



# Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

March 12, 2024

7:00pm

**Note:**

- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Maureen Helm at 702-606-0747.
  - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
  - Supporting material is/will be available on the County's website at <https://clarkcountynv.gov/ParadiseTAB>

Board/Council Members: Susan Philipp-Chair  
 Katlyn Cunningham-Vice Chair  
 John Williams  
 Kimberly Swartzlander  
 Angelo Carvalho

Secretary: Maureen Helm, 702-606-0747, [mhelmtab@gmail.com](mailto:mhelmtab@gmail.com)  
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Blanca Vazquez, 702-455-8531, [BVA@ClarkCountyNV.gov](mailto:BVA@ClarkCountyNV.gov)  
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

I. Call to Order, Pledge of Allegiance, Roll Call, and 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 (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of

the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

- III. Approval of Minutes for February 27, 2024. (For possible action)
- IV. Approval of the Agenda for March 12, 2024 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items (for discussion only)
- VI. Planning and Zoning
  - 1. **AR-24-400016 (UC-22-0688)-CENTER FOR SPIRITUAL LIVING:**  
**USE PERMIT FIRST APPLICATION FOR REVIEW** for a place of worship in conjunction with an office complex on a portion of 4.1 acres in a CP (Commercial Professional) Zone. Generally located on the north side of Russell Road and the west side of Gateway Road within Paradise. JG/my/ng (For possible action) **PC 4/2/24**
  - 2. **AR-24-400019 (DR-22-0582)-CAPSTONE CHRISTIAN ACADEMY:**  
**DESIGN REVIEW SECOND APPLICATION FOR REVIEW** for an addition to an existing school on 2.0 acres in an RS20 (Residential Single Family 20) Zone. Generally located on the west side of Paradise Road and the south side of Serene Avenue within Paradise. MN/jm/ng (For possible action) **PC 4/2/24**
  - 3. **TM-24-500010-COUNTY OF CLARK (AVIATION):**  
**TENTATIVE MAP** for a 1 lot commercial subdivision on a portion of 12.7 acres in a PF (Public Facility) Zone in the AE-60, AE-65, & AE-70 Overlay Districts. Generally located on the south side of Reno Avenue, 280 feet east of Haven Street within Paradise. JG/dd/ng (For possible action) **PC 4/2/24**
  - 4. **UC-23-0867-PHALEN, MONIQUE C.:**  
**USE PERMIT** for architectural compatibility.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase wall height; and 2) reduce setbacks for an existing accessory structure in conjunction with a single family residence on 0.2 acres in an R-1 (Single Family Residential) Zone. Generally located on the north side of Ottawa Drive and the east side of Spencer Street within Paradise. TS/jm/ng (For possible action) **PC 4/2/24**
  - 5. **WS-23-0920-PF 4090, LLC:**  
**HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) wall height; 2) alternative landscaping; 3) loading spaces; 4) gate access; and 5) reduce height setback.  
**DESIGN REVIEW** for a mini-warehouse on 1.5 acres in a C-2 (Commercial General) Zone. Generally located on the north side of Flamingo Road and the east side of Eastern Avenue within Paradise. TS/bb/ng (For possible action) **PC 4/2/24**

6. **WS-24-0026-VELAZQUEZ, RODOLFO & PEREZ, ARELYS ARJONA:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following 1) reduced setbacks; and 2) exterior colors.  
**DESIGN REVIEWS** for the following 1) an attached addition; and 2) an accessory structure in conjunction with a single family residence on 0.2 acres in a RS5.2 (Single Family Residential 5.2) Zone. Generally located on the north side of Desmond Avenue, 120 feet west of Skyland Drive within Paradise. JG/tpd/ng (For possible action) **PC 4/2/24**
7. **WS-24-0040-CHURCH ROMAN CATHOLIC LAS VEGAS:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase decorative fence and wall height; 2) street landscaping; 3) reduce access gate setback; 4) finished grade; and 5) buffering and screening standards.  
**DESIGN REVIEWS** for the following: 1) modular classroom building; and 2) site improvements and modifications in conjunction with an existing place of worship and school on 13.1 acres in an RS5.2 (Residential Single Family 5.2) Zone. Generally located on the east side of Eastern Avenue and the south side of Flamingo Road within Paradise. TS/md/ng (For possible action) **PC 4/2/24**
8. **UC-23-0801-RK VEGAS CIRCLE, LLC:**  
**HOLDOVER USE PERMITS** for the following: 1) place of worship; 2) on-premises consumption of alcohol (service bars, supper clubs, and tavern) with outside dining and drinking; 3) allow outside dining and drinking in conjunction with a tavern; 4) alcohol sales (beer and wine - packaged only); 5) alcohol sales (liquor - packaged only); 6) restaurants with outside dining and drinking; 7) day spa; 8) banquet facility with outside uses; 9) retail sales and service; and 10) convention facilities/exposition halls.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increased building height; 2) permit encroachment into airspace; 3) reduced setbacks; 4) reduced parking; 5) reduced loading spaces; 6) allow alternative street landscaping; 7) allow modified street standards; 8) allow modified driveway design standards; and 9) allow non-standard improvements within the right-of-way.  
**DESIGN REVIEWS** for the following: 1) hotel; 2) place of worship; 3) day spa; 4) retail sales and service; 5) restaurants and tavern with outside dining and drinking; 6) on-premises consumption of alcohol (service bars, supper clubs, and tavern); 7) convention facilities/exposition halls; 8) parking garage with subterranean levels; and 9) outdoor deck with pool area on 0.6 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the south side of Black Canyon Avenue and the west side of Vegas Plaza Drive within Paradise. TS/md/syp (For possible action) **BCC 4/3/24**

VII. General Business (For possible action)

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

IX. Next Meeting Date: March 26, 2024.

X. Adjournment.

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

Paradise Community Center- 4775 McLeod Dr.

<https://notice.nv.gov>



# Paradise Town Advisory Board

February 27, 2024

## MINUTES

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Board Members: Susan Philipp-Chair-**EXCUSED**  
Katlyn Cunningham- Vice-Chair -**PRESENT**  
John Williams – **PRESENT**  
Kimberly Swartzlander- **PRESENT**  
Angelo Carvalho- **PRESENT**

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

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

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I. Call to Order, Pledge of Allegiance, Roll Call(see above), County Staff Introductions

Steve De Merritt; Planning, Blanca Vazquez; Community Liaison

Meeting was called to order by Vice- Chair Cunningham, at 7:00 p.m.

II. Public Comment:  
**None**

III. Approval of February 13, 2024 Minutes

**Moved by: Swartzlander**

**Action: Approve as submitted**

**Vote: 4-0 Unanimous**

Approval of Agenda for February 27, 2024

**Moved by: Williams**

**Action: Approve as submitted**

**Vote: 4-0 Unanimous**

V. Informational Items (For Discussion only)

**Spring job fair March 8, 2024 9:00am-2:00pm at the Las Vegas Convention Center, West Hall. 300 Convention Center Dr. Las Vegas, NV. 89109**

VI. Planning & Zoning

1. **TM-24-500003-GB LAS VEGAS RETAIL, LLC:**  
**TENTATIVE MAP** for a 1 lot commercial subdivision on 7.5 acres in a CG (Commercial General) (AE-60) Zone and Maryland Parkway (MPO) Overlay District. Generally located on the south side of Twain Avenue and the west side of Maryland Parkway within Paradise. TS/nai/ng (For possible action) **PC 3/5/24**

**MOVED BY- Williams**

**APPROVE- Subject to staff conditions**

**VOTE: 4-0 Unanimous**

2. **WC-24-400008 (UC-0234-14)-GMD FOOD, LLC:**  
**WAIVERS OF CONDITIONS** of a use permit requiring the following: 1) first floor uses limited to hours of operation from 7:00 a.m. to 5:00 p.m.; and 2) second floor uses limited to hours of operation from 5:00 p.m. to 2:00 a.m. in conjunction with an existing commercial/industrial complex on 0.9 acres in an IP (Industrial Park) (AE-65 & AE-70) Zone. Generally located on the south side of Sunset Road and the east side of Escondido Street within Paradise. JG/dd/ng (For possible action) **PC 3/19/24**

**MOVED BY- Swartzlander**

**APPROVE- Subject to IF approved staff conditions**

**VOTE: 4-0 Unanimous**

3. **WS-24-0011-CONNER, EMILY 2018 TRUST & CONNER EMILY C. TRS:**  
**WAIVER OF DEVELOPMENT STANDARDS** to increase wall height in conjunction with an existing single family residence on 0.3 acres in an RS5.2 (Residential Single Family 5.2) Zone within the Historic Designation Overlay District. Generally located on the east side of Spencer Street, 130 feet south of Ottawa Drive within Paradise. TS/mh/ng (For possible action) **PC 3/19/24**

**MOVED BY- Williams**

**APPROVE- Subject to IF approved staff conditions**

**VOTE: 4-0 Unanimous**

4. **WS-24-0022-CLARK COUNTY STADIUM AUTHORITY:**  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce on-site parking in conjunction with an existing recreational facility (Allegiant Stadium) on 62.0 acres in an H-1 (Limited Resort and Apartment) Zone and an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the south side of Hacienda Avenue and the east side of Polaris Avenue within Paradise. MN/hw/ng (For possible action) **PC 3/19/24**

**MOVED BY- Cunningham**

**APPROVE- Subject to staff conditions**

**VOTE: 4-0 Unanimous**

5. **ZC-23-0868-SPRING MOUNTAIN PROCYON LLC:**  
**ZONE CHANGE** to reclassify 5.7 acres from an M-1 (Light Manufacturing) Zone to a C-2 (General Commercial) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increased building height; 2) height setback from an arterial street; and 3) driveway geometrics.  
**DESIGN REVIEW** for a commercial center. Generally located on the south side of Spring Mountain Road and the west side of Polaris Avenue within Paradise (description on file). JJ/rr/ng (For possible action) **BCC 3/20/24**

**MOVED BY- Cunningham**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous**

6. **VS-23-0872-SPRING MOUNTAIN PROCYON LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Spring Mountain Road and Highland Drive/Twain Avenue, and between Procyon Street and Polaris Avenue; a portion of right-of-way being Procyon Street located between Spring Mountain Road and Twain Avenue; a portion of right-of-way being Spring Mountain Road located between Procyon Street and Polaris Avenue; and a portion of right-of-way being Polaris Avenue located between Spring Mountain Road and Highland Drive within Paradise (description on file). JJ/rr/ng (For possible action) **BCC 3/20/24**

**MOVED BY- Cunningham**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous**

7. **TM-23-500185-SPRING MOUNTAIN PROCYON LLC:**  
**TENTATIVE MAP** consisting of 1 commercial lot on 5.7 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Spring Mountain Road and the west side of Polaris Avenue within Paradise. JJ/rr/ng (For possible action) **BCC 3/20/24**

**MOVED BY- Cunningham**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous**

- VI. General Business (for possible action)
- VII. Public Comment  
**None**
- VIII. Next Meeting Date  
**The next regular meeting will be March 12, 2024**
- IX. Adjournment  
**The meeting was adjourned at 7:40 p.m.**

04/02/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**AR-24-400016 (UC-22-0688)-CENTER FOR SPIRITUAL LIVING:**

**USE PERMIT FIRST APPLICATION FOR REVIEW** for a place of worship in conjunction with an office complex on a portion of 4.1 acres in a CP (Commercial Professional) Zone.

Generally located on the north side of Russell Road and the west side of Gateway Road within Paradise. JG/my/ng (For possible action)

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RELATED INFORMATION:

**APN:**

161-30-816-003; 161-30-816-005; 161-30-816-006; 161-30-816-008; 161-30-816-009; 161-30-816-010 ptn

**LAND USE PLAN:**

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 4080 E. Russell Road
- Site Acreage: 4.1 (portion)
- Project Type: Place of worship
- Number of Stories: 1
- Building Height (feet): 17
- Square Feet: 5,135
- Parking Required/Provided: 194/195

Site Plan

The approved plan depicts a place of worship in Building 2 of the Russell Gateway Professional Center located at the southeast corner of the property at the intersection of Russell Road and Gateway Road. The office center includes 195 parking spaces with driveway access from the central part of the property at Russell Road. The applicant has provided a shared parking schedule for the property that shows maximum capacity taking place on weekends between 7:00 a.m. and 6:00 p.m. The shared parking schedule shows adequate parking at maximum capacity during the weekends. The maximum amount of parking needed during peak hours on weekdays will be approximately 178 parking spaces out of 195 available parking spaces.



Landscaping

The office complex has existing landscaping on the perimeter, including sidewalks along Russell Road, Gateway Road, and Annie Oakley Drive. An existing landscape strip is located on the north property line adjacent to the existing single family residential properties. Landscaping is provided with the existing interior parking lot.

Elevations

The plans and photographs show an existing office building with numerous aluminum frame windows on each face, stucco siding, stone veneer, and tile roof. The primary entrance is located on the west side of the building, facing the parking lot.

Floor Plans

The approved plans depict a foyer entrance, offices, an accessory bookstore space, conference rooms, restrooms, office space, and accessory classroom spaces surrounding an assembly area and stage. The assembly area does not have fixed seating.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for UC-22-0688:

Current Planning

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

Clark County Water Reclamation District

- 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.

Applicant's Justification

The applicant acknowledges that their requested special use permit (UC-22-0688) was approved with the condition that a review be completed in a year from February 2023 and, as such, are now seeking to comply with this condition in February 2024.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-22-0688	Place of worship	Approved by PC	February 2023
WS-0581-06	Office complex	Approved by PC	July 2006
ZC-1088-03	Reclassified from R-E to CRT zoning	Approved by BCC	August 2003
ZC-1514-02	Reclassified from R-E to R-1 zoning and increased cul-de-sac length	Denied by BCC	December 2002

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single family residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Vacant, substation, & single family residential
East	Neighborhood Commercial	RS20	Single family residential

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Comprehensive Planning**

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

Staff finds that the applicant was issued a certificate of occupancy on October 26, 2023 and maintained their 1 year timeframe for submitting a request for review. There have been no known violations or complaints regarding this requested place of worship with the Clark County Public Response Office.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Remove the time limit.

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

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

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: KELLI MARSHALL**

**CONTACT: KELLI MARSHALL, CENTER FOR SPIRITUAL LIVING, P.O. BOX 97716,  
LAS VEGAS, NV 89193**

**DRAFT**



January 30, 2024

**Clark County Comprehensive Planning**

500 S Grand Central Parkway | Las Vegas, NV 89155

RE: Requesting public hearing for review of UC-22-0688 prior to the NOFA deadline of February 7, 2024

To Whom It May Concern:

Last year, in February 2023, our organization was given a Special Use Permit to operate as a Religious Organization that was to be reviewed in one year. We are now requesting that review to completed.

We purchased the property at 4080 E Russell Road in June 2022 and applied for a Special Use Permit at that time. We were given the One-year permit in February 2023. We then applied for building permits which were granted in May/June 2023. Construction began in June 2023 and was completed in October 2023. We began holding services in December 2023.

Our Sunday morning services have had 60-85 people in attendance. Our evening offerings usually have less than 15 people in attendance. There have been no issues with parking availability since opening in December. With 192 spaces available on nights and weekends, we do not foresee any issues with parking.

Sincerely,

A handwritten signature in cursive script that reads "Rev. Laura L. Hallett".

Rev. Laura Hallett  
Spiritual Director  
Center for Spiritual Living Greater Las Vegas

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**AR-24-400019 (DR-22-0582)-CAPSTONE CHRISTIAN ACADEMY:**

**DESIGN REVIEW SECOND APPLICATION FOR REVIEW** for an addition to an existing school on 2.0 acres in an RS20 (Residential Single Family 20) Zone.

Generally located on the west side of Paradise Road and the south side of Serene Avenue within Paradise. MN/jm/ng (For possible action)

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RELATED INFORMATION:

**APN:**

177-22-702-005

**LAND USE PLAN:**

WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 985 E. Serene Avenue
- Site Acreage: 2
- Project Type: Addition to existing school
- Number of Stories: 1
- Building Height: 18 feet, 2 inches
- Square Feet: 1,596 (proposed expansion)/13,918 (existing facility)
- Parking Required/Provided: 19/48

History & Request

The Planning Commission approved a design review for an addition to an existing school. A condition of approval required a review by February 21, 2024 to assess the status of the installation of the required school zone flasher.

Site Plan

The approved plan depicts an existing 13,918 square foot school and daycare facility centrally located on a 2 acre lot at the corner of Serene Avenue and Paradise Road. The site has access through a standard driveway along Serene Avenue. Parking for the school is in the northern portion of the site in front of the school building and will provide 48 parking spaces, where 19 parking spaces are required. The eastern, western, and southern portions of the site are primarily play areas for the school children. These areas contain several shade structures and play

equipment. The play area is contained by a 6 foot CMU wall along the side and rear property lines.

The school addition is in the south, central portion of the site attached to the southern wall of the existing building. The approved plan indicated the addition is approximately 1,596 square feet, will replace an existing patio, and will be surrounded by a sidewalk. The addition is set back 47 feet 4 inches from the rear property line and 84.5 feet from the eastern side property line.

#### Landscaping

Except for the rear/southern property line, the existing landscaping on the property will remain as is. The northern and eastern property lines appear to have a 5 foot landscaping strip consisting of a variety of shrubs and large trees. The western property line contains minimal landscaping with some small trees due to a drainage culvert on that side of the property. Parking lot landscaping will remain as is and consists of landscaping strips and islands with small to medium trees with shrubs dispersed between the trees.

The southern/rear property line will have updated landscaping. The landscaping buffer adjacent to a less intensive use was approved. The approved landscape plan depicts 15 Eldarica Pine (Pinus Eldarica) trees (24 inch box Evergreens) spaced 20 feet off center in 5.5 foot planters.

#### Elevations

The approved plans depict the existing school/daycare facility building as a 29 foot tall structure with a pinkish-beige painted stucco exterior and red-orange tile gabled roof. Commercial shaker windows are shown on all sides of the building. The front of the existing school is all glass with a commercial door and protected by a porte-cochere with matching exterior elements.

The addition to the building is shown facing the south. The approved plans depict the addition with a reddish-orange gabled tile roof and a pink-beige painted stucco exterior to match the existing structure. The approved plan also depicts the peak height of the roof gable at 18 feet, 1 inch. Commercial shaker windows are provided on the south elevation of the structure only and 2 glass paneled doors are provided on the south frontage for access to the play area.

#### Floor Plans

The approved plans show the existing school/daycare facility with 9 classroom areas that range in size from 565 square feet up to 923 square feet. The classrooms are supported by a lunchroom, activity room, restrooms, and offices. The proposed addition is shown in the southeast corner of the building. The 1,596 square foot addition will provide 2 additional classroom spaces along with a storage room. The addition will be accessed through the existing activity room by a repurposed existing door and a newly installed door with 2 currently existing windows in-filled. The exterior of the building will be accessed by 2 doors at the south central end of the addition. The addition will replace an existing 16 foot patio and expand an additional 16 feet from the existing patio.

#### Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for AR-23-400118 (DR-22-0582):

Comprehensive Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review.

Public Works - Development Review

- Until February 21, 2024 to review as a public hearing for completion of the school zone flasher installation;
- Compliance with previous conditions.

Listed below are the approved conditions for DR-22-0582:

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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

- 6 months to review;
- Off-site improvements to be completed, including flashers, prior to the issuance of certificate of occupancy for the classrooms;
- Traffic study and compliance.

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.

Applicant's Justification

The applicant states that since the last application for review Public Works has approved the off-site drawings for the flashers and a traffic control plan was submitted by the contractor for approval. The contractor anticipates construction will commence in mid-February pending approval of the traffic control plan.

**Prior Land Use Requests**

Application Number	Request	Action	Date
AR-23-400118 (DR-22-0582)	Addition to an existing school and off-site improvements	Approved by PC	October 2023
DR-22-0582	Addition to an existing school	Approved by PC	February 2023
WC-22-400117 (UC-1266-98)	Waived conditions of a use permit requiring A-2 landscaping on the western and southern property lines	Approved by PC	February 2023
UC-20-0599	School in conjunction with an existing daycare facility	Approved by PC	February 2021
UC-0798-07	Communications tower in conjunction with an existing daycare facility	Approved by BCC	September 2007
UC-1766-98	Daycare facility	Approved by PC	November 1998

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Single family residential
South & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS20	Single family residential

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Public Works - Development Review**

There have been no significant changes in this area. Staff has no objection to this application for review.

**Staff Recommendation**

Approval.

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



**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- 4 months to review;
- Compliance with previous conditions.

**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.

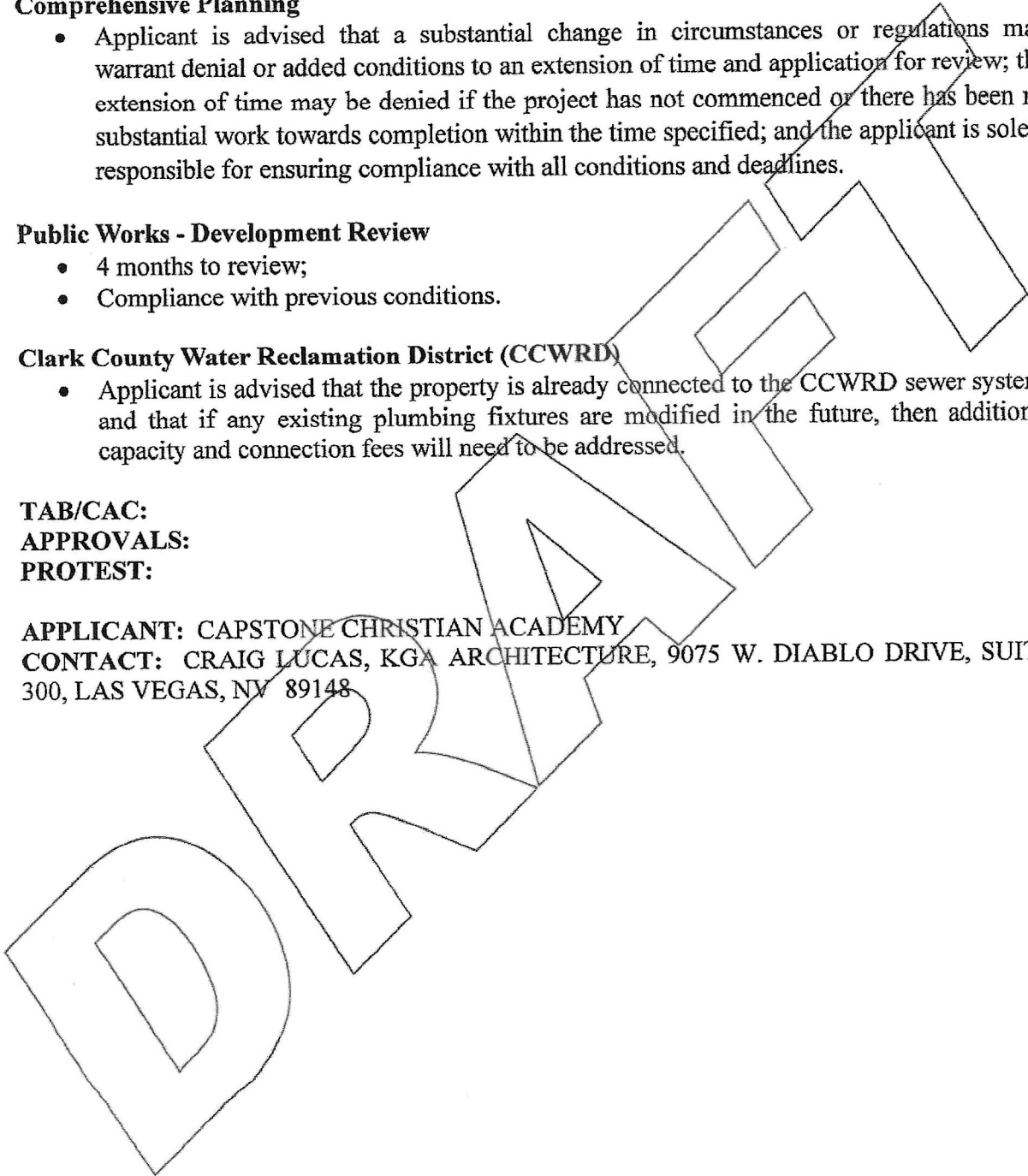
**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** CAPSTONE CHRISTIAN ACADEMY

**CONTACT:** CRAIG LUCAS, KGA ARCHITECTURE, 9075 W. DIABLO DRIVE, SUITE 300, LAS VEGAS, NV 89148





606.400.1119  
1000 Lakeside  
Las Vegas, NV 89101  
www.kga.design

February 5, 2024

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

Re: Capstone Christian Academy DR-22-0582

To Whom It May Concern:

Please accept this document as the justification letter for the above referenced project. We are requesting an Application Review per the Conditions of Approval for AR-23-400118 (DR-22-0582). The project is for an approximately 1,596 S.F. classroom expansion. The project site is Assessor's Parcel Number 177-22-702-005. The project is located at 985 E. Serene Avenue.

The Application Review was requested by Clark County Comprehensive Planning and Clark County Public Works so that construction could begin on the flashers and any off-site improvements before briefing Staff, Public Works, and the Planning Commission on the status of complying with the previous conditions of UC-20-0599 and the off-site plan review comments provided in July 2021. The project was reviewed before the Planning Commission on October 17, 2023 and the Planning Commission requested an additional review.

Public Works has since approved the offsite drawings for the flashers and a traffic control plan has been submitted by the contractor for approval. The contractor anticipates construction of the flashers to begin within the next couple of weeks once they receive approval of the Traffic Control Plan. Additionally, the building permit BD23-20292 for the classroom expansion has been reviewed and the fee notice was sent from Clark County Building Department on January 11, 2024.

Please contact me at 702.367.6900 ext. 160, or via email at clucas@kga.design, with any questions.

Sincerely,

Craig Lucas  
Associate, Senior Designer  
Architect

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**  
**TM-24-500010-COUNTY OF CLARK (AVIATION):**

**TENTATIVE MAP** for a 1 lot commercial subdivision on a portion of 12.7 acres in a PF (Public Facility) Zone in the AE-60, AE-65, & AE-70 Overlay Districts.

Generally located on the south side of Reno Avenue, 280 feet east of Haven Street within Paradise. JG/dd/ng (For possible action)

**RELATED INFORMATION:**

**APN:**

162-28-297-001; 162-28-202-031; 162-28-211-024; 162-28-211-025; 162-28-211-026

**LAND USE PLAN:**

WINCHESTER/PARADISE - PUBLIC USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 135 E. Reno Avenue
- Site Acreage: 12.7
- Project Type: Commercial Subdivision
- Number of Lots: 1

The plan depicts a 1 lot commercial subdivision on a portion of a 12.7 acre site in conjunction with the existing Quail Air Center. There are 2 existing aircraft hangars associated with the parcels listed above, both of which are to be removed to make space for future development. The site is accessed from Reno Avenue via interior drive aisles throughout the Quail Air Center business center. No changes to the existing landscaping or sidewalks are proposed or required with this application.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ADR-22-900605	Expansion of an existing aircraft hangar	Approved by ZA	September 2022

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	CG & CR (AE-60 & AE-65)	Hotels & multiple family residential
East	Public Use	PF (AE-70)	Quail Air Center/airport uses

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
South	Public Use	PF (AE-60, AE-65, & AE-70)	Quail Air Center/airport uses
West	Entertainment Mixed-Use	CR (AE-60 & AE-65)	Office/warehouse development

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Comprehensive Planning**

This request meets the tentative map requirements and standards for approval 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; 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 there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- No comment.

**Building Department - Addressing**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0137-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: COUNTY OF CLARK (AVIATION)**

**CONTACT: JOHN MARTINEZ, LOCHSA ENGINEERING, 6345 S. JONES BOULEVARD  
#100, LAS VEGAS, NV 89118**

**DRAFT**

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**UC-23-0867-PHALEN, MONIQUE C.:**

**USE PERMIT** for architectural compatibility.

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

Generally located on the north side of Ottawa Drive and the east side of Spencer Street within Paradise. TS/jm/ng (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-14-610-011

**USE PERMIT:**

To allow an existing accessory structure not architecturally compatible with the single family residence where required per Table 30.44-1.

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase wall height along the east property line to 8 feet where a maximum of 6 feet is allowed per Section 30.64.020 (a 33% increase).
2. Reduce the accessory structure setback to zero feet where 5 feet is required per Table 30.40-2 (a 100% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 1818 Ottawa Drive
- Site Acreage: 0.2
- Project Type: Increased wall height & accessory structure setback
- Building Height: 8 feet (CMU wall along east)/6 feet (CMU wall along north)/8 feet (wooden screen structure along east & north)

**Site Plan**

The plan depicts a single family residence located on the northeast corner of Ottawa Drive and Spencer Street. The plan shows an existing CMU block wall along portions of the north and east

property lines. The block wall on the north property line connects to another block wall with a curved/organic shape that screens the house from Spencer Street to the west. The block wall on the east property line connects to the garage on the southeast corner of the parcel. A decorative metal fence runs along the property line on the remaining street frontage on Spencer Street and Ottawa Drive.

There is also a wooden screen structure located along the existing block wall on the north and east property lines. The screen fence is 48 feet long along the north CMU block wall and 58 feet long along the east CMU block wall. The 2 sections of screen fence meet at the northeast corner of the property, and the entirety of the fence is set back 1.5 inches from the existing CMU wall.

Elevations

The existing CMU height varies as depicted on the plan and encloses the side and rear yards. The existing wall height is depicted as 6 feet along the north property line and 8 feet along the east property line. The wooden screen structure is 8 feet tall along the north and east CMU walls and is constructed of horizontal 1 inch by 4 inch wood slats affixed to 2 inch by 4 inch wood posts spaced 5 feet to 5.5 feet on center.

Applicant's Justification

The applicant states privacy concerns inspired the installation of the wooden screen structure. Additionally, the applicant states the 8 foot block wall was existing when the applicant purchased the property.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-22-0098	Reclassified the site from R-1 to R-1 zoning within a Historic Neighborhood Overlay District (Paradise Palms)	Approved by BCC	April 2022

**Surrounding Land Use**

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

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

CE23-07042 is an active violation for building without a permit.

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

## **Analysis**

### **Comprehensive Planning**

#### Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Architectural compatibility is required by Title 30 in order to preserve the look and feel of existing neighborhoods. While the wooden screen structure was added for privacy, it is visible from the right-of-way and from the property to the north. For these reasons, staff cannot support this request.

#### Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner, 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

#### Waiver of Development Standards #1

While the wall height was increased due to privacy reasons, staff typically does not support increased height requests with no mitigation. Staff cannot support this request.

#### Waiver of Development Standards #2

Setbacks are required to preserve the look and feel of existing developments. Additionally, the wooden fence could be built 5 feet from the property line so that it complies with setback requirement. For these reasons, staff cannot support this request.

#### **Staff Recommendation**

Denial.

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

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

#### **Comprehensive Planning**

If approved:

- 1 year to complete the building permit and inspection process.



- Applicant is advised within 1 year from the approval date the application must be complete or the application will expire unless extended with approval of an extension of time; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: MONIQUE PHALEN**

**CONTACT: MONIQUE PHALEN, 1818 OTTAWA DRIVE, LAS VEGAS, NV 89169**

DRAFT

04/02/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0920-PF 4090, LLC:

**HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) wall height; 2) alternative landscaping; 3) loading spaces; 4) gate access; and 5) reduce height setback.

**DESIGN REVIEW** for a mini-warehouse on 1.5 acres in a C-2 (Commercial General) Zone.

Generally located on the north side of Flamingo Road and the east side of Eastern Avenue within Paradise. TS/bb/ng (For possible action)

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RELATED INFORMATION:

**APN:**

162-13-401-008; 162-13-406-004; 162-13-406-010; 162-13-406-011; 162-13-406-014 through 162-13-406-016

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase retaining wall height to 5 feet where 3 feet is the maximum per Section 30.64.050 (a 67% increase).
2.
  - a. Allow 10 feet of landscaping behind an attached sidewalk along Euclid Street where 15 feet of landscaping is required per Section 30.64.30.
  - b. Allow 24 inch box small Evergreen trees adjacent to a less intense use where 24 inch box large Evergreen trees are required per Figure 30.64-12.
  - c. Allow 24 inch box small Evergreen trees every 20 feet where required every 10 feet per Section 30.64.030K (3).
3. Reduce the number of required loading spaces to zero spaces where 4 spaces are required per Table 30.60-6 (a 100% reduction).
4. Allow an access gate to be 10 feet from the street where a minimum of 50 feet is required per Section 30.64.020 (an 80% decrease).
5. Allow a reduction to the height/setback ratio to 38 feet where 87 feet is required adjacent to a less intense use per Figure 30.56-10 (a 56% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 4030 Eastern Avenue
- Site Acreage: 1.5
- Project Type: Mini-storage

- Number of Stories: 3
- Building Height (feet): 35
- Square Feet: 28,532 (level 1)/28,834 (level 2)/28,834 (level 3)/88,537 (total)
- Parking Required/Provided: 440/498 (5 spaces for mini-warehouse facility)

#### Site Plan

The plan depicts an existing office/retail complex located at the northeast corner of Eastern Avenue and Flamingo Road. The complex was originally approved by UC-0855-98 but was subsequently amended and expanded by UC-0586-00 and DR-0797-04. The complex is comprised of 5 buildings. One L-shaped building in the eastern half of the property and 1 square shaped building in the northern portion of the site that are primarily used for offices. The plan also shows 2 pad site buildings in the southern and southeastern portions of the property that primarily contain retail and restaurant uses. Parking is located throughout the site but is mainly located on the western portion of the site. A parking garage is also provided and is located on the eastern portion of the site. Access is provided by 3 driveways on Eastern Avenue, 1 driveway on Flamingo Road, and 1 driveway that provides cross access to the parcel to the north. The southeastern pad site has 1 access driveway to Euclid Street. The northeast portion of the subject site is the proposed location for the mini-warehouse development. Access is proposed from the existing driveway at the northwest corner of the complex connecting to the subject parcel across the north side of the complex, and exiting at the northeast corner of the property onto Euclid Street. The entrance to the mini-warehouse building is located at the northwest corner of the subject parcel and includes 5 parking spaces. A sliding access gate is shown 10 feet west of the Euclid Street driveway property line and is the subject of a waiver request.

#### Landscaping

A landscape buffer adjacent to a less intense use is shown on the northeast property line that consists of 24 inch box small trees where 24 inch box large trees are required, and is a waiver requested with this application. Existing street landscaping is also located along the Eastern Avenue and Flamingo Road frontages. Landscaping is also provided throughout the site and within the parking lot areas. A waiver to allow 10 feet of landscaping adjacent to an existing attached sidewalk on the west side of Euclid Street is a part of this application.

#### Elevations

The plans depict the 35 foot high primary mini-warehouse Building #1 with stucco siding, pop-out textured enhancements, entrance awning, aluminum storefront entry and windows facing north, and flat roof with parapet walls to conceal mechanical equipment. The east facing façade of the main storage building includes a raised concrete loading dock. Building #2 is 12 feet high and constructed of similar materials and colors as Building #1, with 6 roll-up doors facing the interior of the lot on the west side of the building. Building #3 is 12 feet high and constructed of similar materials and colors of Building #1, with 4 roll-up doors facing the interior of the lot on the west side of the building.

#### Floor Plan

The proposed mini-warehouse facility includes Building #1 on the site plan, which has an overall area of 86,200 square feet. Level 1 is 28,532 square feet, Level 2 is 28,834 square feet, and Level 3 is 28,834 square feet. The floor plan of Building #1 includes an office, restroom, and

utility space of 1,156 square feet. Building #1 includes interior access to storage units, stairways, elevator, and hallway access to exterior doors on the north, east, west, and south sides of the building. Building #2 is 1,287 square feet and Building #3 is 1,050 square feet. The total building area proposed is 88,537 square feet.

Applicant's Justification

The applicant indicates they intend to use the site as a personal storage mini-warehouse. Improvements were made to Euclid Street after development of the office building on the neighboring parcel to the west and south, including sidewalk, landscape, rough grading, and paving. Access to the site will be gated with an entry and exit from the west and an exit only onto Euclid Street at the east side of the buildings. The storage facility will be open 24 hours for storage access with the office hours to be determined during standard business days.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-22-0390	Major training facility	Approved by PC	September 2022
DR-0797-04	Office/retail complex with a retail and restaurant building with a drive-thru	Approved by BCC	June 2004
UC-0586-00 (ET-0208-01)	First extension of time for an office/retail complex expansion	Approved by BCC	July 2001
VS-1100-00	Vacated patent easements	Approved by BCC	September 2000
UC-0586-00	Office/retail complex expansion	Approved by BCC	June 2000
ZC-0151-91 (WC-0050-99)	Waived the condition requiring no access to Euclid Street	Withdrawn	June 1999
UC-0855-98	Office/retail complex	Approved by BCC	July 1998
UC-0679-95	Office/retail complex - expired	Approved by BCC	May 1995
VC-1418-94	Restaurant with bar	Approved by PC	September 1994
ZC-0151-91	Reclassified from R-1 to C-2 zoning for an office/retail complex	Approved by BCC	October 1991

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use; Neighborhood Commercial; & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	C-2, C-P, & R-1 (RNP-III)	Retail & single family residential

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
East	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	C-2 & R-3	Hotel & multiple family residential
West	Corridor Mixed-Use	C-1	Retail & commercial office
South	Corridor Mixed-Use & Public Use	C-2 & R-1	Medical office & place of worship

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Comprehensive Planning**

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

The proposed retaining wall is located adjacent to an existing building that has a finished floor elevation nearly 5 feet higher than the proposed mini-warehouse building. The retaining wall will retain existing earth that is the foundation for the existing building. While staff does not object to the building foundation retaining wall waiver, staff cannot support the other waivers related to this proposal; therefore, recommends denial.

Waiver of Development Standards #2

The proposed decrease in Euclid Street landscaping from 15 feet to 10 feet does not provide adequate buffer from this property to existing residential uses to the north and east of this site. The applicant has chosen to maximize the building area and footprint to create a situation that does not allow for the full 15 feet of landscape width in this location, creating a self-imposed hardship. Staff cannot support this waiver request. If approved, in the absence of underground power lines along the north side of the property, the applicant should plant small trees every 10 feet per Code requirements, not every 20 feet as shown on the plan.

Waiver of Development Standards #3

The applicant shows 1 loading dock on the elevations, but does not meet the dimensional requirements of Title 30 loading requirements. Mini-warehousing and personal storage facilities have a large number of moving trucks visiting the site at any given time and require dedicated areas to load and unload. The applicant has chosen to maximize the size of the buildings on this

property without providing adequate space for loading and unloading, creating a self-imposed hardship. Staff cannot support this waiver request.

Waiver of Development Standards #4

The exit only gate located at Euclid Street will provide secondary emergency services access and allow storage facility users to exit the site onto a local street that primarily serves residential properties. The applicant has chosen to maximize the size of the buildings on this property without providing an adequate on-site turnaround that would only require emergency access from Euclid Street, not pass through one-way egress onto a residential street. Staff recommends denial of this request.

Waiver of Development Standards #5

The proposed waiver for height setback ratio is included because the applicant cannot meet the requirement of Figure 30.64-12 intense landscape buffering with 24 inch box large Evergreen trees, and is proposing small trees. Additionally, required trees can be reduced to small trees if spaced 10 feet apart per Code requirements, which is the subject of waiver of development standards #2c. Staff cannot support the proposed waiver.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The proposed development and building area does not support adequate space for vehicle loading and unloading, vehicle turnaround that limits access to a local street, and does not support adequate landscaping or setbacks as a buffer from residential uses to the north. The size and scale of the facility is not compatible or harmonious with surrounding residential development. Site access and circulation is limited by the size and location of buildings and would add traffic to a local street that primarily serves residential areas. Staff cannot support the design review.

**Staff Recommendation  
Denial.**

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

If approved:

- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.

- Plant small Evergreen trees every 10 feet along the northeast property line to buffer the residential from this property.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; **the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application;** a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required.

**Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features;
- Applicant to show fire hydrant locations on-site and within 750 feet.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and that fire protection may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0017-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**PLANNING COMMISSION ACTION:** February 20, 2024 – HELD – To 04/02/24 – per staff.

**APPLICANT:** POINTE FLAMINGO, LLC

**CONTACT:** MIKE PANCIROV, SPARC'S DESIGN, 1604 S. COMMERCE ROAD., UNIT B, LAS VEGAS, NV 89101

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**WS-24-0026-VELAZQUEZ, RODOLFO & PEREZ, ARELYS ARJONA:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following 1) reduced setbacks; and 2) exterior colors.

**DESIGN REVIEWS** for the following 1) an attached addition; and 2) an accessory structure in conjunction with a single family residence on 0.2 acres in a RS5.2 (Single Family Residential 5.2) Zone.

Generally located on the north side of Desmond Avenue, 120 feet west of Skyland Drive within Paradise. JG/tpd/ng (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-24-714-051

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce the interior side setback to zero feet where 5 feet is required per Section 30.02.06 (a 100% reduction).
- b. Reduce the rear setback to 17 feet where 20 feet is required per Section 30.02.06 (a 15% reduction).
- c. Reduce the rear setback to zero feet for an accessory structure (shed) where 5 feet is required per Section 30.02.25 (a 100% reduction).
2. Allow an accessory structure (shed) not compatible in exterior color to the primary structure as required per Section 30.02.25.

**DESIGN REVIEWS:**

1. For changes to a primary structure with an attached addition to a single family residential dwelling as required per Section 30.06.05(B).
2. For an accessory structure (shed) not compatible with the primary structure as required per Section 30.04.05.

**LAND USE PLAN:**

WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3144 Desmond Avenue
- Site Acreage: 0.2



- Number of Stories: 1
- Building Height (feet): 8 (shed)/17 (attached addition)/19 (existing dwelling)
- Square Feet: 40 (shed)/566 (attached addition)/2,646 (existing dwelling)

**Site Plan & Request**

The plans depict an existing single family dwelling with direct access off Desmond Avenue. There is an existing decorative wall in the front of the property, along the south property line, that was constructed without permits. The applicant has advised that they are in the process of obtaining a building permit for all construction that was done without permits. There is an existing shed in the rear of the property, along the north property line. An existing pool is located 18 feet east of the shed and north of the primary dwelling. Furthermore, there is an existing addition to the west of the primary dwelling along the west property line.

**Landscaping**

All landscaping is existing and there is no new landscaping proposed or required for this request.

**Elevations**

The plans depict an existing shed that is 8 feet in height and grey in color. The shed is constructed of plastic material with a dark grey roof and doors, while the side walls are light grey. The existing dwelling is 19 feet in height and has Spanish roof tiling, a tan stucco exterior, and masonry brick along the footing of the dwelling. Two roll-up doors face Desmond Avenue, towards the south property line. One roll-up door grants access to an existing 2 car garage while the other grants access to an addition used for storage. The applicant indicates the addition is 17 feet in height and has been constructed to match the exterior of the existing dwelling.

**Floor Plans**

The plans depict an existing 2,646 square foot dwelling with an attached 2 car garage, a primary bedroom, kitchen, 2 bathrooms, living room, and 2 spare rooms. The addition is a storage room with an attached bathroom.

**Applicant's Justification**

The applicant has indicated they received clearance from the Building Department for the addition. More specifically, this means that it would be possible to obtain a permit for fire separation per a 1 hour rated wall assembly condition. The applicant built the addition to their home to provide more secure storage space for equipment. There is a shed in the rear of the property that was purchased to also provide more storage space for various supplies. An attached bathroom was constructed to the addition to provide more accommodations for the property owner. The applicant has consulted with their neighbors and received no objections from this construction. There is a list of approval letters provided in this submittal package indicating that the surrounding property owners have no objections.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North, South, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Single family residential

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

There is an active violation for this parcel CE23-18873. The violation is for constructing an addition to the existing dwelling that is too close to the west property line.

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Comprehensive Planning**

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Design Reviews

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Waiver of Development Standards #1 & Design Review #1

Although the addition will be used for equipment storage only, it matches the existing dwelling, and a list of approval letters from the neighbors has been provided, staff has concerns with the addition. Pictures provided of the addition show that the structure has been constructed atop the existing wall to the west. Staff finds that this structure poses a safety hazard to the existing dwelling to the west.

Waiver of Development Standards #2 & Design Review #2

The applicant has indicated the shed is for storage purposes only. The accessory structure is plastic and movable, located in the rear of the property, and has a minor impact on the surrounding neighbors. A list of approval letters has been provided from the applicant indicating that the neighbors have no objection to this accessory structure not being complimentary in exterior color to the primary structure. Therefore, staff can support these requests.

**Staff Recommendation**

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

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

If approved:

- 1 year to complete the building permit and inspection process.
- Applicant is advised that the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

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

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: HENRY GUTIERREZ-SOSA**

**CONTACT: RODOLFO VELAZQUEZ, 3144 DESMOND AVENUE, LAS VEGAS, NV 89121**

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-24-0040-CHURCH ROMAN CATHOLIC LAS VEGAS:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase decorative fence and wall height; 2) street landscaping; 3) reduce access gate setback; 4) finished grade; and 5) buffering and screening standards.

**DESIGN REVIEWS** for the following: 1) modular classroom building; and 2) site improvements and modifications in conjunction with an existing place of worship and school on 13.1 acres in an RS5.2 (Residential Single Family 5.2) Zone.

Generally located on the east side of Eastern Avenue and the south side of Flamingo Road within Paradise. TS/md/ng (For possible action)

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RELATED INFORMATION:

**APN:**

162-24-101-001 through 162-24-101-003

**WAIVERS OF DEVELOPMENT STANDARDS:**

1.
  - a. Increase the height of a decorative retaining wall to 8 feet where a maximum height of 3 feet is permitted per Section 30.04.03C (a 166.7% increase).
  - b. Increase the height of a decorative fence (wrought iron) and decorative wall to 8 feet where a maximum height of 6 feet is permitted for decorative fences and walls within the front setback in residential districts per Section 30.04.03B (a 33.4% increase).
  - c. Increase the height of a decorative fence (wrought iron) and decorative wall to 8 feet where a maximum height of 6 feet is permitted within the side and rear setbacks in residential zoning districts per Section 30.04.03B (a 33.4% increase).
2.
  - a. Reduce street landscaping along Flamingo Road and Eastern Avenue where 1 large tree and 3 shrubs shall be provided every 30 linear feet of street frontage per Section 30.04.01D.
  - b. Eliminate street landscaping along Rochelle Avenue where 1 large tree and 3 shrubs shall be provided every 30 linear feet of street frontage per Section 30.04.01D.
3.
  - a. Reduce the setback for an access gate (vehicular and pedestrian) along Rochelle Avenue to zero feet where access gates shall be set back no less than 50 feet from the lip of the gutter of the intersecting street per Section 30.04.03E (a 100% reduction).
  - b. Reduce the setback for an access gate along Eastern Avenue to 32 feet where access gates shall be set back no less than 50 feet from the lip of the gutter of the intersecting street per Section 30.04.03E (a 36% reduction).

- c. Reduce the setback for an access gate along Eastern Avenue to 49 feet where access gates shall be set back no less than 50 feet from the lip of the gutter of the intersecting street per Section 30.04.03E (a 2% reduction).
4.
  - a. Allow 10 feet of fill where 3 feet of fill shall not be placed a minimum of 5 feet from a shared property line per Section 30.04.06F (a 233.3% increase).
  - b. Allow 10 feet of fill where 6 feet of fill shall not be placed a distance of 20 feet from a shared property line per Section 30.04.06F (a 66.7% increase).
5. Eliminate the required landscape buffer along a portion of the east property line where 15 feet is required for non-residential development in a residential district adjacent to a residential district per Section 30.04.02 (a 100% reduction).

**DESIGN REVIEWS:**

1. Modular classroom building.
2. Site improvements and modifications in conjunction with an existing place of worship and school.

**LAND USE PLAN:**

WINCHESTER/PARADISE - PUBLIC USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 2461 E. Flamingo Road (place of worship) & 4246 S. Eastern Avenue (school)
- Site Acreage: 13.1
- Project Type: Modular building classroom addition and site improvements
- Number of Stories: 1
- Building Height (feet): 13 (proposed modular building)
- Square Feet: 1,200 (proposed modular building)/27,000 (place of worship)/6,285 (rectory)/14,677 (parish center)/31,709 (school, gymnasium, and school offices)/1,440 (existing modular building)/1,820 (existing modular building)
- Parking Required/Provided: 172/399

History & Request

The existing place of worship was approved for the project site by the Board of County Commissioners in February 1977 via UC-002-77. A modular classroom building was approved for the site by the Planning Commission (PC) in June 1981 via AC-82-81 to support an existing school in conjunction with the place of worship. WS-0589-10 was approved in May 2011 by the PC to eliminate street landscaping along Eastern Avenue and Flamingo Road, eliminate landscaping adjacent to a less intensive use (single family residential development along the east and south property lines), and to eliminate parking lot landscaping. A second modular building serving as a library was approved for the site by the PC in January 2020 via DR-19-0880. The applicant is now proposing several modifications to the site with this request, which include the following: 1) addition of a single story modular classroom building; 2) vehicular access gates along Rochelle Avenue (gate also serves pedestrians), Eastern Avenue, and Flamingo Road; 3) additional street landscaping along Eastern Avenue and Flamingo Road; and 4) decorative fences

and walls along the west, south, and north portions of the site, along Eastern Avenue, Rochelle Avenue, and Flamingo Road, respectively. Proposed decorative walls and fences, with the exception of Rochelle Avenue, will be set back behind the required street landscape areas, measuring 10 feet in width behind the existing attached sidewalks, along Eastern Avenue and Flamingo Road. Waivers of development standards to reduce access gate setbacks from the right-of-way, increase fence and wall height, reduce street landscaping, and to increase finished grade are part of this request and explained in further detail in the forthcoming sections. Design reviews with this application include requests for architectural compatibility, a modular classroom building, and site modifications.

### Site Plans

The plans depict an existing place of worship and school located on a 13.1 acre site at the southeast corner of Eastern Avenue and Flamingo Road. The north half of the project site consists of an existing place of worship, rectory, parish center and parking lot. The south half of the site includes an existing school, gymnasium, administrative offices, 2 modular buildings, a playground with equipment, athletic courts, and shade structures. A single story modular building is proposed at the southeast corner of the site, located to the east of the school building and between the 2 modular buildings. The proposed modular building is set back 20 feet from the east property line, adjacent to the existing single family residential development. Decorative fences and walls are proposed along the north, south, and west portions of the site, and include the following: 1) a 13 foot high decorative combined screen wall and retaining wall along the south property line, adjacent to Rochelle Avenue; 2) an 8 foot high split-face decorative screen wall at the southwest portion of the site, along Eastern Avenue; 3) an 8 foot high wrought iron fence at the northwest portion of the property, at the intersection of Eastern Avenue and Flamingo Road; 4) an 8 foot high split-face decorative screen wall at the northwest corner of the property, between the rectory and Flamingo Road; and 5) an 8 foot high wrought iron fence along the remainder of the north portion of the site, along Flamingo Road. A waiver of development standards is required to increase the height of the proposed decorative fences and walls. Access to the site is granted via existing driveways along Eastern Avenue and Flamingo Road. A proposed driveway is located at the southwest portion of the site, located along Eastern Avenue. Waivers of development standards are required to reduce the access gate setbacks along the streets. An existing pedestrian and maintenance vehicle gate is located at the southwest corner of the site, adjacent to Rochelle Avenue. A sliding gate will be installed at this location, replacing the existing gate. This gate will not provide vehicular access to parishioners of the place of worship or employees of the school. The place of worship and school, including the addition of the modular classroom building, require 172 parking spaces where 399 parking spaces are provided. A waiver of development standards is also required to increase the amount of fill, up to 10 feet, at the southeast corner of the site along Rochelle Avenue. The area with the increase to finished grade measures 4,000 square feet. No additional structures are proposed for this area of the site.

### Landscaping

The plans depict a street landscape measuring 10 feet in width located behind existing, 5 foot wide attached sidewalks along Eastern Avenue and Flamingo Road. The street landscape area consists of trees, shrubs, and groundcover. The landscape plan depicts a total of 85 trees (77 proposed and 8 existing) where 77 trees are required. However, a waiver of development

standards is required to reduce street landscaping along Eastern Avenue and Flamingo Road as some of the required trees are located behind the proposed decorative fence and wall. No parking lot landscaping is proposed with this request, as a waiver of development standards eliminating these landscape requirements was approved via WS-0589-10. A waiver is required to eliminate the required 15 foot wide landscape buffer between the proposed modular building and the east property line of the site, adjacent to the existing single family residential development.

Elevations

The plans depict a proposed single story modular building measuring up to 12.5 feet in height. The modular classroom building feature an exterior consisting of wood with a white single ply roof. The proposed modular building does not complement exterior colors and building materials with the primary building being the place of worship and school. The modular building is not visible from the right-of-way; however, it is visible from the single family residential development to the east.

Floor Plans

The plans depict a modular classroom building measuring 1,200 square feet with an open floor plan.

Sustainability - Alternative Compliance

Below is a table reflecting the sustainability measures proposed with the improvements to the existing place of worship and school:

<b>Sustainability Measures</b>	<b>Points</b>
<b>Building Features</b>	
Shaded walkways adjacent to outdoor gathering and parking areas	1
Additional shaded walkways adjacent to school buildings	1
Daylight strategies (windows in classrooms, hall, and place if worship)	.5
Portico above building entrance	.5
<b>Landscaping</b>	
75 trees required/85 trees provided	1
10% above required number of trees	
<b>Total number of required points</b>	<b>7</b>
<b>Total number of provided points</b>	<b>4</b>

Applicant's Justification

The applicant indicates a portion of this request is to provide enhanced security for its parishioners, clergy living on-site, and students. One of the mitigating measures the applicant is proposing is to build a perimeter wall and add vehicular gates at the vehicular entry points. The proposed wall, in some areas will be a decorative, split-face CMU block wall, and other areas will be a wrought iron fence, will run along the perimeter of the site including along Rochelle Avenue, Eastern Avenue, and Flamingo Road. Along Rochelle Avenue, there is currently an 8 foot tall screened chain-link fence. The applicant is proposing to replace the existing screened chain-link fence with a 5 foot tall decorative, split-face CMU block wall on top of a proposed 8 foot tall retaining wall for a total wall height of approximately 13 feet at the highest point. The

increased retaining wall height is due to the severe existing downward slope from the site to Rochelle Avenue. The existing CMU block wall immediately east of the site for the neighboring residential neighborhood is at least 13 feet tall as well. The decorative, split-face CMU block wall is required in this area to provide for the privacy and protection of the students playing on the playground. The applicant will retain a pedestrian/vehicular access point along Rochelle Avenue by installing a locking sliding gate. The gate will remain closed during business hours. The applicant is seeking to replace the screened chain-link fence along Eastern Avenue with an 8 foot tall decorative, split-face CMU block wall. Again, similar to Rochelle Avenue, the decorative, split-face CMU block is required in this area to provide enhanced security, privacy, and protection for the children playing on the playground. For the balance of the west perimeter along Eastern Avenue to the Flamingo Road/Eastern Avenue intersection, the applicant is proposing an 8 foot tall wrought iron fence composed of 2 feet of CMU wall with a 6 foot tall wrought iron fence on top. Along Flamingo Road, the applicant is proposing to build an 8 foot tall wrought iron fence composed of 2 feet of CMU wall with a 6 foot tall wrought iron fence on top with the exception of the area in front of the rectory where the applicant is proposing an 8 tall decorative, split-face CMU block wall. The decorative, split-face CMU wall in front of the rectory is important to provide enhanced security and privacy for the clergy that live on-site in the rectory; especially, considering there is an RTC bus stop immediately in front of the rectory. The increased screen wall/retaining wall height is required due to steep slope from the site down to Rochelle Avenue. The proposed wall height will match existing wall heights immediately to the east. The applicant is proposing 4 access gates on the site that will remain open during business and operational hours for the place of worship, and will remain closed during school hours. The access gate along Rochelle Avenue will remain closed to the general public. There is an existing concrete slope along Rochelle Avenue and due to the fact the slope is concrete and severe, the applicant cannot provide the required perimeter landscaping along Rochelle Avenue. Additionally, the site along this area is already improved making it difficult to add additional landscaping. The approximate 10 foot fill is necessary to construct the combined retaining wall and screen wall at the southeast corner of the site, and will match the existing elevation of the school's playground area. Portions of the street landscaping are located behind the proposed decorative fences and walls, necessitating a waiver of development standards.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
DR-19-0880	Library building in conjunction with an existing school	Approved by PC	January 2020
UC-18-0717	Established a daycare facility, waivers for reduced setbacks, increased block wall height, and alternative landscaping, and a design review for the school expansion and minor site design changes - project was cancelled	Approved by PC	November 2018
WS-0589-10	Eliminated landscaping along portions of a street, less intense use, and parking areas	Approved by PC	May 2011
DR-0474-10	Addition to an existing multi-purpose building	Approved by PC	December 2010



**Prior Land Use Requests**

Application Number	Request	Action	Date
AC-082-81	Established a modular classroom building in conjunction with an existing school	Approved by PC	June 1981
UC-002-77	Established a place of worship	Approved by BCC	February 1977

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & West	Corridor Mixed-Use	CG	Commercial development including restaurants & retail buildings
South & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3 & CG	Single family residential

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Comprehensive Planning**

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

Staff does not object to the height increase to the proposed decorative fences and walls along the north and west portions of the site, along Flamingo Road and Eastern Avenue, respectively. The decorative fences and walls will be set back the required street landscape area measuring 10 feet in width, and are necessary to provide security and prevent vandalism to the place of worship and school. Staff can also support the proposed combination decorative screen wall/retaining wall measuring up to 13 feet (5 foot screen wall with an 8 foot retaining wall) in height, located at the southeast corner of the site adjacent to Rochelle Avenue. The retaining wall is consistent with the height of the retaining wall to the east and is necessary due to the requested fill increase and steep slope from the site down to Rochelle Avenue. Therefore, staff recommends approval of this request.

### Waiver of Development Standards #2

Staff typically does not support requests to reduce street landscaping along arterial streets, such as Eastern Avenue and Flamingo Road. However, a street landscape area measuring a minimum of 10 feet in width is located immediately behind the existing attached sidewalks along Eastern Avenue and Flamingo Road. The landscape plans depict the required number of trees within the street landscape area; however, some of the trees will be located behind the proposed decorative fences and walls along the north (Flamingo Road) and west (Eastern Avenue) portions of the site, necessitating the waiver of development standards request. The intent of street landscaping is to utilize a combination of natural elements such as trees, shrubs, and groundcovers which are installed for purposes of screening unsightly views, reducing environmental heat, filtering particulate matter from the air, and boosting oxygen levels. Furthermore, a total of 85 trees (8 existing and 77 proposed) are provided along the north and west portions of the site, along Flamingo Road and Eastern Avenue, respectively, where 75 trees are required. The landscape plan complies with Policy 3.6.1 of the Master Plan, which encourages the mitigation of the urban heat island effect in existing and new development through site and building features that provide shade, reduce the footprint of hardscaped areas, and otherwise help to reduce heat absorption by exterior surfaces. Therefore, staff can support this request.

Staff typically does not support requests to eliminate street landscaping. However, staff does not object to eliminating the required street landscaping along Rochelle Avenue for the following reasons: 1) a significant west to east slope exists along Rochelle Avenue, with a topographical difference of 12 feet, starting from the intersection of Eastern Avenue and Rochelle Avenue, continuing 295 linear feet along the south property line of the site; 2) the lack of street landscaping along the south property line of the site is a pre-existing condition, with existing site improvements being constructed up to the back of the existing attached sidewalk adjacent to Rochelle Avenue; 3) no street landscaping exists along the entire north side of the attached sidewalk along Rochelle Avenue; 4) the topography, including steep slopes, at the southeast corner of the site prevents street landscaping from immediately being installed behind the attached sidewalk; and 5) the applicant is improving the streetscape with the new decorative retaining wall. Therefore, staff recommends approval.

### Waiver of Development Standards #3

The intent of access gate setbacks is to ensure there is an adequate distance between the gate and the intersecting street to ensure vehicles do not queue into the right-of-way, creating hazardous and unsafe conditions for motorists. Staff typically does not support requests to reduce the setbacks for access gates; however, the applicant has indicated the gates will remain open during business and worship hours during the week. The access gates will remain closed during school hours for the security of the students and faculty. Furthermore, the gates will remain closed during the non-operational hours of the site. Staff finds this request should have minimal to no impact on vehicular traffic within the right-of-way; therefore, recommends approval.

### Waiver of Development Standards #4

The intent of limiting the amount of fill in proximity to residential development is to minimize and mitigate the impact increased finished grade may have on adjacent property owners. The increase to finished grade predominantly occurs at the southeast corner of the site, which is currently developed as a playground area. The increase in finished grade is proposed at the

southeast corner of the site within an area measuring 4,000 square feet. Furthermore, the request is necessary to fill what will become the gap between the developed site and right-of-way due to the slope of the existing concrete retaining wall. Although this area is adjacent to an existing single family residential development, the actual increase in finished grade will commence 18.5 feet from closest portion of the single family residence immediately to the east of the site. No additional structures are proposed for this area of the site subject to the fill increase. Staff finds this request should have minimal to no impact on the adjacent single family residential development; therefore, recommends approval.

#### Design Reviews

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

#### Design Reviews #1 & Waiver of Development Standards #5

Staff does not object to the materials and colors utilized for the proposed modular building as the exterior finishes will match the materials of the existing on-site modular buildings. The modular classroom building will not be visible from the right-of-way, as it is will be located behind the school. However, the modular building will be visible from the adjacent single family residential development to the east. Staff finds the required landscape buffer can be installed between the proposed modular building and the adjacent residential development as the building will be set back 20 feet from the east property line. Therefore, staff recommends denial.

#### Design Review #2

Staff does not object to the modifications proposed for the site, which include decorative perimeter fences and walls and landscaping. The decorative fences and walls will be set back behind the required street landscape areas, and 77 new trees will be planted along the north and west portions of the site, along Flamingo Road and Eastern Avenue, respectively. The proposed landscape plan is consistent with the goals and policies of the Master Plan and initiatives of the All-In Sustainability and Climate Action Plan. The layout of the existing development and parking lot is functional, and the proposed improvements should not impact any of the surrounding properties, including the adjacent single family residential development. Furthermore, staff finds the proposed alternative standards for sustainability will result in development meeting or exceeding Code requirements. However, since staff is not supporting the waiver to eliminate the required landscape buffer and the modular building request, staff cannot support this design review and recommends denial.

#### **Staff Recommendation**

Approval of waivers of development standards #1 through #4; denial of waiver of development standards # 5 and the design reviews.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

If approved:

- Expunge waiver of development standards #1 for street landscaping along Flamingo Road and Eastern Avenue previously approved via WS-0589-10;
- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions; and that fire/emergency access must comply with the Fire Code as amended.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: THE ROMAN CATHOLIC BISHOP OF LAS VEGAS**

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

WS-24-0040

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KAEMPFER  
CROWELL

ANTHONY J. CELESTE  
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February 7, 2024

WS-24-0040

VIA UPLOAD

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

PLANNER  
COPY

**Re: Justification Letter – Design Review for Wall/Fence, Vehicular Gates, & Modular Building and Waiver of Development Standards to (1) Increase Combination Wall Height (Screen and Retaining) to 13-Feet along Rochelle Avenue, (2) Reduce the Access Gate Setback Along Rochelle Avenue, (3) Eliminate Landscaping Along Rochelle Avenue, (4) Increase Fence Height to 8-Feet Between Modular Building and Boundary Wall, (5) Eliminate Landscape between Modular Building and Residential Property, (6) Increase Wall Height to 8-Feet along Portions of Eastern Avenue and Flamingo Road, (7) Reduce Landscape Buffer to 10-feet along Portions of Flamingo Road, (8) Reduce Sustainability Factors, and (9) Increase Grade**

**The Roman Catholic Archbishop of Las Vegas – St. Viator Catholic Community  
APNs: 162-24-101-001, 002, & 003**

To Whom It May Concern:

Please be advised our office represents The Roman Archbishop of Las Vegas – St. Viator Catholic Community (the “Applicant”) in the above-referenced matter. The Applicant owns approximately 13.04 acres located at the southeast corner of Flamingo Road and Eastern Avenue, more particularly described as APNs: 162-24-101-001, 002, & 003 (collectively the “Site”). For over 65 years, the Applicant has operated a Catholic Church and parochial school, grades Pre-K through 8<sup>th</sup>. The northern nearly 9 acres includes the church, the parish center, rectory, and parking lot with the southern approximate 4 acres including the school, grades Pre-K through 8<sup>th</sup> grade, and a parking lot. Due to increasing security concerns and demand for increased student enrollment, the Applicant is requesting to build a perimeter wall/fence with vehicular gates and add a modular building to the Site.

Design Review for Wall/Fence/Vehicular Gates

As indicated above, the Applicant needs to provide enhanced security for its parishioners, clergy living on Site, and students. One of the mitigating measures the Applicant is proposing is to build a perimeter wall and add vehicular gates at the vehicular entry points. The proposed wall, in some areas will be a decorative, split face CMU block wall and other areas will be a wrought iron fence, will run along the perimeter of the Site including along Rochelle Avenue on the Site’s

south boundary, Eastern Avenue along the Site's west boundary, and Flamingo Road along the Site's north boundary.

Along Rochelle Avenue, there is currently an 8-foot tall-screened chain link fence. The Applicant is proposing to replace the existing screened chain link fence with a 5-foot tall decorative, split-face CMU block wall on top of a proposed 8-foot tall retaining wall for a total wall height of approximately 13-feet at the highest point. The tallest point of the wall is at the southeastern point of the Site and reducing in height closer to the Rochelle Avenue/Eastern Avenue intersection. The increased retaining wall height is due to the severe existing downward slope from the Site to Rochelle Avenue. In fact, the existing CMU block wall immediately east of the Site for the neighboring residential neighborhood is at least 13-feet tall as well. The school playground is located along the Rochelle Avenue frontage. The decorative, split-face CMU block wall is required in this area to provide for the privacy and protection of the students playing on the playground.

The Applicant will retain a pedestrian/vehicular access point along Rochelle Avenue by installing a locking sliding gate. The Applicant is requesting a setback of 0-feet setback where 50-feet is required, however, the gate will remain closed during business hours.

Similar to Rochelle Avenue, along Eastern Avenue there is an existing 8-foot tall-screened chain link fence running from the Eastern Avenue/Rochelle Avenue intersection to just south of the southern driveway to the Site. The Applicant is seeking to replace the screened chain link fence with an 8-foot tall decorative, split-face CMU block wall. Again, similar to Rochelle Avenue, the decorative, split face CMU block is required in this area to provide enhanced security, privacy, and protection for the children playing on the playground. For the balance of the west perimeter along Eastern Avenue to the Flamingo Road/Eastern Avenue intersection, the Applicant is proposing an 8-foot tall wrought iron fence composed of 2-feet of CMU wall with a 6-foot tall wrought iron fence on top.

Along Flamingo Road, the Applicant is proposing to build an 8-foot tall wrought iron fence composed of 2-feet of CMU wall with a 6-foot tall wrought iron fence on top with the exception of the area in front of the rectory where the Applicant is proposing an 8-tall decorative, split face CMU block wall. The decorative, split-face CMU wall in front of the rectory is important to provide enhanced security and privacy for the clergy that live on Site in the rectory; especially, considering there is an RTC bus stop immediately in front of the rectory.

There are three existing entrances to the Site: two from Eastern Avenue and one from Flamingo Road. The Applicant is requesting to place a vehicular security gate at each entrance. Each addressed separately below:

- Southern Driveway on Eastern Avenue – The Applicant is proposing to install a sliding vehicular security gate that will be set back approximately 32-feet. The gate hours will be:
  - Monday through Friday

- 6:00 am – 5:00 pm
  - Closed on Saturday and Sunday.
- Northern Driveway on Eastern Avenue – The Applicant is proposing to install two (2) 12-foot wide single leaf vehicular gates that will be set back approximately 49-feet. The access gate will be open during the following business hours:
  - Monday through Friday
    - 6:15 am – 8:15 am
    - 2:00 pm – 4:00 pm
  - Saturday
    - 6:00 am – 7:00 pm
  - Sunday
    - 6:00 am – 8:00 pm
- Flamingo Road Driveway – The Applicant is proposing to install two (2) 12-foot wide single leaf vehicular security gates leading to the parking field immediately to the south that will be set back 63-feet. The access gate will be open during the following business hours:
  - Monday through Friday
    - 6:00 am – 8:30 pm
  - Saturday
    - 6:00 am – 7:00 pm
  - Sunday
    - 6:00 am – 8:00 pm
- Additionally, there will be a single leaf emergency only access 30-foot wide vehicular security gate to the parking field immediately to the west of the entrance.

With respect to the on-Site landscaping, on May 17, 2011 the Clark County Planning Commission approved WS-0589-10 allowing for reduced landscaping and elimination of parking lot landscaping and elimination of landscaping/screening along the eastern property line/less-

intense use. The current on-Site landscaping is conforming to the May 12, 2011 approved landscape plan.

**Design Review for Modular Building**

The Applicant is purposing to place a 24-foot by 50-foot modular building on the Site’s primary grades side of the campus near the east property line. The modular building will be less than 13-feet in height. The modular building will be set 20-feet from the east property line. The modular building cannot be seen from any public right-of-way. The modular building’s architectural elevations will be compatible to the existing buildings on Site. The modular building complies with all setback requirements.

**Waiver of Development Standards**

- **Increase Wall Height on Rochelle Avenue, Reduce Access Gates Setbacks, and Eliminate Street Landscaping Along Rochelle Avenue**

- *Increase Wall Height*

As more thoroughly discussed above under the design review for the wall, the maximum wall height will occur along Rochelle Avenue. The proposed maximum wall height is 13-feet (5-foot tall screen wall and 8-foot tall retaining wall). The increased wall height is required due to steep slope from the Site down to Rochelle Avenue. The proposed wall height will match existing wall heights immediately to the east.

- *Access Gates Setbacks*

The Applicant is proposing 4 access gates on the Site. The gate will be made of a metal iron fence with 2-inch tube steel for the larger members and 1-inch tube steel for the pickets. The gates are similar and will be a painted finish to match the typical fence design around the property

As stated above, the Applicant is requesting to retain the existing access gate along Rochelle Avenue. The Applicant is requesting to reduce the setback to 0-feet where 50-feet is required; however, the access gate will remain closed during business hours. The Applicant is also requesting to reduce the southern Eastern drive-way gate setback to 32-feet, the northern Eastern driveway gate setback to 49-feet, and the Flamingo driveway gate setback to 63-feet, respectively, where 100-feet is required for all 3 gates.

- *Elimination of Landscaping*

There is an existing concrete slope along Rochelle Avenue. Due to the fact, the slope is concrete and severe, the Applicant cannot provide the required perimeter landscaping along Rochelle Avenue. Therefore, a waiver is required.



- **Reduce Landscape Buffer Along Flamingo Road**

The Applicant is also requesting to reduce the landscaping width from 15-feet to 10-feet. There is only 10-feet existing between the back-of-the-sidewalk and existing parking field. Therefore, the Applicant is required to request the slight landscaping width reduction, to the extent a waiver is required considering the approval of WS-0589-10 is approved reducing the landscaping along Flamingo Road and Eastern Avenue.

- **Eliminate Landscape Buffer Between Modular Building and Adjacent Residential Property**

WS-0589-10 allows for the elimination of landscaping/screening adjacent to a less intense use. However, to the extent needed, the Applicant is requesting to waive the required landscaping along the east property line. There are existing power lines that run along the east property line. Additionally, the Site along this area is already improved making it difficult to add additional landscaping.

- **Allow 8-foot Tall Chain Link Fence**

There is an existing 8-foot tall chain link fence, where a 6-foot tall fence is allowed, between the modular buildings and the east property line. The chain link fence is an added buffer to keep individuals farther away from the existing residential development to the east.

- **Increase Wall Height to 8-Feet Along Portions of Eastern Avenue and Flamingo Road**

The Applicant is requesting to build an 8-foot tall wall where 3-feet is allowed along portions of Eastern Avenue and Flamingo Road. The increase in wall height is for added security as these sections include the school's playground along Eastern Avenue and the rectory where the clergy live along Flamingo Road.

- **Reduce Sustainability**

The Applicant is simply requesting to add perimeter security fencing and one modular building. The Applicant has been operating on the Site for nearly 65 years as a church and parochial school. The Applicant is not making any other changes to the Site. Therefore, the Applicant cannot meet all 7 sustainability factors but is providing the following 4 sustainability measures:

- Landscaping

- Title 30.04.05(J)(3)(i) – The Applicant is providing 83 trees where 75 are required which is greater than 10% than required. As such, this equals 1 point.

- Building/Site Design

- Title 30.04.05(J)(4)(ii)(b)(2) – There are portico above the building entrances. As such, this equals ½ point.
- Title 30.04.05(J)(4)(ii)(c)(1) – The Site has the following shade walkways structures:
  - Shaded walkways adjacent to 60% of gathering areas, this equals 1 point.
  - 10% of shaded walkways adjacent to the school building. As such, this equals 1 point.
- Title 30.04.05(J)(4)(ii)(c)(2) – Daylighting strategies are incorporated into the classrooms and church buildings. As such, this equals ½ point.
- **Increase Grade – Title 30.04.06(F)(1)-(3)**

As mentioned above, the Applicant is proposing to build a maximum 13-foot tall decorative, split-face CMU block wall adjacent to the existing sidewalk along Rochelle Avenue. The proposed decorative, split-face CMU block wall will match the height of the existing wall immediately east of the Site. In order to build the CMU wall, the Applicant is required to fill approximately 10-feet within the first 5-feet and first 20-feet of the shared property line. The approximate 10-foot fill will match the existing elevation of the school's playground area.

We thank you in advance for your time and consideration of this matter. Should you have any questions or concerns, please feel free to contact me.

Sincerely,

KAEMPFER CROWELL



Anthony J. Celeste

AJC/jmd

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0801-RK VEGAS CIRCLE, LLC:

**HOLDOVER USE PERMITS** for the following: 1) place of worship; 2) on-premises consumption of alcohol (service bars, supper clubs, and tavern) with outside dining and drinking; 3) allow outside dining and drinking in conjunction with a tavern; 4) alcohol sales (beer and wine - packaged only); 5) alcohol sales (liquor - packaged only); 6) restaurants with outside dining and drinking; 7) day spa; 8) banquet facility with outside uses; 9) retail sales and service; and 10) convention facilities/exposition halls.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increased building height; 2) permit encroachment into airspace; 3) reduced setbacks; 4) reduced parking; 5) reduced loading spaces; 6) allow alternative street landscaping; 7) allow modified street standards; 8) allow modified driveway design standards; and 9) allow non-standard improvements within the right-of-way.

**DESIGN REVIEWS** for the following: 1) hotel; 2) place of worship; 3) day spa; 4) retail sales and service; 5) restaurants and tavern with outside dining and drinking; 6) on-premises consumption of alcohol (service bars, supper clubs, and tavern); 7) convention facilities/exposition halls; 8) parking garage with subterranean levels; and 9) outdoor deck with pool area on 0.6 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the south side of Black Canyon Avenue and the west side of Vegas Plaza Drive within Paradise. TS/md/syp (For possible action)

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RELATED INFORMATION:

APN:

162-17-610-002

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase building height to 648 feet where a maximum height of 100 feet is permitted per Table 30.40-7 (a 548% increase).
2. Permit encroachment into airspace.
3.
  - a. Reduce the front setback along Vegas Plaza Drive to zero feet where 10 feet is required per Table 30.40-7 (a 100% reduction).
  - b. Reduce the side street (corner) setback along Black Canyon Avenue to zero feet where 10 feet is required per Table 30.40-7 (a 100% reduction).
  - c. Reduce the side street (corner) setback along Pershing Avenue to zero feet where 10 feet is required per Table 30.40-7 (a 100% reduction).
  - d. Reduce the setback from the right-of-way (Vegas Plaza Drive) to zero feet where a minimum setback of 10 feet shall be maintained between a street or future right-of-way line and a structure per Section 30.56.040 (a 100% reduction).

- e. Reduce the setback from the right-of-way (Black Canyon Avenue) to zero feet where a minimum setback of 10 feet shall be maintained between a street or future right-of-way line and a structure per Section 30.56.040 (a 100% reduction).
- f. Reduce the setback from the right-of-way (Pershing Avenue) to zero feet where a minimum setback of 10 feet shall be maintained between a street or future right-of-way line and a structure per Section 30.56.040 (a 100% reduction).
4. Reduce parking to 531 parking spaces where 854 parking spaces are required per Section 30.60.035 and Table 30.60-3 (a 37.9% reduction).
5. Reduce the number of loading space to 3 spaces where 8 spaces are required per Table 30.60-6 (a 62.5% reduction).
6. Allow alternative street landscaping, including an attached sidewalk, along Vegas Plaza Drive, Black Canyon Avenue, and Pershing Avenue where landscaping and detached sidewalks are required per Figure 30.64-17.
7.
  - a. Reduce the approach distance to the intersection of Black Canyon Avenue and Vegas Plaza Drive to zero feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).
  - b. Reduce the departure distance from the intersection of Vegas Plaza Drive and Pershing Avenue to zero feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).
8.
  - a. Reduce throat depth to 51 feet for the loading area on Black Canyon Avenue where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 and Chapter 30.52 (a 66% reduction).
  - b. Reduce throat depth to 103 feet for the self-parking garage on Black Canyon Avenue where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 and Chapter 30.52 (a 31.4% reduction).
  - c. Reduce throat depth to 20 feet for the drop-off area on Pershing Avenue where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 and Chapter 30.52 (an 86.7% reduction).
  - d. Reduce the ingress back of curb radius to 18 feet for the southwest side of the western drive aisle where a minimum radius of 25 feet is required per Uniform Standard Drawing 222.1 (a 28% reduction).
  - e. Reduce the ingress back of curb radius to 15 feet for the west sides of the eastern drive aisle where a minimum radius of 25 feet is required per Uniform Standard Drawing 222.1 (a 40% reduction).
  - f. Reduce the width for a two-way driveway to 24 feet where a minimum width of 32 feet is required per Uniform Standard Drawing 222.1 (a 25% reduction).
9. Allow non-standard improvements (landscaping) within the right-of-way where not permitted per Chapter 30.52.

#### **LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

#### **BACKGROUND:**

##### **Project Description**

##### **General Summary**

- Site Address: 3601 Vegas Plaza Drive

- Site Acreage: 0.6
- Project Type: Hotel and place of worship
- Number of Stories: 46
- Number of Rooms: 486
- Building Height (feet): 648
- Square Feet: 955,831
- Parking Required/Provided: 854/531

#### Site Plans

The plans depict a proposed 46 story hotel consisting of 486 rooms with an overall area measuring 955,831 square feet. The hotel will also contain a place of worship (synagogue), located on levels 45 and 46, with additional uses consisting of on-premises consumption of alcohol, alcohol sales, restaurants with outside dining and drinking, day spa, banquet facility, retail sales and service, and convention facilities/exposition halls. The hotel is located at the northwest corner of Pershing Avenue and Vegas Plaza Drive, immediately north of the Mirage Resort Hotel and west of the Treasure Island Hotel. The hotel is set back zero feet from Black Canyon Avenue, Vegas Plaza Drive, and Pershing Avenue requiring waivers of development standards to eliminate building and right-of-way setbacks. A one-way only entrance (north/south), measuring 18 feet in width, is located at the northwest corner of the site, adjacent to Black Canyon Avenue requiring a waiver of development standards to reduce the throat depth to 51 feet. The same one-way only vehicle drive aisle exits onto Pershing Avenue. The "self parking only" entrance and exit ramp is located at the northwest corner of the hotel adjacent to Black Canyon Avenue, while the "valet parking only" ramp is located at the southwest corner of the hotel along Pershing Avenue. The hotel porte-cochere with drop-off/valet service is situated on the east side of the hotel with a one-way only entrance (north/south), measuring a minimum of 24 feet in width, located adjacent to Pershing Avenue. Vehicles exit the valet service area from the 1-way drive aisle onto Black Canyon Avenue. Waivers of development standards are requested to reduce the approach and departure distances to the intersection of Black Canyon Avenue and Vegas Plaza Drive, and from the intersection of Vegas Plaza Drive and Pershing Avenue, respectively. Additional waivers are requested to reduce the width and ingress radii for the commercial driveways. The hotel is designed with 5 levels of subterranean parking and 7 above ground levels designated for parking. The mix of commercial and institutional uses within the hotel require 854 parking spaces where 531 parking spaces are provided, necessitating a waiver of development standards. The shared parking schedule, per Table 30.60-3 within Code, was utilized to calculate the parking requirements for the non-residential development. Eight loading spaces are required for the development where 3 loading spaces are provided, necessitating a waiver of development standards. The loading spaces are located on west side of the hotel, accessed from the western one-way vehicle drive aisle. Attached sidewalks measuring between 7 feet to 10 feet in width are located along the perimeter of the hotel, adjacent to Black Canyon Avenue, Vegas Plaza Drive, and Pershing Avenue. No increase to finished grade is proposed with this development.

#### Landscaping

The plans depict an alternative street landscaping consisting of planter boxes measuring between 2.5 feet to 3 feet in height located behind attached sidewalks measuring between 7 feet to 10 feet in width along Black Canyon Avenue, Vegas Plaza Drive, and Pershing Avenue. Three planter

boxes are located along Pershing Avenue and a single planter box, containing 5 trees, is located adjacent to Black Canyon Avenue. Planter boxes containing trees are located at the northeast and northwest corners of the site, along Vegas Plaza Drive. Some of the trees, shrubs, and groundcover encroach into the right-of-way, necessitating a waiver for non-standard improvements within the right-of-way.

Elevations

The plans depict a proposed hotel with a place of worship measuring up to 648 feet in height to the top of the roof and screened mechanical areas. The exterior building materials consist of concrete columns, iron/steel columns, blue tinted glass, limestone, and decorative metal screens. The structure will be clad with aluminum panels and limestone and a diagrid non-reflective window system. A metal porte-cochere will cover the drop-off area along the frontage. The first grade level, lobby, and the check-in level from levels 11 through 14 show a metal screen enclosed area with metal beams and columns with architectural detailing that is different from the other portions of the tower.

Floor Plans

The plans depict variety of hotel room sizes measuring between 487 square feet and 1,562 square feet located between levels 14 through 40. Levels 45 through 46 feature the place of worship, with a cumulative area measuring 28,754 square feet. The place of worship consists of a synagogue, interstitial space, a mikveh, kitchen, and supporting offices. Below is a table reflecting the gross floor area for each level of the building:

<b>Building Gross Area (square feet)</b>		
<b>Level</b>	<b>Use</b>	<b>Square Feet</b>
B5 to B1	Lower parking	88,083
Level 1	Ground entrance	8,998
Level 2	Mezzanine	6,982
Levels 3 to 9	Upper parking	134,460
Level 10	Interstitial	19,335
Level 11*	Amenities (fitness center, gift shop, café, ad lounge area)	19,486
Level 12	Lobby	14,872
Level 13	Restaurant with outside dining and drinking	18,080
Level 14 through Level 40	Guest rooms	465,218
Level 41	Interstitial	17,230
Level 42	VIP Lounge and day spa	17,230
Level 43	Restaurant and tavern with outside dining and drinking	17,230
Level 44	Banquet and meeting area/convention facilities	17,230
Level 45	Place of worship (synagogue)	17,230
Level 46	Place of worship (synagogue)	11,524
Service Areas	-	931
Vertical Circulation	Elevators	54,272
Vertical Circulation	Stairs	27,439
<b>Total</b>		<b>955,831</b>

\*An outdoor swimming pool measuring 900 square feet in area is located on Level 11 of the hotel.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant states the proposed uses, including the place of worship, are appropriate within the proposed hotel and are appropriate for the area which is in close proximity to the Resort Corridor. These requests and the proposed hotel are actually less intense than the surrounding resort hotels adjacent to this project. The parcel is 0.6 acres, therefore, any building on the site will have a small footprint. The proposed height of the tower will allow a viable project in the area. Additionally, the proposed height is similar to the height of the resort hotels in the area on large acres of land including Treasure Island, the Mirage, and the recently approved tower in conjunction with the Mirage Resort. This project is embedded in the middle of the existing hotels and even with the proposed height will be appropriate for the area and compatible with existing uses in the area. The site is half an acre in size and is adjacent to 3 rights-of-way and a private drive which is an inherent constraint of the site. Although the reduction is to zero feet, there are existing sidewalks to the north, south, and east sides of the site to allow pedestrians to access the site which is an existing condition for the current development (hotel) on the site. A 10 foot wide landscaping area is proposed on the Vegas Plaza Drive frontage (east) of the site and will enhance the site. Based on the size of the lot, providing a 10 foot front setback for the building will reduce the buildable area of the lot. The requested setback will not impact the site or the adjacent street. The 10 foot wide landscaping provided along the frontage of the site and the attached sidewalk does provide a set back to the tower at grade level. Based on the size of the lot, providing a 10 foot side/corner setback for the building will further reduce the lot size that will further reduce the buildable area of the lot. The requested setback will not impact the site or the adjacent street. Based on the size of the lot, providing a 10 foot side/corner setback for the building will further reduce the buildable area of the lot. The requested setback will not impact the site or the adjacent street. The 10 foot wide landscaping provided along a portion of the frontage of the site and the attached sidewalk does provide a set back to the tower at grade level. The requested reduction in parking will not have an impact on the site and uses proposed because of the close proximity of the hotel to the Las Vegas Strip and the Resort Corridor. Since this is a niche hotel including a place of worship many of the hotel guests will use the place of worship, restaurants, amenities offered by the hotel. A parking analysis is also included with the application. The parking provided is adequate for the site because there are specific Jewish Holidays with specific requirements where vehicular access to the site is not allowed because of religious requirements. The Sabbath starts from Friday at sundown to Saturday night sundown. Driving, the use of phones and computers and work of any kind are not allowed during this period. The following holidays consisting of 2 days and last 2 days are like any Sabbath: 1) Passover Holiday - 8 days; 2) Sukkah Holiday - 8 days; 3) Rosh Hashanah is the Jewish New Year which consists of 2 days, which are considered the Sabbath; 4) Yom Kippur - Day of atonement which is considered a Sabbath; and 5) Shavoot - Holiday Celebration for receiving of the 10 commandments consists of 2 days like the Sabbath. The alternative landscaping request is necessary to accommodate both landscaping and off-site for this 0.6 acre. The design which consists of reduced landscaping within raised planters is more appropriate for the site and will be in scale with the site and design of the hotel. Due to the lot size, size of the building and uses proposed 3 loading areas are adequate for the use and site. The loading areas are located in the most accessible area of the site for loading and unloading. The reduced number of loading zones

will not impact the proposed hotel and uses. The loading zones are located on the east side of the property on a single drive aisle for seamless maneuvering through the site. The approach to the hotel is immediately to the valet area and the garage. The size of the lot will not allow the required distance. This is the same condition as the existing development on the site. The width of the lot is 125 feet. The design allows for no stacking or stalling and allows easy access in and out of the proposed development. The off-site circulation in the area exists based on the development on the site with the adjacent existing developments which makes for an easier integration of the proposed development into the area without changing the circulation patterns. The departure from the hotel is immediately to Black Canyon Avenue or Perishing Avenue. The size of the lot will not allow the required distance. This is the same condition as the existing development on the site. The width of the lot is 190 feet. The design allows for no stacking or stalling in the design and allows easy access in and out of the proposed development. The site circulation proposed exists and is established with the adjacent existing developments which makes for an easier integration of the proposed development. The reductions in the throat depths for the entries into the garage and the valet drop-off lane will not impact the streets adjacent to the proposed development. The depth of the lot is 150 feet; therefore, the standard throat depths cannot be met based on the design for the project. The streets and areas surrounding the site have limited traffic, circulation, and traffic patterns with the existing developments in the area and on the site, therefore, the proposed project will not impact the area because the patterns will remain the same. The mitigating factor for this request is that this is a specialized hotel that will not have large volumes of traffic entering or exiting the site at the same time. The design allows for vehicular traffic to circulate on one-way only driveways within the garage efficiently when guests access the garage to park. As designed with a valet drop-off as the main access to the hotel, most guests are likely to use the valet area for drop-offs and pick-ups. Based on the size of the lot all the waivers requested are necessary to accommodate the design of the project. The lot is not only small but is also shallow, therefore, impossible to comply with typical off-site standards. Additionally, the site is surrounded on 3 sides by public streets, which is not a typical situation for most projects. Attempting to comply with all off-site standards will reduce the developable area of the lot. This request is necessary due to the size of the lot, the plans depict a minimum of 7 feet up to 10 feet of sidewalks along the 3 street frontages. The alternative landscape design includes multiple raised planters to provide additional landscaping that will enhance the street frontages along sides of the site. The design is appropriate based on the area, the adjacent development, and the size of the lot. This request will not impact site and provided additional pedestrian access to the site. Based on the size of the lot the reduced driveway width is necessary to accommodate the design of the project. The lot is not only small but is also shallow; therefore, impossible to comply with typical off-site standards. Additionally, the site is surrounded on 3 sides by public streets, which is not a typical situation for most projects. Attempting to comply with all off-site standards will reduce the developable area of the lot. Additionally, because of the specialized nature of the project, which serves a niche, most guests will use the valet drop-off once they arrive at the hotel and are not likely to use their cars during most of their stay on the property. The entries will be used mostly by valet who know will know how to navigate the driveway entries.



**Prior Land Use Requests**

Application Number	Request	Action	Date
ET-0217-06 (DR-1170-04)	First extension of time to commence a 9 story, 100 foot high 148 room hotel/timeshare	Denied by BCC	September 2006
DR-1170-04	9 story, 100 foot high, 148 room hotel/timeshare - expired	Approved by BCC	August 2004
UC-0305-03	Off-premises advertising sign with waivers to increase sign height and area	Denied by BCC	April 2003
ET-0289-99 DR-1295-97	Second extension of time to commence a 9 story, 100 foot high, 150 room timeshare hotel	Denied by BCC	September 1999
ET-0228-98 DR-1295-97	First extension of time to commence a 9 story, 100 foot high, 150 room timeshare hotel - expired	Approved by BCC	August 1998
DR-1295-97	9 story, 100 foot high, 150 room timeshare hotel - expired	Approved by BCC	August 1997

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	H-1	Outside storage/employee break area
South	Entertainment Mixed-Use	H-1	Mirage resort hotel
East	Entertainment Mixed-Use	H-1	Treasure Island parking garage
West	Entertainment Mixed-Use	H-1	Mirage/Treasure Island employee parking garage

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Comprehensive Planning  
Use Permits**

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare, and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Use Permit #1

With appropriate building siting, proper building massing and scale, required parking, and appropriate buffering, a place of worship can be consistent and compatible with neighborhoods in accordance with Title 30 and the Master Plan. Other places of worship have been approved and developed in non-residential areas with little to no impact on surrounding land uses and properties. Staff does not object to the proposed use and can therefore support the request.

However, staff is concerned with the multiple waivers of development standards associated with this request.

#### Use Permits #2 through #10

The Entertainment Mixed-Use category encourages a mix of retail, entertainment, gaming, lodging, and other tourist-oriented services. The purpose of the H-1 zoning district is to provide for the development of gaming enterprises, compatible commercial, and mixed commercial and residential uses, and to prohibit the development of incompatible uses that are detrimental to gaming enterprises. Policy 5.1.3 of the Master Plan emphasizes tourism, conventions, trade shows, and gaming as one of the region's economic pillars. Retail uses, restaurants with outside dining and drinking, on-premises consumption of alcohol, and convention facilities are common amenities associated with both gaming and non-gaming hotels located within the Gaming Corridor. Staff finds the proposed uses comply with the aforementioned policy from the Master Plan and should not have a negative or detrimental impact on the surrounding land uses or properties. However, staff is concerned with the multiple waivers of development standards associated with this request.

#### Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

#### Waiver of Development Standards #1

Policy 6.2.1 of the Master Plan aims to ensure the design and intensity of new development is compatible with the surrounding area and uses in terms of height, scale, and the overall mix of uses. The requested height increase is similar to, and consistent with, other resort hotel requests that have been approved within the immediate area. However, since staff is not supporting waivers of development standards #3 through #9 and the design reviews; staff recommends denial of this request.

#### Waiver of Development Standards #3

The intent of building setbacks is to ensure a uniform development pattern of structures, especially along streets, and to prevent the massing of continuous building facades immediately adjacent to streets. The reduced building and right-of-way setbacks are a self-imposed burden, which can be eliminated through a redesign of the site. Therefore, staff recommends denial.

#### Waiver of Development Standards #4

The intent of the parking and loading requirements is to establish regulations for the provision of safe and efficient parking and loading facilities in amounts sufficient to meet existing and/or proposed land uses in unincorporated Clark County. Staff acknowledges the parking associated with the hotel and place of worship has been calculated in accordance with the observance of religious holidays prohibiting the operation of motor vehicles. Furthermore, staff recognizes that

out-of-town visitors utilize alternative modes of transportation such as ride-share programs, taxis, and public transit. However, the significant reduction to the required number of parking spaces may have an adverse impact on the available parking for the resort hotels to the east and south of the site. The reduction to the required number of parking spaces is a self-imposed hardship; therefore, staff recommends denial of this request.

#### Waiver of Development Standards #5

Staff finds the reduction to the number of loading spaces should have minimal to no impact on the proposed hotel development. Three loading spaces are located on west side of the hotel, between the one-way drive aisle and the refuse/loading dock area. The proposed number of loading spaces should adequately serve the hotel and the associated commercial uses. However, since staff is not supporting other waivers of development standards and design review requests, staff recommends denial.

#### Waiver of Development Standards #6

The intent of street landscaping is to enhance the perimeter of the project site, improve the aesthetics of the site along public rights-of-way, and to provide a buffer between parking areas and the adjacent streets. Furthermore, the intent of the detached sidewalk requirement is to ensure a proper buffer exists between the sidewalk and the adjacent streets, and to prevent conflict with pedestrians and vehicles. Although there are not any detached sidewalks within the immediate area, staff finds eliminating the detached sidewalk requirement along the public right-of-way is a self-imposed burden. Furthermore, the request for alternative landscaping, consisting of landscape planter boxes and attached sidewalks is a self-imposed burden. Therefore, staff cannot support this request.

#### Design Reviews #1 through #9

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The proposed design of the hotel consists of contemporary architecture that is aesthetically pleasing and architecturally diverse, which is appropriate for the immediate area. However, when evaluating the overall design of a project, site circulation for the development must accommodate efficient circulation and access as well as high volumes of pedestrian traffic. When the numerous waiver requests including reduced parking, reduced setbacks, alternative landscaping, modified street and design standards are taken into consideration, staff cannot support the design reviews as the site is being over built. The requested waivers of development standards associated with the hotel and place of worship are a self-imposed burden. The majority of the waiver requests can be eliminated, or significantly reduced, through the redesign of the site. Therefore, staff cannot support these requests.

## **Public Works - Development Review**

### Waivers of Development Standards #7 & #8

Staff needs the technical studies to further address the circulation concerns that may be caused by the reduction in throat depth, back of curb radii, driveway width, approach and departure distances. However, since Planning is recommending denial of the waivers, staff cannot support these waivers.

### Waiver of Development Standards #9

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any landscaping placed in the right-of-way. Staff can support waiver of development standards #9 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way. However, since Planning is recommending denial of the waivers, staff cannot support this waiver.

## **Department of Aviation**

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

More importantly, the development will penetrate the Part 77 airspace surface (Airport Airspace Overlay District), as defined by Section 30.48.100 of the Clark County Unified Development Code. Therefore, as required by Section 30.16.210(12)(D) of the Clark County Unified Development Code, final action cannot occur until the FAA has issued an airspace Determination of No Hazard and the Department of Aviation has reviewed the determination. (Note that Section 30.16.210(12)(D) requires that the FAA Determination of No Hazard shall be submitted two weeks prior to final approval for any proposed structure that intrudes into Airport Airspace Overlay District [see Chapter 30.48 Part B].)

## **Staff Recommendation**

Approval of the use permits; denial of waivers of development standards, and the design reviews.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

If approved:

- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for

conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

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

- Drainage study and compliance;
- Traffic study and compliance;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Install "No parking" signs on all public streets adjacent to the site.
- Applicant is advised that off-site improvement permits may be required.

#### **Department of Aviation**

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

#### **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 #0436-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**  
**APPROVALS: 1 card**  
**PROTESTS: 1 card**

**COUNTY COMMISSION ACTION:** January 17, 2024 – HELD – To 04/03/24 – per the applicant.

**APPLICANT:** RAY KOROGHLI  
**CONTACT:** CASSANDRA WORRELL, 520 S. FOURTH STREET, LAS VEGAS, NV 89101

**DRAFT**