

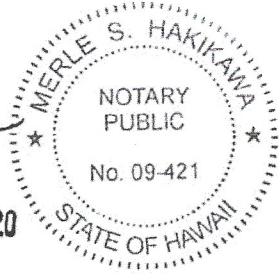
Doc. Date: **DEC 23 2020** # Pages: 2

Notary Name: Merle S. Hakikawa, 1st Circuit

Doc. Description: Land use  
application

*[Handwritten signature]*

Notary Signature: \_\_\_\_\_ Date: **DEC 23 2020**



**KAEMPFER**

**CROWELL**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE  
[aceleste@kcnvlaw.com](mailto:aceleste@kcnvlaw.com)  
702.693.4215

LAS VEGAS OFFICE  
1980 Festival Plaza Drive  
Suite 650  
Las Vegas, NV 89135  
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Reno, NV 89501  
Tel: 775.852.3900  
Fax: 775.327.2011

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

December 28, 2020

**VIA EMAIL**

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

**Re: *Justification Letter – Special Use Permit to Allow On-Premises  
Consumption of Alcohol (Tavern)  
4465 E. Sahara Ave. (APN: 161-08-101-011)***

To Whom It May Concern:

Please be advised our office represents the Applicant in the above-referenced matter. The Applicant is requesting to renew a special use permit allowing for an existing approved on-premise consumption of alcohol (tavern) in an existing building located at 4465 E. Sahara Avenue; also known as APN: 161-08-101-011 (the "Site"). The prior tenant on the Site vacated with the current special use permit expiring on February 15, 2021. As such, in order to preserve the tavern use, the Applicant is requesting to renew the special use permit request.

The Site is zoned M-D. With a special use permit approval, a tavern use is an allowed use in an M-D zoned district. Renewing the special use permit is appropriate for the following reasons: (1) the Site is not within 200' of a residential use, (2) the Site is located on Sahara Avenue, a major arterial, and (3) the Site is currently approved as a tavern use. Therefore, the renewing the special use permit to allow an on premise consumption of alcohol is compatible with the surrounding area.

We thank you in advance for your time and consideration. Should you have any questions, please feel free to contact us.

Sincerely,

KAEMPFER CROWELL

  
Anthony J. Celeste

AJC

03/03/21 BCC AGENDA SHEET

STORAGE CONTAINERS  
(TITLE 30)

CHEYENNE AVE/WALNUT RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**AR-21-400006 (UC-0040-10 (WC-0081-17))-THREE PEAKS INVESTMENTS ETAL & REP GLOBAL, LLC:**

**WAIVER OF CONDITIONS THIRD APPLICATION FOR REVIEW** for a use permit requiring that the storage containers be removed when towing business leaves the property on 9.2 acres in an M-1 (Light Manufacturing) (AE-75) (APZ-2) Zone.

Generally located on the north side of Cheyenne Avenue, 750 feet east of Walnut Road within Sunrise Manor. WM/jgh/jd (For possible action)

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RELATED INFORMATION:

**APN:**

140-07-802-007

**LAND USE PLAN:**

SUNRISE MANOR - INDUSTRIAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 4100 E. Cheyenne Avenue
- Site Acreage: 9.22

**Site Plans**

The original plans depict 12 metal storage containers located along the west property line adjacent to an existing 6 foot high CMU wall. However, there are currently 19 storage containers located on the site. These containers are 8 feet wide by 40 feet long and 9 feet high. The containers have been used as a buffer between a towing business use and the adjacent residential use. In addition, the applicant redesigned the parking lot so that there are 78 foot long parking spaces perpendicular to the storage containers. The plans also show an existing outside storage yard, an existing 11,500 square foot truck maintenance building in the center of the site, and an existing 1,600 square foot office building in the southwest corner of the site. The truck maintenance building was being utilized to repair the tow trucks used by the towing service. There is an attached sidewalk, an existing 10 foot wide landscape area with rocks and groundcover (no trees or shrubs), and an existing 6 foot high CMU wall along the south property line adjacent to Cheyenne Avenue.

Previous Conditions of Approval

Listed below are the approved conditions for AR-19-400008 (UC-0040-10):

Current Planning

- Until February 2, 2021 to review as a public hearing.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Listed below are the approved conditions for AR-18-400162 (WC-400081-17):

Current Planning

- Until February 2, 2019 to review as a public hearing.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Listed below are the approved conditions for UC-0040-10 (WC-0081-17):

Current Planning

- 1 year to review;
- Close off interior gaps between containers.
- Applicant is advised that a substantial change in circumstances or regulations may warrant
- denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Listed below are the approved conditions for UC-0040-10 (ET-0021-12)

Current Planning

- Remove the time limit;
- All applicable standard conditions for this application type.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system.

Listed below are the approved conditions for UC-0040-10:

Current Planning

- 2 years to commence and review storage containers;
- Containers are to be removed when towing business leaves the property;
- Containers will not be used for any type of storage;

- Accessory structures to be painted to match the principal building;
- Plant trees within the existing landscape area along Cheyenne Avenue in accordance with Figure 30.64-13;
- No gathering of individuals in an area that would result in an average density of greater than 25 persons per acre per hour during a 24-hour period, not to exceed 50 persons per acre at any time;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- All applicable standard conditions for this application type.
- Applicant is advised that certain uses are not permitted in the airport environs and certain other uses will require a use permit; and that any change in circumstances or regulations may be justification for the denial of an extension of time.

**Applicant's Justification**

The applicant indicates that an application for review was a condition of approval from AR-19-400008 (UC-0041-10). The use of outside storage remains the same and there have been no violations or complaints from neighboring properties. The applicant is requesting that either the application review condition be removed or allow the use to remain without any reviews for five years.

**Prior Land Use Requests**

| Application Number             | Request   | Action          | Date           |
|--------------------------------|---|-----------------|----------------|
| AR-19-400008<br>(UC-0040-10)   | Second application for review for a use permit to waive architectural compatibility of storage containers in an M-1 zone                          | Approved by BCC | March 2019     |
| AR-18-400162<br>(WC-400081-17) | First application for review of a use permit requiring that storage containers be removed when towing business leaves the property in an M-1 zone | Approved by BCC | September 2018 |
| UC-0040-10<br>(WC-0081-17)     | Waiver of a use permit requiring that storage containers be removed when towing business leaves the property in an M-1 zone                       | Approved by BCC | August 2017    |
| UC-0040-10<br>(ET-12-0021)     | First extension of time for a use permit to waive architectural compatibility   | Approved by BCC | April 2012     |
| UC-0040-10                     | Use permit to waive architectural compatibility for accessory structures (storage containers) in an M-1 zone                                      | Approved by BCC | March 2010     |

**Surrounding Land Use**

|       | Planned Land Use Category         | Zoning District | Existing Land Use |
|-------|-----------------------------------|-----------------|-------------------|
| North | Business and Design/Research Park | C-2 & H-2       | R-V park          |

**Surrounding Land Use**

|       | <b>Planned Land Use Category</b>  | <b>Zoning District</b> | <b>Existing Land Use</b>      |
|-------|-----------------------------------|------------------------|-------------------------------|
| South | Business and Design/Research Park | M-D                    | Warehouse/distribution center |
| East  | Business and Design/Research Park | M-D                    | Distribution center           |
| West  | Business and Design/Research Park | R-E                    | Single family residential     |

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

There are no reported problems from Clark County Public Response Office. Staff has no additional concerns or objections to this request; therefore, staff recommends removal of the time limit.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Remove the time limit.

**Public Works - Development Review**

- No comment.

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

- No comment.

**TAB/CAC:**  
**APPROVALS:**  
**PROTEST:**

**APPLICANT:** THREE PEAKS INVESTMENTS ET AL  
**CONTACT:** JPL ENGINEERING, INC., 6725 S EASTERN AVE, SUITE 5, LAS VEGAS,  
NV 89119

DRAFT



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

### APPLICATION TYPE

- TEXT AMENDMENT (TA)
  - ZONE CHANGE
    - CONFORMING (ZC)
    - NONCONFORMING (Nzc)
  - USE PERMIT (UC)
  - VARIANCE (VC)
  - WAIVER OF DEVELOPMENT STANDARDS (WS)
  - DESIGN REVIEW (DR)
    - PUBLIC HEARING
  - ADMINISTRATIVE DESIGN REVIEW (ADR)
  - STREET NAME / NUMBERING CHANGE (SC)
  - WAIVER OF CONDITIONS (WC)
- (ORIGINAL APPLICATION #)
- ANNEXATION REQUEST (ANX)
  - EXTENSION OF TIME (ET)
- (ORIGINAL APPLICATION #)
- APPLICATION REVIEW (AR)
- UC-0040-10  
(ORIGINAL APPLICATION #)

STAFF

APP. NUMBER: AR-21-400006  
 PLANNER ASSIGNED: JGH  
 TAB/CAC: Sunrise Manor  
 PC MEETING DATE: \_\_\_\_\_  
 BCC MEETING DATE: 3/3/21  
 FEE: \$ 1,075

DATE FILED: 1/12/2021  
 TAB/CAC DATE: 2/11/21  
6:30pm

PROPERTY OWNER

NAME: Three Peaks Investment et al  
 ADDRESS: 1669 W. Horizon Ridge Parkway #120  
 CITY: Henderson STATE: NV ZIP: 89-12  
 TELEPHONE: \_\_\_\_\_ CELL: 702-373-2834  
 E-MAIL: mathew\_brady@hotmail.com

APPLICANT

NAME: Three Peaks Investment et al  
 ADDRESS: 1669 W. Horizon Ridge Parkway #120  
 CITY: Henderson STATE: NV ZIP: 89012  
 TELEPHONE: \_\_\_\_\_ CELL: 702-373-2834  
 E-MAIL: mathew\_brady@hotmail.com REF CONTACT ID #: \_\_\_\_\_

CORRESPONDENT

NAME: JPL Engineering, Inc.  
 ADDRESS: 6725 S. Eastern Ave, Suite 5  
 CITY: Las Vegas STATE: NV ZIP: 89119  
 TELEPHONE: 702-898-6269 CELL: \_\_\_\_\_  
 E-MAIL: james@jplengineeringinc.com REF CONTACT ID #: \_\_\_\_\_

ASSESSOR'S PARCEL NUMBER(S): 140-07-802-007

PROPERTY ADDRESS and/or CROSS STREETS: Cheyenne and Lamb

PROJECT DESCRIPTION: \_\_\_\_\_

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

Property Owner (Signature)\*

Mathew Brady  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 12 7 2020 (DATE)

ARY  
 PUBLIC: Shelby Britton



SHELBY BRITTON  
 NOTARY PUBLIC  
 STATE OF NEVADA  
 Appt. No. 12-7287-1  
 My Appt. Expires June 11, 2023

\*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.



*AR-21-400008*

December 15, 2020

Clark County Comprehensive Planning  
500 S. Grand Central Parkway  
P.O. Box 551744  
Las Vegas, NV 89155

## PLANNER COPY

RE: AR 19-400008 (AR 18-400162, UC0020-10 and WC-0081-17) Justification Letter Application Review  
4100 Cheyenne Avenue, Las Vegas, NV  
APN: 140-07-802-007

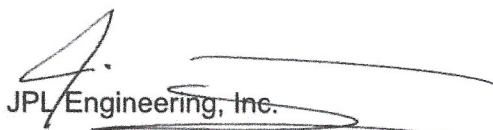
On behalf of the Applicant/Owner, Three Peak Investment, JPL Engineering, Inc. respectfully submits the 2-year Application Review per the above referenced land use application AR 19-400008. The use of outside storage remains the same. All conditions have been met and there has been no violations or complaints from neighboring properties.

The Planned Use for the site and surrounding properties planned land use is Business Design Research Park (BDRP) and Industrial (lot immediately to east). The property is Zoned M-1 and is adjacent to M-D to the east; C-2 to the north and to the west; H-2 to the northwest; and M-D to the south. The property is also screened by a 6' CMU wall on all sides.

The property is currently leased by UPS. The lease is through August 31, 2023 with a 5 year option extending through the August 2028. AR 18-4000162 conditioned a six month review and AR 19-400008 conditioned 2 year review. The Applicant/Owner meticulously manages the tenant and maintains the property to the highest standards. The last 2 and half years has demonstrated that the use is compatible with the surrounding uses and poses no hardships or adverse burdens on the neighboring properties. For these reasons, the Applicant/Owner respectfully requests the Use be approved without future review or time limits. If that is not feasible, the applicant would request that the use remains in effect without future review for the duration of the UPS lease or minimum of 5 years.

Should you have any questions regarding the project, please feel free to contact our office at (702) 898-6269.

Sincerely,

  
JPL Engineering, Inc.

03/03/21 BCC AGENDA SHEET

HEAVY EQUIPMENT FACILITY  
(TITLE 30)

ALTO AVE/NELLIS BLVD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0005-BAILEY, DONALD R. JR., ET AL:**

**USE PERMIT** to waive paving for an outside area used for parking, storing, and maneuvering equipment and materials.

**DESIGN REVIEW** for an equipment sales, rental, and service - construction or heavy equipment (construction cranes) facility with outside storage and ancillary office on 2.1 acres in an M-1 (Light Manufacturing) (AE-75) (APZ-1) Zone.

Generally located on the north side of Alto Avenue, 320 feet west of Nellis Boulevard within Sunrise Manor. MK/jor/jd (For possible action)

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**RELATED INFORMATION:**

**APN:**

140-17-611-007; 140-17-611-008

**LAND USE PLAN:**

SUNRISE MANOR - INDUSTRIAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 5040 Alto Avenue
- Site Acreage: 2.1
- Project Type: Equipment sales/rental/service – construction or heavy equipment facility
- Number of Stories: 1 and partial
- Building Height (feet): 38
- Square Feet: 7,500 (total building area)/1,500 (ancillary office)/6,000 (storage and equipment repair)/65,860 (outside storage area)
- Parking Required/Provided: 19/19

**History & Site Plan**

Project history is as follows: on October 2016, UC-0518-16 was approved with a design review for the following: waived paving for an outside area used for parking, storing, and maneuvering equipment and materials, waived the trash enclosure requirement, and allowed alternative street landscaping and buffering. In addition to this use permit, a waiver of condition of a zone change (ZC-1539-00) requiring recording a reciprocal perpetual cross access, ingress/egress, and parking agreements if building sites are under separate ownership was waived. On November 2016, UC-

0518-16 (CC-0152-16) clarification of conditions of a use permit was approved. Both Notices of Final Action for the original use permit and the clarification of conditions included a 2 year review to be a public hearing. The applicant missed the 2 year review and is now requesting for the identical use permit and design review that were previously approved. The waivers of development standards and the waivers of conditions of a zone change requested with UC-0518-16 were previously approved and are not a part of this application.

Per the site plan, the property consists of 2 parcels. Assessor's Parcel Numbers (APN) 140-17-611-007 is the eastern parcel and APN 140-17-611-008 is the parcel to the west. Both parcels front Alto Avenue. The majority of the facility will be used for outside storage of large and heavy equipment. The newly constructed building is in the southeast portion of the overall site with parking along the east property line. Parking for the large equipment is located along the west and north property lines. Access to the site is from a driveway along Alto Avenue and the plans depict cross access between both parcels.

#### Landscaping

The landscape design was previously approved via UC-0518-16. The submitted photos show a 15 foot wide landscape area with an attached sidewalk along Alto Avenue. The landscape area is adjacent to a decorative wrought-iron fence, and the landscaping consists of decorative rock, shrubs, and 24 inch box trees planted every 30 feet on center. The submitted photos show that the landscaping meets the landscaping condition of approval per UC-0518-16 (CC-0152-16) which states that landscaping to consist of a single row of trees along Alto Avenue, spaced 30 feet apart on center.

#### Elevations

The proposed building is 1 story with partial mezzanine, 38 feet high CMU block and metal building. The exterior of the building that faces Alto Avenue will be enhanced with EIFS assembly on the CMU walls and a flat roof. The roof mounted mechanical equipment will be screened with a louvred screen that architecturally matches the building. The remaining elevations consists of metal panels with portions having translucent panels to allow for natural sunlight and a sloped metal roof.

#### Floor Plans

The plans depict a 7,500 square foot building area with 1,500 square feet of administrative office area and 6,000 square feet of storage and shop area primarily used for equipment repair.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

Per the submitted justification letter, the site was previously approved via UC-0518-16 and a clarification of conditions was approved via UC-0518-16 (CC-0152-16). No changes to the site are proposed since the original approval. Furthermore, the applicant provided updated correspondence from the Clark County Department of Air Quality (dated December 2020) regarding their previously approved use and their concurrence of control measures contained in AQR Section 92.3.1.2.

**Prior Land Use Requests**

| Application Number         | Request   | Action          | Date          |
|----------------------------|---|-----------------|---------------|
| UC-0518-16<br>(CC-0152-16) | Clarification of conditions of a use permit for equipment sales, rental, and service – construction cranes facility with outside storage and ancillary office with a 2 year review - expired  | Approved by BCC | November 2016 |
| UC-0518-16                 | Allowed equipment sales, rental, and service – construction cranes facility with outside storage and ancillary office, waived the trash enclosure, alternative street landscaping and buffering, approved the waiver of conditions of a zone change (ZC-1539-00), and a design review for the site with a 2 year review - expired | Approved by BCC | October 2016  |
| ZC-1539-00                 | Reclassified this site and several adjacent parcels to M-1 zoning for a large office/warehouse complex  | Approved by BCC | November 2000 |

**Surrounding Land Use**

|       | Planned Land Use Category | Zoning District | Existing Land Use                                   |
|-------|---------------------------|-----------------|---|
| North | Industrial                | M-1             | Outside storage yard & office/warehouse development |
| South | Industrial                | M-1             | Undeveloped   |
| East  | Industrial                | M-1             | Commercial vehicle & trailer repair facility        |
| West  | Industrial                | M-1             | Outside storage yard                                |

**STANDARDS FOR APPROVAL:**

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

**Analysis**  
**Current Planning**  
Use Permit

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

The submitted photos show that construction on-site is complete. Furthermore, the applicant has not proposed any changes to the previously approved application, and no additional areas to waive paving is needed. Since the applicant has met the conditions of approval from the original use permit (UC-0518-16) and the clarification of conditions UC-0518-16 (CC-0152-16) and the Department of Air Quality deems that the paving for areas intended for storing and displaying cranes or other non-rubber tired heavy equipment is acceptable subject to their conditions; staff can support this request.

### Design Review

Staff has no objection to this design review, since staff supports the use permit. The submitted photos for this application match the previously approved plans, and no changes are proposed with this application.

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operation;
- Outside storage shall not include inoperable equipment and discarded parts, the area shall be maintained in an orderly manner, free of debris and junk;
- No gathering of individuals in an area that would result in an average density of greater than 25 persons per acre per hour during a 24 hour period, not to exceed 50 persons per acre at any time.
- Applicant is advised the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

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

- No comment.

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

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0013-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** DONALD R BAILEY

**CONTACT:** POGO DIVERSIFIED SERVICES, LLC, 4212 GALAPAGOS AVE, NORTH  
LAS VEGAS, NV 89084

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

|   |   |
|---|---|
| <b>APPLICATION TYPE</b><br><input type="checkbox"/> TEXT AMENDMENT (TA)<br><input type="checkbox"/> ZONE CHANGE<br><input type="checkbox"/> CONFORMING (ZC)<br><input type="checkbox"/> NONCONFORMING (NZC)<br><input checked="" type="checkbox"/> USE PERMIT (UC)<br><input type="checkbox"/> VARIANCE (VC)<br><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)<br><input checked="" type="checkbox"/> DESIGN REVIEW (DR)<br><input type="checkbox"/> PUBLIC HEARING<br><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)<br><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)<br><input type="checkbox"/> WAIVER OF CONDITIONS (WC)<br>(ORIGINAL APPLICATION #)<br><input type="checkbox"/> ANNEXATION REQUEST (ANX)<br><input type="checkbox"/> EXTENSION OF TIME (ET)<br>(ORIGINAL APPLICATION #)<br><input type="checkbox"/> APPLICATION REVIEW (AR)<br>(ORIGINAL APPLICATION #) | <b>STAFF</b><br>APP. NUMBER: <u>UC-21-0005</u> DATE FILED: <u>1/7/21</u><br>PLANNER ASSIGNED: <u>JR</u><br>TAB/CAC: <u>SUNRISE MANOR</u> TAB/CAC DATE: <u>2/11/21</u><br>PC MEETING DATE: _____<br>BCC MEETING DATE: <u>March 3, 2021</u><br>FEE: <u>\$1350</u>   |
|   | <b>PROPERTY OWNER</b><br>NAME: <u>Donald R Bailey Jr Rev Inter Vivos Trust</u><br>ADDRESS: <u>4975 Moapa Valley Blvd</u><br>CITY: <u>Logandale</u> STATE: <u>NV</u> ZIP: <u>89021</u><br>TELEPHONE: _____      CELL: <u>510-715-0346</u><br>E-MAIL: <u>doc.b@docbaileycranes.com</u>                      |
|   | <b>APPLICANT</b><br>NAME: <u>Doc Bailey Construction Equipment Inc</u><br>ADDRESS: <u>5040 Alto Ave</u><br>CITY: <u>North Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89115</u><br>TELEPHONE: <u>702-485-1457</u> CELL: <u>510-715-0346</u><br>E-MAIL: <u>doc.b@docbaileycranes.cc</u> REF CONTACT ID #: _____ |
| <b>CORRESPONDENT</b><br>NAME: <u>Donald R Bailey Jr</u><br>ADDRESS: <u>5040 Alto Ave</u><br>CITY: <u>North Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89115</u><br>TELEPHONE: <u>702-485-1457</u> CELL: <u>510-715-0346</u><br>E-MAIL: <u>doc.b@docbaileycranes.cc</u> REF CONTACT ID #: _____  |   |

ASSESSOR'S PARCEL NUMBER(S): 140-17-611-007, 140-17-611-008

PROPERTY ADDRESS and/or CROSS STREETS: 5040 Alto Ave, North Las Vegas, NV 89115

PROJECT DESCRIPTION: Heavy Equipment Repair Facility

(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]      Donald R Bailey Jr  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF CA  
 COUNTY OF Alameda  
 SUBSCRIBED AND SWORN BEFORE ME ON 3/30/2020 (DATE)  
 By Donald R Bailey Jr  
 NOTARY PUBLIC: \_\_\_\_\_



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



**DES**  
DEPARTMENT OF ENVIRONMENT  
AND SUSTAINABILITY



4701 W. Russell Road 2<sup>nd</sup> Floor  
Las Vegas, NV 89118-2231  
Phone: (702) 455-5942 • Fax: (702) 383-9994  
Marci Henson, Director

UC-21-0005

**PLANNER  
COPY**

December 29, 2020

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

**Re:** Project Site at APN: 140-17-611-007 and -008  
Doc Bailey, Owner/Operator

**BACK UP**

At the request of Doc Bailey, the owner/operator of the parcels totaling 2.08 acres located near the Northwest Corner of North Nellis Boulevard and Alto Avenue, Clark County, Nevada, I am forwarding the requirements that the Clark County Department Environment and Sustainability, Division of Air Quality (Air Quality) has for New Tracked, Non-Rubber Tired Vehicles, or Heavy Equipment Parking Lots/Storage Areas in the Las Vegas Valley. Mr. Bailey has expressed that he has plans to develop these parcels for use as retail sales of and display of Tracked Cranes and Rubber-Tired Cranes in addition to a metal building with offices and customer parking.

Clark County Air Quality Regulations Section 92 state that no new unpaved parking lots or storage areas may be constructed in the hydrographic area 212 (Las Vegas valley) as of January 1, 2003. An exception to that rule can include: Tracked, Non-Rubber Tired Vehicle or Heavy Equipment Storage Areas.

If an area is used for storing/displaying Tracked Cranes or other Non-Rubber Tired Heavy Equipment, the owner/operator shall implement one or more of the control measures described in Air Quality Regulation (AQR) Section 92.3.1.2, subject to approval of the Control Officer. provided, however, that all access (entrances, exits, driveways), employee/customer parking, and display areas used by Rubber-Tired Vehicles/Cranes shall be paved.

The control measures contained in AQR Section 92.3.1.2 that would apply to unpaved areas used by equipment/cranes or Non-Rubber Tired/tracked vehicles are summarized as:

- ❖ Pave;
- ❖ Apply dust palliatives, in compliance with the stabilization standards set forth in AQR Section 92.4.1;
- ❖ Apply Dust Palliatives to vehicle travel lanes within the parking lot or storage area in compliance with the stabilization standards set forth in Section 92.4.1, and uniformly apply and maintain surface gravel or recycled asphalt to a depth of two inches; or
- ❖ Apply and maintain an alternative control measure approved in writing by the control Officer and the EPA Region 9 Administrator.





**DES**  
DEPARTMENT OF ENVIRONMENT  
AND SUSTAINABILITY



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Dust control must be maintained in the unpaved areas 24 hours per day, 7 days per week, in order to limit visible emissions from the movement/demonstration activities of the Tracked/Non-Rubber Tired Heavy Equipment. Visible emissions from these activities must be below 20% Opacity as determined by the Test Method in AQR Section 92.6.1.1.

Silt content of the unpaved areas must not equal or exceed 0.33 oz/ft<sup>2</sup> silt loading or must not exceed 8% silt content as determined by AQR Section 92.6.1.2.

Please contact me at 702-455-0666 if you have questions.

Sincerely,

Anna Sutowska, Air Quality Supervisor  
Compliance and Enforcement Section  
Air Quality



2584 Grant Ave San Lorenzo CA 94580  
590 Farrington Hwy. #524, PMB 178, Kapolei, HI 96707  
5040 Alto Ave., N Las Vegas, NV 89115

CA Office 510-638-6243 HI Office 808-545-4684 NV Office 702-485-1457

UC-21-0005  
**PLANNER  
COPY**

Date: Nov 11<sup>th</sup> 2020

To: Clark County Comprehensive Planning Department  
500 S. Grand Central Parkway  
P.O Box 551744  
Las Vegas, NV 89155-1744

Re: Donald R Bailey Jr and Doc Bailey Construction Equipment Inc – Justification letter for parcels  
14017611007 and 14017611008.

To Whom It May Concern,

The site consists of an existing equipment sales/rental/service for heavy construction equipment (construction cranes). The site is located on 2 parcels – APN 140-17-611-007 & 140-17-611-008. The site was approved via UC-0518-16.

A condition on the Notice of Final Action required a 2-year review as a public hearing. Since this review was not conducted—we are applying for a new use permit and design review.

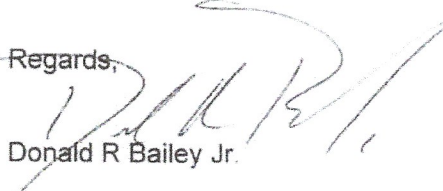
Waivers of development standards for the trash enclosure and cross/access is not required since the site has already been developed per plans on file under UC-0518-16. The waiver of conditions of a zone change (ZC-1539-00) requiring cross-access is also not needed with this application.

We are requesting the following:

1. Use Permit to waive paving for an outside area used for parking, storing, and maneuvering equipment and materials.
2. Design Review for an equipment sales, rental, and service – construction or heaving equipment (construction cranes) facility with outside storage and ancillary office.

No on-site changes have been made from the original approval.

Regards,

  
Donald R Bailey Jr.