



Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

November 27, 2018

7:00 p.m.

AGENDA

NOTE:

- Items on the agenda may be taken out of order.
- The Board/Council may combine two 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 Board of County Commissioners Zoning Commission (BCC) or 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 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 or TDD 702-385-7486 or Relay Nevada toll free 800-326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Maureen Helm at 702-606-0747 and is/will be available at the County's website at www.clarkcountynv.gov.

Board Members: Susan Philipp – Chair
Robert Orgill - Vice Chair
John Williams
Bart Donovan
Jon Wardlaw

Secretary: Maureen Helm 702-606-0747, mhelmtab@gmail.com

County Liaison: Blanca Vazquez 702-455-8531, bva@clarkcountynv.gov

- I. Call to Order, Pledge of Allegiance, Roll Call, County Staff Introductions
- II. Public Comment - This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board/Council about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chair or the Board/Council by majority vote.
- III. Approval of Minutes November 13, 2018 (For possible action)
- IV. Approval of Agenda for November 27, 2018 and Hold, Combine or Delete Any Items (For possible action)

BOARD OF COUNTY COMMISSIONERS
STEVEN SISOLAK, CHAIR - CHRIS GIUNCHIGLIANI, Vice-Chair
SUSAN BRAGER - LARRY BROWN - JAMES GIBSON - MARILYN KIRKPATRICK - LAWRENCE WEEKLY
YOLANDA KING, County Manager

V. Informational Items

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

VI. Planning & Zoning

1. **TM-18-500194-RICHMOND LIMITED PARTNERSHIP:**
TENTATIVE MAP consisting of 1 lot on 7.14 acres in a C-2 (General Commercial) (AE-60 and AE-65) Zone. Generally located on the northwest corner of St Rose Parkway and Maryland Parkway within Enterprise. SS/jor/ja (For possible action)
PC 12/4/18
2. **UC-18-0815-EVANS FAMILY REVOCABLE LIVING TRUST:**
USE PERMITS for the following: **1)** allow an accessory structure (RV garage/hobby shop) to exceed one-half the footprint of the principal structure (residence); and **2)** allow the cumulative area of all accessory structures to exceed the footprint of the principal structure (residence).
WAIVER OF DEVELOPMENT STANDARDS for increased building height in conjunction with an existing single family residence on 0.3 acres in an R-1 (Single Family Residential) Zone. Generally located south of San Anselmo Street and north of Hacienda Avenue, 150 feet west of Orinda Avenue within Paradise. JG/gc/ja (For possible action)
PC 12/4/18
3. **TA-18-0845-HUNTINGTON GEM LAB:**
TEXT AMENDMENT to amend Chapter 30.44, Table 30.44-1 to allow Secondhand Sales within the C-P (Office and Professional) zoning district. (For possible action)
PC 12/18/18
4. **UC-18-0838-AUTO DROP HOLDINGS, LLC:**
USE PERMITS to allow **1)** a convenience store; and **2)** allow alcohol sales, beer and wine – packaged only in conjunction with an existing wholesale food distributor on 0.31 acres in an M-D (Designed Manufacturing) (AE-60) Zone. Generally located on 148 feet south of Pama Lane and 1,500 feet west of Eastern Avenue within Paradise. JG/jor/ja (For possible action)
PC 12/18/18
5. **VS-18-0756-VIBE APARTMENTS, LLC:**
VACATE AND ABANDON a portion of a right-of-way being a public alleyway located along the Reno Avenue alignment between Wilbur Street and Maryland Parkway within Paradise (description on file). JG/al/ja (For possible action)
PC 12/18/18
6. **VS-18-0847-COUNTY OF CLARK (AVIATION) & EAGLE AVIATION RESOURCES LEASE:**
VACATE AND ABANDON a portion of a right-of-way being Reno Avenue located between Koval Lane and Paradise Road within Paradise. JG/tk/ja (For possible action)
PC 12/18/18

7. **ET-18-400236 (UC-0581-14)-VENETO PARADISE, LLC & VENETO PARADISE II, LLC:**
USE PERMITS SECOND EXTENSION OF TIME for the following: 1) resort condominiums with kitchens; and 2) increased building height.
DESIGN REVIEW for resort condominium buildings on 4.4 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone in the MUD-2 Overlay District. Generally located south of Albert Avenue and west of Palos Verdes Street within Paradise. CG/sd/ja (For possible action)
BCC 12/19/18
8. **UC-18-0860-NEW OCTAVIUS OWNER, LLC:**
USE PERMITS for the following: 1) recreational facility/events center with on-premises consumption of alcohol; 2) allow temporary events longer than 10 days per event; and 3) deviations to development standards per plans on file.
DEVIATIONS for the following: 1) alternative external building materials; 2) permit a use (show) not within a permanently enclosed building; 3) permit access to accessory uses from the exterior of a resort hotel (Caesar's Palace); and 4) all other deviations per plans on file.
DESIGN REVIEWS for the following: 1) a fabric structure (tent); 2) outdoor dining and drinking area; 3) accessory structures; 4) amended comprehensive sign plan; and 5) increased animated sign area in conjunction with an existing resort hotel (Caesar's Palace) on 80.2 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District. Generally located on the northwest corner of Las Vegas Boulevard South and Flamingo Road within Paradise. CG/al/ja (For possible action)
BCC 12/19/18
9. **WS-18-0868-J D INDUSTRIAL, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) waive the trash enclosure requirement; and 2) allow modified street standards.
DESIGN REVIEW for a proposed office/warehouse development on 1.3 acres in M-1 (Light Manufacturing) (AE-65) Zone. Generally located on the north side of Post Road, 150 feet west of Hinson Street within Paradise. SS/mk/ja (For possible action)
BCC 12/19/18

VII. General Business
None

VIII. Comments by the General Public - A period devoted to comments by the general public about matters relevant to the Board's/Council's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please spell your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chair or the Board/Council by majority vote.

IX. Next Meeting Date: December 11, 2018

X. Adjournment

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:

Paradise Community Center- 4775 McLeod Dr.

Clark County Library- 1401 E. Flamingo Rd.

Sunset Park- 2601 E. Sunset Rd.

Fire Station 38- 1755 Silver Hawk Ave.

<https://notice.nv.gov/>

BOARD OF COUNTY COMMISSIONERS
STEVEN SISOLAK, CHAIR - CHRIS GIUNCHIGLIANI, Vice-Chair
SUSAN BRAGER - LARRY BROWN - JAMES GIBSON - MARILYN KIRKPATRICK - LAWRENCE WEEKLY
YOLANDA KING, County Manager

ROSEMAR
(TITLE 30)

ST ROSE PKWY/MARYLAND PKWY

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-18-500194-RICHMOND LIMITED PARTNERSHIP:

TENTATIVE MAP consisting of 1 lot on 7.14 acres in a C-2 (General Commercial) (AE-60 and AE-65) Zone.

Generally located on the northwest corner of St Rose Parkway and Maryland Parkway within Enterprise. SS/jor/ja (For possible action)

RELATED INFORMATION:

APN:

177-34-701-035; 177-34-715-001

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL URBAN CENTER (FROM 18 DU/AC TO 32 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 10925 S. Maryland Parkway
- Site Acreage: 7.14
- Number of Lots: 1
- Project Type: Commercial subdivision

The plan depicts a 1 lot commercial subdivision on a 7.14 acre site which was previously approved for a shopping center. Access to the site is located on the east side of the parcel via 2 driveway entrances from Maryland Parkway. A third driveway entrance is located on the south property line from St. Rose Parkway.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-18-0283	Reclassified 6.2 acres to C-2 zoning with a design review for a shopping center	Approved by BCC	July 2018
UC-0132-16	A convenience store, gasoline station, and vehicle wash	Approved by BCC	May 2016
ZC-0901-14	Reclassified APN 177-34-701-035 to R-3 zoning for senior housing	Approved by BCC	January 2015

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1418-06 (ET-0114-11)	Second extension of time to commence a convenience store with gasoline pumps, tavern, vehicle wash, and retail shops on a portion of the site – tavern commenced	Withdrawn	May 2012
DR-0313-09	Design review for a convenience store with gasoline pumps and car wash – expired	Approved by BCC	July 2009
UC-1418-06 (ET-0291-08)	First extension of time to commence a convenience store, gasoline station, tavern, vehicle wash, and retail shops on a portion of the site	Approved by BCC	December 2008
UC-1418-06	Reduced the separation between a convenience store with a gasoline station and vehicle wash to a residential use and a design review for a tavern, convenience store, gasoline pumps, vehicle wash, and retail shops on a portion of the site.	Approved by BCC	November 2006
ZC-1540-04	Reclassified a portion of the site (APN 177-34-715-001) to C-2 zoning for future commercial development and a design review as a public hearing on final plans	Approved by BCC	October 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac)	R-2	Single family residential
South	City of Henderson	DH & IG	Undeveloped
East	City of Henderson	IG & IL	Undeveloped & warehouse
West	Residential Suburban (up to 8 du/ac) & Residential Urban Center (18 du/ac to 32 du/ac)	R-3	Single family residential & senior housing

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

This request meets the tentative map requirements as outlined in Title 30.

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, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 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 a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Nevada Department of Transportation approval.

Current Planning Division - Addressing

- No comment.

Building Department - Geotechnical

- Applicant is advised that compliance with NRS 278.325(4) is required if further subdividing of the property results in creating a boundary or line within a building; and that any additional boundary lines created within 30 feet of any building will result in a reduction of allowable openings and may require fire-resistant rated construction for the exterior walls.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0441-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: RICHMOND LIMITED PARTNERSHIP
CONTACT: JOSH HARNEY, BAUGHMAN & TURNER, INC., 1210 HINSON STREET,
LAS VEGAS, NV 89102

12/04/18 PC AGENDA SHEET

ACCESSORY STRUCTURE
(TITLE 30)

HACIENDA AVE/ORINDA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-18-0815-EVANS FAMILY REVOCABLE LIVING TRUST:

USE PERMITS for the following: **1)** allow an accessory structure (RV garage/hobby shop) to exceed one-half the footprint of the principal structure (residence); and **2)** allow the cumulative area of all accessory structures to exceed the footprint of the principal structure (residence). **WAIVER OF DEVELOPMENT STANDARDS** for increased building height in conjunction with an existing single family residence on 0.3 acres in an R-1 (Single Family Residential) Zone.

Generally located south of San Anselmo Street and north of Hacienda Avenue, 150 feet west of Orinda Avenue within Paradise. JG/gc/ja (For possible action)

RELATED INFORMATION:

APN:

161-29-612-056

USE PERMITS:

1. Allow a 1,080 square foot accessory structure (RV garage/hobby shop) where an accessory structure with a maximum area of 528 square feet (50% of the footprint of the primary residence) is permitted per Table 30.44-1 (a 104.5% increase).
2. Increase the cumulative area of all accessory structures to 1,080 square feet where a maximum of 1,056 square feet (footprint of the primary residence) is permitted per Table 30.44-1 (a 2.3% increase).

WAIVER OF DEVELOPMENT STANDARDS:

Increase the building height for an accessory structure (RV garage/hobby shop) to 22 feet where a maximum of 14 feet is permitted per Table 30.40-2 (a 57.1% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 5256 San Anselmo Street
- Site Acreage: 0.3
- Project Type: Accessory structure (RV garage/hobby shop)
- Number of Stories: 2

- Building Height (feet): 22
- Square Feet: 1,080

Site Plans

The plans show a proposed accessory structure (RV garage/hobby shop) located in the rear yard of an existing single family residence. The accessory structure is located 5 feet from the east (side) property line and 25 feet from the south (rear) property line. Primary access to the site is from San Anselmo Street; however, a gate exists along Hacienda Avenue for RV access only. An existing 6 foot high block wall encloses the rear yard.

Landscaping

No changes are proposed or required to the existing landscaping.

Elevations

The plans depict a 2 story, 22 foot high, accessory structure constructed of wood siding and shingle roofing. The roofing for the accessory structure will match the existing residence and the accessory structure will be painted to match the residence. Four skylights will be incorporated into the roof. An overhead roll-up door for RV access is located on the north and south elevations of the accessory structure. An additional standard garage size, overhead roll-up door is also located on the north elevation. Furthermore, 2 windows are located on the upper part of the east elevation.

Floor Plans

The plans show a 1,080 square foot accessory structure that consists of 720 square feet on the first floor and 360 square feet on the second floor.

Applicant's Justification

The applicant states that the proposed accessory structure will be used for RV parking, to allow space for a hobby shop, and for the storage of collectibles. Furthermore, the applicant states that the accessory structure is architectural in design and will be painted to match the existing residence.

Surrounding Land Use

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

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the 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 proposed accessory structure is larger than the existing single family residence which is supposed to be the principal structure on the site. The principal structures (residences) on the adjacent properties to the east and west are also similar in size and are between 1,000 and 1,200 square feet. The request does not comply with Urban Specific Policy 10 of the Comprehensive Master Plan which encourages site designs to be compatible with adjacent land uses.

Waiver of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative. Staff cannot support the increase in building height for the accessory structure. The proposed structure is 2 stories and is out of character with the surrounding neighborhood. The existing residence on the site and the surrounding residences in the neighborhood are single story. The increased height of the building combined with the increased area will result in the structure visually dominating the site. Urban Specific Policy 19 states that scale relationships between buildings and adjacent developments should be carefully considered. Furthermore, the applicant has not provided any mitigation to screen the proposed structure from adjacent properties and the right-of-way. If this application is approved, staff recommends that the RV access gate on Hacienda Avenue be for egress purposes only, in order to prevent an RV entering the site obstructing traffic on Hacienda Avenue (a collector street).

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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Accessory structure shall be painted to match the existing residence;
- Trees shall be planted every 20 feet along the east, south, and west sides of the accessory structure;
- RV gate on Hacienda Avenue shall be for egress purposes only;
- Certificate of Occupancy shall not be issued without final zoning inspection.
- Applicant is advised that outside storage is not a permitted use on the property; 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

- Applicant is advised that ingress or egress to Hacienda Avenue is not permitted without compliance with sight visibility zones, technical studies, and off-site improvement permits, in addition to any other County Code requirements; and that the existing gate adjacent to Hacienda Avenue may not have been approved with building permits and therefore it may need to be removed and replaced with a block wall or other fence as allowed by County Code.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: MARCO BUCKLEY

CONTACT: MARCO BUCKLEY, TUFF SHED, 7055 WINDY STREET, LAS VEGAS, NV 89119

DRAFT

12/18/18 PC AGENDA SHEET

SECONDHAND SALES
(TITLE 30)

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TA-18-0845-HUNTINGTON GEM LAB:

TEXT AMENDMENT to amend Chapter 30.44, Table 30.44-1 to allow Secondhand Sales within the C-P (Office and Professional) zoning district. (For possible action)

RELATED INFORMATION:

BACKGROUND:

Project Description

The applicant is requesting that Title 30 be amended to allow Secondhand Sales within the C-P (Office and Professional) zoning district.

Title 30 defines a Secondhand Sales as the sale of previously owned and/or used goods, as further defined by Chapters 6.28 & 7.16. Per Chapter 6.28 a "secondhand dealer" is defined to mean any person, firm or corporation other than a licensed pawnbroker having a place of business in the county, outside the incorporated cities and towns both within and without the unincorporated cities, for purchasing, trading or dealing in any secondhand article whatsoever.

Exempted from this definition are the following:

- (a) The buying, or selling by a licensed business of articles which were acquired as a trade-in or a credit upon the purchase of a new article of the same general kind through an arm's length transaction; or
- (b) The buying, selling or trading of coins, gold or silver, which are not a part of any jewelry;
- (c) The selling of used articles in garage sales or other similar sales on the property of the owner of the articles which do not occur more often than four days or portion thereof each calendar half year;
- (d) The buying, selling or trading of used books, newspapers and periodicals; or
- (e) The buying, selling or trading by a licensed retail business of used video games, videotapes, cassettes, digital video discs, compact discs or sound recordings that have been purchased, or received as trade-ins, from its retail customers, so long as credit only has been given as consideration for the purchases or trade-ins, which credit then can only be used by its retail customers for the rental or purchase of new or used items referenced in this paragraph (e) at any of its licensed business premises.

In Chapter 30.44, Table 30.44-1, Secondhand Sales are a permitted use in C-2 and U-V subject to being part of a mixed-use development) zoning districts and is allowed with the issuance of Special Use Permit in C-1, M-D, M-1, H-2 and H-1 zoning districts. Historically, jewelry stores have served as one of the primary locations for the sale of used jewelry, hence the allowance in

retail zoning districts. This retail zoning may not be appropriate for an independent jewelry appraiser which would also require a secondhand sales license. Appraisers work on an appointment basis, and as such locating in an area where walk-in or drop in traffic is not necessary, making it more appropriate in a C-P zoning district. The applicant states that allowing Secondhand Sales in the C-P zoning district will improve the ability to serve a changing customer base.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Several other uses listed within Table 30.44-1 are allowed conditionally within the C-P zoning district: Medical/Dental Laboratory, Photographic Studio, Recording Studio and Watch/Small Clock Repair. These uses are similar in terms of customer makeup. None of the uses rely on walk in traffic, but rather requires an appointment. Staff agrees with allowing less intensive retail uses in the C-P zoning district and finds that Secondhand Sales, or Jewelry Sales – Including Secondhand Sales which is a less intensive use than a typical Secondhand Sales retail establishment, may be an appropriate change to Title 30.

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:

Public Works - Development Review

- No comment.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: HUNTINGTON GEMLAB

CONTACT: RICHARD HUNTINGTON, 787 PORTO MIO WAY, LAS VEGAS, NV 89138

12/18/18 PC AGENDA SHEET

CONVENIENCE STORE AND
ALCOHOL SALES, BEER AND WINE - PACKAGED ONLY
(TITLE 30)

PAMA LN/EASTERN AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-18-0838-AUTO DROP HOLDINGS, LLC:

USE PERMITS to allow 1) a convenience store; and 2) allow alcohol sales, beer and wine – packaged only in conjunction with an existing wholesale food distributor on 0.31 acres in an M-D (Designed Manufacturing) (AE-60) Zone.

Generally located on 148 feet south of Pama Lane and 1,500 feet west of Eastern Avenue within Paradise. JG/jor/ja (For possible action)

RELATED INFORMATION:

APN:

177-02-616-005

USE PERMITS:

1. Allow a convenience store in conjunction with an existing wholesale food distributor per Table 30.44-1.
2. Allow alcohol sales, beer and wine – packaged only in conjunction with an existing wholesale food distributor per Table 30.44-1.

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: 2053 Pama Lane
- Site Acreage: 0.31
- Number of Units: 1
- Project Type: Convenience store and alcohol sales, beer and wine – packaged only
- Number of Stories: 2
- Building Height (feet): 30
- Square Feet: 7,580 (existing building)/1,643 (proposed convenience store)
- Parking Required/Provided: 60 (required for entire complex)/90 (provided for entire complex)

Site Plans

The plans depict 6 existing buildings within an office/warehouse complex. There are 3 buildings on the east and west side of the centered private drive aisle. The applicant's wholesale food distribution company is located in the middle building on the west side of the private drive aisle. The existing building has an area of 7,580 square feet and 15 parking stalls are within the property boundary lines. The applicant's proposed retail space for the convenience store is 1,643 square feet. The convenience store requires an additional 7 parking stalls. Sixty parking stalls are required for the entire warehouse complex and 90 parking stalls are currently on-site. Pedestrian walkways and ample shared parking are located throughout the site and a designated trash enclosure is adjacent to the applicant's building.

Landscaping

Landscaping is existing throughout the site and is not a part of this request.

Elevations

The plans show an office/warehouse designed building with a height of 30 feet. The 2 story building is constructed of concrete tilt-up panels painted olive green, brown, and beige, with white accents. Curved copper colored metal roof panels installed at the front half of the buildings break-up the monotonous parapet roofs. Storefront glazing, dark aluminum framing systems, and roll-up doors were installed for all 6 existing buildings.

Floor Plans

The plans depict the west half of the building with an existing warehouse containing a freezer, cold storage room, and interior loading space. The east half of the building houses a kitchen, office, restrooms, utility room, entry space, and retail space. The entry space and retail space have a total area of 1,643 square feet. The customer's circulation pattern involves the customers entering through the main entrance and encounter promotional displays, seating, social media photo area, and shelving with non-perishable items. The applicant's customers then transition into the main retail space where refrigerators and freezers are placed for customers to access specialty items. Shelving was installed along the walls to showcase artisanal jarred items, specific kitchenware, imported spices, and additional specialty food items. There is additional seating located in the center of the store and to the far right side of the retail space is the checkout counter. The applicant is proposing a shelving unit that will store beer and wine (packaged only) in conjunction with a refrigerator also in the center of the retail space.

Signage

Signage is not a part of this request.

Applicant's Justification

Per the applicant, 90% of the company's sales are from the wholesale food distribution. Artisanal Foods, Inc. is open to the public 7 days a week from 10:00 a.m. to 6:00 p.m. As a thriving business, the applicant would like to expand their product line availability and add packaged beer and wine for their loyal customers to purchase. Artisanal Foods, Inc. currently provides the hospitality industry chefs and local connoisseurs of gourmet food access to specialty products and approving a use permit for a convenience store and the ability to sell packaged beer and wine would allow the company to be a one-stop shop for their customers.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-901046-12	Office/warehouse	Approved Administratively	December 2012
ADR-901004-07	Redesign of an Office/warehouse	Approved Administratively	July 2007
ZC-0265-07	Reclassified 1.9 acres from R-E zoning to M-D zoning, waivers for design standards, height setback ratio, setback reduction, and landscaping, and a design review for a warehouse building	Approved by BCC	April 2007
TM-0277-06	1 lot commercial subdivision on 3.5 acres	Approved by PC	August 2006
ZC-1563-05	Reclassified 3.6 acres from R-E zoning to M-D zoning, waivers for setback reductions and landscape requirements, design review for an office/warehouse complex	Approved by BCC	November 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & East	Business and Design/Research Park	M-D	Office/warehouse
West	Business and Design/Research Park	M-D & R-E	Office/warehouse & undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the 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 requested use permits for a convenience store and alcohol sales, beer and wine - packaged only is a compatible use for the existing business since they already distribute wholesale food and provide their customers with the ability to purchase specialty gourmet food items.

The request complies with Urban Specific Policy 7 of the Comprehensive Master Plan which encourages land uses that are complementary and are of similar scale and intensity to provide appropriate connectivity and not to be segregated. Staff finds that the applicant's requests do not negatively impact the existing business or the surrounding businesses and neighborhood. Staff is in support of 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

- 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.
- 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

- No comment.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: JOHN BRETT OTTOLENGHI

CONTACT: JOHN BRETT OTTOLENGHI, ARTISANAL FOODS, INC., 2053 PAMA LANE, LAS VEGAS, NV 89117

12/18/18 PC AGENDA SHEET

RIGHT-OF-WAY
(TITLE 30)

MARYLAND PKWY/RENO AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-18-0756-VIBE APARTMENTS, LLC:

VACATE AND ABANDON a portion of a right-of-way being a public alleyway located along the Reno Avenue alignment between Wilbur Street and Maryland Parkway within Paradise (description on file). JG/al/ja (For possible action)

RELATED INFORMATION:

APN:

162-27-511-013; 162-27-511-019 through 162-27-511-024; 162-27-610-077; 162-27-612-091; 162-27-617-012; 162-27-617-013

LAND USE PLAN:

WINCHESTER/PARADISE - RESIDENTIAL URBAN CENTER (FROM 18 DU/AC TO 32 DU/AC)

WINCHESTER/PARADISE - RESIDENTIAL HIGH (FROM 8 DU/AC TO 18 DU/AC)

WINCHESTER/PARADISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

The request is to vacate an existing 20 foot wide public alleyway located along the Reno Avenue alignment between Wilbur Street and Maryland Parkway. The alleyway dedication was provided with the recording of subdivision maps for the residential developments to the north and south of the alley alignment in the 1960's and 1970's. The applicant indicates that the alleyway no longer serves a public purpose and should be vacated. This request is similar to the vacation and abandonment of other alleys that were within the subdivision to the north of this alley alignment.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Urban Center (from 18 to 32 du/ac)	R-4	Multiple family residential development
South	Residential Suburban (up to 8 du/ac) & Residential High (from 8 to 18 du/ac)	R-1 & R-3	Single family & multiple family residential developments
East	Commercial General	C-2	Commercial development
West	Residential Suburban (up to 8 du/ac)	R-1	Single family residential development

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 that is not necessary for site, drainage, or roadway development.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- 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 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

- Drainage study and compliance;
- 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 recordation of this vacation may result in access to the applicant's parking areas being restricted since the ownership for a portion of the alley will likely be transferred to the project to the south.

Clark County Water Reclamation District (CCWRD)

- No objection.

Building Department - Fire Prevention

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: VIBE APARTMENTS, LLC

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

DRAFT

12/18/18 PC AGENDA SHEET

RIGHT-OF-WAY
(TITLE 30)

TROPICANA AVE/KOVAL LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-18-0847-COUNTY OF CLARK (AVIATION) & EAGLE AVIATION RESOURCES LEASE:

VACATE AND ABANDON a portion of a right-of-way being Reno Avenue located between Koval Lane and Paradise Road within Paradise. JG/tk/ja (For possible action)

RELATED INFORMATION:

APN:

162-28-501-003 & 004; 162-28-601-007 & 010

LAND USE PLAN:

WINCHESTER/PARADISE - PUBLIC FACILITIES

BACKGROUND:

Project Description

This application is a request to vacate and abandon the excess right-of-way for parcels 162-28-699-001 and 162-28-699-002 as a condition of DR-18-0347 which was requested from Clark County Public Works.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-18-0347	Aircraft hangar and aircraft terminal in conjunction with McCarran International Airport	Approved by PC	July 2018
DR-18-0081	Existing private monorail system consisting of a fixed guideway and columns	Approved by BCC	March 2018
DR-0539-16	Aircraft hangars in conjunction with McCarran International Airport	Approved by PC	October 2016
DR-1732-04	An aircraft hangar in conjunction with McCarran International Airport	Approved by PC	November 2004
UC-0418-04	An aircraft hangar in conjunction with McCarran International Airport	Approved by PC	April 2004
UC-0406-01	McCarran International Airport including parcels which were added to the airport facility but not formally approved for the airport use	Approved by PC	May 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	C-2 & H-1	Commercial uses & UNLV parking lot
South, East, & West	Public Facilities	P-F	Additional facilities for McCarran International Airport

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

The right-of-way being vacated is within the McCarran Airport fence line and therefore serves no public purpose for future roadways or drainage facilities. The submittal of this vacation satisfies a condition of approval from DR-18-0347 for a new private terminal and hanger on the site.

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

- Satisfy utility companies' requirements.
- 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 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

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

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: JRMA

CONTACT: LYNNE LOBER, EXPEDITE YOUR PLANS, 9712 FOREST GLEN PLACE,
LAS VEGAS, NV 89134

DRAFT

12/19/18 BCC AGENDA SHEET

RESORT CONDOMINIUMS
(TITLE 30)

PALOS VERDES ST/ALBERT AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-18-400236 (UC-0581-14)-VENETO PARADISE, LLC & VENETO PARADISE II, LLC:

USE PERMITS SECOND EXTENSION OF TIME for the following: 1) resort condominiums with kitchens; and 2) increased building height.

DESIGN REVIEW for resort condominium buildings on 4.4 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone in the MUD-2 Overlay District.

Generally located south of Albert Avenue and west of Palos Verdes Street within Paradise. CG/sd/ja (For possible action)

RELATED INFORMATION:

APN:

162-15-416-001; 162-15-416-002

USE PERMITS:

1. Permit resort condominiums with kitchens.
2. Increase building height to 200 feet where 100 feet is the standard (a 100% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 501 Tony Bennett Way
- Site Acreage: 4.4
- Number of rooms/units: 604
- Project Type: Resort condominiums
- Number of Stories: 18
- Building Height (feet): 200
- Open Space Required/Provided: 26,800/51,831 square feet
- Parking Required/Provided: 552/1002

Site Plans

The approved plans depict two, 200 foot high, resort condominium towers with kitchens. The buildings will be 18 stories, with 298 units in the north tower and 306 units in the south tower.

The 2 entrances to the development are proposed on the Tony Bennett Way alignment from both Paradise Road and Palos Verdes Street. The majority of parking is integrated into the buildings, with 1 subterranean level and 4 above ground levels. There are additional parking spaces located in a surface parking lot.

Landscaping

The approved plans depict an intense landscape buffer along Albert Avenue, with additional landscaping provided around the entire perimeter of the project. Title 30 requires resort condominium developments to provide open space and the applicant is providing 51,831 square feet of open space where 26,800 square feet is required. The open space consists of a pool, shade structures, cabanas, movie screen, exercise station, and BBQ grill areas.

Elevations

The approved plans depict two, 200 foot high, 18 story resort condominium towers with kitchens. The building's exterior features are a combination of EIFS and colored/decorative masonry block units with a non-reflective glass curtain wall system.

Floor Plans

Each floor will consist of a combination of 1 and 2 bedroom units with kitchens.

Previous Conditions of Approval

Listed below are the approved conditions for UC-0581-14 (ET-0126-16):

Current Planning

- Until November 5, 2018 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.

Listed below are the approved conditions for UC-0581-14:

Current Planning

- Landscaping per revised plans submitted on 10/03/14;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time; 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.

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;
- For that portion of the property located within the AE-60, 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;
- For that portion of the property located within the AE-60, 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;
- For that portion of the property located within the AE-60, 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;
- For that portion of the property located within the AE-60, 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 for that portion of the property located outside the AE-60, applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; 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; the FAA's airspace determinations include expiration dates and that the separate airspace determinations will be needed for construction cranes or other temporary equipment; the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Building/Fire Prevention

- Applicant is advised that fire protection and permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316; and that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that existing sewer is located within 400 feet of the parcels; and that at the time of development, CCWRD requires submittal of civil improvement plans and estimated wastewater flow rates to determine sewer point of connection.

Applicant's Justification

The applicant is still proposing to develop a resort condominium project with increased building height. The required vacation and abandonment of Tony Bennett Way has been recorded, and off-site improvements have been constructed. The applicant states that the owner is ready to move forward with the development. The project design is exceptionally difficult due to the property's shape, location, and access. There has been no significant changes in the area which would make the proposed project incompatible with its surroundings and is still consistent with existing zoning and master plan status. The applicant is requesting an additional 2 years to commence the project.

Prior Land Use Requests

Application Number	Request	Action	Date
SC-0540-17	Street name change to rename Tony Bennett Way to Paradise Way	Approved by PC	August 2017
VS-0084-17	Vacated and abandoned easements of interest to Clark County located between Palos Verdes Street and Paradise Road, and between Flamingo Road and Albert Avenue	Approved by PC	March 2017
UC-0581-14 (ET-0126-16)	First extension of time for resort condominiums with kitchens and increased building height and design review for condominium building	Approved by BCC	November 2016
VS-0582-14	Vacated a portion of right-of-way being Tony Bennett Way located between Palos Verdes Street and Paradise Road	Approved by BCC	November 2014
UC-0581-14	Resort condominiums with kitchens and increased building height	Approved by BCC	November 2014
VS-0125-08	Vacated excess portions of Tony Bennett Way – recorded	Approved by	March 2008
UC-0620-07	Resort condominiums with 268 units – expired	Approved by PC	July 2007
ZC-1777-06	Reclassified the property to H-1 zoning	Approved by BCC	February 2007

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Undeveloped, multi-family residential, & hotel
South & West	Commercial Tourist	H-1	Undeveloped
East	Commercial Tourist	R-5, & C-2, R-4	Multi-family residential, & commercial buildings

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. To date, no permits for construction have been submitted for the project; however, the applicant has processed a vacation and abandonment for easements which were recorded on July 12, 2018. Since there have not been any significant changes to the immediate area that would make the project incompatible with its surroundings, staff can support a 2 year extension of time.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until November 2, 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.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: VENETO PARADISE, LLC

CONTACT: GREG BORGEL, 300 S. 4TH STREET, SUITE 1400, LAS VEGAS, NV 89101

DRAFT

RECREATIONAL FACILITY/
EVENTS CENTER
(TITLE 30)

FLAMINGO RD/LAS VEGAS BLVD S

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-18-0860-NEW OCTAVIUS OWNER, LLC:

USE PERMITS for the following: 1) recreational facility/events center with on-premises consumption of alcohol; 2) allow temporary events longer than 10 days per event; and 3) deviations to development standards per plans on file.

DEVIATIONS for the following: 1) alternative external building materials; 2) permit a use (show) not within a permanently enclosed building; 3) permit access to accessory uses from the exterior of a resort hotel (Caesar's Palace); and 4) all other deviations per plans on file.

DESIGN REVIEWS for the following: 1) a fabric structure (tent); 2) outdoor dining and drinking area; 3) accessory structures; 4) amended comprehensive sign plan; and 5) increased animated sign area in conjunction with an existing resort hotel (Caesar's Palace) on 80.2 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District.

Generally located on the northwest corner of Las Vegas Boulevard South and Flamingo Road within Paradise. CG/al/ja (For possible action)

RELATED INFORMATION:

APN:

162-17-710-002; 162-17-710-004 through 162-17-710-005; 162-17-810-002 through 162-17-810-004; 162-17-810-009 through 162-17-810-010

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 3570 Las Vegas Boulevard South
- Site Acreage: 80.2
- Project Type: Recreational/events center
- Number of Stories: 1
- Building Height (feet): 34
- Sign Height (feet): 35
- Square Feet: 7,800 tent/1,120 accessory structures
- Parking Required/Provided: 7,669/8,140 resort hotel

Site Plans

The request is to re-establish the use of a fabric structure as a showroom. The plans show an existing 7,800 square foot fabric structure (tent) being used as a showroom (Absinthe Show) located in the Forum Plaza on the southeast corner of the Caesar's Palace Resort Hotel. The tent is located approximately 230 feet west of Las Vegas Boulevard South and 110 feet north of Flamingo Road. The plans also depict a recreational facility/events center north of the existing tent. The plans designate this recreational/events center as the Green Fairy Garden (Garden). The main entrance for the tent is located on the north side of the structure, which will require the audience to enter and exit the tent through the Garden. The Garden occupies an area of approximately 12,950 square feet. The plans depict 5 accessory buildings within the Garden located to the northeast and northwest of the tent. Approximately 22 feet to the north of the tent is an LED sculptural tree (freestanding sign). Seating for outside dining and drinking are located throughout the Garden area. Live entertainment will also be provided within the Garden area. There is no direct access to this recreational facility/events center from the interior of Caesar's Palace Resort Hotel. There are gated access points into the Garden from the Forum Plaza, which are located on the northeast and northwest corners of the facility.

Landscaping

No changes are proposed or required to existing landscape areas with this request.

Elevations

The plans show a red and white 34 foot high fabric structure (tent) with glass store front doors. The Garden is enclosed by an 8 foot high chain-link fence that is covered with artificial foliage to resemble a hedge. The accessory structures within the Garden consist of Conex shipping containers that are being converted into the accessory structures. These accessory buildings are between 8 feet and 19 feet in height and are also covered with artificial foliage to resemble a hedge. The plans indicate that 1 of the accessory buildings located northeast of the tent has a roof top deck.

Floor Plans

The plans depict a 7,800 square foot tent (showroom) with a stage located at the center surrounded by seating. A retail counter, snack counter, and bar are located at the entry foyer at the north end of the structure. The plans also depict 5 accessory buildings within the Garden consisting of bars, lounges, retail sales booths, and a food and beverage building. These accessory buildings have a total area of 1,120 square feet and range between 88 square feet and 395 square feet in area.

Signage

The plans depict an LED sculptural tree (freestanding sign) located within the proposed recreational/events center. The tree is approximately 35 feet in height and 35 feet in diameter with an area of approximately 1,204 square feet. The tree will not be visible from the abutting right-of-ways; however, it will be visible from the abutting properties and qualifies as a freestanding sign per Title 30. The structure consists of programmable LED lights which can change color, which makes the structure an animated sign.

The table below describes the existing and proposed signs. Details related to the exact location and areas of each sign are provided in the file.

Type of sign	Approved/ Existing (sq ft)	Proposed (sq ft)	Total (sq ft)	Allowed per Title 30 (sq ft)	Percent increase	# of existing signs	# of proposed signs	Total # of signs
Freestanding*	18,308	1,204	19,512	8,670	6.6%	5	1	6
Wall*	36,406	0	36,406	71,810	N/A	83	0	83
Directional	396	0	396	384	N/A	23	0	23
Monument	0	0	0	70	N/A	0	0	0
Projecting	0	0	0	32	N/A	0	0	0
Hanging	0	0	0	32	N/A	0	0	0
Roof	33	0	33	0	N/A	3	0	3
Temporary	0	0	0	2,640	N/A	0	0	0
Overall Total	55,143	1,204	56,347	83,638	N/A	114	1	115

*Freestanding and wall signs can also contain animated signage. The table below describes the existing and proposed animated signs.

Type of sign	Approved/ Existing (sq ft)	Proposed (sq ft)	Total (sq ft)	Allowed per Title 30 (sq ft)	Percent increase	# of existing signs	# of proposed signs	Total # of signs
Animated	8,951	1,204	10,155	450	13.5%	17	1	18

Applicant's Justification

The applicant indicates that the purpose of this request is to allow the structures to remain permanently at the location. The tent was previously approved for this use, but that application was mistakenly allowed to expire. The applicant indicates the structures will meet all Clark County Building and Fire Department Codes. The Absinthe Show has been and will continue in the tent structure. Part of the audience's experience is for the show to be held in this type of structure rather than a standard showroom. The Garden with its accessory buildings, LED tree, and other accessory uses will further enhance the audience's entertainment experience outside of the tent/show.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0142	Building addition with outside dining and drinking	Approved by BCC	April 2018
WS-1059-17	Modifications to an approved comprehensive sign package including proposed roof signs	Approved by BCC	January 2018
UC-0738-17	Temporary outdoor commercial event for longer than 10 days; access to modular building from the exterior of a resort hotel; allow roof signs on modular building	Approved by BCC	September 2017
UC-0291-17	Addition to an existing restaurant with outdoor improvements	Approved by BCC	June 2017

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0643-16	Vacation and abandonment of a 15 foot wide pedestrian access easement adjacent to the Forum Shops subject to dedicating a new 15 foot wide pedestrian access easement	Approved by PC	November 2016
UC-0361-16	Modifications to an approved comprehensive sign package and outdoor improvements to an existing shopping center (Forum Shops)	Approved by BCC	July 2016
UC-0660-15	On-premises consumption of alcohol and outside dining and drinking, with a design review for an exhibition/convention building, a solar canopy, and solar trees in conjunction with an existing resort hotel (Caesars Palace) – expired	Approved by BCC	November 2015
UC-1003-14	Modifications to an approved comprehensive sign package, increased wall sign area, and increased animated sign area in conjunction with an existing resort hotel (Caesars Palace)	Approved by BCC	February 2015
DR-0895-14	Temporary outdoor commercial event (ice skating rink) for longer than 10 days – expired	Approved by BCC	January 2015
UC-0702-13	Modifications and expansion to an existing shopping center (Forum Shops) – expired	Approved by BCC	December 2013
UC-0098-12	A tent for a showroom (Absinthe Show) with in the Forum Plaza and Caesar's Palace - expired	Approved by PC	April 2013
DR-0615-11	Modifications to an approved comprehensive sign package to include all existing, approved, and new signage for Caesars Palace	Approved by BCC	March 2012
UC-0319-05 (ET-0113-07)	First extension of time for freestanding banner signs	Approved by BCC	June 2007
DR-0378-06	Wall signs	Approved by BCC	April 2006
UC-0319-05	18 freestanding banners signs located on the Forum Shop building that fronts Las Vegas Boulevard South	Approved by BCC	April 2005
UC-0104-05	Exterior entries to an outside dining area and increase signage in conjunction with this existing resort hotel	Approved by BCC	March 2005
DR-0862-02	Freestanding animated signs	Approved by BCC	August 2002
UC-0744-99 (ET-0209-00)	First extension of time for an on-premises sign	Approved by PC	July 2000

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0744-99	On-premises sign in conjunction with a resort hotel that deviated from improvement standards for sign height and sign area – approved by the Planning Commission in July 1999 and amended in December 1999	Approved by PC	December 1999
UC-0744-99	On-premises sign in conjunction with a resort hotel that deviated from improvement standards for sign height and sign area – approved by the Planning Commission in July 1999 and amended in December 1999	Approved by PC	December 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Portions of the Caesars Palace complex, Forum Shops, & Mirage Resort Hotel
South	Commercial Tourist	H-1	Bellagio Resort Hotel
East	Commercial Tourist	H-1	Flamingo Resort Hotel, LINQ Promenade, LINQ Resort Hotel, Harrah's Resort Hotel, & Cromwell Resort Hotel
West	Business and Design/Research Park & Commercial Tourist	M-1 & H-1	I-15, industrial buildings, & the Rio Resort Hotel

STANDARDS FOR APPROVAL:

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

Analysis
Current Planning
Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the 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.

Use Permits, Deviations, & Design Reviews #1 through #3

Staff has no objection to allowing the tent, accessory buildings, and temporary events longer than a maximum of 10 days per event in conjunction with the resort hotel. Similar temporary structures have been approved at other resort hotels (MGM Grand, Rio, Encore, and The Silverton) with time limits to review. Temporary tents have also been previously approved at Caesar's Palace. The structures are internal to the site, not visible from Las Vegas Boulevard South, and located in an area that is landscaped to fit into the overall landscape design of the

location. Recreational/event centers have been approved for other locations within the Resort Corridor such as the Toshiba Plaza and The Park located north and northwest of the New York New York Resort Hotel. There has been a trend within the Resort Corridor to provide additional outdoor retail and entertainment areas that cater to tourists and this request is following that trend. Therefore, staff supports these requests.

Design Reviews #4 & #5

Code allows alternative sign standards for resort hotels if the signs result in the development having a visual character which is compatible with adjacent development. Similar requests to increase the number and area of freestanding and animated signs have been approved for other developments along Las Vegas Boulevard South. The proposed signs are compatible with the previously approved sign package and complies with Urban Specific Policy 20 of the Comprehensive Master Plan, which states that all signage should be compatible with building styles both on-site and surrounding developments. Additionally, the proposed signs are consistent in style and design with the existing signs on-site and are of similar scale as other resort hotels within the immediate area and along Las Vegas Boulevard South. This proposal complies with Urban Specific Policy 93 of the Comprehensive Master Plan that encourages all structures including signs on a development site be of compatible architectural design, style, and color. Staff finds that the revisions and additions to the previously approved sign package will not negatively impact the site. 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 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

- No comment.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: DESERT PALACE, LLC

CONTACT: SONIA VERMEYS, BROWNSTEIN HYATT ET AL, 100 N. CITY PARKWAY,
SUITE 1600, LAS VEGAS, NV 89106

DRAFT

12/19/18 BCC AGENDA SHEET

OFFICE/WAREHOUSE
(TITLE 30)

POST RD/HINSON ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-18-0868-J D INDUSTRIAL, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) waive the trash enclosure requirement; and 2) allow modified street standards.

DESIGN REVIEW for a proposed office/warehouse development on 1.3 acres in M-1 (Light Manufacturing) (AE-65) Zone.

Generally located on the north side of Post Road, 150 feet west of Hinson Street within Paradise. SS/mk/ja (For possible action)

RELATED INFORMATION:

APN:

162-31-701-032

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate trash enclosure requirements per Section 30.56.120.
2. Reduce the departure distance from the driveway to the corner of Hinson Street and Post Road to 122 feet where a minimum 190 feet is required per Uniform Standard Drawing 222.1 (a 36% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - INDUSTRIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.3
- Project Type: Office/warehouse
- Number of Stories: 1
- Building Height (feet): 24
- Square Feet: 15,300
- Parking Required/Provided: 23/24

Site Plans

The plans show a proposed 1 story, 15,300 square foot office/warehouse building located on the southwest corner of the site, with the front of the building facing to the east and south sides of

the site. The plans show the proposed building is 20 feet from Post Road, 135 feet from the north property line, and 56 feet from the east property line. Loading docks are shown on the north and northeast sides of the building. There is a designated area on the northeast corner of the building for a dropped Republic Service trash container. There is an 8,832 square foot storage yard located on the north side (rear) of the building, and all parking spaces are shown along the east property line.

Landscaping

The plans show a minimum of a 20 foot wide landscape area along Post Road and parking lot landscape fingers per Code requirements.

Elevations

The proposed 1 story, approximately 24 foot high, office/warehouse building has a modern southwest design with a flat roof behind parapet walls. The building will be constructed of warm earth tone colored concrete tilt-up panels with painted metal awnings and aluminum storefront. The rear (north) elevation shows a door and 2 overhead roll-up doors. The roll-up doors are screened from the public view since they are located on the rear side of the building. The front (east) elevation shows an aluminum storefront door and windows and 1 overhead roll-up door and a regular door. The south (front) elevation does not have any windows or doors but different colors are painted on concrete tilt-up walls to enhance the building's appearance.

Floor Plans

The plans show a 15,300 square foot office/warehouse building consisting of 9,833 square feet of warehouse and 5,467 square feet of office area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the proposed building will be an attractive addition to the existing development and the proposed use is permitted and similar to other uses in the adjacent area. The applicant adds that they will provide documentation of dumpster rental program prior to permitting. The applicant adds that the project meets other Title 30 requirements.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0602-13	Reclassified the subject site from R-E to M-1 zoning for a future industrial development	Approved by BCC	November 2013
VS-0545-13	Vacated and abandoned patent easements	Approved by BCC	November 2013

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Industrial	M-1	Office/warehouse
East & South	Industrial	M-1	Office/warehouse

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Industrial	M-1	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current 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.

Waiver of Development Standards #1

Title 30 requires all development, except for single family residential development, shall provide interior or exterior enclosures for all refuse containers, compactors and refuse collection areas per the standard of the local trash service provider unless this provider certifies that refuse is not generated at the site. The applicant states that the facility will be served all the time by Republic Services through commercial dumpster rental program with a weekly removal and replacement schedule. The applicant did not submit any documentation confirming or certifying that agreement; therefore, staff cannot support this request.

Design Review

Staff finds that the subject site is an infill parcel between existing office/warehouse developments. The proposed building with a southwest design complies with Title 30 requirements and is compatible and consistent with the existing developments in the adjacent area which is designated as Industrial in the Winchester/Paradise Land Use Plan. Thus the project complies with Urban Specific Policy 101 of the Comprehensive Master Plan which promotes ensuring that industrial developments are complementary with abutting uses through site planning and building design. The proposed site and building design are similar to typical office/warehouse development in the area; therefore, staff can support this request.

Public Works - Development Review

Waiver of Development Standards #2

Staff can support the applicant's request for the reduced distance between the Hinson Street and the proposed driveway since moving the driveway farther west on the site will still not result in compliance with the standards and the driveway would then be too close to the existing driveway on the adjacent property.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for McCarran 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 McCarran 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 McCarran International Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval of waiver of development standards #2 and the design review; and denial of waiver of development standards #1.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Provide documentation from Republic Service certifying the outdoor container rental agreement prior to issuing permit, and stating an enclosure is not necessary;
- 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;
- Full off-site improvements.
- Applicant is advised that easements may exist on the site that need to be vacated.

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;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the 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 owners wish to have their buildings purchased or soundproofed.

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 and reference POC Tracking #0634-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: JD INDUSTRIAL, LLC

CONTACT: JOHN BURKE, JOHN DAVID BURKE ARCHITECT, 6307 SOUTH FORT APACHE RD, LAS VEGAS, NV 89148