



# Spring Valley Town Advisory Board

Desert Breeze Community Center

8275 W. Spring Mountain Rd

Las Vegas, NV 89117

November 14, 2023

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](mailto:chayes70@yahoo.com).
  - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
  - Supporting material is/will be available on the County's website at : <https://clarkcountynv.gov/SpringValleyTAB>

Board/Council Members: John Getter, Chair  
Dale Devitt  
Randal Okamura

Brian A. Morris, Vice Chair  
Dr. Juana Leia Jordan

Secretary: Carmen Hayes (702) 371-7991 [chayes70@yahoo.com](mailto: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](mailto: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 October 31, 2023. (For possible action)
- IV. Approval of the Agenda for November 14, 2023 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)
    - 5 Mile Walk Like MADD Saturday, December 9, 2023 at Sunset Park sponsored by Mothers Against Drunk Driving. Event will start at 8:00am and register at [www.walklikemadd.org/event/LasVegas](http://www.walklikemadd.org/event/LasVegas)

VI. Planning and Zoning

- 1. **UC-23-0673-TAN EDISON C III:**  
**USE PERMIT** to allow an aviary.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase the number of birds allowed; and 2) reduce setbacks in conjunction with a single family residence on 0.2 acres in an R-1 (Single Family Residential) Zone. Generally located on the south side of Anchorage Street and the west side of Norfolk Court within Spring Valley. MN/mh/syp (For possible action) **12/05/23 PC**
- 2. **UC-23-0692-JONES S 300 LP:**  
**USE PERMIT** for a recreational facility in conjunction with an existing shopping center on a portion of 1.4 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Sahara Avenue, 145 feet east of Bronco Street within Spring Valley. JJ/rp/syp (For possible action) **12/05/23 PC**
- 3. **WS-23-0705-FLAMINGO CAPITAL MANAGEMENT, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** for driveway geometrics.  
**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; 2) modifications to an existing shopping center; and 3) a restaurant with a drive-thru in conjunction with an existing shopping center on a 1.0 acre portion of 12.1 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Flamingo Road and the west side of Buffalo Drive within Spring Valley. JJ/hw/syp (For possible action) **12/05/23 PC**
- 4. **ET-23-400157 (UC-0787-17)-LAUB JOEL A AND LAUB KIMBERLY L FAMILY TRUST:**  
**USE PERMITS THIRD EXTENSION OF TIME** for the following: 1) increase manager's unit area; and 2) waive mixed-use development design standards.  
**DESIGN REVIEWS** for the following: 1) modify an approved office/warehouse complex with manager's units; and 2) modify a parking lot on 5.6 acres in conjunction with an existing office/warehouse complex with manager's units in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District. Generally located on the west side of Tenaya Way, 660 feet north of Sunset Road within Spring Valley. MN/tpd/syp (For possible action) **12/06/23 BCC**

5. **UC-23-0664-KENOWOYO INVESTMENT I, LLC:**  
**USE PERMIT** to re-establish a school.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** sidewalk and landscaping; **2)** reduce setback; **3)** allow non-decorative screening along the right-of-way; **4)** allow unscreened mechanical equipment; **5)** trash enclosure; **6)** off-site improvements; **7)** reduce throat depth; and **8)** driveway geometrics.  
**DESIGN REVIEW** to re-establish the school site redesign for an existing school on a 2.0 acre portion of a 4.2 acre site in an R-E (Rural Estates Residential) Zone. Generally located on the northwest corner of Oakey Boulevard and Red Rock Street within the Spring Valley Land Use Planning Area. RM/jor/syp (For possible action) **12/06/23 BCC**
  
6. **WS-23-0718-UNCOMMONS LIVING BLDG 1, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** for signage.  
**DESIGN REVIEW** for modifications to comprehensive sign package in conjunction with an approved High Impact Project and Mixed-Use Project on 32.5 acres in a U-V (Urban Village - Mixed Use) Zone in the CMA Design Overlay District. Generally located on the southeast corner of Durango Drive and the CC 215 within Spring Valley. MN/rr/syp (For possible action) **12/06/23 BCC**
  
7. **ZC-23-0614-DIAMOND MOHAWK CCA, LLC:**  
**ZONE CHANGE** to reclassify 4.1 acres from an R-E (Rural Estates Residential) (AE-65) Zone to an M-D (Designed Manufacturing) (AE-65) Zone.  
**WAIVER OF DEVELOPMENT STANDARDS** for throat depth.  
**DESIGN REVIEWS** for the following: **1)** alternative parking lot landscaping; **2)** finished grade; **3)** modifications to a previously approved office/warehouse facility; and **4)** a proposed office/warehouse facility on 6.7 acres in the CMA Design Overlay District. Generally located on the east side of Mohawk Street, 300 feet north of Post Road within Spring Valley (description on file). MN/hw/syp (For possible action) **12/06/23 BCC**
  
8. **VS-23-0615-DIAMOND MOHAWK CCA, LLC:**  
**VACATE AND ABANDON** a portion of right-of-way being Mohawk Street located between Post Road and Sobb Avenue (alignment) within Spring Valley (description on file). MN/hw/syp (For possible action) **12/06/23 BCC**

VII. General Business

1. None.

VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No discussion, action, or vote may be taken on this agenda item. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: November 28, 2023.

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>

12/05/23 PC AGENDA SHEET

AVIARY AND SHED SETBACK  
(TITLE 30)

ANCHORAGE ST/NORFOLK CT

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0673-TAN EDISON C III:**

**USE PERMIT** to allow an aviary.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase the number of birds allowed; and 2) reduce setbacks in conjunction with a single family residence on 0.2 acres in an R-1 (Single Family Residential) Zone.

Generally located on the south side of Anchorage Street and the west side of Norfolk Court within Spring Valley. MN/mh/syp (For possible action)

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RELATED INFORMATION:

**APN:**

163-22-415-040

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase the number of birds to 47 where a maximum of 20 birds are allowed per Table 30.44-1 (a 135% increase).
2. Reduce the interior side setback to zero feet where a minimum of 5 feet is required per Table 30.40-2 (a 100% reduction).

**LAND USE PLAN:**

SPRING VALLEY - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 4749 Norfolk Court
- Site Acreage: 0.2
- Project Type: Aviary and shed setback
- Number of Stories: 2 (residence)/1 (shed)
- Building Height (feet): 7 feet, 6 inches
- Square Feet: 1,196 (residence)161 (shed)

**Site Plans**

The plans depict an existing residence with an attached garage in the front of the property along with an attached patio cover in the rear yard. There is an existing 161 square foot shed in the northwest corner of the property, set back zero feet from the interior side property line, and 7 feet

from the rear property line. According to the applicant, this shed is currently being used for storage and as an aviary, containing 47 birds, including 10 parakeets, 6 American budgies, 5 parrots, and 26 African lovebirds. The front of the property currently features 2 separate driveways, which are connected by pavement. One of the driveways is unpermitted and prohibited in the area. Public Works is requiring the ADA ramp to be rebuilt so that vehicular access cannot occur.

Landscaping

There are no proposed or required changes to landscaping as part of this application.

Elevations

The shed is 7 feet 6 inches tall, 7 feet wide, and 23 feet in length. The materials consist of lumber and plywood, with an asphalt roof. There is bird screen for the aviary portion of the shed, along with painted plywood for the storage portion.

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant states that the construction of the shed was carried out appropriately and will not extend into the road or infringe on the neighboring properties. The applicant adds that neighbors were contacted and approved of the shed prior to its construction. The applicant indicates that he was unaware of restrictions on birds and that the birds do not make noise at night. Lastly, the applicant states that these uses are limited to the rear of the property and will not be seen from public view.

Surrounding Land Use

	Planned Land Use Category		Zoning District	Existing Land Use
North, South, East, & West	Mid-Intensity Neighborhood (up to 8 du/ac)	Suburban	R-1	Single family residential

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

There is an active code enforcement case on the property for building without a permit.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive 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 an aviary is an inconsistent use with the surrounding neighborhood, and that the proximity of the aviary to adjacent properties may have adverse effects on these properties. There are no proposed mitigating measures that will limit the impact on adjacent properties; therefore, staff cannot support this 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.

#### Waiver of Development Standards #1

Since staff is unable to support the request for a special use permit to allow an aviary, staff also cannot support the request to increase the number of birds allowed.

#### Waiver of Development Standards #2

The shed was constructed without building permits or approval for reduced setbacks. Although the owner of the adjacent property to the west and the property owner across the street have both indicated that they have no objection to the shed, there remains a lack of mitigating measures that would limit the potential impact on other properties; therefore, staff cannot support this request.

#### **Staff Recommendation**

Denial.

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

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

##### **Comprehensive Planning**

If approved:

- 1 year to complete the building permit and inspection process with any extension of time to be a public hearing.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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**

- Reconstruct ADA ramp at the corner of Norfolk Court and Anchorage Street to restrict access to the unpermitted driveway:
- Gates at the unpermitted driveway to not open into the public right-of-way.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: EDISON CABATINGAN TAN**

**CONTACT: EDISON TAN, 4749 NORFOLK COURT, LAS VEGAS, NV 89147**

**DRAFT**



12/05/23 PC AGENDA SHEET

RECREATIONAL FACILITY  
(TITLE 30)

SAHARA AVE/BRONCO ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0692-JONES S 300 LP:

**USE PERMIT** for a recreational facility in conjunction with an existing shopping center on a portion of 1.4 acres in a C-2 (General Commercial) Zone.

Generally located on the south side of Sahara Avenue, 145 feet east of Bronco Street within Spring Valley. JJ/rp/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

163-11-504-002 through 163-11-504-004; 163-11-504-008 ptn

**USE PERMIT:**

Allow a children's indoor recreational facility (arts and crafts).

**LAND USE PLAN:**

SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 6145 W. Sahara Avenue
- Site Acreage: 1.4 (portion)
- Project Type: Children's indoor recreational facility (arts and crafts)
- Parking Required/Provided: 210/256 (shopping center)

Site Plans

The plans show an existing shopping center complex where the applicant is requesting to operate their business. The 2,095 square foot lease space is located on the south side of Sahara Avenue. The applicant is proposing a children's indoor recreational facility for arts and crafts. Access to the site is via existing driveways along Sahara Avenue and Jones Boulevard. A total of 256 parking spaces are provided where a minimum of 210 parking spaces are required.

Landscaping

No changes are proposed or required to the existing landscaping.

Elevations

The photos depict a 1 story shopping center complex with stucco finish walls.

Floor Plans

The plans show a 2,095 square foot lease space with an open floor plan.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates the purpose of this business is to provide a children's indoor activity center where children can come play and do fun activities along with their parents. The facility will operate Tuesday through Sunday with hours of 8:30 a.m. through 3:00 p.m. on weekdays and 10:00 am through 5:00 p.m. on weekends. On weekends the applicant plans to host birthday parties, baby showers, and holiday themed parties. The center will be open to children up to 12 years old. The applicate stated this facility will not be a tutoring, training, or daycare facility.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-17-0019	Waiver to increase maximum wall sign area and increase number of wall sign	Approved by PC	March 2017
UC-0854-16	Pharmacy within an existing office/retail complex	Approved by PC	February 2017
UC-0555-10	Place of worship	Approved by PC	January 2011
UC-0610-09	A massage establishment in conjunction with an existing shopping center	Approved by PC	November 2009
ZC-0141-05	Reclassified from C-1 and C-2 to C-2 zoning	Approved by BCC	March 2005
UC-1515-02	Live entertainment in conjunction with a restaurant	Approved by PC	November 2002
UC-2095-96	Live entertainment consisting of live bands, a DJ and dancing in conjunction with a restaurant	Approved by PC	January 1997
UC-0554-95	Tutoring school	Approved by PC	May 1995
UC-0125-95	Auto rental company	Approved by PC	February 1995

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	City of Las Vegas	C-1	Shopping Center
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-1)	Single family residential
East	Corridor Mixed-Use	C-2, C-1, & C-P	Gas station & Shopping center

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
West	Corridor Mixed-Use	C-2, C-1, & C-P	Shopping center

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive 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.

The proposed use will not be more intense than the current commercial uses on the property and is compatible with the surrounding area. The request complies with the Master Plan, which encourages implementing a Comprehensive Land Use Plan to promote economic viability and employment opportunities that are compatible with adjacent land uses; therefore, staff can support this request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** RUNA HOWARD

**CONTACT:** RUNA HOWARD, HIMAWARI LLC, 9100 W. FLAMINGO ROAD, #1051,  
LAS VEGAS, NV 89147

DRAFT



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

2

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>UC-23-0692</u> DATE FILED: <u>10/04/2023</u> PLANNER ASSIGNED: <u>JUD</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>11/14/23</u> PC MEETING DATE: <u>12/05/23</u> BCC MEETING DATE: _____ FEE: <u>\$675<sup>00</sup></u>
	<b>PROPERTY OWNER</b>  NAME: <u>S Jones 300 LP</u> ADDRESS: <u>P.O. Box 4735</u> CITY: <u>Pahrump</u> STATE: <u>NV</u> ZIP: <u>89041</u> TELEPHONE: <u>(775)727-7460</u> CELL: _____ E-MAIL: <u>Lambo4Ferraris@gmail.com</u>
	<b>APPLICANT</b>  NAME: <u>Runa Howard</u> ADDRESS: <u>9100 W Flamingo Rd #1051</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89147</u> TELEPHONE: _____      CELL: <u>408-601-9742</u> E-MAIL: <u>runahoward0706@gmail.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>Runa Howard</u> ADDRESS: <u>9100 W Flamingo Rd. #1051</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89147</u> TELEPHONE: _____      CELL: <u>408-601-9742</u> E-MAIL: <u>runahoward0706@gmail.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 163-11-504-003, 002, 004 and 008

PROPERTY ADDRESS and/or CROSS STREETS: 6145 W Sahara Ave, Las Vegas, NV

PROJECT DESCRIPTION: children's indoor activity center

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that the 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.

Richard Diiorio  
 Property Owner (Signature)\*

Richard Diiorio  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON September 15, 2023 (DATE)  
 By Richard Diiorio

NOTARY PUBLIC: Maria R Herman



\*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.



September 18, 2023

2  
UC-23-0692

To Whom it May Concern:

Good day, my name is Runa Howard, and I am looking to open a children's indoor activity center wherein children can come and play and do fun activities along with their parents. Parents will be bringing their children to my center Tuesday – Sunday between the hours of 8:30 – 3:00 p.m. weekdays and 10:00 – 5:00 p.m. on weekends, to play and do fun arts and craft projects to include monthly themed crafts with the following mediums, such as play dough, paint, art works, sand, and other fun activities to promote hand/eye coordination and to assist with finger dexterity. On the weekends I plan to have birthday parties, baby showers, and holiday themed parties. My center will be open to children ages 0-12. This facility will not be a tutoring, training, or daycare facility.

I feel there is a need for this type of center that caters to parents and young children doing fun activities together. Parents will not be dropping off their children and going off doing other things. Instead, my center will foster parent/child bonding while playing together, creating memories, and having fun together while doing cool arts and crafts at affordable pricing.

Drawing from my educational background as a Montessori Pre-school teacher, I know and understand the value of one-on-one interaction between parent and child for more wholesome and emotional development.

At this location we will not be removing/adding any landscaping within this center. Based on the square footage of my space (2095 sf) and the nature of my use, my business will require 8 parking spaces. The center has provided 256 parking spaces.

Thank you for your time,



Runa Howard

408-601-9742





12/05/23 PC AGENDA SHEET

RESTAURANT/DRIVE-THRU  
(TITLE 30)

FLAMINGO RD/BUFFALO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0705-FLAMINGO CAPITAL MANAGEMENT, LLC:

**WAIVER OF DEVELOPMENT STANDARDS** for driveway geometrics.

**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; 2) modifications to an existing shopping center; and 3) a restaurant with a drive-thru in conjunction with an existing shopping center on a 1.0 acre portion of 12.1 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Flamingo Road and the west side of Buffalo Drive within Spring Valley. JJ/hw/syp (For possible action)

RELATED INFORMATION:

**APN:**

163-16-814-002 through 163-16-814-009 ptn

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce throat depth to 13.5 feet where 75 feet is the standard per Uniform Standard Drawing 222.1 (an 82% reduction).

**DESIGN REVIEWS:**

1. Allow alternative parking lot landscaping (tree and landscape island placement) where parking lot landscaping is required per Figure 30.64-14.
2. Modifications to an existing shopping center.
3. A restaurant with a drive-thru in conjunction with an existing shopping center.

**LAND USE PLAN:**

SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 1 (portion)/12.1 (overall)
- Project Type: Restaurant with drive-thru
- Number of Stories: 1
- Building Height (feet): 20.1
- Square Feet: 1,298

- Parking Required/Provided: 478/584

### Site Plan

The site plan depicts an existing 117,997 square foot shopping center on the northwest corner of Flamingo Road and Buffalo Drive. The existing shopping center is shown primarily on the western side of the site with 4 existing pad site buildings located in the northeast and southern portions of the site. The existing parking area is shown to be primarily in the eastern half of the site in front of the shopping center building and surrounding the pad site buildings.

The site plan shows the proposed restaurant and drive-thru will be in a 1 acre construction area in the southeastern portion of the overall site within the existing parking lot area. This 1 acre construction area will include the proposed restaurant and changes to the existing parking area. The plans show that the proposed building will be in the 0.4 acre "build-to-suit" (BTS) area in the southeast corner of the construction area. The proposed restaurant building will be set back approximately 190 feet from Flamingo Road and will be set back approximately 90 feet from Buffalo Drive and is in the southeast corner of the BTS area. Parking for the proposed restaurant is located in a 9 spot strip to the north of the proposed building and in the existing and new parking areas surrounding the restaurant's pad site. The drive-thru will begin north of the restaurant building and parking strip and will loop around the restaurant building to the west and will exit in the southeast corner of the proposed restaurant building near an existing driveway. The menu board and talk box will be located directly to the west of the building and will face away from both Flamingo Road and Buffalo Drive. The drive-thru will be able to handle a queue of 14 cars. An outside waiting area will be provided to the east of the building, and the loading zone for the site will be located approximately 76 feet west of the restaurant building. Access to the proposed restaurant and overall site is through existing commercial driveways along Flamingo Road, Miller Lane, and Buffalo Drive. There are 2 driveways along Flamingo Road, 1 driveway along Miller Lane, and 4 driveways along Buffalo Drive.

### Landscaping

The plans show that existing landscaping along the streets and the northern property line will remain as they are, along with existing parking lot landscape islands. The existing landscaping strips range in width between 10 feet and 15 feet and contain a variety of tree and shrub species. There are several 6 foot to 8 foot wide parking lot landscaping islands that also contain a variety of tree and shrub species.

The proposed landscaping is found primarily within the restaurant BTS area and the area immediately adjacent to the BTS area. Within the BTS area, 3 foot to 10 foot wide landscape islands surround the drive-thru aisle and the northern, western, and southern borders of the BTS area. Additional landscape islands surround the BTS parking area and the southern and northern portions of the proposed building with these islands varying in width from 8 feet up to 11 feet. These landscape islands contain a variety of shrub species along with a mix of Chaste (*Vitex agnus-castus*), Mastic (*Pistacia lentiscus*), and Thornless Chilean Mesquite (*Prosopis chilensis*) trees. The adjacent parking areas that will be restriped and have 6 foot wide landscape strip either upgraded or installed between every 3 and 21 spaces. These islands primarily contain shrubs with Red Push Pistache (*Pistacia x 'Red Push'*) trees. Overall, a total of 16 parking lot trees are required and 21 parking lot trees have been provided, meaning a design review for

parking lot landscaping is needed due to the location of the trees and number of finger islands not being per Figure 30.64-14.

### Elevations

The elevations provided depict the proposed restaurant building's height to be 20.1 feet tall with the attached overhead canopy capping at 14 feet tall. The exterior of the building is primarily composed of decorative bronze metal, honed face masonry, and brown wood paneling. Various artwork panels are also provided on the northern façade. Access to the building is provided by a commercial storefront window system on the northern and southern façades of the building. Various windows are provided on all sides of the building. Roof mounted equipment is screened by bronze metal parapet panels and perforated bronze metal paneling. The overall design of the restaurant building is modern in nature.

### Floor Plans

The floor plans show that the overall building contains 1,298 square feet divided amongst a total of 4 rooms. The primary room is a combined work, storage, and point-of-sale area with restrooms, a small break area, and a manager's office as enclosed offshoots of the main work area. The main work area extends the length of the 28.8 foot by 56.8 foot building. The break area and manager's office are in the northwest corner of the building, while the restrooms are in the northeast portion of the building. The point-of-sale areas are located on the eastern end of the building with a 435 square foot outside waiting area to the east of the point-of-sales areas.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant states that the proposed restaurant (Starbucks) will be community serving with most customers drawn from the immediate area. They also state the addition of the Starbucks will help to revitalize the shopping center and provide a needed service. The applicant indicates that the required number of trees are being provided and spread out across the developed portions of the site. Finally, the applicant indicates that there are several possible entrances to the site and the design and location of the building and drive-thru were considered in relation to these driveways.

### Prior Land Use Requests

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ADR-23-900486	Changes and improvements to the façade of an existing retail building within an existing shopping center	Approved by ZA	November 2023
WS-0491-01	Permit an additional freestanding sign and reduce the separation between freestanding signs	Approved by PC	June 2001

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-2002-99	5,000 square foot retail building with drive-thru in conjunction with an existing shopping center	Approved by PC	February 2000
UC-0043-99	Tanning salon in conjunction with an existing shopping center	Approved by PC	February 1999
VC-1506-98	Permit an additional freestanding sign for a pad site	Approved by PC	October 1998
VC-1157-98	Permit 3 freestanding signs	Approved by PC	August 1998
DR-1871-97	Combination convenience store and restaurant	Approved by PC	November 1997
TM-0003-97	One lot commercial subdivision (Buffalo Corners)	Approved by PC	February 1997
DR-1339-96	One story, 32 foot high, 103,388 square foot shopping center with 4 pad sites	Approved by PC	September 1996
VS-0275-94	Vacated and abandoned a portion of Saddle Lane - recorded	Approved by BCC	June 1994
ZC-0179-94	A 150,000 square foot shopping center with a 97,650 square foot mini-warehouse facility and 11,075 square foot office complex	Approved by BCC	April 1994

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-1	Vehicle wash & mini-warehouse facility
South	Compact Neighborhood (up to 18 du/ac) & Corridor Mixed-Use	R-3 & C-2	Multiple family residential & pharmacy
East	Open Lands	P-F	Spring Valley High School & Community Park
West	Compact Neighborhood (up to 18 du/ac)	R-4	Multiple family residential

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

Design Reviews

Overall, staff finds that the proposed restaurant building is attractive and complementary to the overall shopping center and neighborhood. The proposed landscaping for the site will add landscaping that was otherwise not originally present in the parking lot on the site. In addition, the number of provided trees and shrubs is enough for the number of spaces being provided and

restriped, which should help in reducing the heat island effect. The landscaping provided should enhance the visual appearance of the proposed restaurant building and the view of the site from the street. The provided drive-thru aisle is wide and long enough to handle the possible queuing on site, and the menu board and voice box face away from the street and other residential uses. The overall site has several points of access and staff finds that the placement of the new building does not significantly impact major flows within the site. Staff also finds that the placement of the new restaurant building within a relatively unused parking lot is a great example of in-fill development and a better use of a large, open parking lot space. Finally, staff finds that this project helps to support Policy 6.1.6 of the Master Plan, which encourages the adaptive reuse of vacant or underutilized spaces for in-fill development or redevelopment. For these reasons, staff could support these design reviews; however, staff concurs with Public Works that the location of the drive-thru exit, in front of an existing driveway, could lead to potential conflicts and collisions with vehicles entering from Buffalo Drive. As a result, staff is recommending denial of these requests.

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

#### Waiver of Development Standards

The proposed design has the drive-thru exiting into oncoming traffic trying to access the site. The request to reduce the throat depth will increase the potential of collisions as well as vehicles stacking in the Buffalo Drive right-of-way near the intersection. Staff met with the applicant's representatives to express concerns over the site design, there were multiple alternatives but none of them were taken into consideration by the applicant. Therefore, staff cannot support this request.

### **Staff Recommendation**

Denial.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

If approved:

- 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 has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- 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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0183-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: JOSEPH KENNEDY**

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

DRAFT



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX)  <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>WS-23-0705</u> DATE FILED: <u>10/11/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>11/14/23</u> PC MEETING DATE: <u>12/15/23</u> BCC MEETING DATE: _____ FEE: <u>\$1,150</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Flamingo Capital Management LLC</u> ADDRESS: <u>3755 Breakthrough Way, Suite 250</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-405-3122</u> CELL: <u>N/A</u> E-MAIL: <u>dbrowning@jakrec.com</u>
	<b>APPLICANT</b>  NAME: <u>Joseph A. Kennedy</u> ADDRESS: <u>3755 Breakthrough Way, Suite 250</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-405-3122</u> CELL: <u>N/A</u> E-MAIL: <u>dbrowning@jakrec.com</u> REF CONTACT ID #: <u>N/A</u>
<b>CORRESPONDENT</b>  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): 163-16-814-002 thru 009

PROPERTY ADDRESS and/or CROSS STREETS: Flamingo Rd. & Buffalo Dr.

PROJECT DESCRIPTION: Proposed restaurant with drive through in an existing shopping center

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

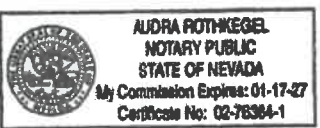
[Signature]      Joseph A. Kennedy  
Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON August 2, 2023 (DATE)

By Joseph A. Kennedy

NOTARY PUBLIC: Audra Rothkegel



\*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  
PUOY K. PREMSRIRUT

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS  
520 SOUTH FOURTH STREET  
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September 26, 2023

PLANNER  
COPY  
LS-23-0705

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

**RE: Flamingo Road & Buffalo Drive - Justification Letter -Revision 2**

- Design Reviews
- Waiver of Development Standards

**Assessors' Parcel Numbers: 163-16-814-002 through 163-16-814-009**

**To Whom It May Concern:**

On behalf of our Client, J.A. Kennedy Development Company., we respectfully submit this application package for a proposed restaurant with a drive through in a C-2 zone within a portion of an existing shopping center. The proposed restaurant (Starbucks) is located 150 feet north of Flamingo Road and east of Buffalo Drive, on a portion of 4.55 acres in a General Commercial Zone (C-2) within Spring Valley.

**Project Description:**

The proposed restaurant is a total of 1,298 square feet with a drive through. The proposed building pad is located east along Buffalo Drive. The existing shopping center has 4 access points on the east side of the existing development along Buffalo and two access points along Flamingo drive. The restaurant has a drive through that wraps around the building with an additional access point to park and order at the walk-up window. Cross access is shown throughout the existing shopping center along the west side of the proposed pad site. The drive through queuing lanes is depicted along the north side of the building and wraps around to the south of the building. The call box is located 108 feet from the east property line. A total of 664 existing parking spaces are provided for the shopping center were 472 are required. The proposed use results in a parking requirement of 478 parking spaces, where 584 parking spaces are provided to include 22 handicap accessible spaces for the entire shopping center. There are 8 parking spaces immediately to the north side of the building including one handicapped accessible space available for the proposed restaurant. A total of 4 bicycle parking spaces are provided to the west of the restaurant. The trash enclosure is located along the southwest of the proposed pad site. One (1) loading area is provided and is located east of the drive through.

**Elevations:**

The proposed restaurant is up to 20 feet high to the top of the parapet. The architecture of the restaurant is of a modern contemporary design with honed-faced masonry, perforated metal panels, wood-like ribbed panels, metal wall panels and parapets, and custom art panels. The mechanical equipment is screened as required by Code.



**Floor Plans:**

The plans depict a 1,298 square foot restaurant (Starbucks) with a 250 square foot non-seating waiting area for all walk-up orders to the east of the building. This location does not allow customers inside the building and all ordering is conducted at the walk-up window.

**Landscaping:**

An up to fifteen (15) foot wide minimum landscaping area is proposed along the northside of the proposed pad site. To the south of the drive aisle is a three (3) foot wide landscape island. The westerly portion of the drive aisle has a four (4) foot, four (4) inch wide landscape islands. The southern portion of the pad site has an eight (8) foot landscape island the drive through and 8 foot five (5) inches on the northern side. There are two (2) landscape islands on both sides of the parking spaces adjacent to the building. The required number of large and medium trees are provided as required and dispersed throughout the site.

Signage is not a part of the application.

**The following are the required applications:**

**Waiver of Development Standards:**

**Reduce throat depth to thirteen (13) feet nine (9) inches where 75 feet is required.**

**Justification:**

The existing commercial center includes a total of ten (10) additional driveways spread across the entire development. It is important to note that the original approval (ZC-0179-94) includes plans for a building on this pad site which shows the intent of design. These supplementary driveways offer multiple choices for accessing and leaving the premises. The current design has been carefully crafted to ensure that it does not disrupt traffic flow within the development.

**Design Reviews:**

- 1. Restaurant with drive through.**
- 2. Allow alternative parking lot landscaping.**

**Justification:**

The proposed restaurant (Starbucks) is a community serving use with customers drawn from the immediate area. This use is within an existing shopping center with existing buildings to the north, east, and south. The original shopping center was approved and constructed in 1997. A new Starbucks will not only revitalize and enhance the area around the shopping center. Although the correct number of landscape trees are provided on the plans the design and location of are not exactly per the Figure, therefore, resulting in this request. The proposed project conforms to the goals and policies 3.6.1 and 6.1.6 outlined in the Master Plan such as Policy SM1.1 Countywide policy of the Spring Valley Planning area to protect neighborhood integrity

with infill developments that are compatible with adjacent uses and this use is a neighborhood serving uses.

We appreciate the opportunity to submit this proposed project for your review.

Please contact me at 702-598-1409 if you have any questions or need additional information.

Sincerely,  
BROWN, BROWN & PREMSRIRUT



Cassandra Worrell  
Land Use and Development Coordinator

12/06/23 BCC AGENDA SHEET

INCREASE MANAGER'S UNIT AREA  
(TITLE 30)

TENAYA WY/SUNSET RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-23-400157 (UC-0787-17)-LAUB JOEL A AND LAUB KIMBERLY L FAMILY TRUST:

**USE PERMITS THIRD EXTENSION OF TIME** for the following: 1) increase manager's unit area; and 2) waive mixed-use development design standards.

**DESIGN REVIEWS** for the following: 1) modify an approved office/warehouse complex with manager's units; and 2) modify a parking lot on 5.6 acres in conjunction with an existing office/warehouse complex with manager's units in an M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the west side of Tenaya Way, 660 feet north of Sunset Road within Spring Valley. MN/tpd/syp (For possible action)

RELATED INFORMATION:

**APN:**

163-34-411-011; 163-34-411-012

**USE PERMITS:**

1. Increase manager's units up to 1,442 square feet where 800 square feet is permitted per Table 30.44-1 (an 80.3% increase).
2. Waive the required mixed-use development design standards per Table 30.44-1.

**LAND USE PLAN:**

SPRING VALLEY BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 5.6
- Number of Units: 10
- Project Type: Office/warehouse with increased manager's unit areas
- Number of Stories: 3
- Building Height (feet): Up to 50
- Square Feet: 32,096 (Building D1)/29,906 (Building - JLA Corporate)
- Parking Required/Provided: 413/448

### Site Plans

The approved plans depict an office/warehouse complex with 10 manager's units. The plans show 2 office/warehouse buildings, set back approximately 10 feet from the north property line, approved by WS-0502-17, and 32 feet from the east property line. This application was approved to add manager's units to the previously approved office/warehouse complex. Access to the site is from a shared driveway on Tenaya Way. Parking is located along the south side of the buildings and between the proposed buildings with a parking lot located southwest of the proposed buildings. A total of 448 parking spaces are provided for the entire complex.

### Lighting

The approved plans depict parking lot lighting with 20 foot high antique light poles, which match the existing light poles that are in the existing parking areas. Wall mounted shielded lighting fixtures and ground mounted shielded landscape lighting fixtures are located throughout the site.

### Landscaping

The approved plans show a previously approved 20 foot wide landscape area along Tenaya Way with an existing attached sidewalk. A gated 10 foot wide landscape area consisting of an intense landscape buffer per Figure 30.64-12 is located along the north property line, with a 6-foot-high decorative block wall. Landscaping is provided throughout the parking areas and in pockets along the southern face of the buildings and connected by colored and textured sidewalks with pedestrian amenities such as seating areas, and decorative trash receptacles. The landscape palette consists of Wilson Olive, Purple Leaf Plum, Japanese Blueberry, Fan-Tex Ash, Oriental Pear, Southern Live Oak, Raywood Ash, and Arizona Cypress trees, various shrubs, and groundcover.

### Elevations

The approved plans depict a 3 story, 45 foot high office/warehouse with manager's units (Building D1) and a 2 story, 50 foot high office/warehouse (JLA Corporate Building). Building materials consist of concrete tilt-up panels, stucco finished foam pop-outs, acrylic canvas awnings, sectional roll-up doors, mixed exterior cladding of stone and brick materials, wood shutters, and wrought iron railings. Decorative windows and chamfered concrete reveals are shown on all elevations.

The majority of Building D1 is 41 feet high with a flat corniced parapet roofline; however, on a portion of the south and north elevations, a pitched roof with concrete roof tiles at an overall height of 45 feet is incorporated into the roofline design. The lowest parapet line on the north elevation is 29 feet high at the second floor, and then steps 8 feet to the south before increasing to 41 feet for the roofline for the third floor, and stair steps south for an overall height increase of 45 feet. The southern elevation includes varying rooflines, diverse building facade details, and varying window fenestrations. The approved changes to the north elevation of the building includes a 6-foot-high parapet surrounding the northern deck to screen the view of the northerly facing windows from the adjacent single family subdivision to the north.

Most of the north elevation of the JLA Corporate Building is 46 feet 10 inches high with flat parapet rooflines and a central roofline extending to an overall height of 50 feet. The lowest roofline on the north elevation is 34 feet 6 inches at the second floor, and then steps to the south

### Floor Plans

The approved plans show a 32,096 square foot (Building D1) office/warehouse building with 13,256 square feet of office, and 18,840 square feet of warehouse. The first floor consists of a warehouse, storage and garage space, and a lobby area. The second and third floors consist of office and storage areas. The second floor of the building includes a deck that faces south into the interior of the office warehouse complex. The third floor includes a deck that faces north. There are 3 options for the office warehouse manager's units layout: Unit A includes 648 square feet of office area, 1,112 square feet of warehouse area, and 1,213 square feet of unit living area; Unit B includes 714 square feet of office area, 1,226 square feet of warehouse area, and 1,380 square feet of living unit area; Unit C includes 840 square feet of office area, 1,180 square feet of warehouse area, and 1,442 square feet of living unit area. The living area of the manager's unit is located on the second and third floors.

The approved JLA Corporate Building consists of 29,906 square feet for office/warehouse with 11,463 square feet of office and 18,443 square feet of warehouse. The first floor consists of a warehouse, offices, storage areas, and restrooms. Internal to the building is an open-air courtyard. The second floor consists of offices, storage, restrooms, and a breakroom.

### Signage

Signage is not a part of this request.

### Previous Conditions of Approval

Listed below are the approved conditions for ET-22-400014 (UC-0787-17):

#### Current Planning

- Until November 8, 2023 to commence;
- 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.
- Applicant is advised that cooling systems that consumptively use water will be prohibited; planting palette to consist only of recommended plants from the Regional Plant List; 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

- Compliance with previous conditions.

Listed below are the approved conditions for ET-20-400018 (UC-0787-17):

#### Current Planning

- Until November 8, 2021 to commence.

- 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.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for UC-0787-17:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Vacate existing access easement at driveway and re-dedicate a pedestrian access easement per new driveway requirements.

Department of Aviation

- Compliance with airport-related deed restrictions for APN 163-34-411-010, which will not be removed since the parcel is located within the AE-60;
- After removing manager's units from the deed restriction portion of the parcel, applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Clark County Department of Aviation;
- After removing manager's units from the deed restriction portion of the parcel, applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Clark County Department of Aviation;
- After removing manager's units from the deed restriction portion of the parcel, applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;
- After removing manager's units from the deed restriction portion of the parcel, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be

available in the future should the residents wish to have their buildings purchased or soundproofed.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; and to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0348-2017 to obtain your POC exhibit.

**Applicant's Justification**

The applicant is requesting more time to work towards commencing the project. Currently, there are civil plans, a drainage study, and a traffic study that have been approved for this site. The applicant expects the issuance of a grading permit in November of 2023. This extension of time would allow for the permit to be received and commencement of the project to begin.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ET-22-400014 (UC-0787-17)	Second extension of time for increased manager's unit area for an approved office/warehouse complex and modified parking lot.	Approved by PC	April 2022
ET-20-400018 (UC-0787-17)	First extension of time for increased manager's unit area for an approved office/warehouse complex and modified parking lot	Approved by ZA	March 2020
UC-0787-17	Increased manager's unit area for an approved office/warehouse complex and modified parking lot	Approved by BCC	November 2017
WS-0502-17	Reduced side setback & height/setback ratio for an office/warehouse building (Phase 2)	Approved by BCC	August 2017
WS-0232-07	Reduced parking and a design review for an office/warehouse complex with manager's units - expired	Approved by BCC	April 2007
ZC-1698-06	Reclassified the west half of the site from R-E to M-D zoning for future development	Approved by BCC	January 2007
ZC-2154-04 (WC-0377-06)	Waived conditions of a zone change requiring dedication of 30 feet for Monte Cristo Way	Approved by BCC	January 2007
ZC-2154-04	Reclassified the east half of the site and parcels to the east from R-E to M-D zoning for a warehouse complex with accessory residential quarters	Approved by BCC	April 2005

This parcel is in the Public Facilities Needs Assessment (PFNA) area.

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	R-1 & M-D	Single family residential & undeveloped
South	Business Employment	M-D & R-E	Office/warehouse & undeveloped
East	Business Employment	M-D & C-2	Place of worship, undeveloped & office/warehouse



### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Business Employment	M-D & R-E	Undeveloped

### STANDARDS FOR APPROVAL:

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

#### Analysis

##### Comprehensive 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 believes that the applicant has taken steps towards commencing the approved project (UC-0787-17). There are several building permits (BD23-30413, BD23-30414, and BD23-30415) in the process for this project. It is for this fact that staff can support the request but recommends that it be the last extension of time approved since it will have been 8 years from the original approval date.

##### Staff Recommendation

Approval.

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

### PRELIMINARY STAFF CONDITIONS:

##### Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30, effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

##### Public Works - Development Review

- Compliance with previous conditions.



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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: TENAYA LOFTS, LLC**

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

**DRAFT**



4



LAND USE APPLICATION
DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

Form with columns for Application Type, Staff, Property Owner, Applicant, and Correspondent. Includes checkboxes for various application types like Text Amendment, Zone Change, etc.

ASSESSOR'S PARCEL NUMBER(S): 163-34-411-011
PROPERTY ADDRESS and/or CROSS STREETS: Tenaya/Sunset
PROJECT DESCRIPTION: ET for UC-0787-17

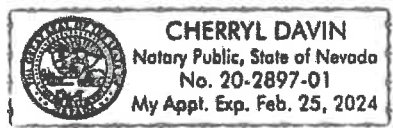
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code...

Property Owner (Signature)\* [Signature]
Property Owner (Print) Joel Laub

STATE OF NEVADA
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON AUGUST 25, 2023 (DATE)
By JOEL LAUB

NOTARY PUBLIC: Cheryl Davin



\*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-23-40018

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

October 9, 2023

**VIA ELECTRONIC UPLOAD**  
CLARK COUNTY COMPREHENSIVE PLANNING  
500 South Grand Central Parkway, First Floor  
Las Vegas, Nevada 89155

**Re: Justification Letter – Third Extension of Time  
Tenaya Lofts, LLC  
APN's: 163-34-411-011 and 012**

To Whom It May Concern:

This firm represents Tenaya Lofts, LLC (the "Applicant") in the above referenced matter. The Applicant is requesting a third extension of time for previously approved use permits and design reviews for an office/warehouse project. The property is located near the northwest corner of South Tenaya Way and West Sunset Road, more particularly described as Assessor's Parcel Numbers 163-34-411-011 and 012 (the "Property").

By way of background, the Clark County Board of County Commissioners approved use permits and a design review in August 2017 (UC-0787-17) to modify an approved office/warehouse complex with manager's units. An administrative first extension of time (ET-20-400018) was approved in March 2020. A second extension of time (ET-22-400014) was approved in April 2022. A condition of approval was a commencement date of November 8, 2023.

The Applicant is requesting an additional extension to allow time to finalize development plans and obtain building permits. Currently, the Applicant's civil plans, drainage study, and traffic study have all been submitted and approved. The Applicant is expecting issuance of their grading permit in November of 2023. We are respectfully requesting an additional extension of time to obtain the grading permit and commence construction. Therefore, the Applicant respectfully requests a two-year extension of time.

Thank you in advance for your consideration. Please do not hesitate to contact us with any questions or concerns.

Sincerely,  
KAEMPFER CROWELL  
  
Elisabeth E. Olson

EEO/lak

12/06/23 BCC AGENDA SHEET

SCHOOL  
(TITLE 30)

RED ROCK ST/OAKEY BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0664-KENOWOYO INVESTMENT I, LLC:

USE PERMIT to re-establish a school.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) sidewalk and landscaping; 2) reduce setback; 3) allow non-decorative screening along the right-of-way; 4) allow unscreened mechanical equipment; 5) trash enclosure; 6) off-site improvements; 7) reduce throat depth; and 8) driveway geometrics.

DESIGN REVIEW to re-establish the school site redesign for an existing school on a 2.0 acre portion of a 4.2 acre site in an R-E (Rural Estates Residential) Zone.

Generally located on the northwest corner of Oakey Boulevard and Red Rock Street within the Spring Valley Land Use Planning Area. RM/jor/syp (For possible action)

---

RELATED INFORMATION:

**APN:**

163-01-205-002 ptn

**WAIVERS OF DEVELOPMENT STANDARDS:**

1.
  - a. Eliminate street landscaping along Red Rock Street (southeast portion) where 15 feet of street landscaping is required behind an existing attached sidewalk per Section 30.64.030.
  - b. Eliminate sidewalk and street landscaping along Red Rock Street (northeast portion) where a detached sidewalk and landscaping is required per Figure 30.64-17.
  - c. Eliminate sidewalk and street landscaping along Doe Avenue, where detached sidewalks and street landscaping is required per Figure 30.64-17.
2.
  - a. Reduce the street setback of an existing accessory structure (solar-paneled carport) to zero feet where 10 feet is required per Table 30.40-1 and Section 30.56.040 (a 100% reduction).
  - b. Reduce the street setback of a portion of an existing chain link fence over 3 feet in height adjacent to Red Rock Street to zero feet where 10 feet is required per Section 30.64-020(1)(c) (a 100% reduction).
3. Allow non-decorative screening along Red Rock Street where required per Section 30.64.020.
4. Allow unscreened mechanical equipment in conjunction with existing modular buildings where screening is required per Table 30.56-2.

5. Eliminate the trash enclosure where a trash enclosure is required per Section 30.65.120.
6.
  - a. Waive off-site improvements (curb, gutter, sidewalk, and partial paving) on Red Rock Street where required per Section 30.52.040.
  - b. Waive off-site improvements (curb, gutter, sidewalk, and partial paving) on Doe Avenue where required per Section 30.52.040.
7. Reduce the driveway throat depth to zero feet where 25 feet is the minimum required per Uniform Standard Drawing 222.1 (a 100% reduction).
8. Allow the existing modified driveway geometrics to remain where driveway geometrics per Uniform Standard Drawing 222.1 is the standard.

**LAND USE PLAN:**  
SPRING VALLEY - PUBLIC USE

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

**General Summary**

- Site Address: 6000 W. Oakey Boulevard
- Site Acreage: 2 (existing school)/4.2 (overall site)
- Project Type: School redesign
- Number of Stories: 1
- Building Height (feet): 16 (main classroom/office buildings)/14.5 maximum (modular buildings)
- Square Feet: 4,340 (Classroom Building A)/2,900 (Classroom Building B)/2,900 (Building C)/1,440 (for each Modular Classroom Building 1 through 4)/ 1,920 (Carport A)/2,880 (Carport B)/6,000 (Carport C)
- Parking Required/Provided: 29/31

**History & Request**

A school was previously approved in 2003 (UC-0949-03) for the subject property. In 2014, UC-0229-14 was approved for additions to a school and has since expired, UC-18-0911 was approved by the Board of County Commissioners (BCC) for the new school with waivers of development standards. Due to concerns related to the off-site improvements and commercial driveways for the school, the application was approved with a 1 year review. AR-20-400016 was an application for review which was heard in June 2020 and was denied by the BCC due to incomplete off-site permits, inspections, and traffic study by the applicant; therefore, UC-18-0911 expired.

The applicant is requesting a new use permit to allow the same school to remain on the site, and associated waivers of development standards and a design review to re-establish the re-design of the site.

**Site Plan**

The submitted site plan consists of a 4.2 acre parcel where the north half is undeveloped and the school is located on the southern half of the site. The north property line is adjacent to Doe

Avenue and the east property line is adjacent to Red Rock Street. On site parking is located along the east and south property lines, and within a covered parking area on the southwest corner of the site. There are 29 parking spaces required where 31 parking spaces are provided.

#### Northern Portion of the School Site:

The site plan shows an existing covered parking area (with solar panels – Carport A & B) on the northeast corner of the site with an entrance only driveway on the northeast corner and leads to an exit only driveway immediately to the south. The northern portion of the school site also includes 4 modular classroom buildings, Classroom Building C, and a hard surface play area with a half basketball court. Modular Classroom Building 1 and 2 are oriented east to west and were placed on the north portion of the school site. Modular Classroom Building 3 is oriented north to south and is directly east of the basketball court. Modular Classroom Building 4 is also oriented north to south, but was placed along the west property line, west of Classroom Building C. A trash container is provided on the northeast corner of the site adjacent to the covered parking area, however the applicant does not provide an exterior trash enclosure as required per code. The previously approved site plan under UC-18-0911 shows all 4 modular classroom buildings were oriented east to west along the northern portion of the school site.

#### Southern Portion of the School Site:

The site plan depicts another covered parking area with solar panels (Carport C) on the southwest corner of the parcel. Immediately to the east is Classroom Building B. The center of the school site includes the playground area, and the southeast corner of the site includes covered play areas and Classroom Building A. East of Classroom Building A there is another enter only driveway which leads vehicles south, then east towards the southwestern driveway which is exit only.

#### Landscaping

The applicant is not proposing any new landscaping on the site. Currently, aerial photos show that artificial grass was installed throughout the entire playground and northwest corner of the school site. The applicant maintained all existing trees and shrubs that are located within the planter adjacent to the south property line. There are existing trees and shrubs in the middle of the school site adjacent to and within the playground area. There is an existing attached sidewalk along the south property line (Oakey Boulevard), and this landscaping planter is approximately 15 feet wide.

#### Elevations

The classroom buildings are 1 story high with a tan colored stucco finish exterior, terracotta colored roof tiles, aluminum framed windows, and blue steel doors. The modular buildings are constructed of modular walls with slate grey and blue vertical siding and skirting. The maximum height of the existing modular buildings is 14.5 feet. The carports are constructed of steel trusses and beams to support the solar panels which provide shade for parked vehicles.

#### Floor Plans

- Classroom Building A has 5 classrooms and 1 office with an overall area of 4,340 square feet.
- Classroom Buildings B has 4 classrooms with an overall area of 2,900 square feet.



- Classroom Building C has 4 classrooms and 1 office with an overall area of 2,900 square feet.

Each Modular Classroom Building (1 through 4) has an overall area of 1,440 square feet.

- Modular Classroom Building 1 and 2 includes 2 classrooms.
- Modular Classroom Building 3 includes 4 classrooms.
- Modular Classroom Building 4 includes 1 classroom and 1 office.

The existing carports are as follows:

- 1,920 square feet (Carport A)
- 2,880 square feet (Carport B)
- 6,000 square feet (Carport C)

#### Applicant's Justification

The site was originally approved as a school in 2003 (UC-0949-03), and again in 2014 for additions to a school (UC-0229-14). The 2014 approval expired, and in 2019, the site was approved as a school with a re-design (UC-18-0911) for the applicant as a new operator. Following a required two-year review of the project per a condition of approval regarding off-site improvements, the approval of the application expired. Unfortunately, the applicant unknowingly missed the Board of County Commissioners hearing for the required review. The applicant now seeks to re-establish the approved uses and related waivers that were previously approved on the site.

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
AR-20-400016 (UC-18-0911)	First application review for a redesign of an existing school, waivers for landscaping and screening, reduced setbacks, mechanical equipment, trash enclosure, and off-site improvements	Denied by BCC	June 2020
UC-18-0911	Redesigned an existing school, waivers for landscaping and screening, reduced setbacks, mechanical equipment, trash enclosure, and off-site improvements - expired	Approved by BCC	January 2019
UC-0229-14	Expand an existing school, waivers for landscaping, reduced setbacks, trash enclosure, flat roofing, mechanical equipment screening, off-site improvements, traffic study, drainage study, and design review for a school expansion - expired	Approved by BCC	July 2014
UC-0949-03 (ET-0218-06)	First extension of time to review a major school and waiver for street landscaping - time limit removed	Approved by PC	August 2006
UC-0949-03	Major school and waived portions of street landscape requirements	Approved by PC	July 2003



**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0071-72	School - expired	Approved by BCC	1972

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Existing single family residences
South	City of Las Vegas	R-E	Place of worship
West	City of Las Vegas	C-2	Palm Mortuary funeral home

**STANDARDS FOR APPROVAL:**

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

**Analysis****Comprehensive 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 there were no reported complaints or negative ramifications as a result of the previously approved use permit for the school and the site redesign via UC-18-0911. Today, staff continues to support the applicant's request to allow a school on the subject parcel. The school serves as a benefit and a positive alternative to educational options for families in Las Vegas. The existing school is not out of character for the surrounding neighborhood. The College of Southern Nevada (CSN) – Charleston Campus is 1,600 feet to the west and there is a private school (Vegas Valley Adventist Academy) that is 100 feet southwest of the school, and Doris Hancock Elementary School is 2,000 feet to the east. Staff is in support of the use permit.

**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**

Currently, a portion of the landscape planter adjacent to Oakey Boulevard, wraps around towards the corner of Red Rock Street. No additional landscaping is provided on the east side of the school due to the existing drive aisles, driveways, and attached sidewalk. Trees were planted

along the northeast corner of Red Rock Street (undeveloped portion of the lot) in 2012. However, aerial photos show that these trees have not been maintained by the previous and current property owner. Lastly, no new landscaping is proposed along Doe Street. Title 30 requires landscaping at the perimeter of a site to promote visual relief between the school and the residential developments along Red Rock Street and Doe Avenue. Landscaping also promotes a complete streetscape for the subject property. Staff finds that waiving landscaping requirements do not promote the reduction of possible noise, glare, dust, heat, assistance in wind control, and minimizing water runoff. Staff does not support of these requests.

#### Waiver of Development Standards #2a

The applicant is once again requesting to reduce the street setback of an existing accessory structure (solar-paneled carport) to zero feet where 10 feet is the standard per code. Plans show that the solar-paneled carports are existing and do not meet the minimum 10 foot side street setback. However, the existing solar-paneled carports received permits through the Clark County Building Department (BD10-32426 and BD10-35348); therefore, staff can support this request.

#### Waiver of Development Standards #2b

A small portion of the chain link fence east of the Modular Building 1 was installed sometime in 2016 and does not meet the street setback of 10 feet as required per code. This portion of fencing was installed to protect an 8 foot by 7 foot area with an existing fire hydrant and ancillary bollards. Staff finds that this portion of fencing should be set back appropriately and should not disturb the area surrounding the fire hydrant. Staff does not support this request.

#### Waiver of Development Standards #3

The plans show that there is an existing chain-link fence on the northeast corner of the school site adjacent to Red Rock Street. The existing chain-link fence along a portion of Red Rock Street should be decorative per Section 30.64.020(1)(C). Staff finds that since the school is highly visible from the right-of-way, the site should have visual continuity of fencing material and the chain-link fence would not be consistent with the existing wrought-iron fence along the north, northeast and southern portion of the site. Staff cannot support this request.

#### Waiver of Development Standards #4

Staff recognizes that there is existing mechanical equipment attached to the top half of all 4 modular buildings and is visually above the existing chain-link fence. These modular buildings are not temporary, and the applicant has permanently utilized the modular buildings for the school. This waiver was previously approved via UC-18-0911, however the applicant still has the opportunity to screen the equipment from the right-of-way; therefore, staff cannot support this request.

#### Waiver of Development Standards #5

The site has ample area to provide a trash enclosure to cover the existing trash container. Staff cannot support this request since this is a self-imposed hard ship.

### Design Review

Staff only supports the overall improvements provided by the applicant on the interior of the school site. The overall layout and site amenities clearly benefit the students and staff. The applicant's rearrangement of the modular buildings, repaving portions of the site, improving the playground upgraded the school aesthetically and functionally.

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

#### Waiver of Development Standards #6

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. Therefore, staff cannot support the Waiver of Development Standards for full off-site improvements.

#### Waiver of Development Standards #7

Staff cannot support the reduction of throat depth for the parking lot driveways on Red Rock. Without off-site improvements there is no clear direction to where the driveways are located, which is already causing potential for collisions, adding the reduction of throat depth just further increase the potential for collisions.

#### Waiver of Development Standards #8

Staff cannot support the waiver to allow the existing pan driveway with existing driveway widths. The existing driveways are in bad shape as the applicant worked within the County right-of-way to make unauthorized street improvements, without the benefit of an off-site permit or inspections. Additionally, without off-site improvements there is no clear direction to where the driveway is located, causing potential for collisions.

### **Staff Recommendation**

Approval of the use permit and waiver of development standards #2a; denial of waivers of development standards #1, #2b, #3 through #8, and the design review.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

If approved:

- 1 year to review as a public hearing.
- Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit, license or approval, the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial

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

**Public Works - Development Review**

- 30 days to pay Traffic Study mitigation fees associated with PW19-10706;
- Reconstruct commercial pan driveway per Uniform Standard Drawings 222.1 and 224;
- 30 days to submit off-site improvements plan for reconstruction of the commercial pan driveway;
- Drainage study shall be required with future development as determined by Public Works - Development Review.

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

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

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: KENOWOYO INVESTMENT I, LLC**

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



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX)  <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
	<b>PROPERTY OWNER</b>  NAME: <u>KENOWOYO INVESTMENT I LLC</u> ADDRESS: <u>3435 Lindell Rd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>cherryfan0803@gmail.com</u>
	<b>APPLICANT</b>  NAME: <u>KENOWOYO INVESTMENT I LLC</u> ADDRESS: <u>3435 Lindell Rd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>cherryfan0803@gmail.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Dr. #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89195</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>n/a</u> E-MAIL: _____ REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-01-205-002

PROPERTY ADDRESS and/or CROSS STREETS: Oakey & Red Rock

PROJECT DESCRIPTION: School Re-Design.

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

[Signature] Property Owner (Signature)\*  
Yuying Fan. Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 05/04/2023 (DATE)

By Yuying Fan  
 NOTARY PUBLIC: [Signature]



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



LAS VEGAS OFFICE  
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KAEMPFER

CROWELL

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

September 18, 2023

**VIA ELECTRONIC UPLOAD**

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

***Re: Revised Justification Letter – Special Use Permit and Waivers of  
Development Standards  
APN: 163-01-205-002***

To Whom It May Concern:

Please be advised this office represents Kenowoyo Investment, LLC (the “Applicant”) in the above-referenced matter. The existing school is located on the northwest corner of West Oakey Boulevard and Red Rock Street. The property is more particularly described as APN: 163-01-205-002 (the “Site”). The Site is zoned R-E and master planned PU on approximately 4.2 acres.

The Site was originally approved as a school in 2003 (UC-0949-03), and again in 2014 for additions to a school (UC-0229-14). The 2014 approval expired, and in 2019, the Site was approved as a school with a redesign (UC-18-0911) for the Applicant as a new operator. Following a required two-year review of the project per a condition of approval regarding off-site improvements, the approval of the application expired. Unfortunately, the Applicant unknowingly missed the Board of County Commissioners hearing for the required review. The Applicant now seeks to re-establish the approved uses and related waivers that were previously approved on the Site.

**Special Use Permit**

As discussed above, the Applicant requests to re-establish the use permit on the Site for a school. The Site has operated successfully as a school for the last several years, providing a needed service to the community as a bilingual school for grades K-5 and pre-school for ages 1-5. The Applicant does not provide daycare. The Applicant recently submitted an application to subdivide the property, as approximately half of the Site is being used as a school and the remainder of the Site remains vacant. The Applicant has been a good neighbor in the area in the years since it has been operating, and wishes to continue serving the community. The school has demonstrated that it is a compatible and harmonious addition to the surrounding neighborhood, and for these reasons, the Applicant requests favorable consideration of the special use permit.

The existing Site is comprised of four modular buildings, and three primary buildings with 23 classrooms in total. In the center of the Site is a playground area with shade structures and play equipment. Along the western edge of the Site is a solar-paneled carport for covered parking. The



Applicant anticipates up to 200 students to be enrolled at this location. The Site is accessed via a one-way entrance off of Red Rock Street, with exit onto West Oakey Boulevard. A rear parking lot provides an additional one-way exit and entrance behind Building A as shown on the site plans. The three existing driveways are “depressed curb style” driveways. These driveways do not meet current code requirements for width and throat depth. They are also not the curb return style driveways required by code for new development. It is requested the existing driveways remain as constructed and continue to function as they have since 2019 when this school started using the site. The rear parking lot does not have offsites in Red Rock right of way – specifically curb, gutter, and sidewalk. It is requested the driveways for the rear parking area be allowed to be constructed per CCAUSD 224, Commercial and Industrial driveway Option A. With the width as shown on the site plan. The pavement in Red Rock right of way adjacent to the rear parking lot does not meet CCPW standards and will be removed and replaced with pavement meeting required standards for offsites. Finally, the Site provides 31 parking spaces, where 24 are required. Drop off occurs between 7-9 a.m., and pick up occurs between 3-6 p.m.

### **Waivers of Development Standards**

#### *Waive landscaping along Red Rock Street*

The Applicant requests to waive landscaping along Red Rock Street. As it exists today, Red Rock Street does not contain street landscaping, due to the rural nature of the surrounding area. The Applicant requests to maintain what exists on the Site today, which includes street frontage landscaping along West Oakey Boulevard, as well as the open space as provided to students along the interior of the Site. For these reasons, the Applicant requests a waiver for landscaping along Red Rock Street.

#### *Waive landscaping along Doe Avenue*

The Applicant requests to waive landscaping along Doe Avenue. The Site is not fully developed, with the Applicant only using the southern half of the parcel. The Site is fenced, however the Site’s northern half is vacant. Additionally, as with Red Rock Street, the surrounding area along Doe Avenue is largely rural. The Applicant requests to maintain what is currently on the Site’s north end, until such time as new development plans are contemplated for the northern portion along Doe Avenue.

#### *Waive off-site improvements on Red Rock Street*

The Applicant requests to waive off-site improvements on Red Rock Street. Specifically, the Applicant requests to waive off-site improvements along the northern half of the parcel that is currently undeveloped. With a pending application to subdivide the property, the Applicant requests to maintain what is currently on the Site’s north end, until such time as new development plans are contemplated for the northern portion along Doe Avenue.



*Waive off-site improvements on Doe Avenue*

The Applicant requests to waive off-site improvements on Doe Avenue that is currently undeveloped. Due to the rural nature of the site and with the pending application to subdivide the property, the Applicant requests to maintain what is currently on the Site's north end, until such time as new development plans are contemplated for the northern portion along Doe Avenue.

*Waiver of throat depth requirements*

The Applicant requests to waive throat depth requirements for the parking lots. It is requested all driveways have a zero-foot throat depth, where 25-ft is required. The drive aisles in both parking lots are one way, aiding in the flow of traffic through the parking lot. These are very small parking lots, the parking lot abutting Oakey has 12 parking stalls, the rear parking lot has 19 parking stalls. These parking lots are existing today and function in a manner preventing traffic from queuing on public right of way. The parking lot used for student drop off along Oakey has over 100-ft vehicular distance from the driveway to the first parking stall, allowing for vehicles to enter the site without creating a queue of vehicles in Red Rock right of way. The rear parking is reserved for staff of the school. The staff arrive and depart the school once a day resulting in low traffic volumes utilizing the parking lot and reducing the chance for any vehicle queue in Red Rock right of way. For these reasons, the Applicant requests a waivers for the throat depth at all driveways on the site.

*Allow Existing Pan Driveways and Driveway Widths*

The Applicant requests to waive curb returns and to allow the existing driveway widths on the existing driveways on the Site. The relative age of the Site creates for existing pan driveways in the neighborhood, including the Site itself and the church across the street from the Site. Additionally, the Site has been operating as a school since 2003 with the existing driveways without any safety issues. Due to the relatively low traffic circulation on the Site, and that the Oakey Boulevard driveway is exit-only, with all ingress traffic occurring on Red Rock Street, the Applicant respectfully requests favorable consideration of this request.

*Reduce setback and setback from right-of-way for chain link fence to zero feet where 10 feet are required*

The Applicant requests a waiver to reduce the setbacks for the existing chain link fence along the northeast corner of the developed Site. The wavier represents a small area of fencing off of the Site's parking area to secure the modular building. The chain link fence is largely located along the parking lot perimeter, away from the right-of-way. However, where the chain link does not meet the setback requirements, the Applicant requests this waiver to maintain what currently exists on the Site.

*Reduce side-street setback and setback from right-of-way of solar-paneled carport to zero feet where 10 feet is standard*

The Applicant requests a waiver to reduce the side-street setback of the solar paneled carport along the Site's western edge. As staff previously found in the UC-18-0911 application, the carport received prior land use approvals, as well as proper building permits through Clark County. Additionally, the carport sits adjacent to the parking lot of the Palm Mortuary next door, which will not impact the operations of the adjacent use. As a result, the Applicant requests favorable consideration of this request.

*Allow non-decorative screening along Red Rock Street*

Along West Oakey Boulevard, the Applicant provides slotted metal fencing to secure the Site. This portion of the Site represents the most visible portion of the school from the right-of-way. The Applicant requests a waiver to allow the existing non-decorative screening along a portion of the eastern edge of the Site, along Red Rock Street. This portion of the Site is not visible from West Oakey Boulevard, and is only visible from traffic on Red Rock Street. Along the vacant portion of the Site, the Applicant provides slotted metal fencing for security.

*Allow unscreened mechanical equipment in conjunction with existing modular buildings where screening is required*

The Applicant requests a waiver to allow unscreened mechanical equipment with the modular buildings on the Site. Mechanical equipment are setback from the right-of-way, and are largely shielded from view by the existing landscaping on the Site. The Applicant requests to maintain what is currently provided on the Site, and therefore requests favorable consideration of this waiver.

Thank you for your consideration of this application. Please do not hesitate to contact me with any questions.

Sincerely,

KAEMPFER CROWELL



Elisabeth E. Olson

EEO/mkr



# AGENDA LOG AMENDMENT

Department of Comprehensive Planning

5

Application Number: UC-23-0664

Property Owner or Subdivision Name: KENOWOYO INVESTMENT I, LLC

Public Hearing: Yes  No

Staff Report already created: Yes  No

Delete this application from the: TAB/CAC \_\_\_\_\_ PC \_\_\_\_\_ BCC \_\_\_\_\_

Add this application to the: TAB/CAC 10/31/23 Spring Valley PC \_\_\_\_\_ BCC \_\_\_\_\_

**Change(s) to be made:**

- Held no date specific
  - Withdrawn
  - No change to meeting(s) 11/21/23 BCC
  - Amend Write-up
  - Renotify
  - Make a public hearing (Radius: \_\_\_\_\_)
  - Rescheduling
  - Other: add to Spring Valley TAB on 10/31/23
  - Additional fees – \$AMOUNT OF ADDITIONAL FEES: \_\_\_\_\_
  - Refund
    - 80%
    - 100% (please include justification for full refund below)
- AMOUNT OF REFUND\$: \_\_\_\_\_

Reason for Change: Staff who processed this did not add this to Spring Valley TAB in Accela. Adding to the 10/31/23 Spring Valley TAB. No change to BCC meeting (11/21/23 BCC)

Change initiated by: jor Date: 10/10/23

Change authorized by: HW Date: 10/10/23

Change processed by: ds Date: 10/10/23

Follow up assigned to: \_\_\_\_\_ Instructions: \_\_\_\_\_

Parcel Number(s): 163-01-205-002

Town Board(s): Spring Valley



SIGNAGE  
(TITLE 30)

DURANGO DR/CC 215

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0718-UNCOMMONS LIVING BLDG 1, LLC:

**WAIVER OF DEVELOPMENT STANDARDS** for signage.

**DESIGN REVIEW** for modifications to comprehensive sign package in conjunction with an approved High Impact Project and Mixed-Use Project on 32.5 acres in a U-V (Urban Village - Mixed Use) Zone in the CMA Design Overlay District.

Generally located on the southeast corner of Durango Drive and the CC 215 within Spring Valley. MN/rr/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

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

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Increase the number of directional signs to 37 where a maximum of 12 are permitted per Table 30.72-1 (a 208% increase) and 17 signs were previously approved (a 118% increase).
- b. Increase the total area of directional signs to 374 square feet where a maximum of 120 square feet is permitted per Table 30.72-1 (a 212% increase) and 235 square feet was previously approved (a 59% increase).
- c. Increase the number of animated (video) wall signs to 4 where a maximum of 1 animated (non-video electronic message unit) sign is permitted per freestanding sign per Section 30.48.068 (a 300% increase) and where 3 signs were previously approved (a 25% increase) and where animated signs are not permitted per Section 30.48.770.
- d. Increase the total area of animated (video) signs to 805 square feet where a maximum of 70 square feet is the maximum (a 1,050% increase) per Section 30.48.680 and where 755 square feet was previously approved (a 7% increase).
- e. Increase the number of roof signs on the canopies along the façade of various buildings and the entries into the parking garages to 60 signs where roof signs are not permitted per Section 30.72.040 and 46 signs were previously approved (a 30% increase).
- f. Increase the total area of roof signs on the canopies along the façade of various buildings and the entries into the parking garages to 2,220 square feet where

roof signs are not permitted per Section 30.72.040 and where 1,700 square feet was previously approved (a 31% increase).

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 32.5
- Project Type: Modifications to comprehensive sign package

Overview and Site Plan

This application is for modifications to a previously approved Comprehensive Sign Package application (WS-20-0507) for a partially completed mixed-use development and High Impact Project (HIP). The revisions to the signage for the development includes waivers of development standards and design reviews for the mixed-use site which is partially completed on a 35.5 acres site consisting of commercial, residential, open space elements and required pedestrian realms. The project was originally approved by action on ZC-19-0343 on June 27, 2019. Subsequent applications include DR-20-0098 for revisions to portions of the development, WS-20-0507 for a comprehensive sign package, DR-20-0098, DR-22-0011, WS-23-0333 for revisions to phase II of the residential element of the project site and UC-23-0604 for an amendment to the pedestrian realm for phase II of the residential element which is in process.

The provided plans depict and outline all the signs requested for this application. Details of each type of sign, the square footage, and number of signs amended and requested are shown on the plans. The previously approved plans depict a High Impact, mixed-use project consisting of office buildings, a movie theater, commercial buildings, residential buildings, and parking structures. No changes in location or design of the previously approved uses and buildings are proposed with this application.

Signage

The revisions to the existing sign package include an increase in the total numbers and square footage of project identification, monument, wall, directional, projecting, roof, and animated signs. No changes are proposed to any previously approved free-standing signs or nameplate signs. Waivers of development standards are necessary to increase the number and area of directional signs as well as for animated signs and roof signs. Animated (video) wall signs and roof signs are not allowed by Title 30, and only 1 animated (non-video electronic message unit) is allowed per free-standing sign per the CMA overlay standards and a waiver is required for any animated sign per the Mixed-Use Development Standards. However, waivers were previously approved in 2020 to allow three animated (video) wall signs for a total of 755 square feet. The applicant requests one additional animated (video) 50 square foot wall sign which will increase the overall square footage to 805 square feet. Additionally, roof signs are not permitted, however, 46 roof signs totaling 1,700 square feet were previously approved in 2020. The

applicant is requesting the number of roof signs to be increased by 14 to a total of 60 which will total 520 square feet for an overall area of 2,200 square feet.

The following tables are a summary of the previous signage approved with the comprehensive sign package in 2020. Any additional proposed signage area and additional number of signs requested with this application are also shown:

Type of sign	Approved (sq ft)	Proposed additional (sq ft)	Total (sq ft)	Allowed per Title 30 (sq ft)	Percent increase	# of proposed signs	# of additional signs	Total # of signs
Freestanding	740	0	740	945	0	2	0	2
Project Identification	183	154	337	840	84%	3	3	6
Monument	244	134	378	840	55%	4	3	7
Wall*	8,355	10,282	18,637	89,134	123%	122	115	237
Directional	235	154	389	120	66%	18	19	37
Projecting	592	64	656	672	11%	23	6	29
Nameplate	200	0	200	200	0%	5	0	5
Roof	1,700	520	2,220	N/A	31%	46	14	60
Overall Total	12,249	11,308	23,557	92,801	46%	223	160	383

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

Type of sign	Approved (sq ft)	Proposed (sq ft)	Total (sq ft)	Allowed per Title 30 (sq ft)	Percent increase	# of proposed signs	# of additional signs	Total # of signs
Animated	755	50	805	70	7%	3	1	4

#### Applicant's Justification

The applicant indicates that the modifications to the sign package is necessary because this is a large site with a variety of buildings and a myriad of uses including offices, residential, commercial buildings, including an approved theater, restaurants and retail, open spaces, courtyards, and gathering places, and parking garages.

The applicant indicates that the requests to revise/increase the previous approvals may seem excessive, however, the design of the signage approved and proposed with this application is a continuation of the branding for the project located at various areas of the site including the entrances, corners, walls and façade of various buildings and the main entry of the parking structures. Each of the sign types requested serves to brand the project and provides direction and identification for the entire development which is partially open. The signage proposed is unique and distinctive element for the development and provides a cohesive design and identity for the development.

The applicant goes on to state that the developer will be involved and monitor the signage for each use to ensure compatibility and compliance with the approved sign package. The applicant states that the requests as proposed are appropriate and compatible with the area and with the existing approvals on the site and the portions of the project within the CMA.



### Prior Land Use Requests

Application Number	Request	Action	Date
UC-23-0604	Modifications to pedestrian realm and alternative design for Phase II of High Impact mixed use project	Scheduled for BCC	November 2023
WS-23-0333	Waivers for approach distance, throat depth, and driveways and design review for Phase II of High Impact mixed use project and finished grade	Approved by BCC	August 2023
ET-22-400041 (DR-20-0098)	First extension of time request for outdoor theater and revisions to High Impact mixed-use project	Approved by BCC	May 2022
ET-22-400040 (WS-20-0099)	First extension of time request for temporary parking lot for High Impact mixed-use project	Approved by BCC	May 2022
ET-22-400039 (ZC-19-0343)	First extension of time request for a High Impact mixed-use project	Approved by BCC	May 2022
DR-22-0011	Finished grade	Approved by BCC	April 2022
WS-20-0507	Waivers for setbacks, signage, non-standard improvements in right-of-way, design reviews for building modifications and comprehensive signage package for High Impact mixed-use project	Approved by BCC	January 2021
WS-20-0098	Temporary parking lot for High Impact mixed-use project	Approved by ZA	March 2020
DR-20-0098	Outdoor theater and modifications to previously approved High Impact Project and mixed-use	Approved by ZA	March 2020
TM-20-500013	Mixed-use project consisting of 4 commercial lots on 43.4 acres	Approved by ZA	March 2020
ZC-19-0343	Reclassified the site to U-V zoning for a High Impact mixed-use project	Approved by BCC	June 2019
VS-19-0253	Vacated and abandoned government patent easements and a portion of right-of-way being Pamalyn Avenue	Approved by BCC	May 2019
VS-0794-16	Vacated and abandoned patent easements and a portion of right-of-way being Butler Street	Approved by BCC	April 2017
UC-1202-02	Off-premises sign	Denied by BCC	February 2003
UC-1199-02	Off-premises sign	Denied by BCC	February 2003
VS-1518-02	Vacated and abandoned a portion of the Durango Flood Channel	Approved by PC	December 2002
ZC-1415-02	Reclassified a 12.2 acre portion of the site to C-2 zoning for future development	Approved by BCC	November 2002
ZC-1107-02	Reclassified a 2 acre portion of the site to C-2 zoning for an office building	Approved by BCC	September 2002



**Prior Land Use Requests**

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

**Surrounding Land Use\***

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

\*Portions of the subject site are in the CMA Design Overlay District and the Public Facilities Needs Assessment (PFNA) area.

\*\*The CC 215 is located directly north of the site.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning  
Waivers of Development Standards**

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

The additional number of directional signs requested are described as necessary to direct residents and visitors effectively and safely around a large site with both public and private streets as well as driveways. The signs are needed to ensure safe passage throughout and within all areas of the development. The addition of one 50 square foot animated sign and 14 roof signs totaling 520 square feet should have a relatively minimal impact on an area that is over 32 acres. Additionally, many of the signs are at grade along the CC 215, and most of the other signage, including the roof signs, are located within the interior of the development. The intent of these signs is to create a unique experience for persons within the project and are not intended to impact the surrounding area or the CC 215. Therefore, staff can support this request.

### Design Review

Sign standards are created in part to provide reasonable yet appropriate conditions for identifying businesses and services by controlling the size, type, and design of signs in relationship to the type and size of establishment.

The proposed revision to the previously approved comprehensive package is in accordance with the requirements of the Sign Code, Section 30.72. It can also be supported as being appropriate for a mixed-use development of this size with a variety of buildings and uses. One major reason for the increase in the number and square footage of signs is that the previous approvals for wall signs only included the portion of the project north of Maule Avenue. This new application includes proposed wall signs throughout the entire project including residential areas south of Maule Avenue. The signs will be used as branding for the overall site and all uses allowed within the development. According to the applicant, the developer will be involved and will monitor the signage for each use to ensure compatibility and compliance with the approved sign package.

The architectural features and sign package will result in a development character which is compatible with existing approvals in the area and as anticipated by Code for a mixed-use development. Additionally, the feature and signage will enhance the site and area and comply with the intent of the Code which encourages other similar well-designed projects. Overall, staff finds that the signs will enhance the unique aesthetic environment of this high impact mixed-use project. Therefore, staff can support this request.

### **Staff Recommendation Approval.**

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

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

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: JAMES STUART**

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

**DRAFT**





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

6

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE (ZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: <u>WS-23-0718</u>      DATE FILED: <u>10/11/23</u></p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: <u>Spring Valley</u>      TAB/CAC DATE: <u>11/14/23</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>12/06/23</u></p> <p>FEE: <u>\$1,150</u></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>Matter UnCommons, LLC ET AL</u></p> <p>ADDRESS: <u>385 Pilot Road Suite D</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89119</u></p> <p>TELEPHONE: <u>702-402-8998</u>      CELL: <u>702-401-8998</u></p> <p>E-MAIL: <u>kelly.lawson@matterrealestate.com</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>Jim Stuart/Kelly Lawson</u></p> <p>ADDRESS: <u>385 Pilot Road Suite D</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89119</u></p> <p>TELEPHONE: <u>702-402-8998</u>      CELL: <u>702-401-8998</u></p> <p>E-MAIL: <u>kelly.lawson@matterrealestate.com</u>      REF CONTACT ID #: <u>N/A</u></p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Jay Brown/Lebene Ohene</u></p> <p>ADDRESS: <u>520 South Fourth Street</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89101</u></p> <p>TELEPHONE: <u>702-598-1429</u>      CELL: <u>702-561-7070</u></p> <p>E-MAIL: <u>lohene@brownlawlv.com</u>      REF CONTACT ID #: <u>173835</u></p>

ASSESSOR'S PARCEL NUMBER(S): 176-04-211-002 through 007, 176-04-211-009 through 015, 176-04-301-003, 004, 014

PROPERTY ADDRESS and/or CROSS STREETS: Durango Dr. & 215 Beltway

PROJECT DESCRIPTION: Modifications to previously approved sign package. (WS-20-0507)

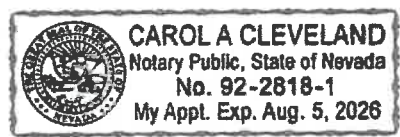
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

KE      Kevin E. Burke  
 Property Owner (Signature)      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON June 16, 2023 (DATE)  
 By Kevin E. Burke

NOTARY PUBLIC: Carol A Cleveland



\*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.



6

**Waivers of Development Standards:**

1a) Increase the number of directional signs to 36 where 18 were previously approved for a total of 36 signs where a total of 12 signs are allowed by Code for the entire development.

1b) Increase the square footage of directional signs by 235 square feet where 139 square feet was previously approved for a total of 374 square feet where 120 square feet is allowed per Code for the entire development.

2a) Increase the number of animated signs (video units) by one (1) where three (3) were previously approved for a total of four (4) where only one (1) is permitted for portions of the projects in the CMA overlay district.

2b) Increase the square footage of the animated signs (video units) by 50 square feet where 755 square feet was previously approved for a total of 805 square feet, where a total of 70 square feet of non-video animated signage is allowed for the portion of the site in the CMA area and for the entire development.

3a) Increase the number of roof signs on the canopies along the façade of various buildings and the entries into the parking garages by 14 where a total of 46 roof signs were previously approved for a total number of 60 signs where roof signs are not allowed by Code for the entire development.

3b) Increase the square footage of roof signs on the canopies along the façade of various buildings and the entries into the parking garages by 520 square feet where of 1,700 square feet was previously approved for a total square footage 2,220 square feet for the entire complex where roof signs are not permitted by Code.

**Justification for the waivers:**

These requests are necessary because the site is over 35.5 acres with a variety of buildings including offices, residential, commercial buildings including an approved theater, restaurants and retail uses, open spaces, courtyards and gathering places and areas with a variety of uses and buildings with both commercial and residential uses and parking garages. The number of directional signs requested are necessary to direct residents and visitors effectively and safely around and within the site. Since this is a large site with both public and private streets as well as driveways the signs are needed to ensure safe passage throughout and within all areas of the development.

Although this application to revise/increase the previous approvals may seem excessive, the design of the signage approved and proposed with this application is a continuation of the branding for the project located at various areas of the site including the entrances, corners, walls and façade of various buildings and the main entry of the parking structures. Each of the sign types requested serves to brand the project and provides direction and identification for the entire development which is partially open. The signage proposed is unique and distinctive element for the development and provides a cohesive design and identity for the development.



The proposed increase and existing approval for the animated signs are minimal in size and the total square footage is divided between four (4) signs which considering 35 acres plus size of the site the total signage is necessary and appropriate and will not impact the area. Additionally, many of the existing and approved signs along the beltway are at grade with the Beltway (freeway) where the larger percentage of the signage requested are within the interior of the development and will not impact the area or the Beltway. In fact, based on the amount of signage requested, the location development, visibility, and prominence along the Beltway the signage requested for this development is minimal for a project this size considering that this is a High Impact project and is a regional serving site.

**Design Reviews:**

Revisions to the previously approved Comprehensive Sign Package for an approved mixed-use project include the waivers listed above and the following that only require design reviews.

1. Design Reviews for the signs listed above that require waivers.
2. Increase the number and square footage of the previously approved project identification sign by 3 (total 6) and by 154 square feet for a total of 337 square feet where a total of 12 and 840 square feet is allowed for the entire development.
3. Increase the number and square footage of the previously approved monument signs by four (4) for a total of eight (8) and by 146 square feet for a total of 390 square feet where a total number of 12 and 840 square feet is allowed for the entire complex.
4. Increase the square footage of wall signs by 10,637 square feet where 8,355 square feet was previously approved for a total of 18,637 square feet where 89,184 square feet is allowed for the entire development.
5. Increase the number of f projection signs to by six (6) for a total of 29 and by 64 square feet where 23 were previously approved and for a total of 656 square feet where 672 square feet is permitted for the entire development.

The proposed revision to the previously approved comprehensive package is required, necessary and appropriate for a mixed-use development of this size with a variety of buildings and a myriad of uses. The signs will be used as branding for the site and all the uses allowed within the development. The Developer will be involved and monitor the signage for each use to ensure compatibility and compliance with the approved sign package. The requests as proposed are appropriate and compatible with the area and with the existing approvals on the site and portions of the project are within the CMA.

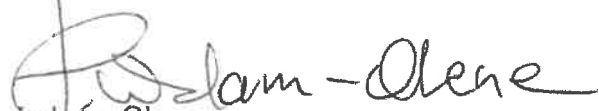
Although waivers, modifications and alternatives are requested and may seem excessive the feature and signage will enhance and is necessary for the site and area. The architectural features and sign package will result in a development character which is compatible with existing approvals in the area and as anticipated by Code for a mixed-use development. Additionally, the feature and signage will enhance the site and area and comply with the intent of the Code which encourages other similar well designed project features and signs in the area to create similar positive visual impacts and create a sense of place for a mixed-use development.



We respectfully request your positive review and approval of the application package.  
Please let us know if you have any questions or need any further information.

Sincerely,

BROWN, BROWN & PREMSRIRUT

  
Lebene Ohene  
Land Use and Development Consultant



7

OFFICE/WAREHOUSE  
(TITLE 30)

MOHAWK ST/POST RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-23-0614-DIAMOND MOHAWK CCA, LLC:**

**ZONE CHANGE** to reclassify 4.1 acres from an R-E (Rural Estates Residential) (AE-65) Zone to an M-D (Designed Manufacturing) (AE-65) Zone.

**WAIVER OF DEVELOPMENT STANDARDS** for throat depth.

**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; 2) finished grade; 3) modifications to a previously approved office/warehouse facility; and 4) a proposed office/warehouse facility on 6.7 acres in the CMA Design Overlay District.

Generally located on the east side of Mohawk Street, 300 feet north of Post Road within Spring Valley (description on file). MN/hw/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

163-36-701-009; 163-36-701-036

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the throat depth of the shared driveway to 8 feet where 75 feet is the standard per Uniform Standard Drawing 222.1 (a 90% reduction).

**DESIGN REVIEWS:**

1. Allow alternative parking lot landscaping (diamond planters and reduced finger islands) where parking lot landscaping is required per Figure 30.64-14.
2. Increase finished grade to 60 inches (5 feet) where a maximum of 36 inches (3 feet) is the standard per Section 30.32.040 (a 67% increase).
3. Modifications (shared driveway) to a previously approved office/warehouse facility on APN 163-36-701-009.
4. A proposed office/warehouse facility on APN 163-36-701-036.

**LAND USE PLAN:**

SPRING VALLEY - BUSINESS EMPLOYMENT  
SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A

- Site Acreage: 4.1 (proposed site/APN 163-36-701-036)/2.5 (previously approved site/APN 163-36-701-009)
- Project Type: Office/warehouse facility
- Number of Stories: 1
- Building Height (feet): 39
- Square Feet: 60,000 (office/warehouse)/16,422 (outside storage)
- Parking Required/Provided: 93/93 (proposed)/149/149 (overall)

#### Site Plans, History, & Request

The plans depict a currently undeveloped site located on the east side of Mohawk Street approximately 300 feet north of Post Road. The plans show that a 60,000 square foot office/warehouse building is being proposed on the site with the building centrally located on the site. The plans also show that an 8 bay loading area will be in the eastern portion of the site at the rear of the building. Additionally, 2 outside storage yards are proposed to be in the northeastern corner of the site and in the southeastern corner, both in the rear yard of the site. The northern storage yard is proposed to be 9,485 square feet and the southern yard will be 6,937 square feet. Parking is shown to be primarily located in a double row lot in the western portion of the site in front of the building with additional parking provided along the southern property line, the northern wall of the building, and directly to the west of the northern storage yard. Access to the site is provided by 2 commercial driveways that range in width from 40 feet to 42 feet wide. Both driveways contain a pork chop median to force a right turn on Mohawk Street from the exiting side of the driveway. The southern driveway is in the southwestern corner of the site, while the northern driveway will be shared with the previously approved office/warehouse facility to the north and is in the southwestern corner of the northern parcel. A 26.5 foot to 46.5 foot drive aisle will snake around the proposed building to connect the 2 driveways with the northern section of the drive aisle crossing over onto the northern parcel. Another north-south, 25 foot drive aisle connects the 2 driveways through the front of the building. The provided cross sections show that a maximum of 60 inches of fill is primarily required under the southeastern corner of the proposed building.

The applicant is requesting a zone change from the R-E zone to the M-D zone for an office/warehouse facility. Along with the zone change is a request to partially modify the plans for the office/warehouse development to the north, that was previously approved through NZC-21-0606. The plans show that the changes will include moving the southern drive on APN 163-36-701-009 approximately 36 feet southward to allow for a shared driveway. In addition, the plans show that a previously approved landscape area will be removed to allow for a drive aisle between the 2 buildings to weave on to the southern portion of APN 163-36-701-009 and connect with the new shared driveway.

#### Landscaping

The plans show that both street, parking lot, and perimeter landscaping have been provided throughout a majority of the subject site. Along Mohawk Street, a 16.5 foot wide landscaping strip has been provided, with this strip consisting of a 5 foot landscaping strip adjacent to Mohawk Street with a 5 foot detached sidewalk followed by a 6.5 foot landscaping strip. Within this street landscaping strip, 12 Velvet Mesquite (*Prosopis Veluntia*) trees are provided in 2 staggered rows where possible, where 9 trees are required. The trees are generally spaced 20 feet

apart. Within the parking lot, landscaping has been provided in various 7 foot wide landscape islands generally spaced between 6 to 12 spaces. In addition, two, 7 foot wide planters have been provided against the building along the eastern and southern sides and 4 diamond shaped planters have been provided along the southern property line. The landscape islands and planters along the building contain 19 Willow Acacia (*Acacia Salicina*) trees with the diamond planters and landscape islands provided along the southern property line containing 15 Rocky Mountain Juniper (*Juniperus Scopulporum*) trees. Perimeter landscaping is provided along the southern property line and corresponds with the diamond planters and landscape islands along the southern property line. The trees along the southern property line are spaced approximately 30 feet on center. No other landscaping is provided along the eastern and northern property lines. An 8 foot decorative wall is provided along the southern boundary starting at 43.5 feet from the front property line and extends along the full extent of the southern and eastern property lines. Mesh screened chain-link fencing is provided around all outside storage areas where the 8 foot wall is not installed.

### Elevations

The plans show that the proposed building will be 39 feet tall to the highest parapet. The exterior will mostly be composed of painted concrete tilt-up panels on all 4 facades. The panels will be painted varying shades of white and grey with the colors varying between panel levels and roof articulations to break-up the facades. The roof is generally flat with tilt-up panels used to create articulations. Additionally, textured metal panels are provided at regular intervals on all 4 facades to facilitate architectural enhancements. Access to the building is provided by 2 aluminum commercial window-door systems located on the northern and southern portions of the western façade. Additional access is provided by double hollow metal doors on the central portions of the southern and northern facades. In addition, hollow metal doors provide additional access throughout the building. Lastly, 12 metal roll-up doors are provided on the eastern façade with 8 bay doors provided within a sloping loading dock area.

### Floor Plans

The plans provided depict two, 30,000 square foot office/warehouse shell suites. The plans show that offices could be located within the northwest and southwest portion of the building with the remainder of the suites consisting of warehouse space. Electrical equipment rooms are provided in the central portion of each suite. Each suite is provided with 6 loading areas with 4 dock bays and 2 at grade doors. A possible demising wall will be used to separate the suites.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant states they are requesting a zone change from the R-E zone to the M-D zone to allow for an office/warehouse on the site. They state that the proposed M-D zone complies with the planned land use designation of Business Employment (BE), and there are other adjacent and abutting properties to the north and east that are already zoned M-D. The applicant indicates all required screening and parking has been provided and all lighting will comply with regulations. The applicant indicates the reduction in throat depth is appropriate as the driveway will be shared and all traffic will access the site from the north and will be relatively low. Lastly, the applicant

states the requested fill is needed in order to properly drain to the drainage channel to the east of the property.

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-23-0154*	Increased finished grade in conjunction with an office/warehouse building	Approved by BCC	May 2023
VS-22-0128*	Vacated and abandoned patent easements	Approved by PC	May 2022
NZC-21-0606*	Reclassified the site from R-E to M-D zoning for an office/warehouse building	Approved by BCC	January 2022
VS-1049-07	Vacated and abandoned patent easements and a portion of Sobb Avenue for a future development - recorded	Approved by PC	November 2007
UC-1568-96	Overhead 230/138/12 kV power transmission lines	Approved by BCC	November 1996

\*Applications specific to APN 163-36-701-009

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial & Business Employment	M-D	Office/warehouse & undeveloped
South	Neighborhood Commercial	R-E	Undeveloped
East	Business Employment	M-D	Drainage channel, office/warehouse, & outside storage
West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped

**Related Applications**

Application Number	Request
VS-23-0615	A vacation and abandonment of a portion of Mohawk Street for detached sidewalks 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**

**Comprehensive Planning**

Zone Change

The applicant is requesting to reclassify the subject parcel from R-E zoning to M-D zoning, and, when reviewing such requests, it must be determined that such a change is necessary and compatible for the applicable site. Staff finds that there are existing and pending M-D zoned

properties immediately adjacent and abutting to the subject site. In addition, based on the Master Plan and the surrounding area, Mohawk Street appears to be a solid dividing line between the mostly residential area to the west of Mohawk Street and the primarily commercial and industrial areas to the east of Mohawk Street. Staff also finds that this request is conforming to the Master Plan and supports Policy 5.5.1, which states, in part, that development of industrial uses within specified employment area should be encouraged. Reclassifying the site to M-D zoning for a proposed office/warehouse facility promotes industrial uses within a designated industrial employment area and has nearby connections to the CC 215. For these reasons, staff finds that the request is compatible with the surrounding area; therefore, can support this request.

#### Design Review #1

The purpose of parking lot landscaping, especially in large industrial developments, is to soften the appearance of the buildings and large swaths of parking lot pavement from the street, but also to provide relief from the heat caused by large expanses of pavement. While the proposed parking lot landscaping is mostly absent from the eastern portion of the site, staff can support this design review, as the parking lot landscaping has been designed to take advantage of the necessary perimeter landscaping to add shade to the parking lot areas along the southern boundary of the site. In addition, within the interior of the site, terminal islands have been provided along all rows having mostly been provided every 6 to 12 parking spaces per Figure 30.64-14. Furthermore, landscaping strips containing both trees and shrubs have been provided along the building helping to provide shade and soften the appearance of the building. Additional parking lot landscaping has also been placed in the southwest corner of the site to aid in the screening of the site from nearby developed residential properties. Overall, staff can support this design, as the trees are provided where possible within the interior of the site while considering the logistical challenges that can occur due to the movement of large trucks and vehicles on the site, particularly in the rear.

#### Design Reviews #3 & #4

Overall, the development as proposed provides an office/warehouse facility that is compatible with the surrounding development and contributes to an area that is in relative transition towards more industrial uses. In addition, the exterior of the building is attractive and would be an enhancement to the neighborhood. Furthermore, landscaping provided within the interior of the site should help to provide the necessary shading and reduce the heat caused by large swaths of pavement, while considering the constraints of such a use. The site landscaping has also been designed to screen the use as much as possible from both the residential use to the southwest and from the street along the western boundaries. The building is sited appropriately, and the scale of the building is like other industrial buildings in the area. Additionally, staff finds that the modifications to the previously approved office/warehouse site are minimal, and the addition of the shared driveway should provide a benefit to both sites by limiting driveway and traffic impacts. Overall, staff finds that both the use and design of the site should be an enhancement to the area, and accounts, as much as possible, for any negative impacts to the surrounding area should additional screening of the proposed outside storage yards be provided. For these reasons, staff can support these requests.

## **Public Works - Development Review**

### Waiver of Development Standards

Staff cannot support the reduction in the throat depth for the commercial driveways as vehicles will come to an almost immediate conflict with the drive aisle and parking stalls increasing the potential for collisions.

### Design Review #2

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

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, design reviews #1, #3, and #4; denial of waiver of development standards and design review #2.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Record perpetual cross access, ingress/egress, and parking easements between APNs 163-36-701-009 and 163-36-701-036;
- Wire mesh screening shall be provided on all chain-link fencing;
- Provide 1 medium tree every 30 feet on center along the property lines adjacent to outside storage yards;



- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised approval of this application does not constitute or imply approval of any other County issued permit, license or approval; the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; 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.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0332-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** DC PETERSEN PROFESSIONAL CONSULTANTS, LLC  
**CONTACT:** DC PETERSEN PROFESSIONAL CONSULTANTS, LLC, 5052 S. JONES BOULEVARD, SUITE 110, LAS VEGAS, NV 89118



8

12/06/23 BCC AGENDA SHEET

RIGHT-OF-WAY  
(TITLE 30)

MOHAWK ST/POST RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
VS-23-0615-DIAMOND MOHAWK CCA, LLC:

VACATE AND ABANDON a portion of right-of-way being Mohawk Street located between Post Road and Sobb Avenue (alignment) within Spring Valley (description on file). MN/hw/syp (For possible action)

RELATED INFORMATION:

APN:  
163-36-701-036

LAND USE PLAN:  
SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

**Project Description**

The plans depict the vacation and abandonment of a portion of right-of-way described as Mohawk Street, a 60 foot right-of-way with only the eastern 30 feet so far dedicated at the location of the proposed vacation. A 5 foot wide portion on the eastern half of the dedicated portion of Mohawk Street is proposed to be vacated. Along Mohawk Street, a 330 foot long section of the right-of-way will be vacated for a total vacation area of 1,650 square feet. The applicant states that the vacation of this portion of Mohawk Street right-of-way is needed to provide detached sidewalks for the proposed office/warehouse development.

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-23-0154*	Increased finished grade in conjunction with an office/warehouse building	Approved by BCC	May 2023
VS-22-0128*	Vacated and abandoned patent easements	Approved by PC	May 2022
NZC-21-0606*	Reclassified the site from R-E to M-D zoning for an office/warehouse building	Approved by BCC	January 2022
VS-1049-07	Vacated and abandoned patent easements and a portion of Sobb Avenue for a future development - recorded	Approved by PC	November 2007

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-1568-96	Overhead 230/138/12 kV power transmission lines	Approved by BCC	November 1996

\*Applications specific to APN 163-36-701-009

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial & Business Employment	M-D	Office/warehouse undeveloped &
South	Neighborhood Commercial	R-E	Undeveloped
East	Business Employment	M-D	Drainage channel, office/warehouse, & outside storage
West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped

**Related Applications**

Application Number	Request
ZC-23-0614	A zone change from R-E to M-D zoning for an office/warehouse facility is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

Staff has no objection to the vacation of right-of-way for detached sidewalks.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Satisfy utility companies' requirements.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a

substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; 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**

- 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:** DC PETERSEN PROFESSIONAL CONSULTANTS, LLC

**CONTACT:** DC PETERSEN PROFESSIONAL CONSULTANTS, LLC, 5052 S. JONES BOULEVARD, SUITE 110, LAS VEGAS, NV 89118

