood. As a result, staff could support this use permit, but since staff is not supporting the design review, staff cannot support this request.

#### Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

#### Waiver of Development Standards #1

The purpose of requiring landscaping adjacent to less intensive uses is to reduce the visual disturbance caused by more intense uses, reduce the massing on the site, and to serve as a more natural and appealing break between properties. Staff finds that the applicant has provided an intense landscaping buffer along most of the northern property line, which is above what is required by Title 30. In addition, the provided buffer will screen the building, much of the parking area, the auxiliary loading area, and trash enclosure from the place of worship to the north. In addition, according to the applicant, the proposed sidewalk prohibiting the ability for a full buffer along the northern property line is necessary for the development of the site. Ultimately, staff finds that the provided buffer should be sufficient given it is more intense than what is required and will screen both the building and any accessory structures and uses that could impact the place of worship to the north, fulfilling the spirit of the regulations. For these reasons, staff finds the alternative provided to be sufficient and could support these waivers of development standards, but since staff is not supporting the design review, staff cannot support this waiver of development standards.

#### Waivers of Development Standards #2 & #3

The purpose of keeping buildings under 2 stories and breaking up parking lots is to prevent large bulky buildings and large expanses of pavement. Staff finds that the surrounding area contains several buildings that are over 2 stories in height and is common within the CMA Overlay District area. In addition, the building has been provided with various architectural elements, such as popouts and awnings, that help to break the building up and prevent an unnecessarily bulky appearance to the building. In addition, a significant amount of landscaping has been provided along the street, the perimeter, and within the parking lot itself, that should help reduce any heat island effect impacts due to the continuous nature of the parking lot, and help to reduce the visual impacts of massing on the site. For these reasons, staff could support these waivers of development standards, but since staff is not supporting the design review, staff cannot support these waivers of development standards.

#### Waiver of Development Standards #4

The purpose of requiring a certain number of parking stalls is to assure that there is enough area and space on the subject site for the number of cars that could be on the site during peak times, between both visitors and employees. Staff finds that the site is large enough and setup to an extent that it is possible for the site to be designed to have the requisite number of parking spaces. Given that a majority of the space within the proposed building is dedicated to offices, it is not out of the questions that a large number of spaces would be needed for both guests and employees on site. Finally, staff finds that since the site is being built on undeveloped land, that this request is a self-imposed hardship; and therefore, cannot support this waiver of development standards.

#### Design Reviews #1 & #2

Overall, the office/warehouse as proposed provides a building that serves as an appropriate transition between the retail developments to the west and the more industrial developments to the south. The proposed building would act as an appropriate transitional commercial/industrial development in an area that is trending towards a more industrial/commercial mix. In addition, the exterior of the building is attractive and would be an enhancement to the neighborhood, with its varied use of colors and contemporary use of materials. Landscaping provided along the street by the development is provided per Code and would enhance the streetscape along Santa Margarita Street. Additionally, sufficient landscaping has been provided within the parking lot to serve the shading purposes described in Title 30. Also, sufficient landscaping has been provided along the perimeter to buffer any negative effects caused by the development. For these reasons, staff could support these requests, but since staff is not supporting the waivers of development standards, staff cannot support these design reviews.

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

##### Waiver of Development Standards #4

Staff cannot support the reduction in throat depth for the commercial driveways on Santa Margarita Street. The northern driveway has immediate conflicts with vehicles entering the site with the vehicles exiting the parking stalls causing stacking in the right-of-way.

##### Design Review #3

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

#### **Staff Recommendation**

Approval of the zone change and design review #3; denial of the use permit, waivers of development standards, and design reviews #1 and #2. This item will be forwarded to the Board of County Commissioners' meeting for final action on March 6, 2024 at 9:00 a.m., unless otherwise announced.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

If approved:

- No outside storage is permitted within designated parking spaces and drive aisles;
- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

### **Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0465-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MKAT CAPITAL GROUP, LLC

**CONTACT:** PARKER SIECK, LAS VEGAS, 1980 FESTIVAL PLAZA DR., SUITE 650, LAS VEGAS, NV 89135





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE (ZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>ZC-23-0838</u> DATE FILED: <u>12-11-23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>SPRING VALLEY</u> TAB/CAC DATE: <u>1-9-24</u> PC MEETING DATE: <u>2-6-24</u> BCC MEETING DATE: <u>3-6-24</u> FEE: <u>\$ 2875.00</u>
	<b>PROPERTY OWNER</b>  NAME: <u>MKAT CAPITAL GROUP LLC</u> ADDRESS: <u>9205 W. Russell Rd. #240</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u>
	<b>APPLICANT</b>  NAME: <u>MKAT CAPITAL GROUP LLC</u> ADDRESS: <u>9205 W. Russell Rd. #240</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>
	<b>CORRESPONDENT</b>  NAME: <u>Liz Olson - Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Dr. , Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>

ASSESSOR'S PARCEL NUMBER(S): 163-35-301-014  
 PROPERTY ADDRESS and/or CROSS STREETS: Santa Margarita/Patrick  
 PROJECT DESCRIPTION: Genesis Professional 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.

Maria Alarcon      Maria Alarcon / Manager  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON September 14, 2023 (DATE)  
 By Maria Elena Alarcon

NOTARY PUBLIC: Aracely Lugo Fernandez



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

PLANNER COPY

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

KAEMPFER

CROWELL

ELISABETH E. OLSON  
[edolson@kcnvlaw.com](mailto:edolson@kcnvlaw.com)  
 D: 702.792.7000

December 5, 2023

**VIA ONLINE SUBMITTAL**

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

PLANNER COPY

**Re: *Justification Letter – Zone Change, Design Review, Special Use Permit, and Waivers of Development Standards  
 MKAT Capital Group, LLC  
 APN: 163-35-301-014***

**To Whom It May Concern:**

Please be advised this office represents MKAT Capital Group, LLC (the “Applicant”) in the above-referenced matter. The proposed project is located on approximately 2.27 acres and is generally located near the southeast corner of Patrick Lane and Santa Margarita Street. The property is more particularly described as APN: 163-35-301-014 (the “Site”). The Applicant is proposing an office and warehouse development. As such, the Applicant is requesting a zone change from R-E to M-D, a special use permit, design review, and a waiver of development standards to allow for an office and warehouse development. A corresponding master plan amendment from RN to BE has also been submitted.

The Applicant held its required neighborhood meeting on October 16, 2023. Two neighbors attended and had questions about the overall use, layout of the project and access. Overall, there were no concerns relating to the proposed use.

The Site fronts onto Santa Margarita Street and is surrounded by various types of other uses and zoning designations, including existing C-2 commercial uses, a church, Department of Aviation (DOA) owned property, and existing and previously approved M-D uses. The R-E zoned properties to the south and east of the Site are vacant and owned by the DOA. The proposed office/warehouse use is compatible with the surrounding area considering the M-D uses south of the Site and commercial/office uses directly adjacent to the west.

Additionally, the Site, and the property immediately adjacent to the south and east, are zoned and planned for rural residential and owned by the Department of Aviation (DOA) within the AE-60 airport overlay. Typically, property controlled by the DOA that is subsequently auctioned off, is deed restricted against residential uses. Therefore, it is possible the land immediately adjacent to the Site will not develop as residential in the future, and residential on the Site itself would not be favored based on the frequent airplane noise.

The Site is surrounded by existing commercial uses, as well as M-D developments to the south. The additional warehouse building, which is significantly smaller than many of the existing warehouses in the area, will not negatively impact the existing uses or surrounding property owners. Additionally, based on the layout of the project, traffic to the Site will not impact the residential to the east as it will be limited to Santa Margarita with no need to travel farther east.

**Special Use Permit:**

The Applicant is requesting a special use permit offices as a principal use within the M-D zoning district. The office use on the Site is appropriate based on the surrounding uses to the north, west, and south. Office uses typically bring low traffic, light, and noise and will, therefore, not create a negative impact to the surrounding uses in the immediate area, including the residential to the west.

**Design Review:**

1. The Applicant is proposing a single office/warehouse building for a total of 45,135 square feet. The proposed building is two-story with a maximum height of 35-feet where 50-feet is permitted in M-D zoning districts and will be comprised of various types of materials, including stucco, plywood and metal. The building will have architectural enhancements, a flat roofline with variations to meet the CMA requirements, and large decorative windows. Access to the Site is proposed from two driveways along Santa Margarita. The roll up doors are located on the east side of the building and screened from the right-of-way by the building and ample landscaping. The Applicant is providing a total of 133 parking spaces where 132 are required. The Applicant is also providing the required landscaping along the perimeter per Code requirements to ensure shade and visual relief.
2. The Applicant is also requesting a design review for alternative parking lot landscaping. Rather than providing the required parking lot landscape fingers along the rear (east and south) of the building, the Applicant is providing the required 87 trees throughout the entirety of the Site.
3. The Applicant is also requesting a design review for increased finished grade of up to 91-inches where 36-inches is permitted. Due to the existing topography on this Site, and the slope of the Site from north to south, fill is required to appropriately develop the Site.

**Waivers of Development Standards**

1. The Applicant is requesting a waiver to allow for reduced throat depths to both driveways to a minimum of 12-feet 3-inches on the northern driveway and 22-feet 1-inch on the southern driveway where 75-feet is required per Uniform Standard Drawn 222.1. The Applicant has designed the Site to ensure truck traffic is filtered to the back of the Site where the roll up doors are located with long drive aisles located directly off the driveways on Santa Margarita. This will allow trucks to drive straight into the Site and around to the back of the building, while car traffic can turn directly into the front are of the building.

This will allow all traffic to circulate through the Site without causing any type of stacking along the right-of-way.

2. The Applicant is also requesting a waiver along a small portion of the northern property line to provide 4-feet 6-inches of landscaping where 10-feet is required per Section 30.64.12. The Applicant is unable to provide the required landscape on a small portion due to the required sidewall needed at the driveway. The portion where the landscape is reduced is adjacent to the secondary driveway of the existing church to the north. This will not impact the church in any way as it is adjacent to the rear of the church property where the parking lot is located.
3. Lastly, the Applicant is requesting to allow for a two-story building where only a single story building is permitted pursuant to Chapter 30.48.650(6). Here, while the building is two stories, the overall height of the building is only 35-feet, which is not only lower than what is permitted within the requested M-D, but what is currently permitted on the Site as it's zoned today as R-E. Therefore, the two stories will not be a detriment to the area.

Thank you in advance for your time and consideration regarding this application. Please feel free to contact me should you have any questions or concerns.

Sincerely,  
KAEMPFER CROWELL



Elisabeth E. Olson

**ADDENDUM TO SID52 LLC APPLICATION**  
**APR23-100470 APN 163-32-311-029 thru 31 et al**

**Remaining Site APN's**

**163-32-311-006**

**163-32-311-011**

**163-32-311-010**

**163-32-311-003**

**163-32-311-004**

**163-32-311-005**

**163-32-311-024**

**163-32-311-026**

**163-32-311-017**

**163-32-311-012**

12/7/2023

WS-23-0850

**TO:** Department of Comprehensive Planning  
500 S. Grand Central Parkway  
Las Vegas, Nevada 89155

**FROM:** Kastytis Cechavicius | DesignCell Architecture  
Principal  
Phone: (702) 244-0013  
Office: (702) 403-1575  
kastis@design-cell.com

**SUBJECT: Proposed Hilton Garden Inn Hotel, 9160 W. Post Rd, Las Vegas, NV**

APN Subject Parcel: 163-32-311-029/ 030/ 031  
APN Commercial Subdivision: 163-32-311-006/ 011/ 010/ 003/004/  
005/024/ 026/017/012

## Justification Letter

### Background:

This parcel is a part of a commercial center which was approved by The BCC in October of 2003. The approval included a hotel, restaurant lounge, and medical office buildings. A height of 56' was also included as part of that submittal. C-2 zoning on the entire development was established by action of ZC-0454-02 in May of 2002, and has expired.

In September of 2009 this subject parcel was then approved for a 4-Story Marriott hotel consisting of 137 rooms (reference UC 1078-07 ET 0222-09) under the condition construction would commence by October 2012. The subject UC has expired.

This plot of land has remained undeveloped with the exception that it had been graded to accept a pad building with adjacent parking. The pad immediately to the north of this parcel (UC 048-06) is now under development as a hotel.

### Project overview:

This request is for a 4 story Hilton Garden Inn (HGI) hotel, consisting of 108 guestrooms with an adjacent surface parking. This project will be an asset to the surrounding neighbors as it will provide rooms for guests of the surrounding businesses and residents, and the adjacent hospital.

The target guest demographic for HGI brand is business travelers and leisure travelers looking for an upscale experience. A full-service restaurant and a bar will be provided for hotel guests and the public, as well as conference and meeting rooms, lounge areas, fitness, and other indoor amenities. Outdoor amenities shall include a pool area and outdoor terrace / seating areas. No kitchenettes shall be provided in the guestrooms.

**Surroundings:**

The area around the hotel is mostly medical offices, 1-2 story in height, as well as 3-story apartment buildings to the West, 4 story hotel currently under construction to the North, and a 6-story, ~90' tall Southern Hills Hospital to the SW of the subject parcel.

**Parking:**

The subject property is a part of a commercial subdivision with shared parking among its uses. The hotel parking demand is very compatible with the adjacent offices, as it requires parking mostly during the night while offices need it during the day. Most of the parking for the hotel guests is conveniently provided in the parking area on-site, just East of the hotel entrance. This parking area contains 71 parking spaces. The remainder of the off-street parking shall be available in the immediate vicinity to the East. In fact, there should be an excess of around 400 parking spaces available in the commercial subdivision between 7pm-7am, when hotel parking demand is highest, as evidenced by the Shared Parking Study. In addition, based on the studies of Institute of Transportation Engineers (ITE), the average rate of overnight parking required for business hotels is 0.72 per room, with a low-high range of 0.55-0.85. This would result in the expected nightly use of 78 parking spaces, with a min-max range of 60-92 spaces.

**CMA Overlay:**

The parcel is located within CMA Overlay District. The project team made a full attempt to meet the requirements of CMA design standards:

- **Site Design and Orientation.**  
The proposed hotel building is located along the perimeter street on the West, shielding parking areas and any potential noise from residential multi-family development. The proposed site design also provides a network of sidewalks and enhances the pedestrian connectivity with the adjacent uses.
- **Architectural Standards.**  
The building colors consist of predominantly subdued intensity of tones. Color shades and materials are complimentary to the adjacent office development. The clay color paint ("Soft Fan") also brings in a color from the theme of an adjacent hospital building. Building facades have articulation in depth and height, color, and texture of materials. The roofline is varied in height.

- **Landscape and Screening.**  
Perimeter landscaping meets and exceeds buffer requirements along most of the street frontage. Additional street and site trees on the east side of the building (front) are provided, parking lot landscape adjusted to accommodate existing transformer pad. Existing and established trees are preserved, and wider buffer widths are utilized wherever possible. Loading and trash enclosure areas are additionally screened with denser shrubs and vegetation.
  
- **Exterior Lighting.**  
Site and building lighting fixtures will conform with CMA requirements. Where visible from adjacent multi-family development, only minimum required fixtures shall be building-mounted with downward illumination of egress areas. Parking area poles are shielded by the building from residential use and will utilize fixtures compatible to ones already used throughout the commercial subdivision.
  
- **Exterior Signage.**  
Building signage locations were selected to face only East and South, and to have zero impact on the adjacent multifamily development to the West. The monument sign is located close to the site entrance on the Southeast.

**This application is seeking the following requests:**

1. **Waiver of Development Standards: Allow alternative street landscaping with 10 feet of landscaping where Section 30.64.030(l)(4) is required with 15 feet of landscaping back of attached sidewalk).**

Most of the street landscape buffer conforms with this requirement, except for the SE portion of the site along W. Post Rd. where existing parking is proposed to be maintained and existing landscape area with established trees is 10' wide. The additional landscape area adjacent to loading and trash enclosure is provided to compensate for reduced buffer, and wider buffer widths are utilized wherever possible along the South and West perimeter

2. **Waiver of Development Standards: Increase building height to 52 feet 6 inches where 50 feet is allowed in C-2 zone.**

Additional height is needed to screen the roof-top mechanical equipment and to ensure the architectural facade articulation with variation of roof height. To reduce the impact of height to surrounding uses, the building is also set back sufficiently from the perimeter streets to conform with height setback requirements applicable only to arterial streets by the code.



- 3. Design Review for a proposed hotel in C-2 zone.**
- 4. Design Review for alternative parking lot landscaping, per Figure 30.64-14 (footnote M).**

We would appreciate your consideration as this hotel will bring a much-needed facility to this area serving the existing as well as future development.

Sincerely,



Kastytis Cechavicius  
Principal Architect  
DesignCell



7

**PUBLIC HEARING**  
**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**  
**VS-23-0839-MKAT CAPITAL GROUP, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Patrick Lane and Post Road; and between Santa Margarita Street and Redwood Street; and a portion of right-of-way being Santa Margarita Street located between Patrick Lane and Post Road within Spring Valley (description on file). MN/hw/syp (For possible action)

**RELATED INFORMATION:**

**APN:**  
163-35-301-014

**LAND USE PLAN:**  
SPRING VALLEY - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

The plans depict the vacation and abandonment of 33 foot wide government patent easements that run along the north, east, and south boundaries of the subject site. The plans show that an 8 foot portion of a patent easement will be vacated along the western portion of the site along Santa Margarita Street. The plans also depict the vacation and abandonment of a 3 foot wide streetlight and utility easement that runs along the western edge of the site. Five feet of right-of-way is proposed to be vacated from the eastern portion of Santa Margarita Street. The applicant states the vacation of the patent easement is needed to allow for the development of the site, and that the patent easements are no longer needed for any roads or utilities. The applicant also states the vacation of the right-of-way and streetlight and utility easement is needed to provide detached sidewalks and other off-site improvements for the proposed development.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ET-23-400004 (Nzc-18-0813)	Second extension of time to reclassify the site from R-E to C-P zoning for an office complex and major training facility	Denied by BCC	March 2023
ADET-22-900001 (Nzc-18-0813)	First extension of time to reclassify the site from R-E to C-P zoning for an office complex and major training facility - expired	Approved by ZA	February 2022
Nzc-18-0813	Reclassified the site from R-E to C-P zoning for an office complex and major training facility - expired	Approved by BCC	January 2019

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-0594-17	Reclassified the site from R-E to C-P zoning for an office center - expired	Held	December 2017
NZC-0558-07	Reclassified the site from R-E to C-P zoning for an assisted living facility - expired	Approved by BCC	July 2007
NZC-0753-04	Reclassified the site from R-E to C-P zoning for an office center - expired	Withdrawn	May 2004

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Place of worship
South & East	Open Lands	R-E	Undeveloped
West	Corridor Mixed-Use	C-2	Mini-warehouse facility

**Related Applications**

Application Number	Request
PA-23-700048	A plan amendment to change the land use plan designation from Ranch Estate Neighborhood (RN) to Business Employment (BE) is a companion item on this agenda.
ZC-23-0838	A zone change to reclassify the site from R-E to M-D zoning with a use permit, waivers of development standards, and design reviews for a proposed office/warehouse facility is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis****Public Works - Development Review**

Staff has no objection to the vacation of easements that are not necessary for site, drainage, or roadway development and right-of-way for detached sidewalks.

**Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on March 6, 2024, at 9:00 a.m., unless otherwise announced.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Fire Prevention Bureau**

- No comment.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MKAT CAPITAL GROUP, LLC

**CONTACT:** PARKER SIECK, 1980 FESTIVAL PLAZA DR., SUITE 650, LAS VEGAS, NV 89135





# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-23-0839</u>	DATE FILED: <u>12-11-23</u>
		PLANNER ASSIGNED: _____	TAB/CAC DATE: <u>1-9-24</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		TAB/CAC: <u>SPRING VALLEY</u>	
		PC MEETING DATE: <u>2-6-24</u>	
		BCC MEETING DATE: <u>3-6-24</u>	
		FEE: <u>\$875.00</u>	

<b>PROPERTY OWNER</b>	NAME: <u>MKAT CAPITAL GROUP LLC</u>
	ADDRESS: <u>9205 W. Russell Rd. #240</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u>
	TELEPHONE: <u>n/a</u> CELL: <u>n/a</u>
	E-MAIL: <u>n/a</u>

<b>APPLICANT</b>	NAME: <u>MKAT CAPITAL GROUP LLC</u>
	ADDRESS: <u>9205 W. Russell Rd. #240</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u>
	TELEPHONE: <u>n/a</u> CELL: <u>n/a</u>
	E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>

<b>CORRESPONDENT</b>	NAME: <u>Liz Olson - Kaempfer Crowell</u>
	ADDRESS: <u>1980 Festival Plaza Dr. , Suite 650</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702-693-4262</u> CELL: <u>702-792-7000</u>
	E-MAIL: <u>psieck@kcnvlaw.com</u> REF CONTACT ID #: <u>n/a</u>

ASSESSOR'S PARCEL NUMBER(S): 163-35-301-014

PROPERTY ADDRESS and/or CROSS STREETS: Santa Margarita/Patrick

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.

Maria Alarcon  
 Property Owner (Signature)\*

STATE OF NEVADA  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON September 14, 2023 (DATE)  
 By Maria Elena Alarcon  
 NOTARY PUBLIC Aracely Lugo Fernandez

Maria Alarcon / Manager  
 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.

PLANNER COPY

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

KAEMPFER

CROWELL

ELISABETH E. OLSON  
[elolson@kcnvlaw.com](mailto:elolson@kcnvlaw.com)  
 D: 702.792.7000

December 4, 2023

**VIA ONLINE SUBMITTAL**

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

**Re: *Justification Letter – Vacation of Easements and Right-of-Way  
 MKAT Capital Group, LLC  
 APN: 163-35-301-014***

To Whom It May Concern:

Please be advised this office represents MKAT Capital Group, LLC (the “Applicant”) in the above-referenced matter. The proposed project is located on approximately 2.27 acres and is generally located near the southeast corner of Patrick Lane and Santa Margarita Street. The property is more particularly described as APN: 163-35-301-014 (the “Site”). The Applicant is proposing an office and warehouse development.

**Vacation of Government Patent Easements**

The Applicant is requesting to vacate the existing patent easements located on the Site as they are no longer needed for development of right-of-way or utilities.

**Vacation of Street Light/Utility and Right-of-Way Easements**

The Applicant is requesting a vacation of 5-feet along Santa Margarita to allow for the required right-of-way improvements, including detached sidewalks. Additionally, the Applicant is requesting to vacate the existing 3-foot street light and utility easement along Santa Margarita.

Thank you in advance for your time and consideration regarding this application. Please feel free to contact me should you have any questions or concerns.

Sincerely,

KAEMPFER CROWELL



Elisabeth E. Olson

PLANNER COPY



8

02/06/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0833-FOSSEN TRACY:

**USE PERMITS** for the following: 1) allow an accessory structure (metal building) to exceed one-half of the footprint of the principal building; 2) allow an accessory structure not architecturally compatible with the principal building; and 3) waive design standards for an accessory structure.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) waive design standards for an addition; and 2) reduce the interior side setback on 0.6 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the east side of Westwind Road, approximately 330 feet north of Del Rey Avenue within Spring Valley. RM/mh/syp (For possible action)

---

RELATED INFORMATION:

**APN:**

163-01-103-011

**USE PERMITS:**

1. Increase the area of a proposed accessory structure (metal building) to 2,566 square feet where a maximum area of 1,847 square feet (50% of the footprint of the principal structure) is permitted per Table 30.44-1 (a 39% increase).
2. Allow an accessory structure (metal building) not architecturally compatible with the principal building where required per Table 30.44-1.
3. Allow non-decorative metal siding for an accessory structure (metal building) where not permitted per Table 30.56-2A.

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow an addition (attached carport) to not be architecturally compatible with the existing residence where required per Table 30.56-2A.
2. Reduce the interior side setback for a principal structure to 6 feet where a minimum of 10 feet is required per Table 30.40-1 (a 40% reduction).

**LAND USE PLAN:**

SPRING VALLEY - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 1350 Westwind Road
- Site Acreage: 0.6

- Project Type: Detached accessory structure (metal building) and attached carport
- Number of Stories: 2 (detached accessory structure)
- Building Height (feet): 21 (detached accessory structure)
- Square Feet: 2,566 (metal building)/252 (attached carport)

Site Plans

The plans depict a 2,882 square foot existing residence with an 812 square foot attached garage and a 482 square foot patio cover. There is a 252 square foot existing carport addition that is attached to the south side of the garage, which is not architecturally compatible with the residence. The attached carport is 6 feet from the interior side property line, where Title 30 requires a minimum setback of 10 feet. The plans also show the proposed 2,566 square foot metal garage, which is set back 6 feet, 8 inches from the side property line, and 10 feet, 3 inches from the rear property line. There are 2 lattice patio covers on the north side of the residence, which have a 6 foot separation from the proposed metal garage. There is also a proposed additional driveway that will allow for direct vehicular access to the proposed metal garage.

Landscaping

There are no proposed or required changes to the landscaping associated with this application.

Elevations

The plans depict a 2 story, 21 foot high metal building with a pitched aluminum roof. There is a 13 foot high roll-up door in the front of the building, double doors on the south side of the building, and 1 door on the east side of the building. There are also windows on the first floor of the south side of the building. The aluminum roof will be colored white and the aluminum siding will be colored blue.

Floor Plans

The plans depict a 2 story layout, with the first level featuring 1,274 square feet of RV garage space, 546 square feet of office space, and a 200 square foot bathroom. The second level features a 546 square foot mezzanine to be used for additional storage.

Applicant's Justification

The applicant states that a large portion of the property is not being utilized and that the proposed metal garage has been custom designed to fit the spare space while meeting setback requirements. The applicant adds that the metal will be painted to match the existing residence.

Surrounding Land Use

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

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

## **Analysis**

### **Comprehensive Planning**

#### Use Permits

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Staff reviews use permit requests to ensure compatibility with the existing and planned development in the area. The proposed metal building is not to scale with the size of the lot and is not common in the surrounding area. Although the metal building will be painted to match the residence and meets setbacks, the applicant has not proposed any mitigation measures to lessen the impact of the metal building on neighboring properties. Staff finds the metal building is not appropriate based on the size and scale of the structure in relation to the surrounding area; therefore, staff cannot support the use permit requests.

#### Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Staff finds that the existing carport addition is not architecturally compatible with the residence, which is uncommon in the surrounding area. Setbacks help preserve the appeal of a neighborhood as well as mitigate impacts and possible safety issues for the subject property and adjacent properties. While there are large trees that may partially screen the carport from the adjacent property, the setback reduction is inconsistent with other properties in the neighborhood and the applicant has provided no alternatives to mitigate the potential negative impacts on surrounding properties. For these reasons, staff cannot support the waivers of development standards.

#### **Staff Recommendation**

Denial.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

If approved:

- Paint the accessory structure to match the residence.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

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

- No comment.

### **Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: TRACY FOSSEN**

**CONTACT: TRACY FOSSEN, 1350 WEST WIND ROAD, LAS VEGAS, NV 89146**



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b> APP. NUMBER: <u>23-0833</u> DATE FILED: <u>12/7/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>1/9/24</u> PC MEETING DATE: <u>2/6/24</u> BCC MEETING DATE: _____ FEE: <u>1,150</u>
	<b>PROPERTY OWNER</b> NAME: <u>Tracy Fossen</u> ADDRESS: <u>1350 Westwind Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>310-526-1320</u> CELL: _____ E-MAIL: <u>westwindgarage@hotmail.com</u>
	<b>APPLICANT</b> NAME: <u>Tracy Fossen</u> ADDRESS: <u>1350 Westwind Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>310-526-1320</u> CELL: _____ E-MAIL: <u>westwindgarage@hotmail.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b> NAME: _____ ADDRESS: _____ CITY: _____      STATE: _____      ZIP: _____ TELEPHONE: _____      CELL: _____ E-MAIL: _____      REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 163-01-103-011

PROPERTY ADDRESS and/or CROSS STREETS: 1350 Westwind Road, Las Vegas, NV 89146

PROJECT DESCRIPTION: Construction of detached metal garage. Waiver of development standards for attached carport for setbacks requirements.

(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.

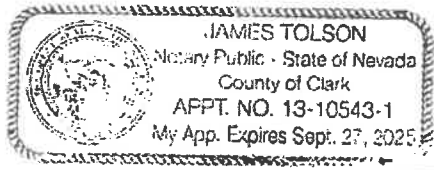
Property Owner (Signature)\* Tracy Fossen  
Property Owner (Print)

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON September 27, 2023 (DATE)

By Tracy Fossen

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.



# AUTHORIZATION TO SUBMIT APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

Application Pre-review (APR) record number: 23-101317

Application Materials have been deemed ready to submit  without revisions  with minor revisions.

Notes: Add sentence to justification letter for waiver of development standards for existing structure support.

By: [Signature] Date: 12/5/23

Advisory: Authorization to submit expires 2 weeks after determination is made. If all required documents are not provided to staff within this timeframe, an appointment to re-review the application materials is required.

### Required Application(s):

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Master Plan Amendment                           | <input type="checkbox"/> Land Use – Administrative Design Review (ADR) | <input type="checkbox"/> Tentative Map (TM)            |
| <input checked="" type="checkbox"/> Land Use                             | <input type="checkbox"/> Land Use – Wavier of Conditions (WC)          | <input type="checkbox"/> Vacation and Abandonment (VS) |
| <input type="checkbox"/> Zone Change (ZC)                                | <input type="checkbox"/> Land Use – Application for Review (AR)        | <input type="checkbox"/> Other: _____                  |
| <input checked="" type="checkbox"/> Special Use Permit (UC)              | <input type="checkbox"/> Land Use – Extension of Time (ET)             |  |
| <input checked="" type="checkbox"/> Waiver of Development Standards (WS) |  |  |
| <input type="checkbox"/> Design Review (DR)                              |  |  |

### Required Fees:

- Refer to the attached Fee Sheet.

### Next Steps:

- Review the attached submittal requirements for the applicable application type(s).
- Go to the Application Pre-review record in the County's Citizen Access Portal (ACA) and upload all required application documents in PDF format (regardless of the format specified in the submittal requirements).
- Once all the application documents are uploaded, coordinate the transmittal of the required hard copy documents with the planner who authorized the submittal (see name above); all transmittals shall include a cover letter and/or transmittal memo and a copy of this form. The Personnel Contact Information list on Department's Contact Us webpage includes the phone number and email address for all planners.
- When the application package is received, the documents will be re-reviewed to ensure no changes except those noted above have been made and, if in an acceptable form, the planner will accept the application documents. Staff will then create the application records. If payment for the application fees was not included in the application package, an email notice will be sent to the record(s) contact indicating the application fees are due. This step may take up to 2 business days to complete.
- Once fees are paid, the application(s) will be considered "Submitted".

PLANNER  
COPY

Tracy Fossen  
1350 Westwind Road  
Las Vegas, NV 89146

September 25, 2023

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

Re: Title 30 Special Use Permit

To Whom This May Concern,

I am writing to formally request a Special Use Permit for the construction of a detached metal garage on my property located at 1350 Westwind Road, within Clark County. The purpose of this letter is to outline the proposed project and the reasons for seeking a Special Use Permit, as well as to express my commitment to adhering to all applicable county regulations and guidelines.

My special use permit request would entail the following: 1. Increase the area of a proposed accessory structure to 2,020 sq ft where an accessory structure with a maximum area of 1,847 sq ft is permitted. 2. Allow a metal accessory structure were required to be architecturally compatible with the principal dwelling. 3. Waive applicable design standards, including non-decorative metal siding for an accessory structure.

I have attached a comprehensive site plan along with this application, which outlines the location, dimensions, and setbacks of the proposed garage. I am also enclosing the elevations to demonstrate the proposed architectural style of the garage.

The proposed detached garage will have a total square footage of 2,020 square feet. My existing main house occupies 3,694 square feet, and the total land area of the property is approximately 24,829 square feet. There is a large portion of my existing lot which is not being utilized and the garage has been custom designed to fit the spare space while respecting the necessary setbacks.

My special use permit is requesting an approval of the exceeding square footage (requesting 2,020 square feet whereby 1,847 square feet is my maximum allowable) as well as requesting an architectural deviation of the exterior proposed materials (use of metal whereby I am required to use stucco to match my existing house). The proposed exterior color would match the existing colors of the house. Additionally, the building height also complies with the maximum allowable on my property.

The proposed garage will be manufactured in the state of Arizona and shipped to Las Vegas for on-site assembly. I am fully committed to ensuring that the construction adheres to all applicable building codes, safety standards, and environmental regulations. I am also prepared to meet any additional conditions or requirements that may be imposed by the county in connection with this Special Use Permit.

I understand that the review process for this permit application may involve a public hearing or other necessary steps, and I am available to participate in any required proceedings.

Please do not hesitate to contact me if you require any further information or have any questions regarding this application. Thank you for your consideration of my request. I look forward to your positive response and the opportunity to contribute to the continued development and improvement of our community.

Sincerely,

Tracy Fossen



02/06/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-23-0806-HUGHES HOWARD PROPERTIES INC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Town Center Drive and Spruce Goose Street; and between La Madre Mountain Drive and Sahara Avenue within Summerlin South (description on file). JJ/nai/syp (For possible action)

RELATED INFORMATION:

**APN:**

164-01-417-002

**LAND USE PLAN:**

SUMMERLIN SOUTH – MAJOR PROJECT (RESIDENTIAL/COMMERCIAL)

**BACKGROUND:**

**Project Description**

The plans depict the vacation and abandonment of a bus shelter pad easement that is 10 feet wide and 25 feet in length, on the east property line along Town Center Drive. The Regional Transportation Commission states that the easement is no longer necessary as there are no planned bus routes for this portion of Town Center Drive.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-23-0143	Shopping center with use permits to increase wall height, allow modified driveway design, and reduce driveway distances from an intersection	Approved by PC	May 2023
ZC-22-0237	Reclassified to R-5 and C-2 zoning with a use permit for modified development standards	Approved by BCC	June 2022
ZC-1030-07	Reclassified to R-5 and C-2 zoning with a use permit for modified development standards - expunged	Approved by BCC	December 2007
UC-0621-05	Established modified development standards to increase the height of buildings throughout Village 13 East	Approved by PC	June 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Summerlin South - Mixed-Use (Residential/Commercial)	R-5 & C-2	Undeveloped

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
South & East	Summerlin South -- Single-Family	R-3	Multiple family residential
West	Summerlin South - Mixed-Use (Residential/Commercial)	R-5, P-F & C-2	Multiple family residential, fire station, and office buildings

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 29.

**Analysis****Public Works - Development Review**

NOT READY TO MERGE

**Staff Recommendation**

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 29, and/or the Nevada Revised Statutes.

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

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

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

**Fire Prevention Bureau**

- No comment.

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

- No objection.

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

**APPLICANT:** HUGHES HOWARD PROPERTIES INC  
**CONTACT:** LOCHSA ENGINEERING, 6345 S. JONES BLVD., SUITE 100, LAS VEGAS,  
NV 89118

DRAFT



10

02/07/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**DR-23-0814-JRJ INVESTMENTS, INC:**

**DESIGN REVIEW** for an expansion of an existing vehicle sales facility on 1.9 acres in a C-2 (General Commercial) Zone.

Generally located on the southwest corner of Sahara Avenue and Bronco Street within Spring Valley. JJ/sd/syp (For possible action)

---

RELATED INFORMATION:

**APN:**

163-11-510-004; 163-11-510-005

**LAND USE PLAN:**

SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 1.9
- Project Type: Vehicle sales display lot
- Parking Required/Provided: 97/288

**Site Plan**

The plan depicts an automobile maintenance facility with entrance/exit on the west side of the site from El Camino Road and Sahara Avenue. Centrally located on the western portion of the site, the building includes a maintenance and detail garage, parts warehouse, and vehicle wash. The parcel to the east will have tandem parking spaces for vehicle display and will function as an expanded storage lot to support the Audi dealership. No changes are proposed to the existing building located on the parcel to the west (APN 163-11-510-005). Cross access is shown on the plans between both parcels. The eastern parcel that will be utilized for display of vehicles for sale will not have any building or other structures.

**Landscaping**

The plans submitted depict a 15 foot wide landscape area behind an attached sidewalk along Bronco Street and 20 foot wide landscape area with 10 foot wide planter area behind a 5 foot attached sidewalk along Sahara Avenue. The plans do not show or depict parking lot landscaping as vehicle display for the dealership.

**Applicant's Justification**

The applicant states the owner will utilize the existing undeveloped APN 163-11-510-004 as a satellite inventory storage lot. This parcel and the adjacent APN 163-11-510-005 have cross access to the subject parcel as access to Sahara Avenue and Bronco Street will be restricted with this development by block walls. Likewise, under a previous application, ZC-0478-17, required medium trees be planted adjacent to both Sahara Avenue and El Camino Road and this application will adhere to this previous application.

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-19-0163	Changes to a previously approved automobile maintenance facility	Approved by BCC	April 2019
TM-18-500047	1 lot commercial subdivision map	Approved by PC	April 2018
ZC-0478-17	Reclassified the site to C-2 and C-P zoning for an automobile minor paint/body shop, vehicle maintenance facility, and vehicle carwash	Approved by BCC	July 2017
ZC-0497-14	Reclassified the eastern portion of the site to C-2 zoning and included use permits and design reviews for an automobile dealership on 2.9 acres in a C-2 zone, parking lot and driveway redesigned in conjunction with an existing office building, automobile repair, and automobile minor paint/body shop	Approved by BCC	October 2014
ZC-1476-05	Reclassified the northern parcel from R-E to C-2 zoning for retail/office buildings	Approved by BCC	October 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	City of Las Vegas	C-1	NV Energy offices
South	Corridor Mixed-Use	C-2	Retail
East	Corridor Mixed-Use	C-1, & C-2	Vehicle sales facility
West	Corridor Mixed-Use	C-P & C-2	Vehicle sales/maintenance facility

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Comprehensive Planning**

**Design Review**

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or

undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

This location has served as a commercial property for several years and the proposed plans to expand the vehicle display and storage use on this parcel depict a use, design, and location that will not have negative impacts to the surrounding area. The existing vehicle sales, vehicle wash and maintenance use is a functional extension for the existing commercial developments in this immediate area; therefore, staff can support this request.

**Staff Recommendation**  
Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: SAM DUNNAM**

**CONTACT: SAM DUNNAM, TYLIN INTERNATIONAL, 4050 DEAN MARTIN DRIVE,  
LAS VEGAS, NV 89103**

**DRAFT**





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p style="text-align: center; font-size: 1.2em; font-weight: bold;">DR-23-0814</p> <p>APP. NUMBER: _____ DATE FILED: <u>11-29-2023</u></p> <p>PLANNER ASSIGNED: <u>[Signature]</u></p> <p>TAB/CAC: <u>Springs Valley</u> TAB/CAC DATE: <u>1-9-2024</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>2-7-2024</u></p> <p>FEE: <u>675</u></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>JRJ Investments, Inc.</u></p> <p>ADDRESS: <u>c/o AutoNation, Inc., 200 SW 1st Street, 14th Floor</u></p> <p>CITY: <u>Fort Lauderdale</u> STATE: <u>FL</u> ZIP: <u>33301</u></p> <p>TELEPHONE: <u>954.769.7000</u> CELL: <u>419.656.4489 (Adam Pooch)</u></p> <p>E-MAIL: <u>PoochA1@autonation.com</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>Sam Dunnam c/o TY Lin</u></p> <p>ADDRESS: <u>4050 Dean Martin Drive</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u></p> <p>TELEPHONE: <u>702.682.1715</u> CELL: <u>702.682.1715</u></p> <p>E-MAIL: <u>sam.dunnam@tylin.com</u> REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Sam Dunnam c/o TY Lin</u></p> <p>ADDRESS: <u>4050 Dean Martin Drive</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u></p> <p>TELEPHONE: <u>702.682.1715</u> CELL: <u>702.682.1715</u></p> <p>E-MAIL: <u>sam.dunnam@tylin.com</u> REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 163-11-510-004 *to 163-11-510-005*

PROPERTY ADDRESS and/or CROSS STREETS: Bronco & Sahara, SW corner

PROJECT DESCRIPTION: Audi of West Sahara Remote Parking Lot

(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.

JRJ Investments, Inc.

Property Owner (Signature) [Signature] Authorized Agent Property Owner (Print)

STATE OF FLORIDA

COUNTY OF DROWERS

SUBSCRIBED AND SWORN BEFORE ME ON August 21, 2023 (DATE)

By Charles W. Sabadosh III

NOTARY PUBLIC: Cynthia A. Hallgren



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



September 26, 2023

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

RE: Design Review - Justification Letter  
APNs 163-11-510-004 & 005

T.Y. Lin International represents the property owner of a parcel of land located on the southwest corner of Sahara and Bronco Street. The 1.9-acre parcel (163-11-510-004) is adjacent to land of the same ownership and is to be developed as a satellite inventory storage lot to support the Audi Dealership on W Sahara Ave. The adjacent parcel (163-11-510-005) is shown to depict access to the subject parcel, as access to Sahara and Bronco will be restricted with this development by block walls. Eight-foot blocks are proposed on the north and east property lines and an existing 8-foot wall will remain on the south property line.

ZC 17-478 required that medium trees be planted adjacent to Sahara and El Camino, and this project will perpetuate that planting requirement.

We respectfully request approval of the design review so that development of the property can occur.

Please feel free to contact me with any questions at 702-682-1715. Thank you.

Respectfully,

Sam C. Dunnam, P.E.

DR-23-0814  
PLANNER  
COPY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WC-23-400174 (ZC-19-0343)-UNCOMMONS LIVING BLDG 1, LLC:**

**WAIVERS OF CONDITIONS** of a zone change requiring the following: 1) live entertainment limited to daytime hours when it is within 500 feet of existing abutting residential uses; and 2) temporary outdoor commercial events located within 200 feet of existing abutting residential development and live entertainment associated with a temporary outdoor commercial event located within 500 feet of existing abutting residential development limited to daytime hours in conjunction with a previously approved mixed-use development on 32.5 acres in a U-V (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District.

Generally located on the east side of Durango Drive and the south side of CC 215 within Spring Valley. MN/jud/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-04-211-002 through 176-04-211-007; 176-04-211-009 through 176-04-211-015; 176-04-301-003; 176-04-301-004; 176-04-301-014

**LAND USE PLAN:**

SPRING VALLEY - BUSINESS EMPLOYMENT  
SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Acreage: 32.5
- Project Type: Modification to a mixed-use development

**Plans, History, & Request**

The approved mixed-use project is located on the southeast corner of the CC 215, Roy Horn Way, and Durango Drive on a total of 32.5 acres approved by ZC-19-0343. The approved plans depict a High Impact, mixed-use project consisting of office buildings, movie theater, commercial buildings, residential buildings, and parking structures. The originally approved residential element consisted of 838 residential units at a density of 24 dwelling units per acre. The approved open space element for the entire project was a total of 452,100 square feet where 211,266 square feet is required.

Overall, the original plans depicted High Impact, mixed-use project consisting of office buildings, a movie theater with a rooftop concert venue, commercial buildings, residential buildings, and parking structures. Internal private streets with on-street parking create a grid

network connecting the project with the surrounding public rights-of-way. Four office buildings are located along Roy Horn Way adjacent to the northern portion of the site. Commercial buildings with a market hall and parking structures provide a centralized gathering space within the overall complex. This centralized gathering space will include a farmer's market, outside dining, drinking, and cooking, live entertainment, food carts/booths, temporary commercial events, and weddings.

The Phase II portion of the project was approved and consists mainly of the residential element and a portion of the commercial elements. The plans depict a contiguous residential complex consisting of 7 apartment buildings with firewalls separating the buildings, and 1 parking structure on the southeastern portion of the complex. A total of 455 residential units are proposed, divided into the 7 buildings. The buildings are configured to create an exterior courtyard along Maule Avenue, and 3 separate interior courtyards connect the buildings with ground level breezeways. The commercial element provided is 2,659 square feet and is located on the northwestern portion of the block. Additional uses include a leasing office with amenity areas for the buildings within this block and includes a fitness center, co-working spaces, lounge, pet spa, and bicycle storage.

The request is to waive the conditions of approval for ZC-19-0343 limiting live entertainment and live entertainment in conjunction with temporary commercial outdoor events within 500 feet of residential uses to daytime hours (6:00 a.m. to 10:00 p.m.) as well as temporary outdoor commercial events within 200 feet abutting residential development. The applicant is requesting to extend the hours for live entertainment to 12:00 a.m. on Friday and Saturday nights.

#### Previous Conditions of Approval

Listed below are the approved conditions for ZC-19-0343:

#### Current Planning

- Resolution of Intent to complete in 3 years;
- Live entertainment limited to daytime hours when it is within 500 feet of existing abutting residential uses;
- Temporary outdoor commercial events located within 200 feet of existing abutting residential development and live entertainment associated with a temporary outdoor commercial event located within 500 feet of existing abutting residential development limited to daytime hours;
- Major training facilities limited to 50 people;
- Enter into a Development Agreement with Clark County to mitigate impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners;
- As part of the Development Agreement or as a separate agreement, applicant shall enter into a Performance Agreement with Clark County, Performance Agreement to include a Decommissioning Plan, acceptable to the County, which specifies the actions to be taken by the Developer or County in the event construction of the project is stopped or abandoned with said plan to be submitted and approved prior to grading or building permits;

- Allow the following permits prior to the adoption of the Development Agreement, Performance Agreement, and Off-Site Permit: all grading, including excavation and underground utilities, construction below grade level, and structural first lift with initial foundation work and structures above grade;
- Bond or other form of security, acceptable to Clark County, shall be provided for the Performance Agreement and prior to approval of the grading permit;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and 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

- 2 years for the applicant to obtain Off-Site Permit;
- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 to 50 feet to back of curb for Maule Avenue, 25 feet to back of curb for Butler Street, 25 to 50 to back of curb for Gagnier Boulevard, 35 feet to the back of curb for Badura Avenue, and associated spandrels, and, if necessary, additional right-of-way for Roy Horn Way to accommodate 44 feet of right-of-way from the back of curb to the concrete barrier;
- If required by the Regional Transportation Commission, provide a bus turnout on the east side of Durango Drive and include provisions for a 5 foot by 50 foot bus shelter pad easement behind the sidewalk.
- Applicant is advised that compliance with the Uniform Standard Drawings, unless waived with this application, is required; that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the dedication of right-of-way to the back of curb or the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

#### Department of Aviation

- Compliance with most recent recorded airport-related deed restrictions for APN's 176-04-201-004, 176-04-201-009, 176-04-301-012.
- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that

funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

**Building Department - Fire Prevention**

- Applicant is advised to provide Fire Apparatus Access Roads in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features; and that the current design cannot be supported.

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

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0170-2019 to obtain your POC exhibit; and that wastewater flow rates that exceed CCWRD estimates may require another POC analysis.

**Applicant's Justification**

The applicant states this condition was placed on ZC-19-0343 because of the approved R-4 multiple family project to the west across Butler Street which is located south and west of the development. The other reason was the existing undeveloped R-E zoned parcels that could be developed in the area. Since the development of the Uncommons mixed-use project, there are no residential uses existing abutting or constructed within either 200 feet or 500 feet of the development. The closest residential use is more than 800 feet to the southwest across Durango Drive and Maule Avenue. The other existing residential uses in the area are more than 1,500 feet to the southeast across both Badura Avenue and Arby Avenue and east of Cimmaron Road. Since the request is to increase the hours for the weekends only, this is reasonable based on the location of the residential uses and will not negatively impact the area.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-23-0718	Modifications to comprehensive sign package for a mixed-use project	Approved by BCC	December 2023
UC-23-0604	Modifications to pedestrian realm and alternative design for Phase II of High Impact mixed-use project	Approved by BCC	December 2023
WS-23-0333	Waived approach distance, throat depth, and driveways with a design review for Phase II of a High Impact mixed-use project and finished grade	Approved by BCC	August 2023
ET-22-400041 (DR-20-0098)	First extension of time for outdoor theater and revisions to a High Impact mixed-use project	Approved by BCC	May 2022
ET-22-400040 (WS-20-0099)	First extension of time for a temporary parking lot for a High Impact mixed-use project	Approved by BCC	May 2022
ET-22-400039 (ZC-19-0343)	First extension of time request for a High Impact mixed-use project	Approved by BCC	May 2022
DR-22-0011	Finished grade	Approved by BCC	April 2022

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-20-0507	Waived setbacks, signage, and non-standard improvements in right-of-way, with design reviews for building modifications and a comprehensive signage package for a High Impact mixed-use project	Approved by BCC	January 2021
WS-20-0098	Temporary parking lot for a High Impact mixed-use project	Approved by ZA	March 2020
DR-20-0098	Outdoor theater and modifications to a previously approved High Impact and mixed-use project	Approved by ZA	March 2020
TM-20-500013	Mixed-use project consisting of 4 commercial lots on 43.4 acres	Approved by ZA	March 2020
ZC-19-0343	Reclassified the site to U-V zoning for a High Impact mixed-use project	Approved by BCC	June 2019
VS-19-0253	Vacated and abandoned government patent easements and a portion of right-of-way being Pamalyn Avenue	Approved by BCC	May 2019
VS-0794-16	Vacated and abandoned patent easements and a portion of right-of-way being Butler Street	Approved by BCC	April 2017
UC-1202-02	Off-premises sign	Denied by BCC	February 2003
UC-1199-02	Off-premises sign	Denied by BCC	February 2003
VS-1518-02	Vacated and abandoned a portion of the Durango Flood Channel	Approved by PC	December 2002
ZC-1415-02	Reclassified a 12.2 acre portion of the site to C-2 zoning for future development	Approved by BCC	November 2002
ZC-1107-02	Reclassified a 2 acre portion of the site to C-2 zoning for an office building	Approved by BCC	September 2002
ZC-1065-02	Reclassified a 2.5 acre portion of the site to C-2 zoning for a restaurant	Approved by BCC	September 2002

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	R-E, M-D, & C-2	CC 215, undeveloped, & office building
South	Urban Neighborhood	R-4 & M-D	Undeveloped & multiple family residential
East	Business Employment	R-E & C-2	Undeveloped
West	Entertainment Mixed-Use	H-1	Multiple family residential & approved resort hotel/casino (Durango Station)

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

## Related Applications

Application Number	Request
UC-23-0802	A use permit for a recreational facility is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

#### Analysis

##### Comprehensive Planning

A waiver of conditions may be approved upon a finding that the condition will no longer fulfill its intended purpose.

Staff finds that the original condition of approval for ZC-19-0343 was included to minimize any negative impacts to the abutting, approved, multiple family development. Since the original approval, events have occurred on-site without a reported issue. Most of the events will be buffered from surrounding uses. While the outdoor entertainment venue is on the second story, the venue is on the west side of the site, adjacent to Durango Drive and abutting Durango Station, and a building buffers the property to the south. Staff finds the events and live entertainment to be acceptable for extended hours during Fridays and Saturdays as requested by the applicant.

##### Staff Recommendation Approval.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the conditions will no longer fulfill its intended purpose.

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

### PRELIMINARY STAFF CONDITIONS:

#### Comprehensive Planning

- From 6:00 a.m. to midnight for Fridays and Saturdays.
- Applicant is advised 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

#### Public Works - Development Review

- No comment.



**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0118-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: JIM STUART**

**CONTACT: LEBENE AIDAM-OHENE, BROWN, BROWN, & PREMSRIRUT, 520 S. 4TH STREET, LAS VEGAS, NV 89101**

DRAFT



LAW OFFICE  
*Brown, Brown & Premsrirut*

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

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

JL WC-23-400174  
TELEPHONE: (702) 384-5563  
FACSIMILE: (702) 385-1023  
EMAIL: jbrown@brownlawlv.com

November 15, 2023

Clark County Comprehensive Planning  
Current Planning Division  
500 Grand Central Parkway  
Las Vegas Nevada 89155

**PLANNER  
COPY**

**RE: Matter UnCommons, LLC., and Matter Durango LLC., ET AL**

**Project Name: UnCommons:**

**Waivers of Conditions of ZC-19-034**

**Justification Letters: Waivers of Conditions of ZC-19-0343 limiting live entertainment and live entertainment in conjunction with Temporary Commercial Outdoor Events to Daytime hours (6:00 a.m. to 10:00 p.m.) when within 500 feet of existing abutting residential uses)  
NOFA attached**

**Assessor's Parcel Numbers: - 176-04-211-003; 176-04-211-004; 176-04-211-006; 176-04-211-007; 176-04-211-005; 176-04-211-009; 176-04-211-010; 176-04-211-011; 176-04-211-011; 176-04-211-013; 176-04-211-014; 176-04-211-015; 176-04-301-003; 176-04-301-004; 176-04-301-014**

**To Whom It May Concern:**

On behalf of our client Matter Uncommons LLC., and Matter Durango LLC., ET Al we respectfully submit this application package to waive conditions of approval limiting live entertainment and live entertainment in conjunction with temporary commercial outdoor events to daytime hours (6:00 a.m. to 10:00 p.m.) when within 200 and 500 feet of existing abutting residential uses. The request is based on conditions of approval per ZC-19-0343. The request is for the existing mixed-use project and High Impact Project (HIP), known as UnCommons. The development is located on the southeast corner of the 2-15 Beltway/Roy Horn Way and Durango Drive on a total of 32.5 acres in a UV zone. Portions of the development are completed and occupied with other portions under construction. The project was originally approved by action on ZC-19-0343 on June 27, 2019. The approval limited live entertainment to daytime hours when within 200 and 500 feet of existing abutting residential uses. Subsequent applications for the development include DR-20-0098 for revisions to portions of the development, WS-20-0507 for a comprehensive sign package, DR-20-0098, DR-22-0011, WS-23-0333 for revisions to phase II of the residential element of the project site and UC-23-0604 for an amendment to the pedestrian realm for phase II of the residential element which is in process. The most recent application is WS-23-0718 for an amended sign package scheduled for hearing on December 06, 2023, Board of County Commissioners' meeting.

**General Project Description:**

The originally approved project consists of commercial elements including five office buildings, three accessory buildings, a theater/entertainment building, a market/food hall, and commercial/retail/restaurant buildings and parking structures. The residential element consists of a total of 838 multifamily residential units within five buildings at a density of 24 dwelling units per acres. The approved open space element is a total of 452,100 square feet (10.39 acres) where 211,266 square feet is required (4.85 acres). The open space element is distributed along the perimeter, in the center and distributed throughout the site, consisting of the required pedestrian realm, modified and alternate pedestrian realms, courtyards, plazas, and open spaces.

**History:**

The approval per ZC-19-0343 also includes conditions that limit live entertainment and live entertainment in conjunction with temporary outdoor commercial events when within 200 feet and 500 feet of existing abutting residential uses to daytime hours (6:00 a.m. to 10:00 p.m.).

**Waivers of Conditions:**

**Waivers of the conditions of approval of ZC-19-0343**

- 1) limiting live entertainment events to daytime hours (6:00 a.m. to 10: p.m.) when it is within 500 feet of existing abutting residential uses.**
- 2) Temporary outdoor commercial events located within 200 feet of existing abutting residential developments and live entertainment associated with a temporary outdoor commercial event located within 500 feet of existing abutting residential development are limited to daytime hours (6:00 a.m. to 10: p.m.).**

**Justification:**

This request is to increase the hours up to 12:00 a.m. on Friday and Saturday nights. This condition was placed on the application because of the approved R-4 multi-family project to the west across Butler Street which is located south and west of the development. The other reason was the existing R-E zoned undeveloped parcels that could be developed in the area. Since approval and continued development of the Uncommons there are no residential uses existing abutting or constructed within either 200 feet or 500 feet of the development. The closest residential use to this development is more than 800 feet to the southwest across Durango Drive and Maule Avenue and therefore, not abutting the site. The other existing residential uses in the area are more than 1,500 feet to the southeast across both Badura Avenue and Arby Avenue and east of Cimmaron Road. Since the request is to increase the hours for the weekends only this is reasonable based on the location of the residential uses and will not negatively impact the area.

Please see the attached NOFA listing the conditions to be waived with this request.

We appreciate your consideration in the review and support of this application.

Please contact me at 702-589-1429, if you have any questions or need additional information.

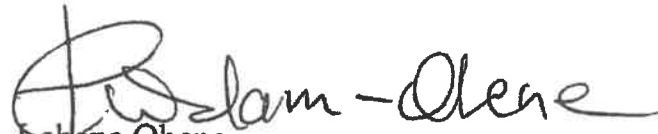
Sincerely,

**BROWN, BROWN & PREMSRIRUT**

LAW OFFICE

*Brown, Brown & Premisrut*

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

  
Lebene Ohene  
Land Use and Development Consultant



12

02/07/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**DR-23-0802-UNCOMMONS LIVING BLDG 1, LLC:**

**DESIGN REVIEW** for a recreational facility in conjunction with a previously approved mixed-use development on 32.5 acres in a U-V (Urban Village Mixed-Use) Zone in the CMA Design Overlay District.

Generally located on the east side of Durango Drive and the south side of CC 215 within Spring Valley. MN/jud/syp (For possible action)

RELATED INFORMATION:

**APN:**

176-04-211-002 through 176-04-211-007; 176-04-211-009 through 176-04-211-015; 176-04-301-003; 176-04-301-004; 176-04-301-014

**LAND USE PLAN:**

SPRING VALLEY - BUSINESS EMPLOYMENT

SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Acreage: 32.5
- Project Type: Recreational Facility
- Open Space Required/Provided (square feet): 211,266/452,100
- Parking Required/Provided: 3,135/3,713

**History, Site Plan & Request**

The project was originally approved by action on ZC-19-0343 on June 27, 2019, and included a special use permit to increase the total number of temporary outdoor commercial events allowed within the development per calendar month and per calendar year. The development is located on the southeast corner of the CC 215 Beltway/Roy Horn Way and Durango Drive on a total of 32.5 acres in a U-V zone.

Overall, the original plans depicted a High Impact, mixed-use project consisting of office buildings, a movie theater with a rooftop concert venue, commercial buildings, residential buildings, and parking structures. Internal private streets with on-street parking create a grid network connecting the project with the surrounding public rights-of-way. Four office buildings are located along Roy Horn Way adjacent to the northern portion of the site. Commercial buildings with a market hall and parking structures provide a centralized gathering space within the overall complex. This centralized gathering space will include a farmer's market; outside

dining, drinking, and cooking; live entertainment; food carts/booths; temporary commercial events; and weddings.

The Phase II portion of the project was approved and consists mainly of the residential element and a portion of the commercial elements. The plans depict a contiguous residential complex consisting of 7 apartment buildings with firewalls separating the buildings, and 1 parking structure on the southeastern portion of the complex. A total of 455 residential units are proposed divided into the 7 buildings. The buildings are configured to create an exterior courtyard along Maule Avenue, and 3 separate interior courtyards connect the buildings with ground level breezeways. The commercial element provided is 2,659 square feet and is located on the northwestern portion of the block. Additional uses include a leasing office with amenity areas for the buildings within this block and includes a fitness center, co-working spaces, lounge, pet spa, and bicycle storage.

Portions of the development are completed and occupied, including the commercial "Quad," with other portions under construction. The applicant has now realized the need for flexibility with outdoor events related to the UnCommons to accommodate the needs of residents, the licensed businesses and community wide events sponsored by the UnCommons in partnerships with various organizations. The design review request is to allow an indoor and outdoor recreational facility in conjunction with this mixed-use project, to create a sense of place within the development as well as make the required commercial elements viable and successful. The events will be internal to the site. Some of the events will spill over from the patios/outdoor dining/drinking areas to the various restaurants and adjacent uses to the "the Quad" or in other open spaces previously approved within the development.

#### Landscaping, Elevations, & Floor Plans

No proposed changes to the previously approved landscaping, elevations and floor plans are a part of this request.

#### Applicant's Justification

This application for a recreational facility will allow the most flexibility and opportunity for a myriad of activities and events that accommodate residents, the public, and businesses and community partners and organizations. Adding this use will result in a successful development making all uses viable as part of the operation of a mixed-use development with the intent and purpose to live work and play. This request is for the "play" portion of the development which helps with the "place making" element and intent of the development.

The applicant finds that this application as discussed with staff will provide the most flexibility in the activities and events necessary for a successful mixed-use development. Additionally, based on the location of the development which is located along the CC 215 Beltway/Roy Horn Way, Durango Drive, Gagnier Boulevard, Maule Avenue, and Badura Avenues, and east of the recently opened Durango Resort Casino this request is appropriate and comparable for the development in the area and creates a great sense of place for the residents within the development, public, businesses, and the area.



**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-23-0718	Modifications to comprehensive sign package for a mixed-use project	Approved by BCC	December 2023
UC-23-0604	Modifications to pedestrian realm and alternative design for Phase II of High Impact mixed-use project	Approved by BCC	December 2023
WS-23-0333	Waived approach distance, throat depth, and driveways with a design review for Phase II of a High Impact mixed-use project and finished grade	Approved by BCC	August 2023
ET-22-400041 (DR-20-0098)	First extension of time for outdoor theater and revisions to a High Impact mixed-use project	Approved by BCC	May 2022
ET-22-400040 (WS-20-0099)	First extension of time for a temporary parking lot for a High Impact mixed-use project	Approved by BCC	May 2022
ET-22-400039 (ZC-19-0343)	First extension of time request for a High Impact mixed-use project	Approved by BCC	May 2022
DR-22-0011	Finished grade	Approved by BCC	April 2022
WS-20-0507	Waived setbacks, signage, and non-standard improvements in right-of-way, with design reviews for building modifications and a comprehensive signage package for a High Impact mixed-use project	Approved by BCC	January 2021
WS-20-0098	Temporary parking lot for a High Impact mixed-use project	Approved by ZA	March 2020
DR-20-0098	Outdoor theater and modifications to a previously approved High Impact and mixed-use project	Approved by ZA	March 2020
TM-20-500013	Mixed-use project consisting of 4 commercial lots on 43.4 acres	Approved by ZA	March 2020
ZC-19-0343	Reclassified the site to U-V zoning for a High Impact mixed-use project	Approved by BCC	June 2019
VS-19-0253	Vacated and abandoned government patent easements and a portion of right-of-way being Pamalyn Avenue	Approved by BCC	May 2019
VS-0794-16	Vacated and abandoned patent easements and a portion of right-of-way being Butler Street	Approved by BCC	April 2017
UC-1202-02	Off-premises sign	Denied by BCC	February 2003
UC-1199-02	Off-premises sign	Denied by BCC	February 2003
VS-1518-02	Vacated and abandoned a portion of the Durango Flood Channel	Approved by PC	December 2002
ZC-1415-02	Reclassified a 12.2 acre portion of the site to C-2 zoning for future development	Approved by BCC	November 2002

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-1107-02	Reclassified a 2 acre portion of the site to C-2 zoning for an office building	Approved by BCC	September 2002
ZC-1065-02	Reclassified a 2.5 acre portion of the site to C-2 zoning for a restaurant	Approved by BCC	September 2002

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	R-E, M-D, & C-2	CC 215, undeveloped, & office building
South	Urban Neighborhood	R-4 & M-D	Undeveloped & multiple family residential
East	Business Employment	R-E & C-2	Undeveloped
West	Entertainment Mixed-Use	H-1	Multiple family residential & approved resort hotel/casino (Durango Station)

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

**Related Applications**

Application Number	Request
WC-23-400174 (ZC-19-0343)	A waiver of conditions for modified operating hours allowed for live entertainment in conjunction with this mixed-use project is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Comprehensive Planning**

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Recreational facilities are conditional uses when in conjunction with mixed-use development. The proposed use is indeed compatible with a mixed-use developed. Hence the need for the proposed design review for indoor/outdoor recreation facility is acceptable. The original application included approval for a farmer's market, as well as temporary outdoor events. Approval of the recreational facility will provide flexibility when determining whether a use falls under the farmer's market, or a temporary outdoor commercial event or an event targeted to the UnCommons residents. The number of parking spaces provided exceeds the number of parking

spaces required (the original approval accounted for a farmer's market and events) and staff does not foresee an issue related to parking availability and the multiple events running concurrently. In addition, while some events may occur within the parking garage, a majority of the events will take place within the "Quad" portion of the development, or within the drive aisles near the "Quad," which are buffered from surrounding uses by existing buildings. Therefore, staff can support the request.

**Staff Recommendation**  
Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Applicant is advised events must comply with Building and Fire Codes; within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0118-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** JIM STUART

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



13

02/07/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-23-0808-GREENMAP GROUP, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** 1) to eliminate detached sidewalks and street landscaping; and 2) reduce minimum lot size in conjunction with a minor subdivision on 2.5 acres in an R-E (Rural Estates Residential) (AE-60) Zone.

Generally located on the north side of Oquendo Road and the west side of Torrey Pines Drive within Spring Valley. MN/rr/syp (For possible action)

RELATED INFORMATION:

**APN:**

163-35-101-018

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Waive detached sidewalks and street landscaping along Oquendo Road where required per Figure 30.64-17.
- b. Waive detached sidewalks and street landscaping along Torrey Pines Drive where required per Figure 30.64-17.
2. Reduce minimum lot size to 16,092 square feet where a minimum lot size of 16,200 square feet is required per Table 30.40-1 along a collector street (Torrey Pines Drive) (a 0.7% reduction).

**LAND USE PLAN:**

SPRING VALLEY - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 2.5
- Project Type: Single family residential development
- Number of Lots/Units: 4
- Density (du/ac): 2
- Minimum/Maximum Lot Size (square feet): 22,130/22,219 (gross)/16,092/19,449 (net)

**Site Plan**

The plan depicts a proposed 4 lot single family subdivision with a private cul-de-sac street. The entrance to the subdivision is from Torrey Pines Drive. The plan indicates the right-of-way will be dedicated with the subdivision for the adjoining streets, Oquendo Road and Torrey Pines

Drive. Additional dedications for easements for the private street, utilities, drainage, pedestrian access, streetlights, and traffic control devices are proposed.

Landscaping

A 5 foot wide detached sidewalk with 5 feet of landscaping on each side along Oquendo Road and Torrey Pines Drive per Figure 30.64-17 is a requirement for the development of the subdivision. Required landscaping includes 2 rows of trees, planted 40 feet on center and 20 feet apart with shrubs and groundcover. The applicant has requested to waive these requirements.

Applicant's Justification

The applicant states a previously approved 4 lot subdivision on the subject site (MSM-19-600020) expired. An application for a new parcel map has been submitted; however, it includes a condition for the construction of detached sidewalks. The property is proposed to be developed with custom single family residences and is bordering other property zoned R-E. The applicant is asking to waive the requirements for a detached sidewalk and landscaping per Figure 30.64-17. They further state that the area is rural and none of the surrounding developed properties have a detached sidewalk, and the sidewalk would look out of place, detract from the uniformity of the area, and is not necessary for beautification or pedestrian ease.

Surrounding Land Use

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North & West	Open Lands	R-E	Undeveloped
South & East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

Detached sidewalks provide safe pathways for pedestrians and for children to walk to school. Landscape areas along the sidewalks help to shade pedestrians and serve to beautify the streetscape and neighborhood. If the surrounding rural residential area was otherwise fully

developed without sidewalks or street landscaping, then a waiver may be appropriate. However, in this case there are undeveloped properties to the north and west where the sidewalk and landscape areas could be extended in the future. Additionally, when sidewalks and landscaping are not constructed along roadways, these areas can become weed-filled maintenance problems. This is especially true where a rear wall of a property is located along the street which is this case on Oquendo Road. These areas tend to not be maintained by the abutting property owner. For these reasons staff cannot support this request.

#### Waiver of Development Standards #2

One of the proposed parcels in the minor subdivision map, Parcel A, is proposed to have a net area of 16,092 square feet. In the R-E zone the minimum net lot size is 18,000 square feet, which may be reduced by 10% when a lot is adjacent to a collector or arterial street. In this case the parcel is adjacent to Torrey Pines Drive which is designated as a collector street on the Las Vegas Valley Transportation Map within the Master Plan. Therefore, the minimum net lot size would be 16,200 square feet. However, the proposed parcel is slightly smaller at 16,092 square feet. This represents less than a 1% decrease in the minimum lot size. The overall density will be 1.62 units per acre which is less than the minimum of 2 units per acre. It does not appear that this minor reduction will negatively affect the surrounding area, therefore, staff can support this request.

#### **Department of Aviation**

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

#### **Staff Recommendation**

Approval of waiver of development standards #2; denial of waiver of development standards #1.

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

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

##### **Comprehensive Planning**

If approved:

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**  
**NOT READY TO MERGE**

**Department of Aviation**

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- 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 residents wish to have their buildings purchased or soundproofed.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: GREENMAP GROUP, LLC**

**CONTACT: BAUGHMAN & TURNER INC, 1210 HINSON STREET, LAS VEGAS, NV  
89102**



02/07/24 BCC AGENDA SHEET

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**WS-23-0850-SID 52, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced street landscaping; and 2) increased building height.

**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; 2) signage; 3) lighting; and 4) hotel on a 2.1 acre portion of a 14.0 acre office and commercial complex in a C-2 (General Commercial) Zone in the CMA Design Overlay District.

Generally located on the east side of Quarterhorse Lane and the north side of Post Road within Spring Valley. JJ/md/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

163-32-311-003 through 163-32-311-006; 163-32-311-010 through 163-32-311-012; 163-32-311-017; 163-32-311-024; 163-32-311-026; 163-32-311-029 through 163-32-311-031 ptn

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase building height to 53 feet where a maximum height of 50 feet is permitted per Table 30.40-4 (a 6% increase).
2. Reduce a portion of street landscaping along Post Road to 10 feet where 15 feet is required behind an existing attached sidewalk per Section 30.64.030 (a 33.3% reduction).

**LAND USE PLAN:**

SPRING VALLEY - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 2.1 (project site)/14 (overall)
- Project Type: Hotel
- Number of Stories: 4
- Building Height (feet): 53
- Square Feet: 74,467
- Parking Required/Provided: 535/697\*

\*The parking calculation is based on the number of required versus provided parking spaces for the entire office complex.

### Site Plans

The plans depict a proposed 4 story hotel located on 2.1 acres at the southwest corner of an existing 14 acre office complex. The hotel is located along the west portion of the project site and is designed with the following setbacks: 1) 15 feet from the west property line adjacent to Quarterhorse Lane; 2) 12 feet from the north property line along an existing vehicle drive aisle; 3) 182 feet from the east property line; and 4) 22.5 feet from the south property line adjacent to Post Road. An outdoor swimming pool, measuring 990 square feet in area, is located immediately to the northeast of the hotel. An outside seating area with a firepit is located adjacent to the southeast side of the hotel. Access to the project site is granted via an existing commercial driveways located along Quarterhorse Lane and Post Road. Seventy-one parking spaces are provided within the project site for the hotel. However, the overall office complex including the hotel, requires 535 parking spaces where 697 parking spaces are provided. Vehicular cross access is provided throughout the interior of the office complex. No increase in finished grade is proposed with the hotel development.

### Landscaping

The plans depict a 15 foot wide street landscape area, including an existing 5 foot wide attached sidewalk, along Quarterhorse Lane. A street landscape area ranging between 10 feet to 15 feet in width is located behind an existing 5 foot wide attached sidewalk adjacent to Post Road. The portion of reduced street landscaping along Post Road, measuring 135 feet in length and located to the southeast of the hotel, requires a waiver of development standards. The street landscape area consists of trees, shrubs, and groundcover.

In lieu of providing the required number of landscape finger islands within the interior of the parking lot, the required number of trees have been distributed throughout the perimeter and interior of the site. The development requires 29 trees for the perimeter and interior of the site where 44 trees have been equitably distributed throughout the site.

### Elevations

The plans depict a 4 story hotel with a maximum height of 53 feet to the top of the parapet wall. Varying rooflines are depicted on all building elevations. The proposed hotel will consist of a combination of exterior materials including EIFS, fiber-cement side panels, cultured stone veneer, and an aluminum storefront window system. A 15 foot high porte-cochere is depicted on the north elevation, located at the primary entrance to the hotel. The hotel will be painted with neutral, earth tone colors.

### Floor Plans

The first floor depicts guest rooms, a fitness center, offices and work area, lounge, bar, and dining area, meeting rooms, kitchen, linen and laundry rooms, a breakroom, and restroom facilities. Floors 2 through 4 depict multiple guest rooms. The hotel features a total of 108 guest rooms.

### Lighting

The plans depict a lighting plan with the following elements: 1) wall pack LED fixtures no greater than 14 feet from grade on the building elevations; and 2) existing and proposed parking

lot light poles located within the parking lot area, east of the hotel. All light fixtures comply with Code requirements and are downcast to minimize or eliminate any light pollution.

**Signage**

The plans depict a proposed monument sign measuring 6.5 feet in height with an overall area of 54.5 square feet. The monument sign consists of an internally illuminated cabinet. Wall signs consisting of channel letters are depicted on the east and south elevations of the building, measuring 78 and 32 square feet, respectively.

**Applicant's Justification**

The applicant states that most of the street landscape buffer conforms with this requirement, except for the southeast portion of the site along Post Road where existing parking is proposed to be maintained and existing landscape area with established trees is 10 feet wide. The additional landscape area adjacent to loading and trash enclosure is provided to compensate for reduced buffer, and wider buffer widths are utilized wherever possible along the south and west perimeter. Furthermore, additional height is needed to screen the roof-top mechanical equipment and to ensure the architectural facade articulation with variation of roof height. To reduce the impact of height to surrounding uses, the building is also set back sufficiently from the perimeter streets to conform with height setback requirements applicable only to arterial streets by the code.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-1078-07 (ET-0222-09)	First extension of time to commence a hotel, hospital, and increased building height for a hospital - expired	Approved by PC	September 2009
UC-1078-07	Hotel, hospital, and increased building height for a hospital	Approved by PC	October 2007
DR-0514-05	Signage in conjunction with a medical office complex	Approved by BCC	May 2005
UC-2021-04	Outside dining and drinking in conjunction with a tavern	Approved by PC	January 2005
DR-1940-03	Commercial complex consisting of 14 buildings	Approved by PC	January 2004
VS-1437-03	Vacated and abandoned patent easements - recorded	Approved by BCC	October 2003
TM-0383-03	1 lot commercial subdivision	Approved by BCC	October 2003
ZC-0454-02	Reclassified the project site to C-2 zoning for a future commercial development	Approved by BCC	May 2002

## Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	C-2	Hotel (under construction)
South	Business Employment	R-E	Outside storage
East	Business Employment	C-2	Medical office
West	Business Employment	R-4	Multiple family residential

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### Analysis

#### Comprehensive Planning

##### Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

##### Waiver of Development Standards #1

Staff typically does not support requests to reduce the street landscape area for new development. However, the reduced street landscaping is only for a portion of Post Road, measuring 135 feet in length. The area with the reduced street landscaping measures 10 feet in width, transitioning into an area measuring 15 feet in width. To mitigate the reduced street landscape area, additional trees and shrubs are provided adjacent to the loading space and trash enclosure area, located to the southwest of the hotel. Furthermore, the existing street landscape area adjacent to Post Road, east of the project site, measures 10 feet in width. The required number of street trees are provided within the landscape area along Post Road; therefore, staff recommends approval.

##### Waiver of Development Standards #2

The increased building height is necessary to accommodate the parapet walls along the roofline at various heights to screen the rooftop mechanical equipment. The screening for the mechanical units provides an additional architectural enhancement to the building. Furthermore, the increased building height is not for occupiable space but rather for architectural enhancement; therefore, staff recommends approval.

##### Design Reviews

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and other architectural and aesthetic features are not unsightly or

undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

#### Design Review #1

Staff finds the proposed alternative parking lot landscaping, including the distribution of the trees and landscape finger islands, is appropriate for the hotel development. The site requires 29 trees for the perimeter and interior parking lot area where the site has been designed to include 44 trees that will be distributed throughout the perimeter and interior of the development. Staff finds the proposed landscaping will reduce the "heat island" effect and improve the aesthetics of the project site and the surrounding area; therefore, staff recommends approval.

#### Design Review #2

The proposed signage, consisting of a monument sign and wall signs, is consistent and compatible with the color and design of the proposed hotel. Furthermore, the proposed signs comply with the requirements of the CMA Design Overlay District; therefore, staff recommends approval.

#### Design Review #3

The plans indicate that all of the lighting fixtures will be shielded and/or directed away from the abutting multiple family residential development to the west, across Quarterhorse Lane. Furthermore, the proposed light fixtures comply with the requirements of the CMA Design Overlay District; therefore, staff recommends approval.

#### Design Review #4

The intent of the CMA Design Overlay District is to encourage and promote a high quality level of development that produces a stable environment in harmony with existing and future development and protects the use and enjoyment of neighboring properties. Staff finds that the design of the proposed hotel complies with the intent and requirements of the CMA Design Overlay District. The hotel features an aesthetically pleasing color palette consisting of contrasting colors, and parapet walls along the roofline at various heights, breaking-up the mass on portions of the hotel. The hotel is complementary to the existing buildings within the office complex in terms of color variation and building materials. Policy 6.2.2 encourages the use of sustainable site design and development practices in new construction projects. The landscape plan for the site has been designed to incorporate multiple species of recommended trees, shrubs, and groundcover from the Southern Nevada Water Authority Regional Plant List. The layout of the project site and parking lot is functional, and the overall design of the building is consistent with the office complex. Therefore, staff can support this request.

#### **Staff Recommendation**

Approval.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

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

- Drainage study and compliance;
- Traffic study and compliance.

### **Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0468-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: SID \$2, LLC**

**CONTACT: KASTYTIS CECHAVICIUS, DESIGNCELL, 1785 VILLAGE CENTER CIRCLE, SUITE 100, LAS VEGAS, NV 89134**

5

02/07/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-23-0794-DEAN, JERRY & DEANNA FAMILY TRUST:**

**ZONE CHANGE** to reclassify 1.2 acres from an R-E (Rural Estates Residential) Zone to an R-D (Suburban Estates Residential) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) retaining wall height; and 2) modified driveway geometrics.

**DESIGN REVIEW** for finished grade in conjunction with a proposed single family residential development in the CMA Design Overlay District.

Generally located on the southeast corner of Diablo Drive and Mann Street within Spring Valley (description on file). MN/jor/syp (For possible action)

RELATED INFORMATION:

**APN:**

163-26-801-039

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase the combined screen and retaining wall height to 15 feet 4 inches (6 foot screen wall and 9 foot 4 inch retaining wall) where a maximum 9 feet (6 foot screen wall and 3 foot retaining wall) is permitted per Section 30.64-050 (a 71% increase).
2. Reduce the required setback from the property line to the driveway to zero feet where 6 feet is required per Uniform Standard Drawing 222.2 (a 100% reduction).

**DESIGN REVIEW:**

Increase finished grade up to 42.8 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 214% increase).

**LAND USE PLAN:**

SPRING VALLEY - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 1.2
- Number of Lots: 3
- Density (du/ac): 2.5
- Project Type: Single family residential
- Existing Land Use: Low-Intensity Suburban Neighborhood

### History, Request, & Site Plan

ZC-22-0284 and VS-22-0283 were companion applications for the subject parcel for a proposed zone change to reclassify the site from R-E zoning to R-D zoning for 3 single family residential lots. A waiver of development standards for modified driveway geometrics was also a part of the zone change. These applications were denied without prejudice by the Board of County Commissioners in June 2022.

Today, the applicant is requesting the same zone change, a waiver for increased retaining wall height, modified driveway geometrics (a re-design from the previous application), and a design review for increased finished grade. The plans show that the subject parcel is triangular in shape and access to the 3 lots is located on the northwest corner of the parcel adjacent to Diablo Drive (northwest) and Mann Street (north). The site plan depicts a 22 foot wide roll curb driveway, that is 20 feet in length spanning across all 3 lots. The request to increase the retaining wall height to 9 feet 4 inches is located within the rear yard areas of Lot 1 and Lot 2, adjacent to the Tropicana /Flamingo Washes Trail and Flood Channel. This area also requires the most amount of fill (112.8 inches), hence the request for the design review for finished grade.

### Landscaping

Landscaping is neither required nor a part of this request.

### Applicant's Justification

The immediate surrounding property is R-E to the north, south, and east. The properties to the west are zoned R-E and R-D. The proposed residential home design is not a part of this application. The design review request for finished grade is to ensure that with more than 36 inches of fill, the finish floor elevations of the lots will be set high enough above the grade in Mann Street and Diablo Drive to provide flood protection. As part of the design review, cross sections have been provided and the maximum fill is anticipated to be 9 feet, 4 inches (112.8 inches). The waiver of development standards for retaining wall heights and due to the increase finished grade. The proposed driveway geometrics are modified due to the lot configuration. Per the applicant, the proposed residential development is compatible with the surrounding area and planned development.

### Prior Land Use Requests

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-22-0284	Reclassified the site from R-E to R-D zoning, with a waiver for modified driveway geometrics, and a design review for finished grade	Denied by BCC	June 2022
VS-22-0283	Vacated and abandoned a portion of a drainage easement	Denied by BCC	June 2022
WS-0350-10 (ET-0120-12)	First extension of time for non-standard off-site improvements	Approved by PC	November 2012
WS-0350-10	Non-standard off-site improvements	Approved by PC	September 2010
UC-0335-10	Accessory structure before primary - expired	Approved by PC	September 2010



### Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, & East	Low-Intensity Suburban Neighborhood (5 du/ac)	R-E	Single family residential
West	Low-Intensity Suburban Neighborhood (5 du/ac)	R-E & R-D	Single family residential

### Related Applications

Application Number	Request
VS-23-0793	A vacation and abandonment of a drainage easement is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### Analysis

#### Comprehensive Planning Zone Change

In addition to the standards for approval, the applicant must demonstrate the zoning district is compatible with the surrounding area. The applicant's request is conforming to the land use plan of Low-Intensity Suburban Neighborhood. Staff finds that R-D zoning is also an existing zoning district immediately to the west of the proposed development and is not out of character for the surrounding existing neighborhood. For these reasons, staff finds the request to an R-D zone is appropriate for this location.

#### Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

#### Waiver of Development Standards #1

The parcel slopes downward in a southeast direction towards the flood channel. The applicant provided cross sections which depict existing grade of the rear of the parcel adjacent to the southeast property line to be much lower than the existing finished grade along Diablo Drive and Mann Street. Staff can support the request to increase the retaining wall height to a maximum of 9 feet, 4 inches.

## **Public Works - Development Review**

### Waiver of Development Standards #2

Staff has no objection to the reduction in driveway separation, as the reduction in the separation is only between the internal lots and not the adjacent properties.

### Design Review

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

### **Department of Aviation**

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

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit or approval, applications for extensions of time will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waivers of development standards and design review must commence within 2 years of approval date or they will expire.

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

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

**Department of Aviation**

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at [landuse@lasairport.com](mailto:landuse@lasairport.com) is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

**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 #0198-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: CLAYTON NEILSEN  
CONTACT: CLAYTON NEILSEN, 6765 W. RUSSELL ROAD, SUITE 200, LAS VEGAS,  
NV 89118**



16

02/07/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-23-0793-DEAN, JERRY & DEANNA FAMILY TRUST:**

**VACATE AND ABANDON** an easement of interest to Clark County located between Diablo Drive (alignment) and Dewey Drive (alignment) and between Torrey Pines Drive and El Camino Road (alignment) within Spring Valley (description on file). MN/jor/syp (For possible action)

RELATED INFORMATION:

**APN:**

163-26-801-039

**LAND USE PLAN:**

SPRING VALLEY - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC)

**BACKGROUND:**

**Project Description**

The plan depicts a 40 foot wide drainage easement on the southeastern boundary of the site to be vacated. The applicant indicates that the public drainage easement is no longer necessary for the development of the site. Clark County maintains an existing drainage channel along the rear property line.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-22-0284	Reclassified the site from R-E to R-D zoning, with a waiver for modified driveway geometrics, and a design review for finished grade	Denied by BCC	June 2022
VS-22-0283	Vacated and abandoned a portion of a drainage easement	Denied by BCC	June 2022
WS-0350-10 (ET-0120-12)	First extension of time for non-standard off-site improvements	Approved by PC	November 2012
WS-0350-10	Non-standard off-site improvements	Approved by PC	September 2010
UC-0335-10	Accessory structure before primary - expired	Approved by PC	September 2010

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North, South, & East	Low-Intensity Suburban Neighborhood (5 du/ac)	R-E	Single family residential
West	Low-Intensity Suburban Neighborhood (5 du/ac)	R-E & R-D	Single family residential

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-23-0794	A zone change to reclassify the parcel from R-E zoning to R-D zoning, with waivers to increase the retaining wall height and allow modified driveway geometrics, and a design review for increase finished grade is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

Staff has no objection to the vacation of drainage easements that are not necessary for site, drainage, or roadway development.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- Drainage study and compliance;
- Coordinate with Public Works - Development Review to determine the limits of the drainage area being vacated;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

**Fire Prevention Bureau**

- No comment.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: CLAYTON NEILSEN**

**CONTACT: CLAYTON NEILSEN, 6765 W. RUSSELL ROAD, SUITE 200, LAS VEGAS,  
NV 89118**

