



Spring Valley Town Advisory Board

Desert Breeze Community Center

8275 W. Spring Mountain Rd

Las Vegas, NV 89117

August 30, 2022

6:00pm

AGENDA

Note:

- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Carmen Hayes at (702) 371-7991 or chayes70@yahoo.com.
 - Supporting material is/will also be available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
 - Supporting material is/will be available on the County's website at : <https://clarkcountynv.gov/SpringValleyTAB>.

Board/Council Members: Yvette Williams, Chair
 Rodney Bell
 Brian A. Morris
 Catherine Godges, Vice Chair
 John Getter

Secretary: Carmen Hayes (702) 371-7991 chayes70@yahoo.com
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Mike Shannon 702-455-8338 mds@clarkcountynv.gov
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

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

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

- III. Approval of Minutes for August 9, 2022. (For possible action)
- IV. Approval of the Agenda for August 30, 2022 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. **VS-22-0440-CITY LIGHT CHURCH, INC.:**
VACATE AND ABANDON easements of interest to Clark County located between Teco Avenue and Sunset Road, and between Westwind Road (alignment) and Jones Boulevard within Spring Valley (description on file). MN/gc/syp (For possible action) **09/06/22 PC**
 2. **UC-22-0439-CITY LIGHT CHURCH, INC.:**
USE PERMIT for a place of worship.
WAIVER OF DEVELOPMENT STANDARDS to reduce throat depth.
DESIGN REVIEWS for the following: 1) place of worship; and 2) alternative parking lot landscaping on 4.8 acres in a C-P (Office and Professional) (AE-60) Zone in the CMA Design Overlay District. Generally located on the north side of Sunset Road, 900 feet west of Lindell Road within Spring Valley. MN/gc/syp (For possible action) **09/06/22 PC**
 3. **ET-22-400095 (UC-20-0203)-JOSHUA GROUP, LLC:**
USE PERMITS FIRST EXTENSION OF TIME for the following: 1) daycare facility; and 2) major training facility.
DESIGN REVIEWS for the following: 1) daycare facility; and 2) major training facility on 2.1 acres in a C-P (Office and Professional) Zone. Generally located on the south side of Russell Road, 300 feet east of Grand Canyon Drive within Spring Valley. JJ/dd/syp (For possible action) **09/20/22 PC**
 4. **NZC-22-0397-JONES TECO HOLDINGS, LLC:**
ZONE CHANGE to reclassify 2.2 acres in an R-E (Rural Estates Residential) (AE-60) Zone to an M-D (Designed Manufacturing) (AE-60) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) eliminate landscaping adjacent to a less intensive use; 3) eliminate the sidewalk between the building and parking area; 4) reduce driveway throat depth; and 5) reduce driveway departure distance.
DESIGN REVIEWS for the following: 1) office/warehouse complex; 2) alternative parking lot landscaping; and 3) finished grade in the CMA Design Overlay District. Generally located on the northeast corner of Jones Boulevard and Teco Avenue within Spring Valley (description on file). MN/gc/syp (For possible action) **09/20/22 PC**

5. **VS-22-0428-JONES TECO HOLDINGS, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Post Road and Teco Avenue, and between Jones Boulevard and Duneville Street (alignment); and a portion of right-of-way being Jones Boulevard located between Post Road and Teco Avenue within Spring Valley (description on file). MN/gc/syp (For possible action) **09/20/22 PC**

6. **UC-22-0429-RAVA ORANGE GROVE, LLC:**
USE PERMITS for the following: **1)** on-premises consumption of alcohol (supper club); and **2)** reduce the separation between a supper club and residential use in conjunction with an existing restaurant within an existing shopping center on 6.1 acres in a C-1 (Local Business) Zone. Generally located on the north side of Warm Springs Road, 550 feet west of Durango Drive within Spring Valley. JJ/md/syp (For possible action) **09/20/22 PC**

7. **UC-22-0438-MINZER, GARY ALAN LIVING TRUST & MINZER, GARY ALAN TRS:**
USE PERMITS for the following: **1)** secondhand sales; and **2)** pawn shop.
WAIVER OF DEVELOPMENT STANDARDS to reduce the separation from a pawn shop to a residential use on 2.2 acres in a C-1 (Local Business) Zone. Generally located on the west side of Jones Boulevard and the south side of Flamingo Road within Spring Valley. MN/sd/syp (For possible action) **09/20/22 PC**

8. **UC-22-0433-SUNSET AND DURANGO PARTNERS PHASE 2, LLC:**
USE PERMITS for the following: **1)** a recreational facility; **2)** live entertainment; **3)** reduce separation from on-premises consumption of alcohol establishments to a residential use; and **4)** reduce separation from outside dining to a residential use.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce separation from outdoor live entertainment to a residential use; and **2)** increase building height.
DESIGN REVIEWS for the following: **1)** recreational facility (pickle ball) with restaurants, retail, offices, and parking garage; and **2)** modifications to Phase 1 of this development on 9.7 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the north side of Sunset Road, 280 feet west of Durango Drive within Spring Valley. JJ/rk/syp (For possible action) **09/21/22 BCC**

9. **ZC-22-0435-HD SUNSET DECATUR, LLC:**
ZONE CHANGE to reclassify 4.6 acres from an R-E (Rural Estates Residential) (AE-60 and AE-65) Zone to an M-D (Designed Manufacturing) (AE-60 and AE-65) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce street landscaping; **2)** allow modified CMA Design Overlay District Standards; and **3)** allow modified driveway design standards.
DESIGN REVIEWS for the following: **1)** warehouse buildings; **2)** alternative parking lot landscaping; and **3)** finished grade in the CMA Design Overlay District. Generally located on the north side of Sunset Road, 1,200 feet to the east of Lindell Road within Spring Valley (description on file). MN/md/syp (For possible action) **09/21/22 BCC**

10. **VS-22-0436-HD SUNSET DECATUR, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Lindell Road and Hauck Street and between Teco Avenue (alignment) and Sunset Road and a portion of a right-of-way being Sunset Road located between Lindell Road and Hauck Street within Spring Valley (description on file). MN/jad/syp (For possible action) **09/21/22 BCC**

11. **ZC-22-0448-DSH HOLDING, LLC:**
ZONE CHANGE to reclassify 2.5 acres from an R-E (Rural Estates Residential) (AE-60) Zone to an M-D (Designed Manufacturing) (AE-60) Zone.
WAIVER OF DEVELOPMENT STANDARDS to allow modified driveway design standards.
DESIGN REVIEWS for the following: **1)** warehouse buildings; **2)** alternative parking lot landscaping; and **3)** finished grade in the CMA Design Overlay District. Generally located on the north side of Sunset Road, 305 feet east of Tenaya Way within Spring Valley (description on file). MN/md/syp (For possible action) **09/21/22 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 vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: September 13, 2022.

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

August 9, 2022

MINUTES

Board Members:	Yvette Williams, Chair - PRESENT Rodney Bell - EXCUSED Brian A. Morris - PRESENT	Catherine Godges, Vice Chair - PRESENT John Getter - PRESENT
Secretary:	Carmen Hayes, 702 371-7991, chaves70@yahoo.com PRESENT	
County Liaison:	Mike Shannon 702-455-8338 mds@clarkcountynv.gov PRESENT	

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

Current Planner, Steven De Merritt

II. Public Comment

- None

III. Approval of **July 26, 2022** Minutes (For possible action)

Motion by: Yvette Williams

Action: **APPROVE** as published

Vote: 4-0/Unanimous

IV. Approval of Agenda for **August 9, 2022** and Hold, Combine or Delete Any Items (For possible action)

Motion by: Yvette Williams

Action: **APPROVE** with the deletion of **TM-22-500146** from the agenda

Vote: 4-0/Unanimous

V. Informational Items

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

- None

VI. Planning & Zoning

1. **NZC-22-0392-SOUTHWEST CORPORATE CAMPUS LLC:**
ZONE CHANGE to reclassify 3.7 acres from a C-2 (General Commercial) Zone to an M-D (Designed Manufacturing) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** cross-access; and **2)** modified driveway design standards.
DESIGN REVIEWS for the following: **1)** distribution warehouse complex; and **2)** finished grade in the CMA Design Overlay District. Generally located on the east side of Warbonnet Way and the north side of Sunset Road within Spring Valley (description on file). MN/rk/jo (For possible action) **09/06/22 PC**

Motion by: John Getter

Action: **APPROVE** per staff conditions with an addition of security cameras.

Vote: 4-0/Unanimous

2. **TM-22-500146-BRINKER 1980 TRUST & BRINKER CHARLES & PHYLLIS CO-TRS:**
TENTATIVE MAP consisting of 5 lots and common lots on 1.3 acres in an R-1 (Single Family Residential) (RNP-III) Zone. Generally located on the south side of Twain Avenue and the west side of McLeod Drive within Paradise. TS/md/jo (For possible action) **09/06/22 PC**

REMOVE FROM AGENDA – PARADISE APPLICANT.

3. **AR-22-400090 (UC-0014-16)-KLOSSCO DURANGO, LLC:**
USE PERMIT THIRD APPLICATION FOR REVIEW of a massage establishment in conjunction with an existing shopping center on 4.6 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay. Generally located on the north side of Arby Avenue, 290 feet east of Durango Drive within Spring Valley. MN/sr/syp (For possible action) **09/07/22 BCC**

Motion by: Brian Morris

Action: **APPROVE** per staff conditions, including no additional reviews

Vote: 4-0/Unanimous

4. **UC-22-0419-FTH NEVADA, INC.:**
USE PERMIT for a cannabis establishment (distributor) within an existing retail building in conjunction with a shopping center on a portion of 3.5 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Hualapai Way and the south side of Peace Way within Spring Valley. JJ/md/syp (For possible action) **09/07/22 BCC**

Motion by: John Getter

Action: **APPROVE** per staff conditions

Vote: 4-0/Unanimous

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 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.

John Getter requested a presentation by Public Works regarding the Five-Year Plan and other road projects in Spring Valley. Yvette Williams requested improvements along Desert Inn near the Vons store. The Board suggested scheduling the presentation prior to the October Town Advisory Board meeting.

- IX. Next Meeting Date: **August 30, 2022.**

X Adjournment

Motion by: Yvette Williams

Action: **ADJOURN** meeting at 6:35p.m.

Vote: 4-0/Unanimous

EASEMENTS
(TITLE 30)

SUNSET RD/LINDELL RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0440-CITY LIGHT CHURCH, INC.:

VACATE AND ABANDON easements of interest to Clark County located between Teco Avenue and Sunset Road, and between Westwind Road (alignment) and Jones Boulevard within Spring Valley (description on file). MN/gc/syp (For possible action)

RELATED INFORMATION:

APN:

163-36-401-017 & 031

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of 33 foot wide government patent easements around the perimeter of the north parcel excepting the north 30 feet for Teco Avenue; and the vacation and abandonment of 33 foot wide government patent easements around the perimeter of the south parcel excepting the south 55 feet for Sunset Road. The applicant states that these easements are not needed for future road purposes.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1255-07	Reclassified the site from R-E to C-P zoning for an office complex	Approved by BCC	December 2007

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
South	Business Employment	M-D	Undeveloped office/warehouse
East	Ranch Estate Neighborhood (up to 2 du/ac) & Neighborhood Commercial	R-E & R-E (RNP-I)	Single family residential & undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Neighborhood Commercial	C-P	Congregate care facility

Related Applications

Application Number	Request
UC-22-0439	A use permit for a place of worship, waiver of development standards to reduce throat depth, and design reviews for a place of worship and alternative parking lot landscaping 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 patent 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:**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 30 feet for Teco Avenue and 55 feet to the back of curb for Sunset Road;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Sunset Road, improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;

- Revise legal description, if necessary, prior to recording.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CITY LIGHT CHURCH, INC.

CONTACT: JOHN VORNSAND, 62 SWAN CIRCLE, HENDERSON, NV 89074



AGENDA LOG AMENDMENT

Department of Comprehensive Planning

Application Number: VS-22-0440

Property Owner or Subdivision Name: City Light Church, Inc.

Public Hearing: Yes No

Staff Report already created: Yes No

Delete this application from the: **TAB/CAC** _____ **PC 9-20-22 BCC** _____

Add this application to the: **TAB/CAC** _____ **PC 9-6-22 BCC** _____

Change(s) to be made:

- Held no date specific
 - Withdrawn
 - No change to meeting(s) 8-30-22 TAB
 - Amend Write-up
 - Renotify
 - Make a public hearing (Radius: _____)
 - Rescheduling
 - Other: _____
 - Additional fees – \$AMOUNT OF ADDITIONAL FEES: _____
 - Refund
 - 80%
 - 100% (please include justification for full refund below)
- AMOUNT OF REFUND\$: _____

Reason for Change: Advance PC date per Sami

Change initiated by: grc Date: 7-27-22

Change authorized by: Rok K. Date: 7-27-22

Change processed by: [Signature] Date: 7-28-22

Follow up assigned to: _____ Instructions: _____

Parcel Number(s): 163-36-401-017 & 031

Town Board(s): Spring Valley



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>VS-22-0440</u>	DATE FILED: <u>7-27-22</u>
		PLANNER ASSIGNED: <u>GRC</u>	TAB/CAC DATE: <u>8-30-22</u>
		TAB/CAC: <u>Spring Valley</u>	
		PC MEETING DATE: <u>9-6-22</u>	
		BCC MEETING DATE: <u>-</u>	
		FEE: <u>1875</u>	

PROPERTY OWNER	NAME: <u>City Light Church, Inc.</u>
	ADDRESS: <u>8755 W. Warm Springs Road, Suite 105</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u>
	TELEPHONE: <u>(702) 858-1433</u> CELL: _____
	E-MAIL: <u>jeff@citylightvegas.com</u>

APPLICANT	NAME: <u>City Light Church, Inc. c/o Jeff Mockbee</u>
	ADDRESS: <u>8755 W. Warm Springs Road, Suite 105</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u>
	TELEPHONE: <u>(702) 858-1433</u> CELL: _____
	E-MAIL: <u>jeff@citylightvegas.com</u>
	REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>John Vornsand, AICP</u>
	ADDRESS: <u>62 Swan Circle</u>
	CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u>
	TELEPHONE: <u>(702) 896-2932</u> CELL: _____
	E-MAIL: <u>john@vornsandconsulting.com</u>
	REF CONTACT ID #: <u>165449</u>

ASSESSOR'S PARCEL NUMBER(S): 163-36-401-017 & 031

PROPERTY ADDRESS and/or CROSS STREETS: North side of Sunset Road, 1,300 feet East of Jones Blvd

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.


Jeffrey Scott Mockbee

Jeffrey Scott Mockbee, CFO

Property Owner (Signature)*

Property Owner (Print)

STATE OF ~~TEXAS~~ ^{Texas}
COUNTY OF ~~Harris~~



Fatima Lewis
ID NUMBER 75412C-7
COMMISSION EXP. RES October 17, 2022

SUBSCRIBED AND SWORN BEFORE ME ON 07/21/2022 (DATE)

By Jeffrey Scott Mockbee

NOTARY PUBLIC: Fatima Lewis
Notarized online using audio-video communication

*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.

JOHN VORNSAND, AICP

Planning & Zoning Entitlements

62 SWAN CIRCLE

HENDERSON, NEVADA 89074

Phone (702) 896-2932

Email: john@vornsandconsulting.com

VS-22-0440

March 21, 2022

RE: Justification Letter-Vacation & Abandonment of Government Patent
Reservations - APN 163-36-401-017 & 031

The applicant, City Light Church, is requesting a Vacation & Abandonment of Government Patent Reservations on APN 163-36-401-017 & 031 to accommodate the construction of a future Place of Worship. The South 3 feet of the North 33 feet and the 33 foot wide Patent Easements on the East, South and West sides of APN 163-36-401-017 and the North, East and West 33 foot wide Patent Easements APN 163-36-401-031 are requested to be vacated. These Patent Easements are not needed for future road purposes.

SINCERELY

John Vornsand

John Vornsand, AICP

09/06/22 PC AGENDA SHEET

PLACE OF WORSHIP
(TITLE 30)

SUNSET RD/LINDELL RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-22-0439-CITY LIGHT CHURCH, INC.:

USE PERMIT for a place of worship.

WAIVER OF DEVELOPMENT STANDARDS to reduce throat depth.

DESIGN REVIEWS for the following: 1) place of worship; and 2) alternative parking lot landscaping on 4.8 acres in a C-P (Office and Professional) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the north side of Sunset Road, 900 feet west of Lindell Road within Spring Valley. MN/gc/syp (For possible action)

RELATED INFORMATION:

APN:

163-36-401-017 & 031

WAIVER OF DEVELOPMENT STANDARDS:

Reduce throat depth for a driveway along Sunset Road to 37 feet where a minimum of 100 feet is required per Uniform Standard Drawing 222.1 (a 63% reduction).

DESIGN REVIEWS:

1. Place of worship.
2. Allow alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.8
- Project Type: Place of worship
- Number of Stories: 1
- Building Height (feet): 35
- Square Feet: 29,492
- Parking Required/Provided: 295/298

History & Site Plans

The subject site was previously approved for an office complex pursuant to ZC-1255-07 which included numerous conditions to reduce impacts from the design of the office complex to the neighboring residents to the north and east. The subject development is for a place of worship with a less intense coverage and where the building is farther away than the previous design. The associated waivers of development standards and design review with ZC-1255-07 will be expunged with the conditions of this application, thus the conditions of that application will no longer be valid.

The plans show a proposed place of worship located on the southwest portion of the site, 16 feet from the south property line and 35 feet from the west property line. Access to the site is from a driveway near the east property line and another driveway shared with the property to the west; both off of Sunset Road. A total of 298 parking spaces are provided to the north and east of the building where a minimum of 295 spaces are required. A 2,350 square foot covered patio is located at the southeast corner of the building.

Landscaping

A 15 foot wide landscape area with a detached sidewalk is provided along Sunset Road. A 5 foot wide landscape area is provided along the west property line. Along the north property line adjacent to Teco Avenue and along the north half of the east property line adjacent to the existing residential, a 10 foot wide intense landscape buffer per Figure 30.64-12 is provided. An attached sidewalk is provided along Teco Avenue. The south half of the east property line has a 10 foot wide landscape area with a single row of trees, spaced 20 feet on-center. The landscape palette consists of 24 inch box Chir Pine, Blue Palo Verde, and Chinese Pistache trees, and Cliff Goldenbush shrubs. Alternative parking lot landscaping is proposed where the landscape width adjacent to the sidewalk through the parking lot is 6 feet to the face of curb, where the standard is 6 feet to the inside of curb. Additionally, landscape islands are not provided adjacent to the parking spaces along the north and east property lines.

Elevations

The plans depict a 1 story, 35 foot high, place of worship building. Building materials consist of EIFS, decorative metal wall panels and trim, faux wood metal cladding, and aluminum window systems. The roof is a combination of flat roofs with parapet walls and standing seam metal roofing.

Floor Plans

The plans show a 29,492 square foot place of worship consisting of a worship area with 897 seats, Sunday school classrooms, church office areas, storage rooms, and restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the place of worship is compatible with the surrounding area. The lack of additional landscape islands within the parking spaces along the north and east property lines allows for additional parking spaces, and is mitigated by the 10 foot wide landscape buffer

adjacent to the spaces. Furthermore, the applicant states that the reduced throat depth still allows for free flow of traffic entering and leaving the site, and that the Metropolitan Police Department will be providing traffic control during worship services. Worship services are scheduled on Sunday mornings at 9:30 a.m. and 11:30 a.m., and on church holidays.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1255-07	Reclassified the site from R-E to C-P zoning for an office complex	Approved by BCC	December 2007

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
South	Business Employment	M-D	Undeveloped office/warehouse
East	Ranch Estate Neighborhood (up to 2 du/ac) & Neighborhood Commercial	R-E & R-E (RNP-I)	Single family residential & undeveloped
West	Neighborhood Commercial	C-P	Congregate care facility

Related Applications

Application Number	Request
VS-22-0440	A request to vacate and abandon government patent easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties. Staff finds that the site is appropriate for a place of worship. With appropriate building siting, proper building massing and scale, required parking, and appropriate buffering, a place of worship can be consistent and compatible with nearby residential neighborhoods in accordance with Title 30 and the Master Plan. Furthermore, staff finds the proposed place of worship is an appropriate transition between the more intense M-D zoned properties to the south and the residential properties to the north.

Design Reviews

Staff finds that the proposed place of worship conforms to the CMA Design Overlay requirements and is designed to be sensitive to the residential properties in the area. The building is positioned on the southwest portion of the parcel, away from the existing residential to the north and east. The northern portion of the building also transitions down to a height of 21 feet. Furthermore, an intense landscape buffer with a 6 foot high block wall is located along the north and east property lines where abutting residential properties. Therefore, the request complies with Policy 1.4.5 of the Master Plan which encourages buffers and development transitions to mitigate the impacts of higher intensity uses adjacent to existing residential neighborhoods. The proposed building also incorporates varying roof heights, surface planes, and other architectural enhancements to improve visual quality and to reduce the mass of the building. Staff does not have an issue with the alternative parking lot landscaping. The measurement of the 6 foot landscape area adjacent to the walkway through the parking lot to the face of the curb instead of the inside of the curb is negligible and should not cause any adverse impacts. Furthermore, although there are no landscape islands within the parking spaces along the north and east property lines, the 10 foot wide intense landscape area adjacent to the majority of these spaces, and additional trees planted, will mitigate the loss of the landscape islands.

Public Works - Development Review

Waiver of Development Standards

Staff has no objection to the reduced throat depth for both driveways on Sunset Road. The western driveway will likely be used for egress only since it is not located close to the parking lot, thereby reducing the conflicts caused by the reduced throat depth. The eastern driveway is designed to provide an alternative route for vehicular traffic should 1 of the 2 drive aisles experience a back-up.

Department of Aviation

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

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

- Expunge the waivers of development standards and design review associated with ZC-1255-07;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.

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

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Teco Avenue and 55 feet to the back of curb for Sunset Road;
- 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;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Sunset Road improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace

determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: CITY LIGHT CHURCH, INC.
CONTACT: JOHN VORNSAND, 62 SWAN CIRCLE, HENDERSON, NV 89074



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

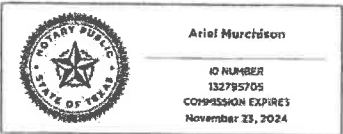
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (Nzc) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> 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 #)	STAFF APP. NUMBER: <u>UC-22-0439</u> DATE FILED: <u>7-27-22</u> PLANNER ASSIGNED: <u>GRC</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>8-30-22</u> PC MEETING DATE: <u>9-6-22</u> BCC MEETING DATE: <u>-</u> FEE: <u>\$1,825</u>
	PROPERTY OWNER NAME: <u>City Light Church, Inc.</u> ADDRESS: <u>8755 W. Warm Springs Road, Suite 105</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>(702) 858-1433</u> CELL: _____ E-MAIL: <u>jeff@citylightvegas.com</u>
	APPLICANT NAME: <u>City Light Church, Inc. c/o Jeff Mockbee</u> ADDRESS: <u>8755 W. Warm Springs Road, Suite 105</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>(702) 858-1433</u> CELL: _____ E-MAIL: <u>jeff@citylightvegas.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>John Vornsand, AICP</u> ADDRESS: <u>62 Swan Circle</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u> TELEPHONE: <u>(702) 896-2932</u> CELL: _____ E-MAIL: <u>john@vornsandconsulting.com</u> REF CONTACT ID #: <u>165449</u>

ASSESSOR'S PARCEL NUMBER(S): 163-36-401-017 & 031
 PROPERTY ADDRESS and/or CROSS STREETS: North side of Sunset Road, 1,300 feet East of Jones Blvd
 PROJECT DESCRIPTION: Place of Worship

(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.

Jeffrey Scott Mockbee
 Property Owner (Signature)*
 STATE OF Texas
 COUNTY OF Dallas

Jeffrey Scott Mockbee, CFO
 Property Owner (Print)



SUBSCRIBED AND SWORN BEFORE ME ON 07/20/2022 (DATE) by Jeffrey Scott Mockbee as CFO on behalf City Light Church Inc
 By Ariel Murchison Notary Public, State of Texas
 NOTARY PUBLIC: Ariel Murchison

Notarized online using audio-video communication

*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.

JOHN VORNSAND, AICP

Planning & Zoning Entitlements
62 SWAN CIRCLE
HENDERSON, NEVADA 89074
Phone (702) 896-2932
Email: john@vornsandconsulting.com

UC-22-0439

July 26, 2022

RE: Revised Justification Letter - Special Use Permit, Waiver of Development Standards and Design Review for a Place of Worship APN 163-36-401-017 & 031

City Light Church is requesting a Special Use Permit, Waiver of Development Standards and a Design Review to construct a 29,492 square foot Place of Worship on the North side of Sunset Road approximately 1,300 feet East of Jones Boulevard on 4.62 acres in a C-P (AE-60) Zone with a Master Plan designation of NC (Neighborhood Commercial) and located within the CMA. Adjacent to the West is an existing congregate care, nursing and rehabilitation facility in a C-P Zone. To the South across Sunset Road are vacant and developed properties zoned M-D. Adjacent to the East of the Southern half of the property is a vacant property zoned R-E and Master Planned for NC (Neighborhood Commercial). Adjacent to the East of the Northern half of the site are existing residential uses zoned R-E. To the North across Teco Avenue are existing residences zoned R-E.

Worship services are scheduled on Sunday mornings at 9:30 a.m. and 11:30 a.m. and on Church holidays. The maximum seating capacity in the main sanctuary is 897 congregants. Sunday School classrooms and Church offices are also located within the building. Two covered patio areas are located on the East side of the building.

The Church building is located adjacent to Sunset Road at the Southwestern portion of the property with parking located East and North of the proposed Church building. The building is setback approximately 139 feet from the East property line, 354 feet from the North property line, 35 feet from the West property line and 16 to 20 feet from the Sunset Road property line. Ingress/egress to the site is from two driveways located on Sunset Road. The Easternmost driveway is 36.08 feet in width while the Westernmost driveway is a shared driveway with the congregate care facility to the West. There is no access to Teco Avenue on the North.

The building facade consists of pre-finished metal wall panels, faux wood metal cladding, aluminum window systems and standing seam metal roof on portions of the building. The height of the building varies with a maximum overall height of 35 feet. Landscaping is provided throughout the site in excess of Title 30 requirements. A detached sidewalk and landscaping is provided along Sunset Road. Five feet of landscaping is proposed along the West property line adjacent to the C-P zoned healthcare facility. Landscaping is provided along the East property line at a depth ranging from 33 feet at the driveway to 10 feet in width extending to the North property line. A ten foot intense landscape buffer is provided on the Northern half of the property adjacent to the R-E homes to the East.

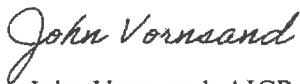
Ten feet of landscaping is also provided at the rear of the property along Teco Avenue with a 6 foot high CMU decorative wall located at the rear of the landscaping.

Additionally, a Design Review for alternative parking lot landscaping is requested. The landscape planter adjacent to the 5 foot sidewalk from the parking lot to the building is 5.5 feet in width where a minimum of 6 feet is required per Figure 30-64-14(E). The landscape planter is 6 feet wide to the face of the curb where Figure 30-64-14(E) requires 6 feet from the inside of the curb. In addition, we are requesting that the landscape fingers required for each twelve parking spaces along the East and North landscape planters be waived. The parking abuts a 10 foot landscape buffer along the East property line. The North half of that buffer is intense landscaping. The parking on the North also abuts a 10 foot landscape buffer. This allows for a more standardized parking layout along the Easternmost drive aisle. In addition, the elimination of the landscape fingers allows additional parking spaces to be added providing 298 parking spaces where 295 spaces are required. The number of trees that would be otherwise be required in the landscape fingers will be placed elsewhere on the site and will not be reduced in numbers. A total of 154 trees will be planted on-site.

A Waiver of Development Standards is also requested to allow reduced driveway throat depths. The throat depth of the Easternmost driveway is 87.13 feet where a minimum of 100 feet is required. . The throat depth of the Westernmost driveway is 37.15 feet where a minimum of 100 feet is required. As designed, the throat depths allow sufficient depth to allow free flow of traffic ingressing and egressing the site. In addition, the Clark County Metropolitan Police Department will be providing traffic control traffic on Sunday mornings and on Church holidays.

A Place of Worship is appropriate and compatible in this area. The area is a mix of commercial uses ranging from C-P to C-2, office/warehouse uses zoned M-D and residential uses. Sunset Road is a 120 foot wide major street with the appropriate traffic carrying capacity for a Place of Worship. City Light Church is a contributing member of the community and will be an enhancement in the community. A report on the contribution and impact City Light Church has made to the community is attached.

SINCERELY



John Vornsand, AICP for the applicant

09/20/22 PC AGENDA SHEET

3

DAYCARE & MAJOR TRAINING FACILITY
(TITLE 30)

RUSSELL RD/GRAND CANYON DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-22-400095 (UC-20-0203)-JOSHUA GROUP, LLC:

USE PERMITS FIRST EXTENSION OF TIME for the following: 1) daycare facility; and 2) major training facility.

DESIGN REVIEWS for the following: 1) daycare facility; and 2) major training facility on 2.1 acres in a C-P (Office and Professional) Zone.

Generally located on the south side of Russell Road, 300 feet east of Grand Canyon Drive within Spring Valley. JJ/dd/syp (For possible action)

RELATED INFORMATION:

APN:

163-31-501-002

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.1
- Project Type: Daycare and major training facility
- Number of Stories: 1
- Building Height (feet): 29 (daycare)/27 (major training facility)
- Square Feet: 11,367 (daycare)/6,000 (major training facility)
- Parking Required/Provided: 54/56

Site Plans

The plans depict an 11,367 square foot daycare facility in the southwest corner of the property and a 6,000 square foot major training facility to the east of the daycare building. The main parking area is located in the front of the buildings, and there is additional parking south of the major training facility building. A detached sidewalk extends along the north boundary of the site. The daycare building has playground equipment and a shade structure located on the eastern side of the building and a 5 foot wide walkway surrounds the daycare building. Trash enclosures for the uses are located in between the buildings. The major training facility has a 5 foot wide walkway on the north, west, and south sides of the building. A loading space is located in the southeast corner of the major training facility, which is buffered by intense landscaping along the

southern boundary from the residential to the south. A 6 foot high wall exists along the southern and eastern property boundaries, and a 6 foot high wall is proposed along the western property line. The site is accessed from Russell Road by a 36 foot wide commercial driveway.

Landscaping

The plans show a 5 foot 6 inch wide landscape strip with a detached sidewalk and a 10 foot 6 inch wide landscape area between the sidewalk and the parking area. A 12 foot to 16 foot wide landscape strip is located along the west property line. An intense landscape strip extends from the southwestern corner of the property along the rear of the site and extends north along the eastern boundary of the site. Parking lot landscaping meets Title 30 requirements. The plans also depict landscaping on the north and east sides of the daycare facility and landscaping on all sides of the major training facility.

Elevations

The plans depict an 11,367 square foot daycare facility with variations in roof elevations from 16 feet high to 22 feet 4 inches high with a decorative parapet and canopy in the front of the building. The overall height of the building when measured from the entry feature is 29 feet 2 inches high. The daycare building has a stucco exterior with decorative stone veneer on the lower half of the building. The 6,000 square foot major training facility has alternating building storefront parapets with metal canopies in the front of the building, stucco exterior, and stone veneer to match the daycare facility building. The overall height of the building is 27 feet 6 inches at the top of the parapet, and 19 foot high for the straight portion of the roofline.

Floor Plans

The plans show an 11,367 square foot daycare facility with a lobby/reception area, 7 classrooms, a multi-purpose room, a large activity area, an infant room, restrooms, and staff support uses such as offices, laundry, lounge, conference room, and storage. The plans for the proposed 6,000 square foot major training facility show an open floor plan in order to build to suit for future tenants.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for UC-20-0203:

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- Enter into a standard development agreement prior to any permits in order to provide fair share contribution towards public infrastructure;
- Design review as a public hearing for any significant changes to plans.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards

completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

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

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 #0193-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant states as of August 2021, off-site civil improvements have been approved and the applicant is making plans to commence construction. The applicant is requesting an extension of time for the construction of the daycare and major training facility.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-20-0468	Waivers for nonstandard improvements (landscaping) in right-of-way	Approved by PC	December 2020
UC-20-0203	Daycare/major training facility	Approved by PC	June 2020
DA-1872-00	Development Agreement for Southwest Ranch - expired	Approved by BCC	March 2001
VS-1810-00	Vacated and abandoned a portion of Park Street and Quail Avenue (east property line)	Approved by PC	February 2001
ZC-1791-00	Reclassified from R-E to C-2 and R-3 zoning for a commercial development and single family residential - expired	Approved by PC	February 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Compact Neighborhood (up to 18 du/ac)	R-3	Multiple family residential
West	Corridor Mixed-Use	C-2	Gasoline station, convenience store, & tavern

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval. Staff finds that the applicant has made progress obtaining approval of different permits such as BD-21-01922 to construct a school/daycare and BD-21-24955 for commercial grading for a school/daycare which are both ready to issue, and PW-20-16315 for off-site permits has been issued demonstrating that the applicant is making progress towards construction. Therefore, staff can support a 2 year extension of time.

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

- Until June 2, 2024 to commence.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Russell Road, Hualapai Way to Durango Drive improvement project;
- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: JOSHUA GROUP, LLC

**CONTACT: PARKER SIECK, 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

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) UC-20-0203 (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>22-400095</u> DATE FILED: <u>07/27/2022</u> PLANNER ASSIGNED: <u>DD</u> TAB/CAC: <u>08/30/2022 (6 PM)</u> TAB/CAC DATE: <u>Spring Valley</u> PC MEETING DATE: <u>09/20/2022 (7 PM)</u> BCC MEETING DATE: _____ FEE: <u>\$600</u>
	PROPERTY OWNER NAME: <u>Joshua Group, LLC</u> ADDRESS: <u>11282 Dolly Varden Ct.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89179</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: <u>Joshua Group, LLC</u> ADDRESS: <u>11282 Dolly Varden Ct.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89179</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Kaempfer Crowell - Jennifer Lazovich</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: _____ E-MAIL: <u>psieck@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-31-501-002

PROPERTY ADDRESS and/or CROSS STREETS: Grand Canyon and Russell

PROJECT DESCRIPTION: Extension of Time for UC-20-0203

(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.

Elaine H. O'Connell Elaine W. O'Connell
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 6/30/2022 (DATE)
 By Elaine W. O'Connell
 NOTARY PUBLIC: _____



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

ET-22-400095

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

JENNIFER LAZOVICH

jlazovich@kcnvlaw.com
702.792.7000

PLANNER
COPY

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

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Tel: 775.852.3800
Fax: 775.327.2011

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

June 30, 2022

VIA ONLINE PORTAL

CLARK COUNTY COMPREHENSIVE PLANNING DEPT.
500 S. Grand Central Parkway, 1st Floor
Las Vegas, Nevada 89155

RE: *First Extension of Time – UC-20-0203*
Joshua Group, LLC – Use Permits, Design Review
APN #'s 163-31-501-002
Grand Canyon Drive and Russell Road

To Whom It May Concern:

This office represents the applicant with regard to the above-referenced matter. The project is located on approximately 2.12 acres near the southeast corner of Grand Canyon Drive and Russell Road. The Site is more particularly described as Assessor's Parcel Number 163-31-501-002. This application is the first extension of time for UC-20-0203 for use permits to allow a day care facility and a major training facility. The applicant is requesting an additional one year extension of time.

By way of background, the Site was previously approved in June of 2020 for the day care facility and major training facility via application UC-20-0203, with the condition to commence construction within two years of approval. As of August 2021, the off-site civil improvement plans have been approved and the applicant is making plans to commence construction.

We appreciate your kind consideration of this request. Please let me know if you have any questions or concerns.

Sincerely,

KAEMPFER CROWELL\



Jennifer Lazovich

4

OFFICE/WAREHOUSE
(TITLE 30)

JONES BLVD/TECO AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
NZC-22-0397-JONES TECO HOLDINGS, LLC:

ZONE CHANGE to reclassify 2.2 acres in an R-E (Rural Estates Residential) (AE-60) Zone to an M-D (Designed Manufacturing) (AE-60) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) eliminate landscaping adjacent to a less intensive use; 3) eliminate the sidewalk between the building and parking area; 4) reduce driveway throat depth; and 5) reduce driveway departure distance.

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

Generally located on the northeast corner of Jones Boulevard and Teco Avenue within Spring Valley (description on file). MN/gc/syp (For possible action)

RELATED INFORMATION:

APN:

163-36-401-007

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the interior side setback to 2.5 feet where a minimum of 20 feet is required per Table 30.40-5 (an 87.5% reduction).
2. Eliminate landscaping adjacent to a less intensive use where landscaping per Figure 30.64-11 is required.
3. Eliminate the sidewalk between the building and parking area where required per Section 30.60.050.
4. Reduce throat depth for a driveway along Jones Boulevard to 15 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 40% reduction).
5. Reduce the departure distance between a driveway along Jones Boulevard and an intersection to 89 feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1 (a 53.2% reduction).

DESIGN REVIEWS:

1. Office/warehouse complex.
2. Allow alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.
3. Increase finished grade to 3.5 feet where a maximum of 3 feet is the standard per Section 30.32.040 (a 16.7% increase).

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.2
- Project Type: Office/warehouse complex
- Number of Stories: 1
- Building Height (feet): 33
- Square Feet: 43,316
- Parking Required/Provided: 65/65

Neighborhood Meeting Summary

This request is for a nonconforming zone change to reclassify 2.2 acres from an R-E zoning district to an M-D zoning district for an office/warehouse complex. The applicant conducted a neighborhood meeting at Desert Breeze Community Center on May 16, 2022, as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site and 3 neighbors attended the meeting. Concerns raised at the meeting include access and traffic on Teco Avenue and drainage from the northeast corner of the lot.

Site Plan

The plans show an office/warehouse complex consisting of 2 buildings. The north building is located 20 feet from the front (west) property line, 2.5 feet from the north property line, and 70 feet from the east property line. The south building is located 20 feet from the front (west) property line, 20 feet from the south property line, and 69 feet from the east property line. Both buildings have 2 loading areas with overhead roll-up doors on the east side of the buildings. Access to the site is from Jones Boulevard and an egress point is provided on Teco Avenue that is right turn only. A total of 65 parking spaces are provided where a minimum of 65 parking spaces are required. No sidewalk is provided between the building and parking area as required per Title 30. The finished grade of the site is being increased up to 3.5 feet with most of the increase occurring at the center of the site.

Landscaping

Street landscaping along Jones Boulevard and Teco Avenue consists of a 20 foot wide landscape area with a detached sidewalk. A 10 foot wide intense landscape area per Figure 30.64-12 and an existing 10 foot high block wall is located along the east property line. Along the north property line, adjacent to a hospice facility, is an existing 6 foot to 8 foot high block wall with no landscaping proposed, necessitating the landscape waiver request. Alternative parking lot landscaping is requested since some of the parking lot islands will not have any landscaping since the islands are located in front of doors of the buildings.

Elevations

The plans depict 1 story, 33 foot high office/warehouse buildings. Building materials consist of tilt-up concrete panels, storefront windows, and metal canopies. The concrete tilt-up panels are painted and incorporate a mix of smooth finish and horizontal grooves to break-up the façade. Overhead roll-up doors are shown on the east elevation of both buildings.

Floor Plans

The plans show 2 office/warehouse shell buildings that are 21,658 square feet each. The square footage also includes a 4,122 square foot mezzanine.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the reduction in setback and elimination of landscaping along the north property line is justified since there is an existing block wall and existing landscaping along the property line on the parcel to the north. Furthermore, the applicant states that a sidewalk between the building and parking area is not necessary, since wheel stops will be provided that will create a 2 foot gap between vehicles and the building that pedestrians can access. The proposed office/warehouse complex is located across from a similar development on the west side of Jones Boulevard and; therefore, the proposed development is compatible to the area. The increase in finish grade is necessary since the existing grade is lower on the western portion of the property. The reduction in throat depth will not be an issue since the use does not generate a lot of traffic and there are 2 driveways on the site. The proposed location of the driveway on Jones Boulevard is ideal since it is equidistant from the intersection of Jones Boulevard and Teco Avenue and the driveway located on the parcel to the north.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0413-08	Reclassified the site to C-1 zoning for a shopping center subject to 3 years to complete - expired	Approved by BCC	September 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	C-P	Hospice care facility
South	Corridor Mixed-Use	C-2	Undeveloped (approved for a mini-warehouse facility per UC-20-0461)
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
West	Business Employment	M-D	Distribution center

Related Applications

Application Number	Request
VS-22-0428	A vacation and abandonment of government patent easements and a 5 foot wide portion of right-of-way along Jones Boulevard is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

The applicant shall provide Compelling Justification that approval of the nonconforming zoning boundary amendment is appropriate. A Compelling Justification means the satisfaction of the following criteria as listed below:

- 1. A change in law, policies, trends, or facts after the adoption, readoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate.*

The applicant states the site is located on an arterial street, approximately 1,000 feet north of the 215 Beltway. Typically such locations are designated as commercial or industrial nodes to serve an area. Furthermore, the applicant states the recently adopted Master Plan has designated a number of properties in the area to Corridor Mixed-Use or Business Employment to provide a more viable mix of commercial and design manufacturing zoning.

The trend in the area north of Sunset Road and east of Jones Boulevard is towards commercial zoning where C-2 zoning is located on the northeast corner of Sunset Road and Jones Boulevard, and C-P zoning is found along the north side of Sunset Road and the east side of Jones Boulevard as you move farther away from the intersection. Jones Boulevard and Sunset Road have acted as the boundary line for the M-D zoning that is found west of Jones Boulevard and south of Sunset Road. Therefore, staff finds the proposed M-D zoning would not be appropriate for this site.

- 2. The density and intensity of the uses allowed by the nonconforming zoning is compatible with the existing and planned land uses in the surrounding area.*

According to the applicant, M-D zoning has been used to buffer residential uses from more intense commercial and industrial uses. The applicant states that the proposed project is less intense than what could be found in some commercial zones. Furthermore, the applicant states that the M-D zoning is appropriate since M-D zoning exists across Jones Boulevard.

Staff finds that the proposed M-D zoning and associated industrial uses are not appropriate immediately adjacent to the existing R-E (RNP-I) single family residential neighborhood to the east and with the existing hospice care facility to the north. M-D zoning and Business Employment uses have purposely been kept west of Jones Boulevard and south of Sunset Road to protect the existing RNP single family residential neighborhood east of Jones Boulevard and north of Sunset Road. The properties that are east of and front Jones Boulevard and north of and front Sunset Road were purposely planned and zoned for commercial uses to buffer the residential uses from the more intensive industrial uses farther west and south.

- 3. There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed by the nonconforming zoning.*

The applicant states that there will be no substantial effect on existing public facilities in the area, and that required public services and infrastructure already exist, are planned for, or are in the planning stages for the area. There has been no indication from service providers that this request will have a substantial adverse effect on public facilities and services.

- 4. The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies.*

According to the applicant, the project complies with Policy 6.1.6 of the Master Plan that encourages in-fill development. However, staff finds that the proposed zone change and project do not comply with Policy 1.5.2 which encourages compatible development to protect the established character and lifestyles associated with RNP areas and minimize future conflicts with higher intensity development planned on sites that are adjacent to RNP areas.

Summary

Zone Change

Staff finds that there has not been a change in law and policies that make this request appropriate for the area. The reclassification of this site to M-D zoning would allow potentially incompatible uses adjacent to the developed R-E (RNP-I) single family residential neighborhood to the east and to the existing hospice care facility on the parcel to the north. Although the project will not have an adverse effect on public facilities and services, the project does not comply with other applicable adopted plans, goals, and policies. Staff finds that the proposed request does not satisfy all of the requirements of a compelling justification to warrant approval of the nonconforming zone boundary amendment to M-D zoning; therefore, staff recommends denial of the zone change request.

Waivers of Development Standards

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

Waivers of Development Standards #1 & #2

Staff finds the proposed reduction of the interior side setback along the north property line from 20 feet to 2.5 feet to be excessive and inappropriate. A hospice care facility is located on the parcel to the north which could be considered as a quasi-residential use and: therefore, should be buffered and protected from the proposed industrial use as much as possible. The applicant states that the existing landscaping and wall along the property line on the adjacent parcel to the north is an adequate buffer. Staff does not agree with this assessment as the landscaping consists primarily of shrubs and Italian Cypress trees which provide minimal screening. With the proposed project being a nonconforming zone change request, the burden should be upon the applicant to provide adequate screening and buffering to adjacent less intensive uses.

Waiver of Development Standards #3

Staff cannot support the request to eliminate the 5 foot wide sidewalk between the building and parking area. The sidewalk would allow for a safe path for pedestrians to walk from the parking area to the main entrance located on the west side of the buildings, instead of having to walk within the drive aisle. The 2 foot gap between the building and the parking area created by the wheel stop is not an adequate width for pedestrians to walk in. Furthermore, if the sidewalk were to be provided, there would be no need for the design review request for alternative parking lot landscaping since the parking lot islands could actually be used for landscaping instead of being an un-landscaped open area in front of the building doors.

Design Reviews #1 & #2

Staff cannot support the design review requests. The proposed design of the site is not compatible with the adjacent properties to the north and east, especially with the associated waivers. The proposed concrete tilt-up buildings with flat parapet roofing are not harmonious with the existing buildings on the adjacent properties to the north and east which are residential in appearance with pitched tile roofing. Furthermore, the loading areas with overhead roll-up doors on the east side of the buildings will adversely impact the adjacent residential to the east. Additionally, staff finds that the applicant could comply with the parking lot landscaping required per Figure 30.64-14, but cannot due to the waiver request to eliminate the sidewalk between the building and parking area.

Public Works - Development Review

Waiver of Development Standards #4

Staff cannot support the reduction of throat depth for the Jones Boulevard driveway. Vehicles will come to an immediate conflict with parking stalls. Staff recommends the removal of some parking stalls to meet or exceed the minimum standard for throat depth. However, with the site being over-developed, a parking waiver would then need to be added, which would create additional concerns for staff.

Waiver of Development Standards #5

Staff cannot support the reduction of the departure distance to the driveway on Jones Boulevard. The reduction, when reviewed with waiver #4, will cause stacking of vehicles on Jones Boulevard, increasing the potential for collisions.

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. However, since staff cannot support this application in its entirety, staff cannot support this request.

Department of Aviation

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

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on October 19, 2022 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:

Current Planning

If approved:

- Resolution of Intent to complete in 3 years;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- 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;
- Right-of-way dedication to include 20.5 feet to the back of curb for Teco Avenue and associated spandrel;

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Jones Boulevard improvement project.
- 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; that the installation of detached sidewalks will require the vacation of excess right-of-way or the dedication to the back of curb 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; and that minimum driveway width must be measured from lip of gutter to lip of gutter.

Department of Aviation

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

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

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 #0304-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: ELISHA ATIAS

CONTACT: LEBENE OHENE, 520 S. FOURTH STREET, LAS VEGAS, NV 89101



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

4

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>NZC-22-0397</u> DATE FILED: <u>7-26-22</u> PLANNER ASSIGNED: <u>GRC</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>8-30-22</u> PC MEETING DATE: <u>9-20-22</u> BCC MEETING DATE: <u>10-19-22</u> FEE: <u>\$3,155</u>
	PROPERTY OWNER NAME: <u>Jones Teco Holdings LLC</u> ADDRESS: <u>10409 Pacific Palisades Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89144</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>
	APPLICANT NAME: <u>Elisha Atias</u> ADDRESS: <u>4565 N. Fort Apache</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u> TELEPHONE: <u>702-612-8429</u> CELL: <u>N/A</u> E-MAIL: <u>iconlv@hotmail.com</u> REF CONTACT ID #: <u>N/A</u>
CORRESPONDENT NAME: <u>Jay Brown/Lebene Ohene</u> ADDRESS: <u>520 South Fourth Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u> E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>	

ASSESSOR'S PARCEL NUMBER(S): 163-36-401-007
 PROPERTY ADDRESS and/or CROSS STREETS: Jones Boulevard and Teco Avenue
 PROJECT DESCRIPTION: Non- Conforming Zone Change for a proposed Office/ Warehouse

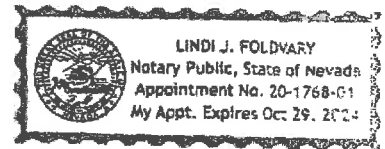
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Elisha Atias
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON March 16th, 2022 (DATE)

By Elisha Atias
 NOTARY PUBLIC: Lindi J. Foldvary



*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.

LAW OFFICE

Brown, Brown & Premsrirut

JAY H. BROWN
DAVID T. BROWN
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July 7, 2022

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

**RE: Justification and Compelling Justification Letter – Revision 3
Non-Conforming Zone Change from a R-E Zoning to M-D Zoning
Waiver of Development Standards; and Design Review for an
Office/Warehouse Complex (Two Buildings)**

Assessor's Parcel Number: 163-36-401-007

To Whom It May Concern:

On behalf of our client, Jones Teco Holdings LLC, we respectfully submit this application package for a Non-conforming Zone Change application from a Rural Estates Residential R-E (AE-60) zone to a Designed Manufacturing M-D (AE-60) zone for a proposed office/warehouse development with two buildings in the CMA Design overlay. The proposed project is located on the east side of Jones Boulevard and the north side of Teco Drive on a total of 2.5 acres. The current zoning of the site is R-E and designated Corridor Mixed Use (CM) in the Master Plan for the Spring Valley Planning area. Immediately north of the proposed development are existing C-P zoned assisted living office building and farther north is an undeveloped C-P zoned parcel designated as NC in the Master Plan. To the immediate south, across Teco Drive are developed and undeveloped parcels zoned C-2 and designated CM in the Master Plan. East is a developed R-E zoned RNP-1 zoned residential subdivision, designated as RN in the Master Plan. West, across Jones Boulevard is an M-D zoned office warehouse complex on 19.5 acres and a C-P zoned office complex designated as BE and NC in the Master Plan, respectively. The subject request is located less than 1,000 feet north of the ramps

to the 2-15 Beltway and in an area that is predominately designated as BE for business and employment uses. Therefore, this request is appropriate and compatible with the existing zoning and the Master Plan designation for most of the parcels to the south which are zoned C-2 and M-D and designated as BE in the Master Plan.

Project Description:

The proposed project is an office/warehouse complex consisting of two buildings with a total of 46,762 square feet. Each building is 23,381 square feet consisting of a first floor and a mezzanine. The project is located on the east side of Jones Boulevard and the north side of Teco Drive. Two access points are depicted on the plans, one from Jones Boulevard on the west property line and the other from Teco Drive on the south property line. Per discussions with the County Commissioners' office raised curved curbs are added to the driveway on Teco Drive to ensure that vehicles can only exit the site and directed to make right turns only towards Jones Boulevard and ensure that no left turns are made onto Teco Drive. This raised curbs also prevent ingress from Teco Drive into the site. This driveway provides optimum ingress, egress and circulation on the site. Parking is depicted between the two buildings, along the east sides of the buildings and the east property line with a total of 65 parking spaces provided where 53 spaces are required by Code. Four bicycle spaces are provided as required by Code. Some of the landscape fingers between the parking spaces are waived on the site. Instead of the required pedestrian pathways along sides of the buildings wheel stops are provided for the parking spaces located between the buildings (north and south). No pedestrian pathways are provided along the east side of the buildings as allowed by Code because this area is not visible from the rights-of-way. Two loading areas are provided on the east side of each building and are screened and buffered by the intense landscaping provided along the east property line. The trash enclosures are also located on the east side of each building and are set back and buffered as required by Code.

Elevation:

The office/warehouse buildings are up to 33 feet high to the top of the parapets. The building materials consist of painted tilt up concrete panels with accents and reveals painted in contrasting and complementary colors. Painted concreted decorative panels with embossed patterns are provided to break up the large expanses of the building. Aluminum store front windows and doors with tinted glazing are located along the street frontages. Design accents include colored metal awnings, other decorative features, parapets in contrasting and complementary colors. The entrances of the two buildings face the west property line along Jones Boulevard.

Floor Plans:

The two buildings are a total 46,762 square feet. Each building is 23,381 square feet consisting of a first floor and a mezzanine. The floor areas will be divided to suit each tenant.

Landscaping:

An up to twenty (20) foot wide minimum landscaping area with a five (5) foot wide detached sidewalk is depicted along Jones Boulevard on the west property line. An up to Twenty (20) foot 9 3/4 inch wide landscaping area with a detached sidewalk is depicted along Teco Drive along the on the east property line. A ten (10) foot wide landscaping area with intense landscaping with an existing and ten (10) foot high zone boundary wall is depicted along the east property line to screen and buffer the existing single family residences along the east property line.

Zone Change:

Compelling Justifications:

- 1. A change in law, policies, trends, or facts after the adoption, re-adoption or amendment of the land use plan that have changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed amendment appropriate; and**

The proposed project is located within the Spring Valley Planning Area of the Master Plan. The current Land Use Plan designation for the project site is

Corridor Mixed-Use (CM). The Master Plan designation for the adjacent parcels to the north is Neighborhood Commercial; to the south is CM; to the west is NC and Business Employment (BE) and to the east is a developed single family residential area zone (R-E RNP 1). The site is located at the intersection of an arterial and local street and is less than 1,000 feet north of the ramps of the 2-15 Beltway. Parcels with similar locations are typically designated as commercial or industrial nodes to serve an area and provide employment opportunities for the area. In this particular area of the planning area, a large number of parcels especially along street frontages and adjacent to RNP designated areas are designated as either NC, CM or BE to serve the large lot R-E zoned residential uses in the area. The recently adopted Master Plan, amended the land use designations for various intersections to allow similar CM and BE land use planning designations to allow land use uses to provide a more appropriate and viable mix of commercial and designed manufacturing zoning and future uses to serve and effectively buffer a neighborhood or area. This project with the M-D zoning request will buffer the existing residential areas to the east and is a more appropriate and compatible use to buffer the existing residences rather than the current Master Plan designation of C-M which will allow more intense uses. Therefore, the recent changes in laws, policies and trends based on the recent Master Plan makes this request appropriate for and compatible with this area.

2) The density or intensity of the uses allowed by the amendment is compatible with the existing and planned land use in the surrounding area; and

The requested M-D zoning and the BE, formerly BDRP designated has been used for time in memorial in the County to buffer residential uses from more intense commercial and industrial uses. The proposed project is less intense and, in many instances, less intense than most of the commercial uses that may be allowed under the current CM designation for the parcel. Considering that a similar M-D zoned office/warehouse complex is located to the west and the area is predominately designated B-E for similar developments as the proposed project that will have similar intensities; the project proposed is appropriate for and is compatible with the current designations, future zoning categories, and land uses in the immediate

area. This project complies with County wide Goals 6.1 and policies that support coordinated patterns of development including 6.1.6 that encourage infill development. The request is appropriate although, the site is not currently designated as CM for commercial and a mix of uses including residential up to 18 dwelling units per acre which will not be appropriate adjacent to the large lot R-E RNP 1 residential area to the east. The proposed zone change application is justifiable because the site fronts Jones Boulevard and is across the street from a similar M-D zoned office/warehouse complex and will provide the most appropriate buffering for the existing residential uses. The area is also mostly designated for BE land uses as the predominate planned land use in the immediate area.

3) There will not be substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, because of the uses allowed; and

There will be no substantial adverse effect on existing public facilities in the area. Since most of the immediate area is already developed and is designated for NC, CM and BE land uses; required public services and infrastructure already exist, are planned or are in the planning stages for the area. The immediate area is partially developed with land similar uses, therefore, public services may only need to be or upgraded or expanded to serve the project with the Developer contributing its fair share of the cost of developments as required by the various County Departments and associated Agencies. Additionally, the other properties to the east and farther south at the arterial street Jones Boulevard; and along Sunset Road and the 2-15 Beltway which are less than 1,000 feet of the site are designated as BE, indicating that the area is trending or transitioning to designed manufacturing uses with similar intensity, zoning, and future land uses.

4) The proposed amendment conforms to other applicable adopted, plans, goals, and policies.

The proposed amendment conforms to some Code requirements as well as adopted plans, goals, and policies. This proposed project is located adjacent to similar developments and is designed to appropriately buffer the parcels designated as

RNP to the immediate east. This project complies with County wide Goals 6.1 and policies that support coordinated patterns of development including 6.1.6 which encourage infill development. The request is appropriate, although, the site is not currently designated as BE, but the areas located in close proximity to the site which is more appropriate to provide employment opportunities for this section of the Spring Mountain Planning area. The proposed zone change application is justifiable because the site fronts Jones Boulevard and is across the street from a similar M-D office/warehouse complex. The area is also mostly designated for BE land uses which is planned as the predominate land use in the area in the last few years. The project also complies with Goals SV-1 and SV-5 and associated policies for the Spring Valley Planning Area to protect existing neighborhoods while providing opportunities for growth and compatible uses and minimize conflicts with more intensive uses because the proposed M-D zoning for the project will buffer the residential uses to the east and is an excellent transitional use between the residences and Jones Boulevard which is an arterial street.

Waivers of Development Standards:

1 Reduce the throat Depths for the driveway on Jones Boulevard to a minimum of 15 feet where 25 feet is required.

Justification:

This request is justified because this is an office/warehouse project that will not generate high volumes of traffic and, therefore, will not impact the adjacent streets because two driveways are provided to the site.

Justification:

This request is justified because this is an office/warehouse project that will not generate high volumes of traffic and, therefore, will not impact the adjacent streets because two driveways are provided to the site.

2) Reduce the number of landscape fingers between the rows of parking spaces.

Justification:

This is a request to provide an alternative to the required landscape fingers and not provide the required number to allow for additional parking for the site. Providing landscape islands fingers in this area is not viable because the customer entrances are on west side of the buildings. The design of the entire site includes landscaping in other area that exceed Code requirements that compensate for the alternative requested and is a more cost-effective use of resources and a means to comply with other sections of the Code.

3) Reduce the interior (side) setback from the north property line to a minimum of two (2) feet six (6) inches where a 20 foot setback is required.

Justification:

This request is for a reduction of the building setback to 2 feet 6 inches along the northwestern portion of the parcel and up to 4 feet 11 inches on the northeastern portion of the parcel. This waiver will not impact the site to the north because of the existing wall between the two parcels and the existing landscaping along the property line of the C-P zoned parcel to the north. Although, the adjacent parcel to the north is developed with a special use, (an assisted living facility) the parcel is zoned C-P, therefore, the proposed use will not impact that site. The existing landscaping on the C-P zoned parcel is adequate as the buffer between the two parcels that will be non-residential, although the existing use is a special use. Therefore, the proposed development will not impact the assisted living facility on the north side of the site.

4) Reduce the required landscaping along the north property line to a minimum of (2) feet six (6) inches where landscaping per Figure 30.64-11 adjacent to a special use is required.

Justification:

This request is for a reduction of the building setback to 2 feet 6 inches along the northwestern portion of the parcel and up to 4 feet 11 inches on the northeastern portion of the parcel. This waiver will not impact the site to the north because of the existing wall between the two parcels and the existing landscaping along the property line of the C-P zoned parcel to the north. Although, the adjacent parcel to the north is developed with a special use (an assisted living facility) the parcel is zoned C-P, therefore, the proposed use will not impact that site. The existing

landscaping on the C-P zoned parcel is adequate as the buffer between the two parcels that will be non-residential, although the existing use is a special use. Therefore, the proposed development will not impact the assisted living facility on the north side of the site.

5) Waive the pedestrian walkway between parking stalls and the buildings per 30.60.050 (15).

Justification:

The waiver request will not impact the site and the pedestrians in the area. Using a wheel stop in front of the parking spaces creates a two foot wide area in front of the parking spaces which creates a safe area for pedestrian to access the pedestrian walkways adjacent to the building. This is similar to the design on the east side of the buildings which have no pedestrian walkways. The pedestrians exiting the parking spaces along north and south sides of the buildings will have a two foot wide area behind the wheel stopes in front of the parking spaces as a pathway to access the pedestrian walkways leading to the entrances located on the west side of the buildings. This two foot wide walkway also allow access from the fire exit doors along the parking spaces. This alternative design will not impact pedestrian safety in the area, the site, and the design of the complex.

Design Reviews:

- 1) A proposed office/warehouse complex with two buildings and a total of 46,762 square feet.**

Justification:

The proposed office/warehouse complex is located directly across the street from a similar use on Jones Boulevard to the east, therefore, the project is appropriate and compatible in the Area. Approximately 1,000 feet to the south are parcels designated BE in the land use plan is also compatible and appropriate because M-D zoned business and research park development such as the proposed office/warehouse complex is used all over the County as an appropriate buffer between low density residential uses and busy arterial and collector streets or more intensive uses; therefore, appropriate for and is a compatible with the area and is an

appropriate buffer for the R-E zoned residential area to the east. Additionally, the buildings are setback up to 70 feet from the property line and the buildings are at similar finished grades or lower than the residences.

- 2) **Design Review to increase the finished grade for portions of the site to 40.8 inches (3 feet four inches) where 36 inches (3 feet) is the allowable standard for portions of the site.**

Justification:

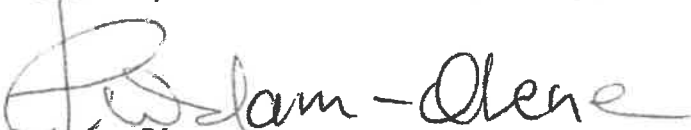
The increased in the finished grade for the site is required because the existing fall of the land is generally from the west to the east with the lowest portion being along the western portions of the site. Therefore, requiring an increase in fill along the western portions of the site. The onsite grades will be minimized to the least allowable slope acceptable by the County and satisfy Clark County flood control requirements to control stormwater drainage patterns and discharge locations to conform to existing area drainage conditions and facilities. There is no impact to the residences along the eastern portion of the site because the existing grade is higher on this portion of the site. The required Drainage Study will ultimately determine the finished grade of the site and buildings.

We appreciate your review of this application and looking forward to your comments as the application process continues for the project.

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

Sincerely,

BROWN, BROWN & PREMSRIRUT


Lebene Ohene
Land Use and Development Consultant

5

09/20/22 PC AGENDA SHEET

EASEMENTS/RIGHT-OF-WAY
(TITLE 30)

JONES BLVD/TECO AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0428-JONES TECO HOLDINGS, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Post Road and Teco Avenue, and between Jones Boulevard and Duneville Street (alignment); and a portion of right-of-way being Jones Boulevard located between Post Road and Teco Avenue within Spring Valley (description on file). MN/gc/syp (For possible action)

RELATED INFORMATION:

APN:

163-36-401-007

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of 33 foot wide government patent easements along the north and east property lines, a 7.5 foot wide government patent easement along the south property line, and a 5 foot wide portion of right-of-way being Jones Boulevard. The applicant states that the government patent easements are not necessary for the development of the property and the vacation of the 5 foot wide portion of right-of-way is to allow for detached sidewalks.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0413-08	Reclassified the site to C-1 zoning for a shopping center subject to 3 years to complete - expired	Approved by BCC	September 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	C-P	Hospice care facility
South	Corridor Mixed-Use	C-2	Undeveloped (approved for a mini-warehouse facility per UC-20-0461)
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Business Employment	M-D	Distribution center

Related Applications

Application Number	Request
NZC-22-0397	A nonconforming zone change request from R-E to M-D zoning, waivers of development standards to reduce setbacks, eliminate landscaping adjacent to a less intensive use, eliminate the sidewalk between the building and parking area, reduce driveway throat depth, and reduce driveway departure distance, and design reviews for an office/warehouse complex, alternative parking lot landscaping, and 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 easements and right-of-way 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:**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 20.5 feet to the back of curb for Teco Avenue and associated spandrel;

- Coordinate with Public Works - Development Review Division regarding the purchase of the vacated right-of-way;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Jones Boulevard improvement project;
- 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: ELISHA ATIAS

CONTACT: LEBENE OHENE, 520 S. FOURTH STREET, LAS VEGAS, NV 89101



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>VS-22-0428</u>	DATE FILED: <u>7-26-22</u>
		PLANNER ASSIGNED: <u>GRC</u>	TAB/CAC DATE: <u>8-30-22</u>
		TAB/CAC: <u>Spring Valley</u>	
		PC MEETING DATE: <u>9-20-22</u>	
		BCC MEETING DATE: <u>10-19-22</u>	
		FEE: <u>875</u>	

PROPERTY OWNER	NAME: <u>Jones Teco Holdings LLC</u>
	ADDRESS: <u>10409 Pacific Palisades Ave</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89144</u>
	TELEPHONE: <u>N/A</u> CELL: <u>N/A</u>
	E-MAIL: <u>N/A</u>

APPLICANT	NAME: <u>Elisha Atias</u>
	ADDRESS: <u>4565 N. Fort Apache</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u>
	TELEPHONE: <u>702-612-8429</u> CELL: <u>N/A</u>
	E-MAIL: <u>iconlv@hotmail.com</u> REF CONTACT ID #: <u>N/A</u>

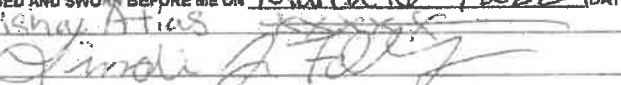
CORRESPONDENT	NAME: <u>Jay Brown/Lebene Ohene</u>
	ADDRESS: <u>520 South Fourth Street</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u>
	TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u>
	E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>

ASSESSOR'S PARCEL NUMBER(S): 163-36-401-007

PROPERTY ADDRESS and/or CROSS STREETS: Jones Boulevard and Teco Avenue

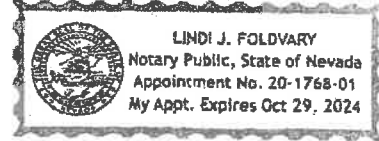
I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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



Property Owner (Signature)*
 STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON March 16th, 2022 (DATE)
 By Elisha Atias
 NOTARY PUBLIC: 

Elisha Atias

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.



S&B Christ Consulting, LLC

Ops Research, A/E & Environmental Services

DBA: Veterans Services/Disabled Veterans Certified Small Business

July 8, 2022

Department of Comprehensive Planning
500 S Grand Central Parkway
PO Box 551741
Las Vegas, NV 89155-1741

RE: Justification Letter for the Vacation of Patent Easements, APN 163-36-401-007

Dear Sir or Madam

We request that portions of the 33-foot-wide patent easements for the above APN not needed for current and future roadway dedication be vacated and abandoned. The patent easements were provided in that certain document filed January 24, 1963, in Book 416, as Instrument No. 335278, Official Records, Clark County Office of the Recorder. Furthermore, we request vacating at Clark County's insistence, a portion of the 50-foot dedication of Jones Blvd by Instrument No. 20220411:0001569, Official Records, Clark County Office of the Recorder.

The vacation of these patents and portions of the rights-of-way for Jones Boulevard and Teco Drive are necessary for the development of the subject property in accordance with the current application and for the required detached sidewalks along both rights-of-way.

As the intentions of the patents were to provide access to the site, and the allowance for future drainage, the recent dedication of right-of-way for Jones Boulevard and the reservation of right-of-way for Teco Drive effectively provide for these purposes.

Based on the provisions stated above, we request the approval of the vacation and abandonment of these patent easements.

Cordially,


William Mike Hill, PLS

S&B Christ Consulting, LLC.

09/20/22 PC AGENDA SHEET

ON-PREMISES CONSUMPTION OF ALCOHOL WARM SPRINGS RD/DURANGO DR
(TITLE 30)

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-22-0429-RAVA ORANGE GROVE, LLC:

USE PERMITS for the following: 1) on-premises consumption of alcohol (supper club); and 2) reduce the separation between a supper club and residential use in conjunction with an existing restaurant within an existing shopping center on 6.1 acres in a C-1 (Local Business) Zone.

Generally located on the north side of Warm Springs Road, 550 feet west of Durango Drive within Spring Valley. JJ/md/syp (For possible action)

RELATED INFORMATION:

APN:
176-05-819-001; 176-05-819-003 through 176-05-819-005; 176-05-820-002; 176-05-820-003

- USE PERMITS:**
1. Allow on-premises consumption of alcohol (supper club) per Table 30.44-1.
 2. Reduce the separation between a supper club and a residential use (multiple family development) to 6 feet where a minimum of 200 feet is required per Table 30.44-1 (a 97% reduction).

LAND USE PLAN:
SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:
Project Description

General Summary

- Site Address: 8680 W. Warm Springs Road
- Site Acreage: 6.1
- Project Type: Supper club
- Number of Stories: 1
- Square Feet: 2,511 (supper club)/52,068 (overall shopping center)
- Parking Required/Provided: 209/267

Site Plan & Request

This is a request to operate a supper club in conjunction with an existing restaurant. The use permit for the supper club is necessary to permit the applicant to sell packaged beer and wine as an accessory use to the primary use of a restaurant. The plans depict an existing shopping center consisting of 6 buildings with a cumulative area of 52,068 square feet. The subject property

(APN 176-05-820-002) consists of an L-shaped in-line retail building located at the southwest corner of the shopping center. More specifically, the existing restaurant is located at the southern most portion of the building, adjacent to Warm Springs Road. The shopping center requires 209 parking spaces where 267 parking spaces are provided. Cross access is provided between each building throughout the project site. Access to the site is granted via commercial driveways located adjacent to Durango Drive and Warm Springs Road. An existing 5 foot wide detached sidewalk is located along Durango Drive and a 5 foot wide attached sidewalk is located adjacent to Warm Springs Road. A second use permit is required to reduce the separation between the supper club use and the existing residential development (multiple family).

Landscaping

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

Elevations

The plans depict a single story in-line retail building with varying rooflines measuring between 25 feet to 39 feet, including a copper standing seam domed metal roof above the supper club. The exterior of the building consists of stucco, stone veneer, and an aluminum storefront window system.

Floor Plans

The plans depict an existing tenant space consisting of 2,511 square feet currently being utilized as a restaurant. The restaurant includes a dining area, bar area, cook line, kitchen, dishwashing area, food preparation area, walk-in cooler/freezer, pizza kitchen, restroom facilities, storage and office areas.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant would like to have the supper club designation to allow them to have retail beer and wine sales within the existing restaurant. The wine sales would be ancillary to the existing restaurant and would allow the restaurant patrons to purchase wine for off-premises consumption. The restaurant would be open between 11:00 a.m. and 11:00 p.m., 7 days a week. The requested reduction in separation distance would not have a significant impact on the adjacent multiple family development. The supper club designation is being requested to obtain a package liquor license for the sale of beer and wine only. The retail sales would be a small portion of the business. The restaurant would continue to function as it currently does. The multiple family development is located to the back side of the shopping center. The entrance to the restaurant would be shielded from view by the shopping center building itself. None of the activities of the restaurant are visible to the residents. The nearest residential building is also separated from the shopping center by the gated entry drive of the residential complex. The proposed use is compatible with adjacent uses in terms of design and operating characteristics and will not adversely affect the value of other properties in the area. The proposed uses will not have a negative impact on public safety, transportation, or utility services for any adjacent development.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0169-17	On-premises consumption of alcohol (supper club) and reduced separation from an existing residential use	Approved by PC	April 2017
ADR-0646-16	Patio cover in conjunction with an existing outside dining area and restaurant within an existing shopping center	Approved by ZA	August 2016
UC-0179-14	Reduced the separation for outside dining areas from a residential use, allowed an outside dining area without a protective barrier, waived the minimum 48 inch wide pedestrian access around the perimeter of the outside dining areas, and an outside dining area with on-premises consumption of alcohol without primary means of access from the interior of the restaurant	Approved by PC	May 2014
UC-0618-10	On-premises consumption of alcohol (service bar) for the northeast tenant space	Approved by PC	February 2011
UC-0611-09	On-premises consumption of alcohol (service bar) for the far southwest tenant space	Approved by PC	November 2009
WS-0224-09	Freestanding sign	Approved by PC	May 2009
WS-1478-07	Redesigned a previously approved shopping center with reduced parking and alternative landscaping	Approved by BCC	February 2008
DR-1121-07	Restaurant on a pad site in conjunction with an approved shopping center	Approved by BCC	November 2007
NZC-0483-07	Reclassified the site from R-E to C-1 zoning for a shopping center	Approved by BCC	July 2007

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-4	Multiple family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	C-2	Shopping center
East	Corridor Mixed-Use	C-2	Shopping center

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

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Staff finds that the proposed land use complies with the Master Plan which encourages land uses that are complementary and of similar scale and intensity. While staff is typically concerned with a 97% reduction in separation, the primary entrance to the supper club is oriented on the east side of the building away from the residential use. Furthermore, the supper club and nearest multiple family residential building are separated by a minimum distance of 90 feet. A 6 foot high block wall is located along the west side of the commercial building, providing additional buffering between the commercial and residential uses. The proposed use is consistent with the existing and adjacent uses and the supper club should not negatively impact the surrounding area. The supper club will place no additional demands on the site in terms of required parking, landscaping, or design features; 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:

Current Planning

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

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- 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: JASON JAMES PIZZA BISTRO

CONTACT: ROBERT MESSIANA, JAWA STUDIO LTD., 107 E CHARLESTON
BOULEVARD, SUITE 250, LAS VEGAS, NV 89104

CALIFORNIA JURAT WITH AFFIANT STATEMENT

CITY NATIONAL BANK

AN RBC COMPANY

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

State of California

County of Los Angeles

} SS

- Attached Document (Notary to cross out lines 1-5 below)
Statement Below (Lines 1-5 to be completed only by document signer[s], not Notary)

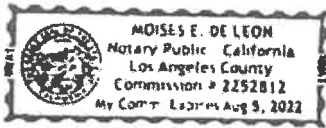
1
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Signature of Affiant No 1

N/A
Signature of Affiant No 2 (if any)

Subscribed and sworn to (or affirmed) before me on this

23rd day of June, 2022, by
Date Month Year



(1) Hamid Ravan
Name of Affiant No 1

(2) N/A
Name of Affiant No 2 (Strike if not applicable)

Proved to me on the basis of satisfactory evidence to be the person who appeared before me

Signature of Notary

Place Notary Seal Above

OPTIONAL

Though the data is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: Land Use Application

Document Date: 06/23/2022 Number of Pages: 1

Signer(s) Other Than Named Above.

RIGHT THUMPRINT OF SIGNER #1
Top of thumb here

RIGHT THUMPRINT OF SIGNER #2
Top of thumb here



architecture • interior design

107 Charleston Blvd Suite 230 Las Vegas NV 89104
702.598.1711 me@jawaastudios.com

6/21/22

Clark County
Comprehensive Planning Department
P.O. Box 551744
Las Vegas, Nevada 89155-1744

UC 22-0429

Re: SUP Application APR-22-100605 – Supper Club
Jason James Pizza Bistro (APN 176-05-820-002)

Dear Sir or Madam,

We respectfully request planning department approval for the above referenced project. The applicant is applying for the following:

- Special use permit for a supper club.
- Special use permit to reduce the separation between a supper club and a residential use to 6' – 6" where a minimum of 200 ft is required.

The applicant would like to have the supper club designation to allow them to have retail wine sales within the existing restaurant. The wine sales would be ancillary to the existing restaurant and would allow the restaurant patrons to purchase wine for off premises consumption. The restaurant would be open between 11:00 AM and 11:00 PM, seven days a week.

The requested reduction in separation distance would not have a significant impact on the adjacent multi-family development. The supper club designation is being requested to obtain a package liquor license for the sale of beer and wine only. The retail sales would be a small portion of the business. The restaurant would continue to function as it currently does. The addition of the retail beer and wine sales would have a negligible impact on the number of patrons per day.

The multi-family development is located to the back side of the shopping center. The entrance to the restaurant would be shielded from view by the shopping center building itself. None of the activities of the restaurant would be visible to the residents. The nearest residential building is also separated from the shopping center by the gated entry drive of the residential complex. The distance from the front doors of the restaurant to the nearest residential building is approximately 150 feet.

The proposed use is compatible with adjacent uses in terms of design and operating characteristics and will not adversely affect the value of other properties in the area. The proposed uses will not have a negative impact on public safety, transportation, or utility services for any adjacent development. If approved, this project will be an asset to the neighborhood.

Should you have any questions or require additional information, please feel free to contact our office. Thank you.

Sincerely,

Robert Messiana

**PLANNER
COPY**

09/20/22 PC AGENDA SHEET

SECONDHAND SALES/PAWN SHOP
(TITLE 30)

JONES BLVD/FLAMINGO RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0438-MINZER, GARY ALAN LIVING TRUST & MINZER, GARY ALAN TRS:

USE PERMITS for the following: 1) secondhand sales; and 2) pawn shop.

WAIVER OF DEVELOPMENT STANDARDS to reduce the separation from a pawn shop to a residential use on 2.2 acres in a C-1 (Local Business) Zone.

Generally located on the west side of Jones Boulevard and the south side of Flamingo Road within Spring Valley. MN/sd/syp (For possible action)

RELATED INFORMATION:

APN:

163-23-502-003

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the separation between a proposed pawn shop and an existing residential use to 184 feet where 200 feet is required per Table 30.44-1 (a 17% reduction).

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4155 S. Jones Boulevard
- Site Acreage: 2.2
- Project Type: Vehicle rental
- Number of Stories: 1
- Square Feet: 12,383
- Parking Required/Provided: 88/119

Site Plans

The plans depict an existing commercial building that is located near the center portion of the site. Parking spaces are located around the perimeter of the site, with additional parking located along a drive aisle connecting to Flamingo Road to the north and along a drive aisle connecting to Fairbanks Road to the south. The previous use of the property was for retail uses and a vehicle repair facility and was approved by use permit. A total of 119 parking spaces existing on-site

where 88 parking spaces are required. Access to the site is provided by 2 driveways on Jones Boulevard, a drive aisle/driveway on Flamingo Road to the north, and a drive aisle/driveway on Fairbanks Road to the south. A trash enclosure is in the west portion of the property. Residential uses currently exist to the south. No changes to the site are proposed with this location.

Landscaping

No changes to the existing landscaping are required or proposed. The existing landscaping consists of planters along Jones Boulevard Street frontage, the drive aisle to Flamingo Road, and the drive aisle to Fairbanks Road.

Elevations

The existing 1 story building includes a mansard style decorative roof element with standing seam metal on the front elevation facing Jones Boulevard. The front elevation also includes an overhang and arches to create an arcade along the front of the building. Storefront window systems provide access to the retail portion of the building. Other elevations include painted stucco and parapet walls along the roofline.

Floor Plans

The plans depict a floor plan of approximately 12,383 square feet with a retail space for customers and a back room for storage. The front door faces Jones Boulevard and the application involves converting existing space for a pawnshop and secondhand goods.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is seeking a use permit and related waiver of development standards to open a new pawn shop and secondhand sales dealer at 4155 South Jones Boulevard. As an experienced pawn broker the applicant will operate in a neighborhood oriented business to locals who need such services. The applicant states that his business provides essential financial services for customers who are often underserved by traditional financial services.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0177	Vehicle rental facility	Approved by PC	April 2019
ZC-004-89 & VC-008-89	Reclassified the site to C-1 zoning with a variance to construct an automobile parts and accessory store and service and repair facility	Approved by BCC	February 1989

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-1 & C-2	Retail complex & shopping center

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Corridor Mixed-Use	C-1 & R-1	Place of worship, single family residential, & commercial retail
East	Corridor Mixed-Use	C-2	Gasoline station, convenience store & vehicle wash, & vacant retail complex
West	Public Use	P-F	West Flamingo senior center

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

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

Staff does not anticipate any negative impacts to the existing development in terms of inadequate parking or a change in the character of the complex by locating a secondhand sales business within the shopping center. The existing shopping center has adequate parking available on-site, and the proposed business will not intensify the existing uses on the property. The proposed use places no additional demands on the site in terms of required parking, landscaping, or other design features; therefore, staff recommends approval.

Waiver of Development Standards

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

The reduced separation between the proposed pawn shop and the single family residential use to the south is minimal and should not impact the surrounding land uses and properties. Furthermore, the proposed pawn shop is partially buffered from the residential uses by an existing commercial building along the south property line and Fairbanks Road. In addition, the front entrance door of the proposed establishment is over 215 feet away from these adjacent residential uses and faces towards Jones Boulevard; therefore, staff recommends approval.

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

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

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- 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: EZPAWN NEVADA, INC.

CONTACT: JIM DIFIÒRE, DIFIÒRE CONSULTING, 8550 W. CHARLESTON BLVD., SUITE 102, PMB 348, LAS VEGAS, NV 89117



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE

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

STAFF

APP. NUMBER: UC-22-0438 DATE FILED: 7/27/22
 PLANNER ASSIGNED: S.W.D
 TAB/CAC: Spring Valley TAB/CAC DATE: 8/30/22
 PC MEETING DATE: 9/20/22
 BCC MEETING DATE: _____
 FEE: \$ 675

PROPERTY OWNER

NAME: EARLY ALAN MINZER LIVING TRUST
 ADDRESS: 2644 Claray Drive
 CITY: Los Angeles STATE: CA ZIP: 90077
 TELEPHONE: (310) 600-3596 CELL: _____
 E-MAIL: _____

APPLICANT

NAME: EDMUND NEVADA INC.
 ADDRESS: 2500 BEECH AVE RD, BLDG 1, SUITE 200
 CITY: ROLLINGWOOD STATE: TX ZIP: 78746
 TELEPHONE: (512) 314-3325 CELL: (737) 228-4170
 E-MAIL: legal@ezcorp.com REF CONTACT ID #: _____

CORRESPONDENT

NAME: Jim DiFuria / DiFuria Consulting & Business Services
 ADDRESS: 8550 W. CHARLESTON BLVD, SUITE 102 #MB 348
 CITY: LAS VEGAS STATE: NV ZIP: 89117
 TELEPHONE: (702) 275-6929 CELL: (702) 275-6929
 E-MAIL: Jim@Difuriconsulting.com REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 103-23-502-003
 PROPERTY ADDRESS and/or CROSS STREETS: 4155 S. JONES BLVD
 PROJECT DESCRIPTION: PAWSHOP AND SECONDHAND DEALER - USED AUTO SALES

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to 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.

Gary Minzer
 Property Owner (Signature)*

GARY MINZER
 Property Owner (Print)

STATE OF _____
 COUNTY OF _____

SUBSCRIBED AND SWORN BEFORE ME ON _____ (DATE)

By _____
 NOTARY PUBLIC: _____

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

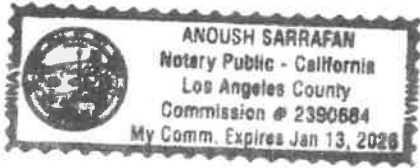
JURAT

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

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)

Subscribed and sworn to (or affirmed) before me this May 3, 2022 by

GARY ALAN MINZER,
proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



(Seal)

A. Sarrafan

Signature

EZPAWN NEVADA, INC.

June 14, 2022

Clark County Department of Planning
500 Grand Central Parkway
Las Vegas, NV 89155
Via Hand Delivery

01-22-0438

Re: Justification Letter - special use permit for a pawnshop and secondhand dealer & Waiver of separation requirements
Site: 4155 S. Jones Blvd. (APN 163-23-502-003)
Applicant: EZPAWN Nevada, Inc.

To Whom It May Concern:

Please be advised that EZPAWN Nevada, Inc. ("EZPAWN" or "Applicant") is seeking a special use permit for a pawnshop and secondhand dealer at 4155 S. Jones Blvd., Las Vegas, NV 89103 ("Site"). Enclosed please find the referenced application. Additionally, the Applicant is seeking a waiver for the 200 foot distance requirement to a residential use. The property line of the proposed location is located approximately 60 feet from the property line of the nearest residential property.

The Applicant is a well-established and highly-regarded pawnshop operator throughout the Las Vegas valley. EZPAWN has been operating pawnshops in Las Vegas for over 28 years and currently operates 24 pawnshops in Nevada. EZPAWN is a subsidiary of EZCORP, Inc., which, through its family of companies operates over 1,100 in the U.S. and Latin America. EZCORP, Inc. is publicly-traded on the NASDAQ exchange (EZPW).

We proposing to locate in portion of an existing building. We will be converting the Site to include a finished pawnshop with an attractive retail space. As a local pawnbroker, we will operate a neighborhood-oriented business, providing access to cash to local cash-constrained customers. We provide an essential financial resource for customers underserved by traditional financial services. We also will provide a retail outlet for the purchase of secondhand goods.

As noted above, we request a waiver of the 200 foot requirement from residential property pursuant to Clark County Code Title 30.44-1. The property line of the Site is located approximately 60 feet from property line of certain residential property. However, the proposed

pawnshop is approximately 215 feet from the residential property, with the front door facing away. Between the Site and the residential property is a large parking lot, another commercial building, and a street.

The pawnshop location will be a complement to the area. We respectfully request that our application be approved by the County Planning Commission in accordance with Title 30 of the Clark County Code. If you need additional information, please contact Jim DiFiore with DiFiore Consulting (702-275-6929), as we have engaged him to assist us in this endeavor. Thank you for your consideration.

Sincerely,

EZPAWN Nevada, Inc.

A handwritten signature in cursive script that reads "Ellen Bryant". The signature is written in black ink and is positioned above a horizontal line.

Ellen Bryant, Vice President & Asst. Sec

8

09/21/22 BCC AGENDA SHEET

RECREATIONAL FACILITY/RETAIL/OFFICE
(TITLE 30)

SUNSET RD/DURANGO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0433-SUNSET AND DURANGO PARTNERS PHASE 2, LLC:

USE PERMITS for the following: 1) a recreational facility; 2) live entertainment; 3) reduce separation from on-premises consumption of alcohol establishments to a residential use; and 4) reduce separation from outside dining to a residential use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separation from outdoor live entertainment to a residential use; and 2) increase building height.

DESIGN REVIEWS for the following: 1) recreational facility (pickle ball) with restaurants, retail, offices, and parking garage; and 2) modifications to Phase 1 of this development on 9.7 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District.

Generally located on the north side of Sunset Road, 280 feet west of Durango Drive within Spring Valley. JJ/rk/syp (For possible action)

RELATED INFORMATION:

APN:

163-32-814-002; 163-32-814-003

USE PERMITS:

1. Recreational facility consisting of a pickle ball facility with multi-level indoor courts and grade level outside courts.
2. Live entertainment (e.g. live music, performances, single artist).
3. Reduce the required separation from on-premises consumption of alcohol establishments (supper clubs, taverns, and standalone small walk up bars) to a residential use to 37 feet where 200 feet is the standard per Table 30.44-1 (an 82% reduction).
4. Reduce the required separation from outside dining, drinking, and cooking establishments to a residential use to 37 feet where 200 feet is the standard per Table 30.44-1 (an 82% reduction).

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the required separation from outdoor live entertainment (e.g. live music, performances, single artist) to a residential use to 37 feet where 500 feet is the standard per Table 30.44-1 (a 93% reduction).
2. Increase building height to 59 feet where a maximum of 50 feet is permitted per Table 30.40-4 (a 2% increase).

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

BACKGROUND:

Project Description

General Summary

- Site Address: 8700 W. Sunset Road
- Site Acreage: 9.7
- Project Type: Recreational facility, restaurants, retail uses, and office uses
- Number of Stories: Up to 3 (recreational/restaurant/retail/office)/5 levels (garage)
- Building Height (feet): Up to 59
- Phase 2 (square feet): 47,701 (pickle ball)/13,275 (restaurant)/19,700 (retail)/13,000 (office)
- Phase 1 (square feet): 57,544 (retail)
- Parking Required/Provided – Phase 2: 375/387/600/712 (Phase 1 & 2)

Site Plan

This site was originally proposed for a shopping center consisting of multiple retail buildings, including a luxury movie theater (Galaxy) and a subterranean parking garage. The project is providing cross-access to the properties on the east and west sides of the site. Access to the site is shown off Sunset Road and Durango Drive.

Phase 2

This phase consists of the previously approved movie theater which is located on the northern portion of the site. The current proposal consists of 2 proposed multi-level buildings consisting of a recreational facility (pickle ball) with indoor and outdoor courts, retail, restaurants including on-premises consumption of alcohol, live entertainment, offices, and a multi-level parking garage. Moreover, Building A will house the parking garage, retail uses, office uses, and the indoor pickle ball courts. At ground level, this building will also provide a bar with some outside dining/drinking areas. Building B will have a restaurant and the remaining outside dining/drinking areas. Behind Building B and between both buildings is the outdoor uses such as seating areas, yoga lawn, stage, walkup bar, bocce court, and outdoor pickle ball courts. The requested use permits and waivers of development standards apply to this phase of the project and do not extend to Phase 1.

Phase 1

This phase consists of the previously approved shopping center and underground parking garage on the southern portion of the site. The current proposal consists of enlarging the sizes of the buildings and making slight shifts to the placement of the buildings on the site, in addition to removing the underground parking garage and associated driveway. The plans depict 3 buildings fronting Sunset Road, with 1 of the buildings being a restaurant with drive-thru; and two, 2 story retail buildings located near the center of the site. The 2 story retail buildings will have an extended central courtyard between the buildings where access to the subterranean parking garage was previously located. The buildings along Sunset Road will have patios and outside dining/drinking areas.

Landscaping

Phase 2

Trees, shrubs, and groundcover will be located throughout the entire property. The project will also provide a landscape buffer with trees spaced 15 feet apart along the developed multiple family complex to the north.

Phase 1

The plans depict a 15 foot wide street landscape area with a detached sidewalk along Sunset Road. An extended central courtyard between the buildings where access to the subterranean parking garage was previously located now shows hardscape and sidewalks.

Elevations

Phase 2

The proposed request will have combinations of 2 story and 4 story buildings ranging in height from 14 feet to 59 feet to the top of Building A. Both buildings will have a contemporary/modern architectural style with a variety of architectural elements. The exterior of the buildings will consist of a combination of stucco siding, metal and faux wood panels, reveal lines, and glass store fronts and windows. On top of Building B (above the restaurant) is a rooftop deck with outside dining and drinking.

Phase 1

The proposed shopping center will have combinations of 1 story and 2 story buildings. All buildings will have a contemporary/modern architectural style with a variety of architectural elements. The exterior of the building will consist of a combination of stacked CMU, decorative metal accents, smooth coat stucco finish, and glass store fronts and windows.

Floor Plans

Phase 2

The 2 buildings and outdoor pickle ball court area total 93,676 square feet. More specifically, Building A will house the parking garage, retail uses, office uses, and the indoor pickle ball courts, and totals 45,900 square feet (does not include the parking garage square footage). Building B will have a restaurant, the remaining outside dining areas, and totals 13,275 square feet. The outdoor uses such as seating areas, yoga lawn, stage, walkup bar, bocce court, and outdoor pickle ball courts total 34,501 square feet.

Phase 1

The plans depict 3 buildings fronting Sunset Road, with 1 of the buildings being a restaurant with drive-thru; and two, 2 story retail buildings located near the center of the site. All 5 buildings total 57,544 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

Phase 2

The applicant indicates the proposed recreational facility use with ancillary commercial uses is a special use in a C-2 zoning district. The request is entirely consistent with the intent of the C-2 zoning district and Corridor Mixed-Use planned land use designation, and in compliance with several goals and policies contained within the Master Plan. The applicant further states that the outside recreational facility is oriented so that it faces away from the residential use. Other existing, site, building design, and operational elements that will ameliorate and mitigate possible negative impacts include the following: 1) the proposed area is not immediately adjacent to the residential use but rather separated by a block wall at the north property line with landscape buffering and a commercial drive aisle; 2) the proposed facility will include screening and buffering walls on the perimeter with enhanced landscaping; 3) portions of the proposed buildings will also function as screening; and 4) the facility will have hours of operation from 8:00 a.m. to midnight 7 days a week. Therefore, the combination of the above referenced elements provides for a mitigation of the required separation or building buffer and provides for a proposed facility that is a compatible use that can harmoniously coexist abutting the residential use with minimal impacts.

Phase 1

The applicant indicates the revised plans for Phase 1 are in full compliance with all provisions of WS-18-0093. The revised numbers represent a more accurate accounting of the final design of the project. The revised total building square footage is less than the original entitlement and less than the previous revision on file. Lastly, the project will comply with parking requirements for a shopping center.

Prior Land Use Requests

Application Number	Request	Action	Date
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	1 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

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0081-17	Reclassified the site to C-2 zoning for future commercial development	Approved by BCC	March 2017

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Urban Neighborhood (greater than 18 du/ac)	R-4	Multiple family residential
East	Corridor Mixed-Use	C-2	Retail Center
West	Corridor Mixed-Use	C-2	Undeveloped
South	Entertainment Mixed-Use	C-2	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 meets the goals and purposes of Title 30.

Analysis

Current Planning

Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties, the character of the neighborhood, and other matters affecting the public health, safety, and general welfare.

A recreational facility, live entertainment, and the reduction in separation required for the on-premises consumption of alcohol and outside dining and drinking establishments to a residential use, are only allowed in a C-2 zoning district with approval of a special use permit.

Staff has no concerns with most of the uses associated with this request, and the reduction in separation required for the on-premises consumption of alcohol and outside dining and drinking establishments (special use permits #1, #3, and 4); however, staff finds that the proposed live entertainment (e.g. live music, performances, single artist) could substantially impact the residential to the north with excessive noise levels. The intent of sound land use planning is to avoid, or significantly limit or mitigate, the impacts from these types of uses from nearby residential uses either through transitional space or by other means. Given the land use context of the existing multiple family development to the north, new uses that are introduced into an existing residential area should be carefully reviewed. There are policies established in the Master Plan that encourages sites to be compatible with adjacent land uses and off-site circulation patterns, especially when the adjacent land is a lower intensity. Furthermore, the live entertainment request does not satisfy County policies which encourages, in part, that new developments should be complementary and similar in scale and intensity to the surrounding land uses; therefore, staff cannot support use permit #2.

Waivers of Development Standards

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

Waiver of Development Standards #1

Given that the reduction in separation from live entertainment to a residential use is only 37 feet, and since the site design and development parameters are established and dependent on consideration of use permit #2, staff cannot support waiver of development standards #1.

Waiver of Development Standards #2

Staff does not have an objection to the increased building height as it should have minimal to no impact on the surrounding land uses. The increased building height is only for a minor portion of the overall building and is intended to accommodate the parking garage parapet. The parapet enhances the overall building design and provides for varying roof elements and is not for habitable area. In addition, the proposed building heights and building design are consistent and compatible with the approved building heights on the adjacent development. Therefore, staff does not anticipate any adverse impacts from the increased height and can support this waiver.

Design Review #1

Staff finds with proper design of the scale relationships between the various project components and nearby residential can help mitigate any potential adverse impacts to the residential development to the north. Except for the stage and proposed live entertainment, the site itself is well connected and convenient for pedestrian movement, and the parking areas are organized so they do not negatively impact the pedestrian circulation or surrounding land uses. The outside recreational facility is oriented so that it faces away from the residential use to the north. Furthermore, the proposed outdoor recreational area is not immediately adjacent to the residential use perse, but rather separated by a block wall at the north property line with a five and a half foot wide landscape buffer, and a commercial drive aisle in the rear portion of the development with a grade difference of approximately 15 feet, with the high side being the subject property. Therefore, staff can support design review #1.

Design Review #2

Staff finds the modifications made to the plans for Phase 1 are in full compliance with all conditions of the previous approval. Also, the siting of the buildings facing Sunset Road follows the Master Plan which encourages the siting of total building area at the street perimeter. Such siting strengthens the streetscape and helps to screen off-street parking areas; therefore, staff can support design review #2.

Staff Recommendation

Approval of the use permits #1, #3, #4, design reviews, and waiver of development standards #2; denial of use permit #2 and waiver of development standard #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:

Current Planning

If approved:

- 2 years to commence;
- 2 years to review Phase 2 as a public hearing;
- Phase 2 live entertainment and outdoor recreation not to extend past 10:00 p.m.;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

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

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 #0305-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: DAPPER DEVELOPMENT

CONTACT: DIONICIO GORDILLO, 985 WHITE DR, STE 100, LAS VEGAS, NV 89119



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

8

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input 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 #)	STAFF APP. NUMBER: <u>UC-22-0433</u> DATE FILED: <u>7.26.22</u> PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>8.30.22</u> PC MEETING DATE: <u>—</u> C-2 BCC MEETING DATE: <u>9-21-22</u> Corridor Mixed Use FEE: <u>\$2,000.00</u> JJ WS-18-0093
	PROPERTY OWNER NAME: <u>Sunset & Durango Partners Phase 2, LLC</u> ADDRESS: <u>985 White Dr. #100</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>
	APPLICANT NAME: <u>Sunset & Durango Partners Phase 2, LLC</u> ADDRESS: <u>985 White Dr. #100</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 #: _____
	CORRESPONDENT NAME: <u>George Ross</u> ADDRESS: <u>985 White Dr. #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>(702) 733-3622 x31</u> CELL: _____ E-MAIL: <u>gr@dapperdevelopment.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-32-814-003


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

PROJECT DESCRIPTION: Phase 2 for The Bend - Retail & Office

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

Property Owner (Signature)* [Signature] Property Owner (Print) J Dapper

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON June 29, 2022 (DATE)
 By J Dapper
 NOTARY PUBLIC: [Signature]

 JOY M. CLOWES
 NOTARY PUBLIC
 STATE OF NEVADA
 My Commission Expires: 07-11-23
 Certificate No: 15-2184-1

*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.

May 23, 2022

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

UC-22-0433

RE: REVISED: Special Use Permits, Waivers of development standards, and Design review – Recreational Facility (Pickle Ball) with retail and restaurants, live entertainment, offices, and parking garage (APN: APN: 163-32-814-002 & 003)

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 special use permits, waivers of development standards and design review for a proposed multi-level building consisting of a recreational facility (Pickle Ball) with indoor and outdoor courts, retail and restaurants, live entertainment, offices, and multi-level parking garage. The subject site is 10 acres, zoned C-2, and located on the north side of Sunset Road, approximately 400 feet west of Durango Drive. However, this request is only for a portion of the northern half of the overall site. By way of background, the project was originally approved with WS-18-0093 in March 2018.

The proposed recreational facility use with ancillary commercial uses is a special use in a C-2 zoning district. The request is entirely consistent with the intent of the C-2 zoning district and Corridor Mixed Use (CM) planned land use designation and in compliance with several Goals and Policies contained within the Clark County Master Plan. The CM category lists primary land uses, in part, as a mix of retail, restaurants, office, service commercial, and entertainment. Characteristics of the CM category are listed as providing opportunities for moderate density mixed use development that serves adjacent neighborhoods as well as the broader community and concentrating higher intensity uses and vertical mix of uses near transit stops to support regional transit investments and area specific plans.

Special Use Permits

Certain prescribed uses are only permitted with a special use permit and not permitted by right due to a special characteristic of its operation or installation. The use may be permitted with discretion in a district subject to review by the Commission or the Board to ensure compatibility with existing or planned surrounding uses and characteristics of development.

The first use permit is for a recreational facility consisting of a Pickle Ball facility with multi-level indoor courts and grade level outside courts. The ancillary uses associated the facility include the following: 1) playing courts; 2) seating areas; 3) bocce court; 4) yoga lawn; 5) two level restaurants; 6) on-premise consumption of alcohol (supper clubs and taverns including an Airstream RV that in intended to be a walk up bar); and 7) multi-level parking garage. Some of the uses consist of activities outside. While not included in the request for a special use permit since the uses are permitted by right in the C-2 zoning district, the proposed site will also include a retail building and offices that are integrated as part of the parking structure building.

The second use permit is for outdoor live entertainment in conjunction with the recreational facility. While the exact location has not been determined, there is a possibility that it would be located anywhere within the outdoor recreational facility area, including along the north portion of the facility. That means the live entertainment could be approximately 37 feet from the north property line which is a residential

use. The anticipated types of outdoor live entertainment may include any type of performances, live music, single artist, and/or bands. This portion of the request will be included as a waiver of development standards.

The third use permit is for on-premises consumption of alcohol and the separation from a residential use. The proposed on-premises consumption of alcohol will include supper clubs in conjunction with restaurants and stand alone, small walk up bars including a proposed Airstream RV. Since our first use permit is for a recreational facility, Title 30 permits lounges/taverns as accessory commercial uses so long as they are specified in the use permit.

Certain prescribed uses require performance measures to mitigate possible negative impacts of the use. While the use is conditional in the C-2 zoning district, a special use permit is required to modify any condition associated with the use. The condition that is requested to be modified reads as follows: ***must have a minimum separation of 200 feet from any residential use unless separated by a collector or arterial street or buffered from the residential use by a building, or as determined by the Commission or Board with the approval of a special use permit.*** The proposed on-premise consumption of alcohol may occur throughout the entire facility and therefore the request is to reduce the separation to 37 feet where 200 feet is the standard. While the proposed use does not meet the standard separation, it is recognized that individual sites may present unique characteristics, the operation and location of site uses that could be best developed through the application of alternative site development standards which depart from the requirements of Title 30. In certain circumstances such alternative standards may be considered beneficial by the Board as a tool to achieve the land development policies of the County.

The fourth use permit is for proposed outside dining and seating areas in conjunction with the proposed recreational facility. Based on the attached site plan with corresponding setbacks and separations, the proposed uses comply with prescribed conditions except the minimum separation of 200 feet from a residential use and not necessarily be in conjunction with a supper club, tourist club; therefore, a special use is required to modify the listed conditions. The request is entirely consistent with the intent of the C-2 zoning district which provides for the development of commercial uses.

The entire outside area for the recreational facility will accommodate outside drinking and dining. **Therefore, the request is to reduce the required separation distance between an outside dining area/patio and residential use to 37 feet where 200 feet is the standard.** Additionally, the outside dining and drinking may not necessarily be in conjunction with a supper club, tourist club, mixed use development or restaurant. With proposed stand alone bars in the outside recreational area, patrons have the option of purchasing drinks not in conjunction with prescribed uses as referenced in Title 30.

For the special use permit requests, the **applicant has designed a facility on the site in a manner that not only buffers the use from the residential use but eliminates any potential impacts.** The outside recreational facility is oriented so that it faces away from the residential use. Other existing, site, building design, and operational elements that will ameliorate and mitigate possible negative impacts include the following: **1)** the proposed area is not immediately adjacent to the residential use but rather separated by a block wall at the north property line with landscape buffering and a commercial drive aisle; **2)** the proposed facility will include screening and buffering walls on the perimeter with enhanced landscaping; **3)** portions of the proposed buildings will also function as screening; and **4)** the facility will have hours of operation from 8:00 a.m. to midnight seven days a week. Therefore, the combination of the above referenced elements provides for a mitigation of the required separation or building buffer and provides

for a proposed facility that is a compatible use that can harmoniously coexist abutting the residential use with minimal impacts.

Waivers of Development Standards

While the proposed alternatives do not comply with required provisions, it is recognized that individual sites may present unique characteristics, the operation and location of site uses that could be best developed through the application of alternative site development standards which depart from the requirements of Title 30. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

The first waiver of standards request is to reduce the separation between outdoor live entertainment and a residential use. The request is to reduce to 37 feet where 500 feet is the standard. As with the use permits, a combination of site, building design, and operational elements will mitigate any potential noise impacts. Additionally, the live entertainment will face away from the residential use.

The second waiver of standards is to increase the building height to 59 feet where 50 feet is the maximum. The increase is only for a minor portion of the overall building and is intended to accommodate the parking garage parapet. The parapet enhanced the overall building design and provides for varying roof elements. The increase for a portion of the roof parapet will not negatively impact any of the adjacent land uses.

Design Reviews

The applicant is requesting a design review for the site and building design as referenced per plans.

The design review with the submitted site plan depicts an effective layout of the buildings, parking areas, circulation, cross access and shared parking, and sensitivity to the multiple family residential use to the north. The elevations for the proposed multi-level building consist of multiple surface plane variations to give both vertical and horizontal articulation along with various elements such as stucco siding, accent bands, reveal lines, and other unique and modern materials and features. **The architectural detailing is provided on all sides consistent with the primary/front elevation and is fully compliant with the CMA Overlay District provisions.**

While the cross sections depict a finished grade of 10 feet above the adjacent commercial drive aisle and adjacent parcel to the north, there is no proposed fill since the finish grade for this plan matches the finish grade that was previously approved and permitted plans associated with PW18-19972. Therefore, there is no request for increased finish grade.

The project furthers **Countywide Goal 5.1** which encourages diversification of the economic base to enhance resilience along with all applicable policies contained with the goal. The proposed project also complies with **Countywide Goal 5.5** which encourages fostering a business friendly environment. Additionally, this request fully complies with **Countywide Goal 6.1** which encourages a coordinated pattern of development in Clark County.

Therefore, the proposed uses and site location achieve the following: **a)** the proposed uses are in harmony with the purpose, goals, objectives and standards of the Clark County Master Plan and Title 30; **b)** the proposed uses will not have substantial or undue adverse effects on adjacent properties, character of the

D G Consultants

neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare; and c) the proposed use will be adequately served by public improvements, facilities, and services and will not impose an undue burden.

Thank you for the consideration.

Sincerely,

A handwritten signature in black ink that reads "Dionisio Smith". The signature is written in a cursive style with a horizontal line under the name.

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09/21/22 BCC AGENDA SHEET

WAREHOUSE COMPLEX
(TITLE 30)

LINDELL RD/SUNSET RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-22-0435-HD SUNSET DECATUR, LLC:

ZONE CHANGE to reclassify 4.6 acres from an R-E (Rural Estates Residential) (AE-60 and AE-65) Zone to an M-D (Designed Manufacturing) (AE-60 and AE-65) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) allow modified CMA Design Overlay District Standards; and 3) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) warehouse buildings; 2) alternative parking lot landscaping; and 3) finished grade in the CMA Design Overlay District.

Generally located on the north side of Sunset Road, 1,200 feet to the east of Lindell Road within Spring Valley (description on file). MN/md/syp (For possible action)

RELATED INFORMATION:

APN:

163-36-801-025; 163-36-801-026

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce portions of street landscaping (Sunset Road) where street landscaping is required per Table 30.64-2 and Figure 30.64-17.
2. Allow building facades greater than 100 feet in length where not permitted per Section 30.48.650.
3. Reduce throat depth to 51 feet where a minimum depth of 75 feet is required per Uniform Standard Drawing 222.1 (a 32% reduction).

DESIGN REVIEWS:

1. Warehouse buildings.
2. Alternative parking lot landscaping.
3. Increase finished grade to 48 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 33% increase).

LAND USE PLAN:

SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.6
- Project Type: Warehouse complex
- Number of Stories: 2
- Building Height (feet): 35 (Building A)/27 (Buildings B1 and B2)/27 (Buildings C1 and C2)/27 (Buildings D1 and D2)
- Square Feet: 24,200 (Building A)/4,550 (Building B1)/4,550 (Building B2)/12,500 (Building C1)/12,500 (Building C2)/9,700 (Building D1)/9,100 (Building D2)
- Parking Required/Provided: 118/128

Site Plan

This request is for a conforming zone change to reclassify 4.6 acres from an R-E zone to an M-D zone to permit a warehouse complex consisting of 7 buildings with incidental office uses. Buildings A through B2 are located on the eastern half of the site while Buildings C1 through D2 are located on the western half of the site. Below is a table reflecting the building setbacks from the north, south, east, and west property lines of the site:

Building Setbacks from Property Lines (in feet)				
Building:	Property Line			
	North	East	South	West
A	99	117	20	372
B1	0	101	210	422
B2	0	206	210	318
C1	195	301	20	132
C2	0	309	196	125
D1	125	543	25	0
D2	0	543	130	0

Trash enclosures and loading spaces are provided throughout the interior of the site. Future cross-access to the undeveloped adjacent parcel to the east is provided at the northeast corner of the site. All buildings within the project site are connected via a network of pedestrian walkways connecting to the detached sidewalk along Sunset Road. The proposed development requires 118 parking spaces where 128 parking spaces are provided. Access to the project site is provided via 2 commercial driveways adjacent to Sunset Road. A waiver is required to reduce the throat depth to a minimum of 51 feet. The throat depth for the commercial driveway located at the southwest corner of the site is 51 feet. A throat depth of 65 feet is provided, where 75 feet is required, for the commercial driveway located at the southeast corner of the site along Sunset Road. A 5 foot wide detached sidewalk is provided adjacent to Sunset Road. An increase to finished grade is also part of this request, with the largest increase occurring in the area of Building B2, located on the eastern half of the project site immediately to the northwest of Building A.

Landscaping

The plans depict a 15 foot wide landscape area along Sunset Road featuring a 5 foot wide detached sidewalk. Twenty-four inch box trees, planted 30 feet on center are located within the street landscape area, including shrubs and groundcover. A waiver is required to reduce portions of the street landscaping at the southwest and southeast corners of the site, adjacent to Sunset Road. A utility pad is provided at the southwest corner of the site, with 5 feet of landscaping located behind the pad consisting of shrubs and groundcover. A second utility pad is provided at the southwest corner of the site. No street landscaping is provided behind or in front of this utility pad; however, medium trees will be planted to the side of, and adjacent to, the pad. In lieu of providing the required amount of landscape finger islands within the interior of the site, additional trees have been distributed throughout the interior of the development. The development requires a total of 32 trees within the interior of the parking lot. The site has been designed to include 18 additional trees that will be distributed throughout the interior of the site.

Elevations

The plans depict the following building heights, as measured to the top of the parapet wall: 1) Building A – 35 feet; and 2) Buildings B1 through D-2 – 27 feet. A waiver of development standards is required to allow a building façade greater than 100 feet in length for the west side of Building D, the north side of Building C2, and the east and west sides of Building A. Building A consists of concrete tilt-up panels, standing seam metal wall cladding, and an aluminum storefront window system with overhead metal canopies. Buildings B1 through D2 consists of standing seam metal wall cladding, and an aluminum storefront window system with overhead metal canopies. The buildings will be painted with neutral, earth tone colors consisting of brown and gray.

Floor Plans

The floor plans for each building consist of shell space that will be reconfigured based upon the needs of the individual tenants. Below is a table reflecting the area of Buildings A through D2:

Building Area	Square Feet
Building A – Warehouse with incidental office	24,200
Building B1 – Warehouse with incidental office	4,550
Building B2 – Warehouse with incidental office	4,550
Building C1 – Warehouse with incidental office	12,500
Building C2 – Warehouse with incidental office	12,500
Building D1 – Warehouse with incidental office	9,700
Building D2 – Warehouse with incidental office	9,100
Total Building Area	77,100

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the subject property is currently zoned Rural Estates (R-E) and requires a zone change to Designed Manufacturing (M-D) for the proposed uses. M-D is a conforming use under the Business Employment (BE) Master Planned land use in the Spring Valley Plan Area.

The M-D use is compatible with the surrounding neighborhood. The buildings will comprise of space for future manufacturing, industrial, warehouse, processing, and wholesale uses, including accessory/incidental office, sales, and services. It is understood that Light Manufacturing will only occur inside the proposed buildings as described in the M-D Zoning District Table 30.44 (Global Use Table). The tenants are not yet contracted or known to the Owner. All tenant spaces will be completed under separate permits. A design review for alternative parking lot landscaping is requested regarding several terminating landscape finger islands that do not meet the criteria. Multiple landscape areas have been added to off-set this requirement, including planting additional trees beyond the required amount. According to the applicant, due to the existing topography that includes drainage easements, the site layout, and size of the project, an increase to the finished grade is needed to exceed 36 inches. The throat depth for the west driveway on Sunset Road is 51 feet when 75 feet is required. The throat depth is reduced due to a loading area for a roll-up door on Building D, and 2 ADA parking stalls for that building. These 2 parking stalls are only 1.5 percent of the 128 total provided stalls and is expected to be utilized primarily for visitors that require ADA parking. The amount of traffic generated by this area is anticipated to be minor in comparison to the generated traffic throughout the site. The loading area is to be used as the drive-up access to the roll-up door for the tenant occupying the south half of Building D, and traffic in and out of that roll-up door is expected to be minimal. The proposed east driveway on Sunset Road currently is proposing 65 feet of throat depth when 75 feet is required. The throat depth is reduced due to the start of a row of parking stalls. This row of parking stalls has only 8 stalls and accounts for only 6.25 percent of the 128 total provided stalls on the site. As these parking stalls are the farthest away from any main entrance of any of the tenant spaces, it is not anticipated that these stalls will be used frequently as customers and clientele of the tenants will initially drive past these stalls in search of parking that is more convenient to the tenant they are visiting.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-1525-02	Vacated government patent easements - recorded	Approved by PC	December 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D	Transportation facility, vehicle maintenance facility, & parking lot (taxi cabs)
South	Business Employment	M-D	RTC maintenance facility & overflow parking lot
East	Business Employment	R-E	Undeveloped
West	Neighborhood Commercial	R-E	Drainage channel

Related Applications

Application Number	Request
VS-22-0436	A request to vacate a portion of right-of-way being Sunset Road and patent easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

This is a request for a conforming zone change and staff finds the application is compatible with, and appropriate for, both the project site and the surrounding area. The parcels immediately to the north and south are zoned M-D while the parcel to the east is zoned R-E with a planned land use of Business Employment. The Business Employment category provides for concentrated areas of employment and ancillary commercial uses, such as office, distribution centers, warehouse/flex space, technology, and light industrial uses. Furthermore, the requested zone change complies with the Master Plan by protecting the viability of industrial and employment areas within Spring Valley. Staff finds the request should have minimal to no impact on the surrounding area and land uses; therefore, recommends approval of the zone change.

Waivers of Development Standards

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

Waiver of Development Standards #2 and Design Review #1

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. Varying roof lines and contrasting colors have been utilized to break-up the mass on portions of the buildings. The proposed buildings are complementary to the existing buildings to the north and south of the project site.

Staff cannot support the request for the uninterrupted building facades greater than 100 feet in length. Variations to the parapet wall height and/or pop-out columns could potentially break-up the building facades. This request is a self-imposed burden; therefore, staff cannot support waiver of development standards #2 and design review #1.

Waiver of Development Standards #1 and Design Review #2

Staff finds the proposed alternative parking lot landscaping, including the distribution of the trees and landscape finger islands complies with the Master Plan by encouraging screened parking areas and extensive landscaping. The proposed development requires a total of 32 trees within the interior of the parking lot. The site has been designed to include an additional 18 trees (50 total trees) that will be distributed throughout the interior of the development. The proposed landscaping will reduce the "heat island" effect and improve the aesthetics of the project site and the surrounding area. Staff finds that the request to permit alternative parking lot landscaping within the interior of the site is reasonable. The additional trees will provide shade and improve the overall aesthetics of the development; therefore, staff recommends approval.

The reduction to street landscaping, located at the southwest portion of the project site, measures 319 square feet in area. The reduced street landscape area, located at the southeast portion of the site, measures 544 square feet in area. Eighteen trees are provided along Sunset Road where 18 trees are required. Furthermore, 18 additional trees have been provided within the interior of the parking lot. Staff typically does not support reductions to the street landscape area; however, staff finds the proposed reduction should not have a negative or detrimental impact on the surrounding area. Therefore, staff can support this request.

Public Works - Development Review

Waiver of Development Standard #3

Staff has no objection to the reduction of the throat depth for both driveways on Sunset Road. However, staff's support for the western driveway is contingent upon the trash enclosure area for Building D either being removed from the site or being relocated farther north, so that any impact from the area will only affect on-site traffic.

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.

Department of Aviation

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

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

Staff Recommendation

Approval of the zone change, waivers of development standards #1 and #3, and design reviews #2 and #3; denial of waiver of development standards #2 and design review #1.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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 reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Comply with approved drainage study PW22-11583;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 55 feet to the back of curb for Sunset Road;
- 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;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Sunset Road improvement project;
- Remove or relocate the trash enclosure from the south side of Building D to a location farther north on the site.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way or the dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the

Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0100-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: HD SUNSET DECATUR, LLC

CONTACT: HABITAT DEVELOPMENT, 3451 W. MARTIN AVE, SUITE C, LAS VEGAS, NV 89118

09/21/22 BCC AGENDA SHEET

EASEMENTS/RIGHT-OF-WAY
(TITLE 30)

LINDELL RD/SUNSET RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0436-HD SUNSET DECATUR, LLC:

VACATE AND ABANDON easements of interest to Clark County, located between Lindell Road and Hauck Street and between Teco Avenue (alignment) and Sunset Road and a portion of a right-of-way being Sunset Road located between Lindell Road and Hauck Street within Spring Valley (description on file). MN/jad/syp (For possible action)

RELATED INFORMATION:

APN:

163-36-801-025; 163-36-801-026

LAND USE PLAN:

SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of 33 foot wide patent easements located on the perimeter of both parcels, and 5 feet of Sunset Road. The applicant indicates the easements are not needed in conjunction with a proposed industrial business park, and the right of way is no longer needed in order to accommodate a detached sidewalk.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-1525-02	Vacated government patent easements - recorded	Approved by PC	December 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D	Transportation facility, vehicle maintenance facility, & parking lot (taxi cabs)
South	Business Employment	M-D	RTC maintenance facility & overflow parking lot
East	Business Employment	R-E	Undeveloped
West	Neighborhood Commercial	R-E	Drainage channel

Related Applications

Application Number	Request
ZC-22-0435	Zone change to reclassify to M-D zoning for an industrial business park 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 and right-of-way 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:

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 55 feet to the back of curb for Sunset Road;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Sunset 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;
- 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.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: HD SUNSET DECATUR, LLC

CONTACT: HABITAT DEVELOPMENT, 3451 W. MARTIN AVE, SUITE C, LAS VEGAS, NV 89118



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE

- VACATION & ABANDONMENT (vs)
 - EASEMENT(S)
 - RIGHT(S)-OF-WAY
- EXTENSION OF TIME (ET)
(ORIGINAL APPLICATION #):

DEPARTMENT USE

APP. NUMBER: VS-0436 DATE FILED: 7-20-22
 PLANNER ASSIGNED: J. Bulloch
 TAB/CAC: Scott Bulloch TAB/CAC DATE: 7-20-22
 PC MEETING DATE: _____
 BCC MEETING DATE: 7-20-22
 FEE: 8375

PROPERTY OWNER

NAME: H D SUNSET DECATUR, LLC
 ADDRESS: 3451 W. Martin Ave, Suite C
 CITY: Las Vegas STATE: NV ZIP: 89118
 TELEPHONE: 702-697-2000 CELL: 702-335-7501
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APPLICANT

NAME: HABITAT DEVELOPMENT, LLC
 ADDRESS: 3451 W. Martin Ave, Suite C
 CITY: Las Vegas STATE: NV ZIP: 89118
 TELEPHONE: 702-697-2000 CELL: 702-521-1608
 E-MAIL: twest@fortedesignbuild.com REF CONTACT ID #: _____

CORRESPONDENT

NAME: Andrew Simmons
 ADDRESS: 3451 W. Martin Ave, Suite C
 CITY: Las Vegas STATE: NV ZIP: 89118
 TELEPHONE: 702-697-2000 CELL: 702-797-0725
 E-MAIL: asimmons@fortedesignbuild.com REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-36-801-025 & 163-36-801-026

PROPERTY ADDRESS and/or CROSS STREETS: North side of W. Sunset Rd. adjacent to the intersection of Hauck St.

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.

Scott R. Bulloch

Property Owner (Signature)*

Scott R. Bulloch

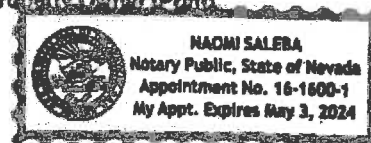
Property Owner (Print)

STATE OF NEVADA
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON March 10th 2022 (DATE)

By Scott Bulloch

NOTARY PUBLIC: Naomi Salera



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

JUSTIFICATION LETTER

HABITAT Creative Industrial Park
February 18th, 2022



To: Comprehensive Planning Dep.
500 S Grand Central Pkwy
Las Vegas NV, 89155

From: HABITAT LLC
3451 W. Martin Ave, Suite C
Las Vegas NV, 89118



Project Description

HABITAT Creative Industrial Park is a new industrial business park located in the Spring Valley Submarket of the greater Las Vegas area. This Development will total $\pm 73,000$ total square feet as part of Phase 1, with individual units ranging from $\pm 4,550$ square feet to $\pm 20,200$ square feet. The majority of the buildings will be constructed of prefabricated panelized metal structures with storefront glazing and standing seam cladding, while the single larger building will be tilt-up concrete with varying fluted rib architectural details. Roofing will consist of a single-membrane system over rigid insulation or standing seam. The building will be accented with perforated metal screens feature above the entrances. In addition to the cutting edge and modern design, each unit will have the following amenities:

- Campus style layout to incorporate circulation paths and landscape pockets with mature planting
- Each Unit will consist of finished office space to include 25% of the total square feet as mezzanine space
- $\pm 22'$ minimum clear height
- One (1) grade level loading door (14' X 16') at each Unit
- 3 phase power 120/208 volt 400 amps (for a limited time TESLA Solar Battery systems and panels can be included into the building)
- Fully fire sprinklered
- Parking ratio 1.5/1,000
- $\pm 2\%$ skylights in the warehouse area
- Individual building signage and address monument (permitted separately)
- Convenient access to I-215, I-15 and the resort corridor

We have positioned the various building within the campus style planning, so the loading and service areas are obscured from the public realm. This has been achieved through landscape and plating as well as by organizing the structures (buildings and trach enclosures) to further obscure the views.

Land Use Waiver Request

Since the recovery, the greater Las Vegas Valley has seen significant growth in nearly all economic indicators. Unfortunately, due to the business cycle of some sectors there is a delay between supply and demand. The demand for usable industrial space has experienced a sharp uptick that has not been seen since before the recession, as reported by various market reports and indicators.

We are requesting a Conforming Zone Boundary Amendment. The subject property is currently zoned Rural Estates (R-E) and requires a zone change to Designed Manufacturing (M-D) for the proposed uses. M-D is a conforming use under the Business Employment (BE) Master Planned land use in the Spring Valley Plan Area. The

JUSTIFICATION LETTER

HABITAT Creative Industrial Park
February 18th, 2022



M-D use is compatible with the surrounding neighborhood. This land use is evident at several nearby developed parcels along W. Sunset Road.

The buildings will comprise of space for future manufacturing, industrial, warehouse, processing and wholesale uses, including *accessory/incidental* office, sales, and services. It is understood that Light Manufacturing will only occur inside the proposed buildings as described in the M-D Zoning District Table 30.44 (Global Use Table). The tenants are not yet contracted or known to the Owner. All tenant spaces will be completed under separate permits.

We intend to vacate certain portions of the existing public right-of-way as described within the exhibits and legal descriptions provided by Lochsa Engineering included in this application.

We are also requesting a Design Review for Fill as the site will require more than 36" of fill as described in the attached Justification Letter and cross section provided by Lochsa Engineering.

Finally, we are requested a waiver of standards related to the 75 feet Throat Depth as follows:

West driveway on Sunset Road Throat Depth Justification:

The proposed west driveway on Sunset Road currently is proposing 51 feet of throat depth when 75 feet is required. The throat depth is reduced due to a loading area for a roll up door on Building D and 2 ADA parking stalls for that building. These 2 parking stalls are only 1.5 percent of the 128 total provided stalls and area is expected to be utilized primarily for visitors that require ADA parking. The amount of traffic generated by this area is anticipated to be minor in comparison to the entire site generated traffic. The loading area is to be used as the drive up access to the roll up door for the tenant occupying the south half of Building D and traffic in and out of that roll up door is expected to be minimal.

East driveway on Sunset Road Throat Depth Justification:

The proposed east driveway on Sunset Road currently is proposing 65 feet of throat depth when 75 feet is required. The throat depth is reduced due to the start of a row of parking stalls. This row of parking stalls has only 8 stalls and accounts for only 6.25 percent of the 128 total provided stalls on the site. As these parking stalls are the furthest away from any main entrance of any of the tenant spaces, it is not anticipated that these stalls will be used frequently as customers and clientele of the tenants will initially drive past these stalls in search of parking that is more convenient to the tenant they are visiting.

We believe this new and innovative development type will enhance the neighborhood, and the community at large. Your consideration of design review approval is most appreciated.

Kind regards,

A handwritten signature in blue ink, appearing to read "S. Andrew Simmons", is written over a horizontal line.

S. Andrew Simmons, AIA. NCARB

11

WAREHOUSE
(TITLE 30)

TENAYA WAY/SUNSET RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ZC-22-0448-DSH HOLDING, LLC:

ZONE CHANGE to reclassify 2.5 acres from an R-E (Rural Estates Residential) (AE-60) Zone to an M-D (Designed Manufacturing) (AE-60) Zone.

WAIVER OF DEVELOPMENT STANDARDS to allow modified driveway design standards.
DESIGN REVIEWS for the following: 1) warehouse buildings; 2) alternative parking lot landscaping; and 3) finished grade in the CMA Design Overlay District.

Generally located on the north side of Sunset Road, 305 feet east of Tenaya Way within Spring Valley (description on file). MN/md/syp (For possible action)

RELATED INFORMATION:

APN:
163-34-801-013

WAIVER OF DEVELOPMENT STANDARDS
Reduce throat depth to 8 feet where a minimum depth of 75 feet is required per Uniform Standard Drawing 222.1 (an 89.3% reduction).

DESIGN REVIEWS:

1. Warehouse buildings.
2. Alternative parking lot landscaping.
3. Increase finished grade to 48 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 33% increase).

LAND USE PLAN:
SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:
Project Description
General Summary

- Site Address: N/A
- Site Acreage: 2.5
- Project Type: Warehouse
- Number of Stories: 1
- Building Height (feet): 34
- Square Feet: 18,368 (Building A)/24,533 (Building B)

- Parking Required/Provided: 64/66

Site Plan

This request is for a conforming zone change to reclassify 2.5 acres from an R-E zone to an M-D zone to permit an industrial complex consisting of 2 warehouse buildings. The plan depicts Building A, located on the west half of the site, and Building B, located on the east half of the project site. A 40 foot wide north/south vehicle drive aisle is centrally located within the site, providing separation between Buildings A and B. Screened loading docks are located at the northeast and northwest corners of Buildings A and B, respectively, and are not visible from the public right-of-way. Below is a table reflecting the building setbacks from the north, south, east and west property lines of the site:

Building Setbacks from Property Lines (in feet)				
Building:	Property Line			
	North	East	South	West
A	42	207.5	63	2.5
B	42	0.5	63	167.5

Trash enclosures are centrally located along the north portion of the subject property. Future cross-access is depicted at the southwest and southeast portions of the site. The proposed development requires 64 parking spaces where 66 parking spaces are provided. Access to the site is granted via a single commercial driveway adjacent to Sunset Road. A waiver of development standards is required to reduce the throat depth for the commercial driveway to a minimum of 8 feet. A 5 foot wide detached sidewalk is provided along Sunset Road. An increase to finished grade is also part of this request, with the largest increase occurring along the east property line of the site. An 8 foot high decorative CMU wall is proposed along portions of the east and west property lines and the entirety of the north property line.

Landscaping

The plans depict a 15 foot wide landscape area along Sunset Road featuring a 5 foot wide detached sidewalk. Twenty-four inch box trees, planted 20 feet on center, are located within the street landscape area. In lieu of providing the required amount of landscape finger islands within the interior of the site, specifically at the northeast and northwest corners of the property, and the southeast and southwest corners of Buildings A and B respectively, additional trees have been distributed throughout the interior of the development. The development requires a total of 11 large trees within the interior of the parking lot. The site has been designed to include an additional 2 large trees (13 total large trees) that will be distributed throughout the interior of the project site.

Elevations

The plans depict a maximum building height of 34 feet to the top of the parapet walls for Buildings A and B. The buildings have a contemporary architectural design consisting of tilt-up concrete panels with metal canopies and aluminum storefront window systems. The exterior of the buildings feature multiple surface planes and variations consisting of walls that are off-set with contrasting color and design schemes. The height of the buildings range from 32 to 34 feet and have been designed to break-up the varying rooflines at the endcaps of each building. The

loading docks for Buildings A and B are oriented towards the rear interior of the site and are screened from public view and the right-of-way. All rooftop mounted equipment will be screened from public view and the right-of-way by parapet walls. The buildings will be painted with neutral colors.

Floor Plans

The plans depict 18,368 square feet and 24,533 square feet of shell space for Buildings A and B, respectively.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates the parcel lies within an area planned for Business Employment oriented uses. An expansive area of M-D zoning and conforming developed uses exist in the immediate area of these parcels. The current land use plan seeks to encourage the expansion of Business Employment uses across mainly vacant/undeveloped parcels in the area that currently have similar Rural Estate (R-E) zoning. This project would help achieve the goals of the land use plan by bringing in employment uses in the existing employment areas near Sunset Road and the CC-215 corridor.

The throat depth reduction request is to allow 8 feet 6 inches where 75 feet is required at the eastern/ingress side of the driveway. No parking will be allowed directly in line with the entry drive. In addition, a 26 foot landscape buffer has been added to the drive aisle for a total distance of 34 feet 6 inches. Additionally, at the western/egress side of the driveway, a reduction to allow 18 feet 6 inches where 75 feet is required. Similarly, no parking will be allowed directly in line with the entry drive and a 24 foot, 5 inch landscape buffer has been added for a total distance of 42 feet 11 inches. The parking lots along Sunset Road are relatively small lots with 22 spaces and 16 spaces being provided. The remaining 28 parking spaces are in the rear. The front parking lots will ultimately have cross-access to the adjacent properties' commercial drives, assisting in relieving the impacts of the reduced throat depth. In addition, with on-site traffic controls, the equivalent of the 75 foot minimum throat depth can be safely achieved. Therefore, the requested reduction should not create a public safety concern.

The applicant notes that the cross sections indicate a maximum fill of approximately 3.1 feet (37 inches); however, the concept grading and cross sections were prepared prior to the completion of a Technical Drainage Study/Analysis (currently in process). The Applicant respectfully requests consideration to approve an additional 12 inches to the maximum fill depth shown. This approval would accommodate any potential topographic discrepancies and additional flood protection criteria (if necessary).

In an effort to balance optimal safe vehicular and pedestrian movements within the various parking lot areas on the site, a design review for alternative parking lot landscaping is requested. The parking lot design does not include parking lot trees at each end of some of the parking rows. However, 13 large trees have been provided where 11 large trees are required per Code within the parking areas.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D	Warehouse/office
South	Business Employment	R-3	Multiple family development
East	Business Employment	R-E	Undeveloped
West	Business Employment	C-2	Retail development

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

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

This is a request for a conforming zone change and staff finds the application is compatible with, and appropriate for, both the project site and the surrounding area. The parcels immediately to the north and west of the project site are zoned M-D and C-2 respectively, with a planned land use of Business Employment. The Business Employment category provides for concentrated areas of employment and ancillary commercial uses, such as office, distribution centers, warehouse/flex space, technology, and light industrial uses. Furthermore, the requested zone change complies with the Master Plan by protecting the viability of industrial and employment areas within Spring Valley. Staff finds the request should have minimal to no impact on the surrounding area and land uses; therefore, recommends approval of the zone change.

Waivers of Development Standards

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

Design Review #1

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. The design of the proposed warehouse buildings comply with the intent and requirements of the CMA Design Overlay District. Varying roof lines and contrasting colors have been utilized to break-up the mass of the buildings. The proposed buildings are complementary to the warehouse development located to the north and the retail development to the west of the site; therefore, staff can support this request.

Design Review #2

Staff finds the proposed alternative parking lot landscaping, including the distribution of the trees and landscape finger islands, complies with the Master Plan by encouraging screened parking areas and extensive landscaping. The proposed development requires a total of 11 large trees within the interior of the parking lot. The site has been designed to include an additional 2 large trees (13 total large trees) that will be distributed throughout the interior of the development. The proposed landscaping will reduce the "heat island" effect and improve the aesthetics of the project site and the surrounding area. Staff finds that the request to permit alternative parking lot landscaping within the interior of the site is reasonable. The additional trees will provide shade and improve the overall aesthetics of the development; therefore, staff recommends approval.

Public Works - Development Review

Waiver of Development Standards

Staff has no objection the reduced throat depth for the commercial driveway on Sunset Road. The applicant has reduced potential conflicts by providing additional landscape planters adjacent to the driveway.

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.

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;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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 waiver of development standards and design reviews 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;
- Right-of-way dedication to include 55 feet to the back of curb for Sunset Road;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Sunset 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;
- Vacate any unnecessary rights-of-way and/or easements.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and 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.

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 #0051-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: NEW WEST COMPANY

CONTACT: CHRIS RICHARDSON, RICHARDSON WETZEL ARCHITECTS, 4300 E. SUNSET ROAD, SUITE E-3, HENDERSON, NV 89014