



Winchester Town Advisory Board

August 11, 2020

MINUTES

Board Members: John Delibos – Chair – **Present**
 Robert O. Mikes, Jr. – Vice Chair- **Excused**
 Kenneth Dayton – **Present**
 Judith Siegel – **Present**
 Roxana Valladares – **Excused**

Secretary: Victoria Bonner, 702-335-9205 victoriabelleb@gmail.com

Town Liaison: Beatriz Martinez 702-455-0560 beatriz.martinez@clarkcountynv.gov

- I. Call to Order, Pledge of Allegiance, Roll Call, (see above) County Staff Introductions
Beatriz Martinez; Town Liaison, Victoria Bonner; Secretary. The meeting was called to order at 6:00p.m.
- II. Public Comment
None
- III. Approval of July 14, 2020 Minutes
Moved by: Delibos
Approve as submitted
Vote: 3-0 Unanimous
- IV. Approval of Agenda for August 11, 2020
Moved by: Delibos
Approved as submitted
Vote: 3-0 Unanimous
- V. Informational Items
 1. Announcements of upcoming neighborhood meetings and County or community meetings and events(for discussion)

Beatriz Martinez invited the community to new Covid-19 testing sites. This will be held at the Thomas

and Mac at UNLV. Parkdale Senior Center will have testing available everyday starting at 8 a.m. Also, The Clark County website has been updated.

VI. Planning & Zoning:

1. **UC-20-0307-EJ CLUB, LLC:**

USE PERMITS for the following: **1)** alcohol sales (liquor - packaged only); and **2)** alcohol sales (beer and wine - packaged only).

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce parking; **2)** reduce parking space dimensions; and **3)** alternative landscaping.

DESIGN REVIEW for a liquor store and parking lot in conjunction with an existing office/warehouse building on 1.1 acres in an M-1 (Light Manufacturing) Zone. Generally located on the west side of Sammy Davis Jr. Drive, approximately 550 feet south of Circus Circus Drive within Winchester. TS/lm/jd (For possible action) **09/01/20PC**

Moved By- Dayton

Approve – Use Permits, Waivers of development 1,2,3 and Design Reviews

Vote: 3-0 Unanimous

2. **VS-20-0328-305 CCD, LLC:**

VACATE AND ABANDON a portion of a right-of-way being Convention Center Drive located between Channel 8 Drive and Debbie Reynolds Drive within Winchester (description on file). TS/jgh/jd (For possible action) **09/01/20 PC**

Moved By- Delibos

Approve – with staff conditions

Vote: 3-0 Unanimous

VI. General Business

VII. Public Comment

VIII. Next Meeting Date

The next regular meeting will be August 25, 2020

IX. Adjournment

The meeting was adjourned at 6:44 p.m.

**ATTACHMENT A
WINCHESTER TOWN ADVISORY BOARD
ZONING AGENDA
TUESDAY, 6:00 P.M., AUGUST 25, 2020**

09/16/20 BCC

1. **ET-20-400087 (UC-0446-17) -TWJ PALMS, LLC:**
USE PERMITS FIRST EXTENSION OF TIME to commence the following: 1) a High Impact Project; 2) a multiple family residential development; 3) grocery store; 4) pharmacy; 5) offices; 6) retail sales and services; 7) restaurants; 8) alcohol sales, beer and wine packaged only; 9) alcohol sales, liquor packaged only; 10) alcohol, on-premises consumption (service bar, supper club, tavern); 11) arcade; 12) art gallery/studio; 13) personal services; 14) caterer; 15) child care facility; 16) health club; 17) jewelry sales; 18) kiosk/information (outdoor); 19) photo studio; 20) sporting goods; and 21) museums.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) permit alternative street designs within the SOSA Overlay District; 3) allow parking areas between streets and front building facades where not permitted; 4) reduce the percentage of transparent glass contained within the ground floor facade of commercial buildings; and 5) increase the number of driveways allowed from the adjacent streets.
DESIGN REVIEWS for the following: 1) a proposed multiple family residential development; and 2) a proposed shopping center on 13.2 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 and SOSA Overlay Districts. Generally located on the west side of State Street between Sahara Avenue and Karen Avenue within Winchester. TS/jgh/jd (For possible action)

COMMERCIAL & RESIDENTIAL
HIGH IMPACT PROJECT
(TITLE 30)

SAHARA AVE/STATE ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-20-400087 (UC-0446-17) -TWJ PALMS, LLC:

USE PERMITS FIRST EXTENSION OF TIME to commence the following: **1)** a High Impact Project; **2)** a multiple family residential development; **3)** grocery store; **4)** pharmacy; **5)** offices; **6)** retail sales and services; **7)** restaurants; **8)** alcohol sales, beer and wine packaged only; **9)** alcohol sales, liquor packaged only; **10)** alcohol, on-premises consumption (service bar, supper club, tavern); **11)** arcade; **12)** art gallery/studio; **13)** personal services; **14)** caterer; **15)** child care facility; **16)** health club; **17)** jewelry sales; **18)** kiosk/information (outdoor); **19)** photo studio; **20)** sporting goods; and **21)** museums.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase building height; **2)** permit alternative street designs within the SOSA Overlay District; **3)** allow parking areas between streets and front building facades where not permitted; **4)** reduce the percentage of transparent glass contained within the ground floor facade of commercial buildings; and **5)** increase the number of driveways allowed from the adjacent streets.

DESIGN REVIEWS for the following: **1)** a proposed multiple family residential development; and **2)** a proposed shopping center on 13.2 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 and SOSA Overlay Districts.

Generally located on the west side of State Street between Sahara Avenue and Karen Avenue within Winchester. TS/jgh/jd (For possible action)

RELATED INFORMATION:

APN:

162-10-501-002

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 510 feet where a maximum of 100 feet is permitted per Table 30.40-7 (a 410% increase).
2. Permit alternative street designs where all streets within the SOSA Overlay District are required to comply with the SOSA Design Standards and Guidelines per Section 30.48.975.
3. Allow parking areas between streets and front building facades where not permitted per Section 30.48.975.
4. Reduce the percentage of transparent glass contained within the ground floor facade of commercial buildings to 15% where 70% is required per Section 30.48.975 (a 466% reduction).

5. Permit 4 driveways from State Street and 3 driveways from Karen Avenue where a maximum of 2 driveways per street are permitted within the SOSA Overlay District per Section 30.48.975.

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 713 E. Sahara Avenue
- Site Acreage: 13.2 net/15.1 gross
- Number of Units: 1,480
- Density: 98.3 (du/gross ac)
- Project Type: High Impact Project for multiple family residential development and shopping center
- Number of Stories: 45 residential/3 shopping center
- Building Height (feet): 410 residential/45 shopping center
- Square Feet: 4,100,979 residential/134,905 shopping center
- Open Space Required/Provided: 7.5 acres/7.5 acres
- Parking Required/Provided: 3,200/3,205 for site

Site Plan

The site is currently developed as an apartment complex which records indicate was constructed in 1962 and will be demolished for the proposed project. The site has frontage along Sahara Avenue to the north, State Street to the east, and Karen Avenue to the south. The proposed project consists of 2 components; a shopping center and a multiple family residential development. The shopping center is located on the northern portion of the site and the multiple family residential development is on the southern portion. Access to the site is provided by a total of 8 driveways, 1 on Sahara Avenue, 3 on Karen Avenue, and 4 on State Street. The shopping center and residential development are separated by an internal drive aisle that runs east and west. This drive aisle is 25 feet wide with a 15 foot wide pedestrian realm on each side.

Per the SOSA Design Standards and Guidelines, the northern and southern portions of this site should be separated by a 112 foot wide private street running east to west. Per the design standards this street should consist of a pedestrian realm on the north and south sides of the street (each 15 feet wide), 2 vehicle travel lanes (each 25 feet wide), and a 32 foot wide median park. The SOSA Design Standards and Guidelines also require a 71 foot wide street to run north and south through this site separating the eastern and western portions of the site. The SOSA Design Overlay District also prohibits parking between buildings and streets and restricts sites to a maximum of 2 driveways per street frontage.

Shopping Center Portion

The shopping center consists of 3 buildings with parking located within parking garages that are incorporated into the design of the buildings and surface spaces located along Sahara Avenue,

State Street, and along the west side of the westernmost building. The buildings are set back 62 feet from Sahara Avenue, 57 feet from State Street and a minimum of 15 feet from the adjacent properties. The plans depict 25 foot wide drive aisles provided for on-site traffic circulation for the shopping center.

Residential Portion

The residential development is a single building that consists of a mid-rise podium and 4 high rise towers that are set back 42 feet from Karen Avenue, 28 feet from State Street, and 15 feet from the west property line. The mid-rise podium of the building consists of a parking garage for the tenants. The residential development consists of 1,480 units with a density of 98.3 dwelling units per gross acre that are located in the 4 high rise towers.

Landscaping

The plans depict minimum 15 foot wide pedestrian realms adjacent to each street and on both sides of the internal drive aisles. Each pedestrian realm consists of a 5 foot wide detached sidewalk and landscaping consisting of trees, shrubs, and groundcover. The plans depict an additional 30 feet of landscape area along the north side of Karen Avenue. The sixth level (top) of the mid-rise podium of the residential development consists of a pool deck for each high rise tower. Each pool deck has an area of 49,489 square feet. A total of 7.5 acres of open space is provided for the project; which includes the pool decks, the pedestrian realm, lobby areas and other common areas within the residential portion of the project.

Shopping Center Elevations

Each building for the shopping center is 3 stories with a maximum height of 45 feet. The commercial buildings have a pitched roof with concrete tile roofing material. The exterior walls are a combination of painted concrete panel, stucco finish painted in earth tone colors, stone veneer, and aluminum and glass store front window and door systems. The SOSA Overlay District requires that 70% of the ground floor facade of commercial buildings contain transparent glass. The northern elevation of the westernmost commercial building consists of approximately 15% of transparent glass.

Residential Elevations

The residential building consists of a mid-rise podium with 4 high-rise towers. The request for the residential portion of the project is 45 stories with a maximum height of 510 feet. The plans indicate that high-rise towers will be 465 feet in height and applicant is requesting an additional 45 feet of building height to allow for antennas, hazard lighting, screening, and similar structures. The mid-rise podium of the building is 55 feet in height and includes the first 6 levels of the building. The residential units are located in the 4 high-rise towers. The high-rise towers have flat roofs behind parapet walls. The exterior of the residential building has a stucco finish painted in earth tone colors. The mid-rise podium of the building includes a parking garage with decorative louvers to screen the openings in the parking garage. Each residential unit has a balcony with a glass railing. Applications 2017-AWP-5948-OE through 2017-AWP-5953-OE have been submitted to the Federal Aviation Administration for determination of air navigation hazards.

Shopping Center Floor Plans

The shopping center has a total area of 134,905 square feet that is divided between the 3 commercial buildings. The commercial buildings are being constructed as shells that will be completed with interior remodel building permits to create lease spaces to meet the needs of the future tenants of the buildings.

Residential Floor Plans

The residential portion of the project has a total area of 4,100,979 square feet with 1,480 apartment units that are divided between the 4 high rise towers. Each high-rise tower has 10 units on a floor with 37 floors of apartment units for a total of 370 units per tower. The project will have 888, one bedroom units and 592, two bedroom units. The apartment units are between 860 to 1,300 square feet in area.

Previous Conditions of Approval

Listed below are the approved conditions for ADET-19-900477:

Current Planning

- Until September 6, 2020 to commence.
- Applicant is advised that 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.

Previous Conditions of Approval

Listed below are the approved conditions for UC-0446-17:

Current Planning

If approved:

- Enter into a Development Agreement as agreed upon by the applicant to mitigate impacts of the project including but not limited to issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners;
- Submit a performance bond acceptable to the County in an amount enough to provide a screen wall and/or restore the site including removal of construction materials, site stabilization and revegetation as necessary should construction of the project be discontinued;
- Provide a Decommissioning Plan prior to permits for unfinished construction, including the removal of building materials should construction of the project be discontinued with said plan to be submitted and approved prior to building permits for the project;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- Design review as a public hearing for any significant changes to the plan.
- 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; a minimum 200 foot separation is required from a supper club or tavern to any residential use, any reduction to this separation will require additional land use approval; approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Nevada Department of Transportation approval;
- State Street to be improved per SOSA standards shown in Exhibit C, dated August 4, 2017, which includes a portion of the pedestrian realm within the right-of-way subject to the execution of a License and Maintenance Agreement;
- Pedestrian realm on Karen Avenue shall be wholly contained on private property with an additional 9.5 feet of landscaping permitted in the right-of-way subject to the execution of a License and Maintenance Agreement;
- Ultimate design of Karen Avenue per SOSA standards shown in Exhibit A, dated August 4, 2017, to be completed at a date determined by Public Works;
- Karen Avenue to be improved per Exhibit B, dated August 4, 2017;
- Execute a Restrictive Covenant Agreement (deed restrictions) for Karen Avenue improvements as shown in Exhibit A;
- Any non-standard improvements in rights-of-way other than those described in the above conditions will require the execution of a License and Maintenance Agreement;
- Apply to vacate the alley on the west side of the project;
- If the applicant and adjacent property owners to the west cannot agree to terms for perpetual cross access/ingress/egress easements during the vacation recordation process, then the applicant shall withdraw the vacation from further consideration and dedicate 10 feet of right-of-way for alley to accommodate an overall width of 20 feet;
- Provide a minimum drive aisle width on the west side of the project to meet Fire Department standards;
- Vacate any unnecessary rights-of-way or easements;
- Applicant shall grant necessary easements for utilities, pedestrian access, streetlights, and traffic control as required by Public Works.
- Applicant is advised that conformance with the Uniform Standard Drawings is required per Title 30 and any driveways or other improvements shown on the plans that do not meet the standards will either need to be modified to meet the standards or a waiver(s) of development standards will need to be requested by the applicant, unless said standards are otherwise identified by conditions above in conformance with SOSA standards.

Department of Aviation

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

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

- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code; 30.10
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the FAA will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Building/Fire Prevention

- Applicant is advised that the Fire Department cannot support the site plan attached to this application due to the insufficient on-site fire access lanes provided for the project; that the Fire Department requests a meeting with the applicant prior to having this application move forward; and to contact Assistant Fire Chief Fulton Cochran at (702) 455-7062 to schedule this meeting.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a prior Point of Connection (POC) request for this project; to please contact the CCWRD at sewerlocation@cleanwaterteam.com and reference POC Tracking #000563-2016 to request your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Signage

Signage is not a part of this request.

Applicant's Justification

The original project, UC-0446-17, was approved September 14, 2017. The proposed project contemplated 4 high-rise multiple family towers with some commercial uses along Sahara Avenue. Progress has been made toward commencing the project but the applicant indicates they

are experiencing delays regarding financing for the project. Therefore, the applicant has requested a 3 year extension of time.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|-------------------------|---|-----------------|----------------|
| UC-0446-17 | High impact project with restaurant and other similar uses, multiple family residential & commercial uses | Approved by BCC | September 2017 |
| UC-1142-07 (ET-0012-12) | Second extension of time for resort condominium project and to increase building height - expired | Approved by BCC | March 2012 |
| UC-1142-07 (ET-0019-10) | First extension of time for resort condominium project and to increase building height - expired | Approved by BCC | March 2010 |
| UC-1142-07 | A resort condominium project - expired | Approved by BCC | February 2008 |
| DR-0785-04 | Exterior modifications to an existing apartment complex | Approved by BCC | June 2004 |
| UC-182-81 | A high rise tower for condominium units and commercial space - expired | Approved by PC | November 1981 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---|-----------------|--|
| North | City of Las Vegas | C-1 | Commercial developments |
| South | Residential High (from 8 to 18 du/ac) & Public Facilities | R-1, R-2 & R-4 | Single & multi-family residential & golf course (Las Vegas Country Club) |
| East | General Commercial | C-2 | Shopping center |
| West | Commercial Tourist | H-1 & C-2 | Multi-family residential & Pep Boys Automotive Center |

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

The original project, UC-0446-17 was approved September 14, 2017 along Sahara Boulevard. Progress has been made toward commencing the project, but the applicant indicates they are experiencing delays regarding financing for the project.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until September 6, 2023 to commence.
- Applicant is advised that 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.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: TWJ PALMS, LLC

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



ATTORNEYS AT LAW

LAS VEGAS OFFICE

JENNIFER LAZOVICH

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702.792.7050

July 20, 2020

VIA UPLOAD

Clark County
Department of Comprehensive Planning
500 S. Grand Central Parkway, 1st Floor
Las Vegas, NV 89155

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

RENO OFFICE
50 West Liberty Street
Suite 700
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

ET-20-400087

**RE: Justification Letter
Second Extension of Time
APN: 162-10-501-002**

To Whom It May Concern:

Please be advised, this firm represents the applicant and owner of the previously approved project associated with UC-0446-17. The proposed project contemplated four high rise multi family towers with some commercial uses along Sahara Boulevard.

The applicant continues to pursue financing and development of this project. With a project of this size and magnitude, additional time is necessary, particularly at this time with the onset of the COVID pandemic. Our client has held this property for many years and in the meantime has been putting substantial sums of money into the existing project for the safety/comfort of their existing tenants. Given the complexity of financing and development, we would respectfully request a three (3) year extension of time. The proposed project remains compatible with the surrounding area.

Thank you for your consideration of this request.

Sincerely,

KAEMPFER CROWELL

Jennifer Lazovich

PLANNER
COPY

JJL/amp