



PARADISE TOWN ADVISORY BOARD

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

May 25, 2021

7:00pm

AGENDA

Note:

- Social distancing will be practiced during this meeting. You will be asked to keep appropriate spacing (six (6) feet) away from other meeting attendees.
- 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 Secretary, Maureen Helm at 702-606-0747 and is/will be available on the County's website at www.clarkcountynv.gov.
- If you do not wish to attend this meeting in person, but would like to comment on an item appearing on this agenda, or provide general public comment, please submit your comments to bva@clarkcountynv.gov, before 5:00 pm, May 25, 2021. Please include your name, address, and identify which agenda item you are commenting on, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

Board/Council Members: John Williams, Chairperson
 Susan Philipp, Vice Chairperson
 Jon Wardlaw
 Katlyn Cunningham
 Roger Haywood

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

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

- 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.

If you do not wish to attend this meeting in person, but would like to comment on an item appearing on this agenda, please submit your comments to bva@clarkcountynv.gov, before 5:00 pm, on May 11, 2021 . Please include your name, address, and identify which agenda item you are commenting on, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

- III. Approval of Minutes for May 11, 2021. (For possible action)
- IV. Approval of the Agenda for May 25, 2021 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning
 - 1. **WS-21-0117-SG ISLAND PLAZA LLC ETAL & NAKASH SHOWCASE II LLC:**
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to increase the allowed projection from a wall for a projecting sign.
DESIGN REVIEW for a projecting sign in conjunction with a retail store (T-Mobile) within the Showcase Mall on 0.7 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the east side of Las Vegas Boulevard South, 490 feet north of Tropicana Avenue within Paradise. JG/al/jo (For possible action)
 - 2. **UC-21-0023-PHOENIX REALTY HOLDINGS, LLC:**
HOLDOVER USE PERMITS for the following: 1) restaurants; 2) retail sales and services; and 3) offices.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking; 2) landscaping; and 3) alternative driveway geometrics.
DESIGN REVIEW for a commercial building consisting of 2 restaurants with drive-thru service on 1.2 acres in an H-1 (Limited Resort and Apartment) (AE-70) Zone. Generally located on the west side of Las Vegas Boulevard South, 820 feet north of Sunset Road within Paradise. MN/al/jd (For possible action) **PC 6/15/21**
 - 3. **UC-21-0206-TXM REAL ESTATE HOLDINGS, LLC:**
USE PERMIT to reduce the separation from a residential use to a proposed supper club in conjunction with an existing restaurant on 1.0 acre in a C-2 (General Commercial) Zone. Generally located on the north side of Warm Springs Road, 1,140 feet west of Eastern Avenue within Paradise. MN/md/jo (For possible action) **PC 6/15/21**

4. **WS-21-0216-CASHMAN PHOTO ENTERPRISES NEVADA:**
WAIVER OF DEVELOPMENT STANDARDS to reduce the driveway approach and departure distances from the intersection.
DESIGN REVIEW for a proposed vehicle inventory storage lot on 0.9 acres in an M-1 (Light Manufacturing) Zone. Generally located on the south side of Highland Drive and the east side of Morgan Cashmans Way within Paradise. JJ/rk/jd (For possible action) **PC 6/15/21**
5. **ET-21-400067 (ZC-18-0905)-SWENSON 72, LLC:**
USE PERMIT FIRST EXTENSION OF TIME for a proposed mini-warehouse facility.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increased height; and 2) waive the requirement for sidewalks or a buffer around the building footprint.
DESIGN REVIEW for a proposed mini-warehouse facility on 1.4 acres in a C-1 (Local Business) (AE-60) Zone within the Midtown Maryland Parkway District. Generally located on the east side of University Center Drive, 1,160 feet north of Flamingo Road within Paradise. TS/md/jo (For possible action) **BCC 6/16/21**
6. **DR-21-0198-SWENSON 72, LLC:**
DESIGN REVIEW for finished grade in conjunction with a previously approved mini-warehouse on 1.4 acres in a C-1 (Local Business) (AE-60) Zone within the Midtown Maryland Parkway District. Generally located on the east side of University Center Drive, 1,160 feet north of Flamingo Road within Paradise. TS/md/jo (For possible action) **BCC 6/16/21**
7. **VS-21-0185-MARIANO, MARILOU:**
VACATE AND ABANDON easements of interest to Clark County located between Spencer Street and Bruce Street, and between Robindale Road and Sur Este Avenue (alignment) within Paradise (description on file). MN/md/jd (For possible action) **BCC 6/16/21**
8. **UC-21-0184-MARIANO, MARILOU:**
USE PERMIT for a place of worship.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking; 2) eliminate trash enclosure setback; 3) eliminate street landscaping; 4) eliminate parking lot landscaping; 5) alternative landscaping adjacent to a less intensive use (single family residences); 6) eliminate the pedestrian walkway from the adjacent public sidewalk to the principal building entrance; 7) reduce the setback for an accessory structure (carport); 8) reduce drive aisle width; and 9) allow modified driveway design standards.
DESIGN REVIEW for a place of worship on 0.8 acres in an R-E (Rural Estates Residential) Zone. Generally located on the east side of Spencer Street, 440 feet north of Robindale Road within Paradise. MN/md/jd (For possible action) **BCC 6/16/21**
9. **WS-21-0181-PALM MORTUARY, INC.:**
WAIVER OF DEVELOPMENT STANDARDS for increased building height.
DESIGN REVIEWS for the following: 1) a chapel/mausoleum; and 2) finished grade on a portion of a 71.3 acre site in an R-E (Rural Estates Residential) Zone. Generally located on the east side of Eastern Avenue and the north side of Robindale Road within Paradise. JG/jvm/jo (For possible action) **BCC 6/16/21**

VII. General Business

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 vote may be taken on a matter not listed on the posted 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.

If you would like to provide a written general public comment on an item not appearing on this agenda, but within the general jurisdiction of this body, please submit your comments to bva@clarkcountynv.gov, before 5:00 pm, May 25 ,2021. Please include your name, address, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

IX. Next Meeting Date: June 8, 2021

X. Adjournment.

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

Names of Locations

Paradise Community Center- 4775 McLeod Dr.

Clark County Library- 1401 E. Flamingo Rd.

Sunset Park- 2601 E. Sunset Rd.

Fire Station 38- 1755 Silver Hawk Ave

<https://notice.nv.gov>



Paradise Town Advisory Board

May 11, 2021

MINUTES

Board Members:	John Williams –Chair- PRESENT Susan Philipp - Vice Chair- PRESENT	Joh Wardlaw– PRESENT Katlyn Cunningham – PRESENT
Secretary:	Maureen Helm 702-606-0747 mhelmtab@gmail.com	
Town Liaison:	Blanca Vazquez 702-455-8531 bva@clarkcountynv.gov	

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

Steve DeMerritt; Planning, Blanca Vazquez; Town Liaison

Meeting was called to order by Chair Williams at 7:00 p.m.

II. Public Comment:
None

III. Approval of April 27, 2021 Minutes

Moved by: Philipp
Action: Approve as submitted
Vote: 5-0 Unanimous

Approval of Agenda for May 11, 2021

Moved by: Wardlaw
Action: Approve as submitted
Vote: 5-0 Unanimous

IV. Informational Items
None

V. Planning & Zoning

1. **WS-21-0117-SG ISLAND PLAZA LLC ETAL & NAKASH SHOWCASE II LLC:**
WAIVER OF DEVELOPMENT STANDARDS to increase the allowed projection from a wall for a projecting sign.

DESIGN REVIEW for a projecting sign in conjunction with a retail store (T-Mobile) within the Showcase Mall on 0.7 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the east side of Las Vegas Boulevard South, 490 feet north of Tropicana Avenue within Paradise. JG/al/jo (For possible action)

MOVED BY-Philipp
DENY
VOTE: 5-0 Unanimous

2. **ET-21-400057 (UC-0888-15)-ROACHO JORGE H & ROSA:**
USE PERMIT THIRD EXTENSION OF TIME to commence a place of worship.
DESIGN REVIEW for the conversion of a single family residence to a place of worship and all ancillary site improvements on 1.0 acre in an R-1 (Single Family Residential) Zone. Generally located on the south side of Viking Road, 200 feet west of Pearl Street within Paradise (description on file). TS/lm/jo (For possible action) **PC 6/1/21**

MOVED BY-Wardlaw
APPROVE – Subject to staff conditions
VOTE: 5-0 Unanimous

3. **UC-21-0125-BINGHAM ROBERT:**
USE PERMIT to allow agriculture-livestock, small (chickens) in conjunction with a single family residence on 0.3 acres in an R-1 (Single Family Residential) Zone. Generally located on the south side of Las Alturas Avenue and the east side of Via Mazarron Street within Paradise. MN/bb/jo (For possible action) **PC 6/1/21**

MOVED BY-Wardlaw
APPROVE – Subject to staff conditions
ADDED CONDITIONS

- **No more than 8 chickens at a time**
- **Time limit, no more than 10 years**

VOTE: 5-0 Unanimous

4. **UC-21-0165-4300 TROP, LLC:**
USE PERMITS for the following: 1) offices as a principal use; 2) retail as a principal use; 3) grocery store; 4) restaurant; 5) alcohol sales (beer and wine – packaged only); and 6) alcohol sales (liquor – packaged only).

WAIVER OF DEVELOPMENT STANDARDS for reduced street landscaping.
DESIGN REVIEWS for the following: 1) site modifications; 2) exterior modifications to an existing building; and 3) alternative parking lot landscaping in conjunction within an existing office/warehouse and industrial development on a portion of 14.8 acres in an M-1 (Light Manufacturing) Zone. Generally located on the east side of Arville Street and the north side of Tropicana Avenue within Paradise. MN/md/jd (For possible action) **PC 6/1/21**

MOVED BY-Williams
APPROVE – Subject to staff conditions
VOTE: 5-0 Unanimous

5. **UC-21-0178-P & E YLINEN GROUP, LLC:**
USE PERMIT for on-premises consumption of alcohol (service bar) on 1.2 acres in an M-1 (Light Manufacturing) Zone. Generally located on the west side of Polaris Avenue, 300 feet north of Twain Avenue within Paradise. JJ/rk/jo (For possible action) **PC 6/1/21**

MOVED BY-Philipp
APPROVE – Subject to staff conditions
VOTE: 5-0 Unanimous

6. **UC-21-0132-UNIVERSITY BOARD OF REGENTS:**
USE PERMITS for the following: 1) allow temporary commercial event (Boring Competition) on a property with no licensed business; and 2) extend the time limit for set-up and operational removal for a temporary commercial event.
DESIGN REVIEW for a temporary commercial event on a portion of 36.8 acres in an H-1 (Limited Resort and Apartment) (AE-65 & AE-70) Zone. Generally located on the north side of Tropicana Avenue and the east side of Deckow Lane within Paradise. JB/lm/jo (For possible action) **BCC 6/2/21**

MOVED BY-Wardlaw
APPROVE – Subject to staff conditions
VOTE: 5-0 Unanimous

7. **UC-21-0160-HARMON CURTIS:**
USE PERMITS for the following: 1) allow an accessory building (storage containers) not architecturally compatible with a principal building; 2) allow alternative design standards for accessory structures (storage containers); and 3) waive design standards.
WAIVER OF DEVELOPMENT STANDARDS to increase block wall height.
DESIGN REVIEW for finished grade in conjunction with an existing single family residence on 2.4 acres in an R-1 (Single Family Residential) Zone. Generally located on the north side of Emerson Avenue, 300 feet west of Mojave Road within Paradise. TS/sd/jo (For possible action) **BCC 6/2/21**

MOVED BY-Wardlaw
APPROVE – Subject to IF approved staff conditions
ADDED CONDITIONS

- **Remove any construction equipment not being used for work on project**
- **Complete project in 2 years**
- **2 year review as a public hearing**
- **Limit of 2 storage containers**

VOTE: 5-0 Unanimous

8. **ZC-21-0174-POST INDUSTRIAL, LLC:**
ZONE CHANGE to reclassify a 0.5 acre parcel from an M-D (Designed Manufacturing) (AE-65) Zone to an M-1 (Light Manufacturing) (AE-65) Zone.
USE PERMITS for the following: 1) medium manufacturing; 2) allow accessory structures not architecturally compatible; and 3) allow alternative design standards.
DESIGN REVIEW for a metal building. Generally located on the north side of Post Road, 425 feet west of Cameron Street within Paradise (description on file). MN/sd/jo (For possible action)
BCC 6/2/21

MOVED BY-Philipp
APPROVE – Subject to staff conditions
VOTE: 5-0 Unanimous

VI. General Business
None

VII. Public Comment
None

VIII. Next Meeting Date
The next regular meeting will be May 25, 2021

IX. Adjournment
The meeting was adjourned at 8:35 p.m.

SIGNAGE
(TITLE 30)

LAS VEGAS BLVD S/TROPICANA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0117-SG ISLAND PLAZA LLC ETAL & NAKASH SHOWCASE II LLC

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to increase the allowed projection from a wall for a projecting sign.

DESIGN REVIEW for a projecting sign in conjunction with a retail store (T-Mobile) within the Showcase Mall on 0.7 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone.

Generally located on the east side of Las Vegas Boulevard South, 490 feet north of Tropicana Avenue within Paradise. JG/al/jo (For possible action)

RELATED INFORMATION:

APN:

162-21-401-007

WAIVER OF DEVELOPMENT STANDARDS:

Allow a projecting sign to extend 4 feet from a building where a maximum of 3 feet is permitted per Table 30.72-1 (a 33.3% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 3791 Las Vegas Boulevard South
- Site Acreage: 0.7
- Project Type: Projecting sign for the T-Mobile store within the Showcase Mall
- Sign Area (square feet): 12.5

Site Plans

The plans show an existing shopping center (Showcase Mall) located along the east side of Las Vegas Boulevard South, approximately 490 feet north of Tropicana Avenue. This is a request for a projecting sign for one of the tenants within the shopping center, the T-Mobile store. The proposed sign is located on the south side of the store front for the lease space, which faces Las Vegas Boulevard South, and is approximately 50 feet north of the southern property line for the parcel. The southern property line for the parcel is adjacent to a landscape area located on the

north side of the southernmost driveway for the MGM Grand Resort Hotel on Las Vegas Boulevard South.

Signage

The plans depict an approximately 12.5 square foot projecting sign for the T-Mobile store, which is the only projecting sign proposed for the store. The sign is a custom cabinet that is internally illuminated, and the sign faces display the T-Mobile logo. The sign projects approximately 4 feet from the building and is located approximately 12.5 feet above the sidewalk. Per Table 30.72-1 each tenant of the shopping center is allowed to have 1 projecting sign with a maximum area of 32 square feet to be located a minimum of 9 feet above a sidewalk. However, the sign is allowed a maximum projection of 3 feet, which requires the waiver of development standards to increase the projection.

Applicant's Justification

The applicant indicates the proposed sign is needed to help identify the store location for pedestrians and vehicle traffic.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-21-0019	Modification to an approved comprehensive sign package to increase wall sign area	Approved by BCC	March 2021
WS-18-0245	Amended sign plan for the Showcase Mall	Approved by BCC	May 2018
WS-18-0165	Reduced parking and design review for modifications to a parking lot in conjunction with an approved expansion of the Showcase Mall	Approved by BCC	April 2018
WS-18-0084	Amended sign plan for the Showcase Mall	Approved by BCC	March 2018
DR-0819-17	Remodeled and modified entrance of a retail space for the Designer Shoe Warehouse in the Showcase Mall	Approved by BCC	November 2017
UC-0657-17	Expansion of the Showcase Mall	Approved by BCC	September 2017
WS-0456-17	Amended sign plan for the Showcase Mall	Approved by BCC	July 2017
WS-0153-17	Waivers and a design review for a portion of the Showcase mall for a building addition and to modify the existing plaza, sidewalks, and landscape areas along Las Vegas Boulevard South	Approved by BCC	April 2017
WS-0579-16	Amended sign plan for the Showcase Mall with façade change to a portion of the site	Approved by BCC	October 2016

There have been several other land use applications for this site. The applications listed above are the most recent.

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Portions of the Showcase Mall
South & East	Commercial Tourist	H-1	MGM Grand Resort Hotel
West	Commercial Tourist	H-1	New York New York and Park Resort Hotels

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waiver of Development Standards

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

Code allows alternative sign standards to be approved within the Resort Corridor if the signs result in the development having a visual character which is compatible with adjacent development. The proposed projecting sign is compatible with other signs in the area and is in harmony with the unique nature of signage along Las Vegas Boulevard South and within the Resort Corridor; therefore, staff can support this request.

Design Review

Staff finds that the proposed sign is compatible with the existing developments along Las Vegas Boulevard South and complies with Urban Specific Policy 20 of the Comprehensive Master Plan which states that all signage should be compatible with building styles on-site and also with surrounding developments. Las Vegas Boulevard South is also designated and recognized as a National Scenic Byway; therefore, the signs further promote this designation and are appropriate and compatible with the surrounding uses and area. Staff can support this request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

COUNTY COMMISSION ACTION: May 5, 2021 – HELD – To 05/19/21 – per staff.

APPLICANT: CARLENE CHOCK

CONTACT: CARLENE CHOCK, ALLIED ELECTRIC SIGN & AWNING, 6845 SPEEDWAY BLVD #K103, N LAS VEGAS, NV 89115

RESTAURANT
(TITLE 30)

UPDATE
LAS VEGAS BLVD S/SUNSET RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-21-0023-PHOENIX REALTY HOLDINGS, LLC:

HOLDOVER USE PERMITS for the following: 1) restaurants; 2) retail sales and services; and 3) offices.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking; 2) landscaping; and 3) alternative driveway geometrics.

DESIGN REVIEW for a commercial building consisting of 2 restaurants with drive-thru service on 1.2 acres in an H-1 (Limited Resort and Apartment) (AE-70) Zone.

Generally located on the west side of Las Vegas Boulevard South, 820 feet north of Sunset Road within Paradise. MN/al/jd (For possible action)

RELATED INFORMATION:

APN:
162-32-802-017

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce parking to 26 spaces (previously notified as 22 spaces) with initial construction where a minimum of 36 spaces (previously notified as 27 spaces) are required per Table 30.60-1 (a 27.8% reduction previously notified as an 18.5% reduction).
- b. Reduce parking to 20 spaces due to future off-site improvements for Las Vegas Boulevard South where a minimum of 27 spaces are required per Table 30.60-1 (an 25.9% reduction) (no longer needed).
2. a. Permit alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.
- b. Permit alternative landscaping adjacent to Las Vegas Boulevard South where landscaping per Figure 30.64-17 is required.
3. Reduce driveway throat depth to zero feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).

LAND USE PLAN:
WINCHESTER/PARADISE - INDUSTRIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 6214 Las Vegas Boulevard South
- Site Acreage: 1.2
- Project Type: Restaurants
- Number of Stories: 1
- Building Height (feet): 25
- Square Feet: 3,442
- Parking Required/Provided: 35/26

Site Plans

The plans depict a commercial building that will be divided into 2 lease spaces with the intent for the building to be used for separate restaurants. **The lease spaces will be divided between the northern and southern portions of the building with the lease space on the southern portion of the building having a drive-thru service.** The use permit requests for retail sales, services, and offices will allow options for future tenants. The lot currently has an area of 1.2 acres; however, the eastern (approximately) 200 feet of the parcel will be part of the future right-of-way dedication for Las Vegas Boulevard South, therefore, the proposed building will be located on the central portion of the western half of the parcel. Access to the site will be provided by proposed driveways from Las Vegas Boulevard South. There will also be a shared access with the existing development to the north and a future shared access for the parcel to the south. Parking for the proposed building is located along the west and south property lines of the parcel and to the east in front of the proposed building. **The drive-thru service for the southern lease space is entered at the northwest corner of the building traveling along the west and south sides of the building and exiting into the common drive aisle along the south side of the building. The menu and order board for the drive-thru service is located at the southwest corner of the building and the pick-up window is located on the southeast corner of the building.** Based on the plans there is queuing for about 2 vehicles from the entrances to the drive-thru service lanes to the menu and order boards.

Waiver of development standards #1b is no longer required due to the submittal of revised plans which eliminates the need for the waiver. Waiver of development standards #3 is in conjunction with future off-site improvements when Las Vegas Boulevard South is fully improved. The plan depicts the future driveway location when Las Vegas Boulevard South is widened. There are no immediate plans to improve this portion of Las Vegas Boulevard South, and it could be several years before changes would take place to the driveway and parking lot.

Landscaping

Las Vegas Boulevard South is an arterial street, and per Code, a 15 foot wide landscape area with a detached sidewalk is required for the site. The plans depict an attached sidewalk within the right-of-way for Las Vegas Boulevard South, which matches the existing development to the north. The plan is depicting a minimum 6 foot wide landscape area along Las Vegas Boulevard South consisting of trees, shrubs, and groundcover. Landscaping within the parking lot is required per Figure 30.64-14, which requires 1 large tree per every 6 parking spaces, or 1

medium tree per every 4 parking spaces, or a combination of large or medium trees. The plan is depicting a combination of large, medium, and small trees on the site and the proposed combination does not comply with the required number of large and/or medium trees needed for the 26 parking spaces.

Elevations

The plans depict a 1 story building with a maximum height of 25 feet. The building has a flat roof behind parapet walls and the exterior of the building has a stucco finish painted in natural colors. The front of the building faces east toward Las Vegas Boulevard South, and the entrances to the lease spaces consist of aluminum and glass storefronts.

Floor Plans

The plans depict a commercial building with an area of 3,442 square feet to be divided into 2 lease spaces for separate restaurants. The floor plan indicates that the northern lease space will have an area of 2,170 square feet and the southern lease space will have an area of 1,272 square feet. The remaining 70 square feet is for a utility area for the building. **The plan depicts 313 square feet of the northern lease space designated for customer seating and 175 square feet of the southern lease space designated for customer seating.**

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed development will benefit the community and will help to improve the appearance of the area. The planned primary use for the proposed building is for restaurants with most of the business for the southern lease spaces being from the drive-thru service. **Therefore, the 36 parking spaces required by Code will be excessive for the location and the proposed 26 parking spaces will be adequate for the restaurants.** The landscaping waivers are necessary because of the limited street frontage of the parcel, the design of the driveways to access the site, the drive aisle for on-site traffic circulation, and an existing drainage swale which reduces the available planting area. The proposed landscaping for the site was designed around these site constraints.

Prior Land Use Requests

Application Number	Request	Action	Date
RS-20-500129	Record of survey for Las Vegas Boulevard South - recorded November 10, 2020	Approved PW Mapping	November 2020

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Industrial	H-1	Convenience store, gasoline station, & restaurant
South & West	Industrial	M-1	Storage yard
East	Public Facilities	P-F	McCarran International Airport

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

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

The intended use of the site is for restaurants with drive-thru service. The use permit requests for retail sales, services, and offices are to allow for possible alternative uses for the lease spaces depending on demand of future tenants. All these uses are consistent and compatible with other developments in the area. Staff finds the uses are appropriate at the proposed location and can support the use permits.

Waivers of Development Standards

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

Waiver of Development Standards #1a

The applicant is stating that the intended use for the site is fast food restaurants where most of the business will be provided by the drive-thru service for the southern lease space. Based on this premise the applicant is requesting a waiver of development standards to reduce parking for the site. There are some restaurant businesses which do most of their business via drive-thru service and can operate with fewer parking spaces than required by Code. However, staff finds that the applicant has not provided sufficient justification to support their request. **The plans depict 2 lease spaces for restaurants within the building with only 1 lease space providing a drive-thru service.** Staff finds the site is not large enough to support the proposed development adequately for parking and on-site circulation. **Therefore, staff does not support the parking reduction.**

Waiver of Development Standards #1b

Revised plans were submitted for this project and this waiver is no longer needed.

Waiver of Development Standards #2a & #2b

The width of the lot, future right-of-way dedication for Las Vegas Boulevard South, and the existing drainage swale are all unique circumstances for this site. Similar waivers for the alternative landscaping along Las Vegas Boulevard South have been approved for other developments in the area. McCarran International Airport is located across the street from this

site and no landscaping has been provided along this portion of Las Vegas Boulevard South for the airport. The existing development on the adjacent property to the north has similar parking lot landscaping to the proposed development. Therefore, staff finds the proposed landscaping will be consistent and compatible with existing developments in this area and can support these waivers.

Design Review

Staff is concerned with the proposed design of the building and the drive-thru service lane. Staff finds there is insufficient stacking distance between the entrance to the drive-thru service lane and the menu and order board. There is the potential for vehicles queuing into the drive-thru lane blocking the drive aisle and impeding on-site traffic circulation. Additionally, staff does not support the proposed parking reduction, which is necessary due to the size of the proposed building. Therefore, staff believes this site is not large enough to safely accommodate 2 restaurants and does not support the design review.

Public Works - Development Review

Waiver of Development Standards #3

The applicant is required to dedicate to Clark County their proportionate share of a 200 foot wide right-of-way on Las Vegas Boulevard South according to Title 30 and the Clark County Transportation Element. Until the Las Vegas Boulevard South improvements occur, staff has no objection to the reduction in the throat depth for the commercial driveway. The applicant was made aware that as designed, the functionality of the site will be impacted when Las Vegas Boulevard South is fully improved.

Department of Aviation

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

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 2 weeks prior to final approval for any proposed structure that intrudes into Airport Airspace Overlay District [see Chapter 30.48 Part B]).

The property lies within the AE-70 (70 - 75 DNL) noise contour for McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade McCarran International Airport facilities to meet future air traffic demand.

Staff Recommendation

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

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- **Once the use has commenced there shall be no time limit to commence waiver of development standards #3;**
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- 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; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication for Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;
- Coordinate with Public Works - Traffic Management for the Las Vegas Boulevard improvement project;
- Dedicate any right-of-way and easements necessary for the Las Vegas Boulevard improvement project.

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;
- Applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 PART B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.

- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Building Department - Fire Prevention

- 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 (trash enclosure doors impede on access lane).

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 #0335-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

PLANNING COMMISSION ACTION: April 6, 2021 – HELD – To 05/04/21 – per the applicant.

PLANNING COMMISSION ACTION: May 4, 2021 – HELD – To 06/15/21 – per the applicant.

APPLICANT: PHOENIX REALTY HOLDINGS, LLC

CONTACT: BAUGHMAN & TURNER, INC., 1210 HINSON ST., LAS VEGAS, NV 89102

SUPPER CLUB
(TITLE 30)

WARM SPRINGS RD/EASTERN AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0206-TXM REAL ESTATE HOLDINGS, LLC:

USE PERMIT to reduce the separation from a residential use to a proposed supper club in conjunction with an existing restaurant on 1.0 acre in a C-2 (General Commercial) Zone.

Generally located on the north side of Warm Springs Road, 1,140 feet west of Eastern Avenue within Paradise. MN/md/jo (For possible action)

RELATED INFORMATION:

APN:

177-02-816-007

USE PERMIT:

Reduce the separation from a residential use to a supper club to 20 feet where 200 feet is required per Table 30.44-1 (a 90% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 2250 Warm Springs Road
- Site Acreage: 1
- Project Type: On-premises consumption of alcohol (supper club)
- Number of Stories: 1
- Building Height/(feet): 31
- Square Feet: 6,000
- Parking Required/Provided: 60/60

Site Plans

The plans depict an existing restaurant centrally located on a parcel consisting of 1 acre. The applicant is proposing a supper club in conjunction with an existing restaurant. Due to the proximity of an existing residential (multiple family) use to the north and east of the site, a use permit is required to reduce the minimum separation distance between the supper club and the residential use. Outside dining is not proposed with the supper club. Sixty parking spaces are

required for the supper club where 60 spaces are provided. Access to the site is granted via an existing commercial driveway along Warm Springs Road. No site or exterior modifications to the building are proposed with this application.

Landscaping

All street and site landscaping exists and no additional landscaping is proposed or required.

Elevations

The plans depict an existing 31 foot high building with exterior wood siding, stone veneer accents, and a standing seam metal roof.

Floor Plans

The plans depict an existing restaurant building consisting of 6,000 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the existing restaurant has been an integral part of the neighborhood since 1998 providing residents with a convenient full service restaurant that is directly connected to the community by a sidewalk. In addition, the north side of the parking lot allows easy ingress and egress to the adjacent multiple family development. To the north, the restaurant is separated from the multiple family development by a 6 foot high block wall. To the east, the distance from the restaurant building to the property line bordering the multiple family residential development egress is approximately 20 feet. The restaurant hours are 11:00 a.m. to 8:00 p.m. Sunday through Thursday and 11:00 a.m. to 9:00 p.m. Friday and Saturday to ensure the residents within the adjacent residential development enjoy a peaceful night. Many patrons are from the adjacent residential neighborhood and previously dined at Memphis BBQ. Patrons are accustomed to enjoying a beer or wine with their meal (Memphis BBQ had a supper club license) and they wish to continue to have that option. The applicant requests to continue to provide the same level of service that the neighbors experienced in the past and desire to continue to receive.

Prior Land Use Requests

Application Number	Request	Action	Date
XC-2039-95	Reclassified the project site to C-2 zoning	Approved by BCC	January 1996
VC-1782-95	Variance for on-premises consumption of alcohol in conjunction with an existing restaurant - expired	Approved by BCC	January 1996

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Commercial General and Residential High (8 du/ac to 18 du/ac)	R-3	Multiple family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Institutional & Residential High (8 du/ac to 18 du/ac)	R-E & R-3	Multiple family development & place of worship
West	Commercial General	C-1	Tire sales & installation

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Staff finds that the proposed use complies with Urban Land Use Policy 7 of the Comprehensive Master Plan which encourages land uses that are complementary and of similar scale and intensity. Furthermore, a supper club was previously approved within the same building in January 1996; however, that use has expired. While staff is typically concerned with a 90 percent reduction in separation, the entrance to the supper club is oriented on the south side of the building away from the residential use. Furthermore, the supper club and nearest residential building are separated by a minimum distance of 105 feet. A 6 foot high block wall is also located along the north property line of the project site, providing additional buffering between the commercial and residential uses. The proposed use is consistent with the existing and adjacent uses and the supper club should not negatively impact the surrounding area. The supper club will place no additional demands on the site in terms of required parking, landscaping, or other design features; therefore, staff can support this request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that 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; 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; the extension of

time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

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

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LAWRENCE M LEHRNER

CONTACT: LAWRENCE LEHRNER, LAS VEGAS, 9709 CAMDEN HILLS AVE, LAS VEGAS, NV 89145

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>UC-21-0206</u> DATE FILED: <u>4/27/21</u> PLANNER ASSIGNED: <u>MND</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>5/25/21</u> PC MEETING DATE: <u>6/15/21</u> BCC MEETING DATE: <u>-</u> FEE: <u>\$675.⁰⁰</u>
	PROPERTY OWNER NAME: <u>TXM Real Estate Holdings LLC</u> ADDRESS: <u>9709 Camden Hill Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89145</u> TELEPHONE: <u>702 269-9236</u> CELL: <u>702 245-0646</u> E-MAIL: <u>larry@lehrner.com</u>
	APPLICANT NAME: <u>TXM Real Estate Holdings LLC</u> ADDRESS: <u>2250 E Warm Springs</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702 269-9236</u> CELL: <u>702 245-0646</u> E-MAIL: <u>larry@lehrner.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>Larry Lehrner</u> ADDRESS: <u>9709 Camden Hills Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89145</u> TELEPHONE: <u>702 269-9236</u> CELL: <u>702 245-0646</u> E-MAIL: <u>larry@lehrner.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 177-02-816-007

PROPERTY ADDRESS and/or CROSS STREETS: 2250 E Warm Springs Las Vegas NV 89119

PROJECT DESCRIPTION: to reduce the separation between the residential use and the proposed supper club

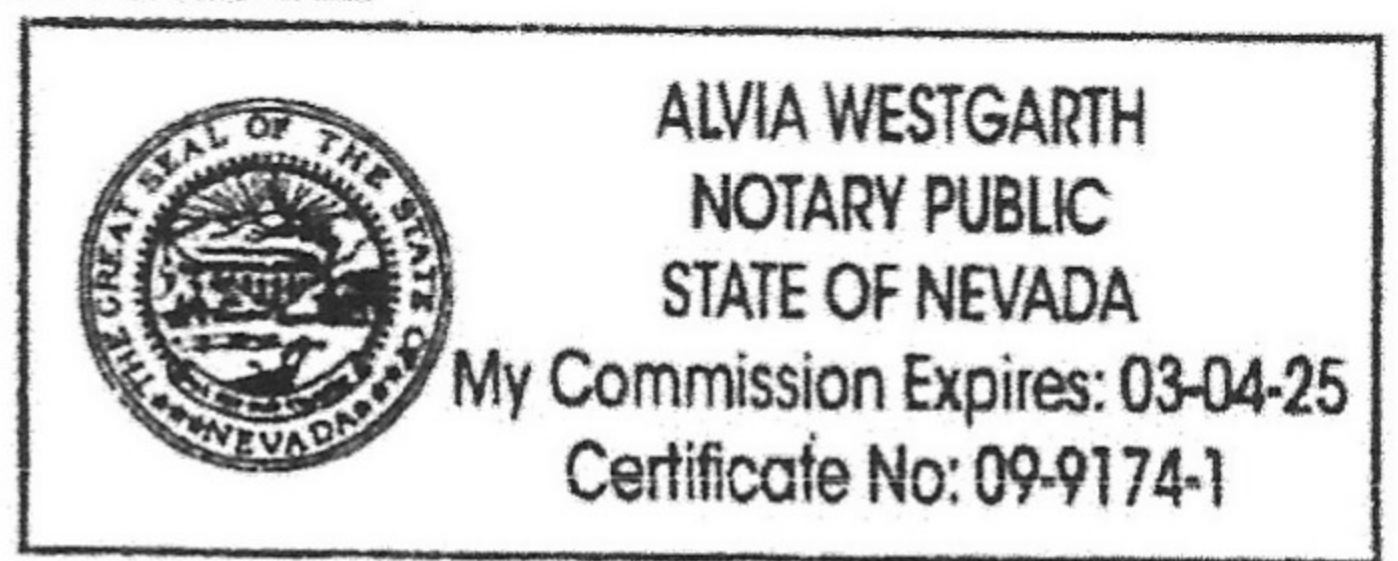
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Larry Lehrner
 Property Owner (Signature)* Larry Lehrner
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 4-15-2021 (DATE)
 By Lawrence Marshall Lehrner

NOTARY PUBLIC: Alvia Westgarth



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

UC-21-0206

Request for Special Use Permit to reduce the separation between the residential use and the proposed supper club

2250 E Warm Springs (177-02-816-007) has been an asset to and integral part of the Mirasol neighborhood since 1998 providing residents with a convenient full-service restaurant that is directly connected to the community by a sidewalk. In addition, the north side of the parking lot allows easy ingress and egress to the apartments.

To the north, the restaurant is separated from the apartment complex by a 6 ft block wall fence. To the east, the distance from the restaurant building to the property line bordering the multiple-family residential development egress is approximately 20 feet. The restaurant hours of 11-8 Sunday to Thursday and 11-9 Friday and Saturday ensure the Mirasol residents a peaceful night.

When we ask our patrons how they found us, many say they are from the neighborhood and they used to dine at Memphis BBQ. They are accustomed to enjoying a beer or wine with their meal (Memphis BBQ had a supper club license) and they wish to continue to have that option. They are asking us when we will receive our liquor license. Our request is simply to continue to provide the same level of service that our neighbors experienced in the past and desire to continue to receive.



Larry Lehrner

PLANNER
COPY

06/15/21 PC AGENDA SHEET

VEHICLE INVENTORY STORAGE LOT HIGHLAND DR/MORGAN CASHMANS WY
(TITLE 30)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0216-CASHMAN PHOTO ENTERPRISES NEVADA:

WAIVER OF DEVELOPMENT STANDARDS to reduce the driveway approach and departure distances from the intersection.

DESIGN REVIEW for a proposed vehicle inventory storage lot on 0.9 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the south side of Highland Drive and the east side of Morgan Cashmans Way within Paradise. JJ/rk/jd (For possible action)

RELATED INFORMATION:

APN:

162-17-204-001

WAIVER OF DEVELOPMENT STANDARDS:

- 1 a. Reduce the approach distance from a driveway to a street intersection (Uniform Standard Drawing 222.1) to 137 feet along Morgan Cashmans Way where 150 feet is the minimum per Chapter 30.52 (a 9% reduction).
- b. Reduce the departure distance from a driveway to a street intersection (Uniform Standard Drawing 222.1) to 29 feet along Highland Drive where 190 feet is the minimum per Chapter 30.52 (an 85% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 3660 Morgan Cashmans Way
- Site Acreage: 0.9
- Project Type: Proposed vehicle inventory storage lot

Site Plans

The existing building on the site will be demolished and the site will be converted to a vehicle inventory storage lot that will be paved. The plans depict a storage lot that will accommodate 101 stored vehicles. The proposed use complies with all required conditions of an M-1 zoned district. The perimeter of the site is screened by a fabric mesh, 8 foot tall security fence with

security wire on top of the fence on the north and west, an existing CMU wall is shown on the south, and a proposed CMU decorative wall is shown along the east. The site has 2 access points, 1 on Highland Drive that will be ingress only and the other is along Morgan Cashmans Way, which is egress only. Both access points are gated and set back 50 feet from the right-of-way. This request also includes a waiver of development standards to reduce driveway distances from the intersection.

Landscaping

The plans depict a proposed 8 foot wide landscape planter with trees and shrubs adjacent to an attached sidewalk along Highland Drive and Morgan Cashmans Way. Along the I-15 to the east, the site will provide a decorative 6 foot high wall with a tree well every 50 linear feet per Figure 30.64-4.

Applicant's Justification

According to the applicant the inventory vehicle storage lot will comply with all required conditions of this use and the project will provide ample landscaping along the perimeter of the site. Furthermore, the applicant indicates due to the parcel lacking depth and width, a waiver is needed to reduce the separation of the proposed driveway locations to the public intersection.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Office building
South	Commercial Tourist	M-1	Carvana dealership
East*	Business and Design/Research Park	M-1	Warehouse
West	Commercial Tourist	H-1	Office warehouse with outside storage

*Directly to the east is I-15

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waiver of Development Standards

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

Public Works - Development Review

Waiver of Development Standards

Staff has no objection to the reduction in the approach or departure distances from the intersection of Highland Drive and Morgan Cashmans Way for both commercial driveways. The driveways will be one-way only and have been placed as far from the intersection as the site will allow.

Design Review

The proposed vehicle inventory storage lot is compatible with adjacent industrial uses when considering the ample landscaping along the perimeter of the site, and the generally quiet nature of the parking lot use. Site access and circulation will not create a significantly negative impact to the surrounding neighborhood, considering the limited commercial uses and adequate parking spaces provided on the 1 acre site. The site will be fully paved, and the perimeter of the site will be screened by a fabric mesh, 8 foot tall security fence along public street frontage; therefore, staff can support this request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- 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; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Applicant is advised that off-site improvement permits may be required.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: CARVANA, LLC

CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., STE 650, LAS
VEGAS, NV 89135

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

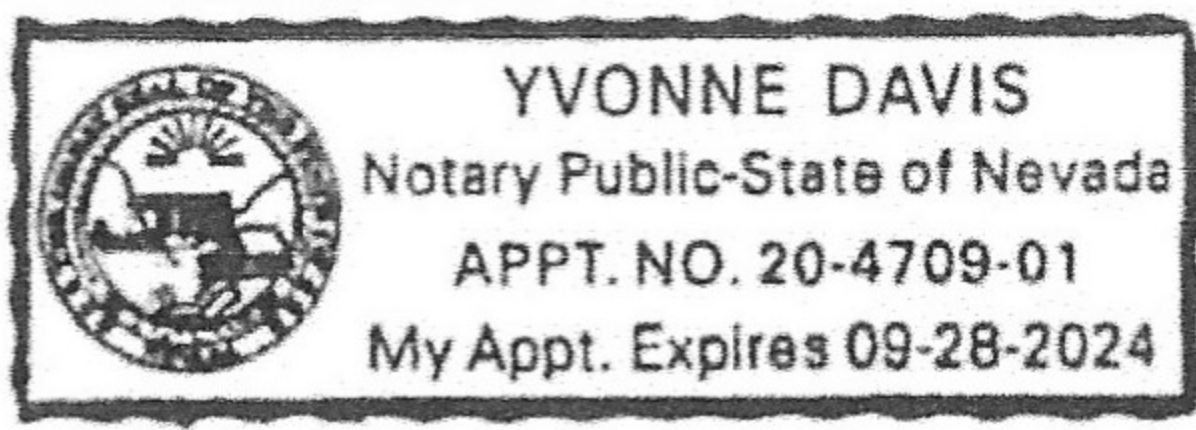
APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WS-21-0216</u> DATE FILED: <u>4/28/21</u> PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>5/25/21</u> PC MEETING DATE: <u>6/15/21</u> M-1 BCC MEETING DATE: _____ CT FEE: <u>\$1,150.00</u> JJ
	PROPERTY OWNER NAME: <u>Cashman Photo Enterprises of Nevada, Inc.</u> ADDRESS: <u>3600 Morgan Cashmans Way</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u>
	APPLICANT NAME: <u>Carvana, LLC</u> ADDRESS: <u>1930 West Rio Salada Parkway</u> CITY: <u>Tempe</u> STATE: <u>AZ</u> ZIP: <u>85281</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>
CORRESPONDENT NAME: <u>Kaempfer Crowell - Tony Celeste</u> ADDRESS: <u>1980 Festival Plaza Dr. #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>702-693-4215</u> E-MAIL: <u>aceleste@kcnvlaw.com</u> REF CONTACT ID #: <u>164674</u>	

ASSESSOR'S PARCEL NUMBER(S): 162-17-204-001
 PROPERTY ADDRESS and/or CROSS STREETS: 3660 Morgan Cashmans Way
 PROJECT DESCRIPTION: Vehicle inventory storage lot

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

Karen Cashman Karen Cashman
 Property Owner (Signature)* Property Owner (Print)
 STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 1/13/2021 (DATE)
 By Karen Cashman
 NOTARY PUBLIC: Yvonne Davis



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

4

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE

aceleste@kcnvlaw.com
702.693.4215

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

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

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

March 25, 2021

VIA UPLOAD

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

WS-21-0216

Re: *Justification Letter – Design Review for an Inventory Vehicle Storage Lot and Waiver of Development Standards to Reduce the Separation for Approach and Departure Driveway Locations from the Morgan Cashmans/Highland Intersection*
Carvana

APN: 162-17-204-001 (SEC of Highland Dr. & Morgan Cashmans Way)

To Whom It May Concern:

Please be advised our office represents Carvana (the "Applicant") in the above-referenced matter. The proposed project is located on approximately 0.9 acres of property located on the southeast corner of Highland Dr. and Morgan Cashmans Way. The property is more particularly described as APN: 162-17-204-001 (the "Site"). The Applicant is requesting a design review to establish an inventory vehicle storage lot on the Site along with waivers of developments regarding the proposed driveway locations.

Design Review

There is currently an existing building on the Site. The Applicant is proposing to demolish the existing building and construct an inventory vehicle storage lot. The Site is zoned M-1. In an M-1 zoned district, outside storage, including vehicles, is an allowed use subject to the following conditions: (1) outside storage is screened from any right-of-way and from any adjacent less intensive uses with a screened fence or wall, (2) nothing shall be stacked above the height of the screened fence, and (3) any outside area used for parking, maneuvering, or storing motor vehicles, equipment, or materials shall be paved.

Here, access to the Site is from the north via a gated entrance (one-way only) location off of Highland Dr. The gate is located 50' from the Highland Dr. right-of-way to accommodate any stacking of vehicles entering the Site and mitigate stacking of vehicles in the right-of-way. There is a drive aisle along the east property line of the Site running north and south and bending towards the west to provide for ideal on-Site traffic circulation. Egress from the Site is via the internal drive aisle to Cashmans Way. The Cashmans Way driveway is one-way exit only.

The Site can store 101 vehicles. The vehicle storage is mainly in the middle of the Site with drive aisle mainly along the east property line. There are no proposed structures on the Site. The Site does not need to increase the grade above 18".

The proposed inventory vehicle storage lot use for the Site complies with all the required conditions of an M-1 zoned district. First, the perimeter of the Site is screened by a meshed eight foot (8') tall security fence with security wire on top of the fence on the west and north, an existing CMU wall on the south, and a proposed CMU wall along the east. Second, the Applicant is proposing to store motor vehicles and, as such, there is no stacking of materials. Third, since the Site is for the storage of motor vehicles, the Site will be paved. Finally, the site plan complies with all landscaping requirements and all other Title 30 requirements.

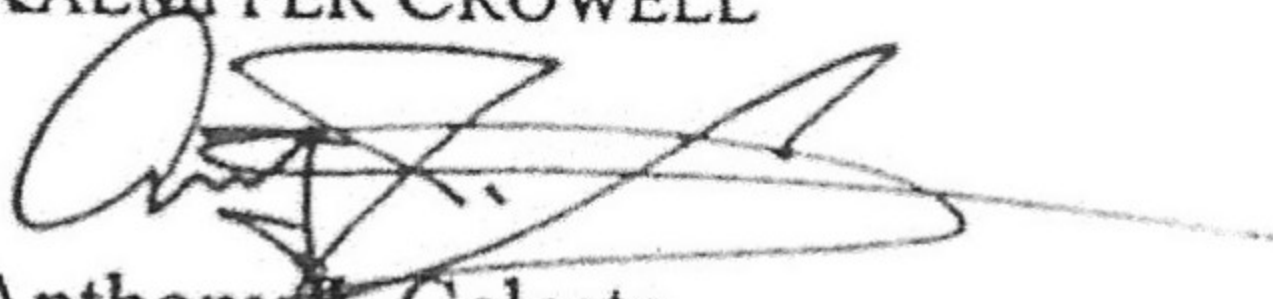
Waiver of Development Standards to Reduce the Separation for Approach and Departure Driveway Locations from the Morgan Cashmans/Highland Intersection

There are multiple driveways from the right-of-ways on to the Site. The Applicant is proposing to eliminate the existing driveways and create two (2) new driveways – one driveway from Highland Drive and one driveway from Morgan Cashmans Way. However, due to the Site's lack of depth and length, a waiver is required to reduce the separation of the proposed driveway locations to the Morgan Cashmans/Highland intersection. Here, the Morgan Cashmans Way driveway approach is located 137' from the intersection where 150' is required. The Highland Drive driveway departure is located 29' from the intersection where 190' is required. While the driveway locations cannot meet the standard separation from the intersection, both driveway locations are placed as far away from the intersection as possible and the Site eliminates additional driveways. Therefore, a waiver is justified.

Thank you in advance for your time and consideration regarding this application. Please feel free to contact me should you have any questions or concerns.

Sincerely,

KAEMPFER CROWELL


Anthony J. Celeste

AJC

MINI-WAREHOUSE
(TITLE 30)

UNIVERSITY CENTER DR/FLAMINGO RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-21-400067 (ZC-18-0905)-SWENSON 72, LLC:

USE PERMIT FIRST EXTENSION OF TIME for a proposed mini-warehouse facility.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increased height; and
2) waive the requirement for sidewalks or a buffer around the building footprint.
DESIGN REVIEW for a proposed mini-warehouse facility on 1.4 acres in a C-1 (Local
Business) (AE-60) Zone within the Midtown Maryland Parkway District.

Generally located on the east side of University Center Drive, 1,160 feet north of Flamingo Road
within Paradise. TS/md/jo (For possible action)

RELATED INFORMATION:

APN:
162-15-801-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 38.5 feet where 35 feet is permitted per Table 30.40-4 (a 10% increase).
2. Waive the requirement to provide a minimum 5 foot wide sidewalk or a minimum 7 foot wide buffer to separate buildings from pavement for a parking aisle or space per Section 30.60.050.

LAND USE PLAN:
WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:
Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.4
- Project Type: Mini-warehouse facility
- Number of Stories: 3
- Building Height (feet): Up to 38.5
- Square Feet: 86,076
- Parking Required/Provided: 5/5

History & Request

The C-1 zoning was approved via ZC-18-0905 by the Board of County Commissioners in April 2019 on the subject parcel, consisting of 1.4 acres, for a mini-warehouse facility measuring 86,076 square feet. The zoning for the subject property was not subject to a resolution of intent and, therefore, was made permanent. The applicant is requesting a first extension of time for the use permit, waivers of development standards, and design review associated with the original zone change approval.

Site Plans

The previously approved plans depict a proposed mini-warehouse facility located on an undeveloped 1.4 acre site that is surrounded by existing R-5 zoned multiple family residential development. The overall facility will consist of 2 buildings located near the north and south perimeters of the site. A 27 foot wide drive aisle is located between the buildings with a turn-around at the eastern portion of the property. The access gate to the facility is located within the interior of the site beyond the customer parking area. Access is taken from 1 driveway on University Center Drive. A total of 5 parking spaces are provided where a minimum of 5 parking spaces are required.

Landscaping

The previously approved plans depict a 20 foot wide landscape area behind an attached sidewalk is located along University Center Drive. A 10 foot wide landscape area with trees spaced 30 feet apart are located along all other perimeter property lines. The subject development is in the Midtown Maryland Parkway District which requires "Art Work" in addition to landscaping. Within the 20 foot wide landscape area along University Center Drive the owner proposes to install a sculpture of about 6 feet in height constructed of steel. The steel sculpture will have a spiral design that wraps around the center post.

Elevations

Both buildings are 3 stories, 38.5 feet high with parapets and some variation in roofline. The building materials include exterior plaster and stucco finish with metal panel accents, aluminum and glass storefront windows and doors.

Floor Plans

The northern building is 46,500 square feet with storage units of various sizes. The southern building is 30,975 square feet with storage units of various sizes. The office is located in the southern building, which consists of a reception area, office, and restroom. There will be a total of 516 storage units, all of which are accessed interior to the buildings.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-18-0905:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;

- Install window tint to control possible glare from lighting which may reflect towards residential properties;
- Design review for signage;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permit, waivers of development standards, and design review must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Commercial curb return driveway per Uniform Standard Drawings 222.1 and 225 with a minimum width of 32 feet from the lip of gutter to lip of gutter.

Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; to show fire hydrant locations on-site and within 750 feet; that dead-end streets/cul-de-sacs in excess of 500 feet must have an approved Fire Department turn-around provided; 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 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 and reference POC Tracking #0652-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant is requesting an extension of time for an additional 2 years to commence the project to ensure all the requirements for the development are met. The reason for the extension of time request is also due to the necessity to increase the finished grade for the site, due to the discovery of groundwater during a geotechnical investigation of the project site.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-18-0905	Reclassified this site to C-1 zoning for a mini-warehouse facility	Approved by BCC	April 2019
DR-0790-03	140 unit senior apartment complex - expired	Approved by BCC	August 2006
ZC-1365-02	Reclassified this site to U-V zoning for a mixed-use development	Approved by BCC	March 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Commercial Tourist	R-5	Multiple family apartments & condominiums

Related Applications

Application Number	Request
DR-21-0198	A design review for finished grade is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis**Current Planning**

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval. Since approval of the original application in April 2019, a traffic study (20-13796) has been submitted and approved by Clark County. The applicant has been working toward the commencement of this project by submitting for a drainage study (21-12695) and off-site improvement plans (20-17109). Therefore, staff can support the applicant's request for an extension of time for this project.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:**Current Planning**

- Until April 17, 2023 to commence.
- 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 that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: SHERRI LYNN GLADU

CONTACT: SHERRI GLADU, ENGINEERING PARTNERS INC., 4775 W. TECO AVENUE #255, LAS VEGAS, NV 89118

DRAFT



4775 W. Teco Avenue, Suite 255
Las Vegas, Nevada 89118
702.931.3000
www.epinc.pro

28000-19-04

March 30, 2021

ET-21-400067

Department of Public Works
Development Review Division
500 S. Grand Central Parkway
Las Vegas, Nevada 89155-4000

Attention: Comprehensive Planning

Subject: 21-100223 - Swenson Mini-Storage
Land Use Application Extension of Time Justification

Please accept this letter as justification for an extension of time for the Land Use Application. Please allow for a two-year (24-month) extension to ensure that all the requirements for this project are met.

The reason for this request is due to the additional requirements as a result of the Swenson Mini-Storage project raising the grade of the project site by a maximum of 51". Ground water was encountered during a geotechnical investigation of the project property and the initial recommendation from the geotechnical engineer who performed the investigation was to provide a minimum distance of 108" from the ground water to the proposed building pad grades. Based on where the ground water was encountered, this difference would have required an elevation increase of 54" from existing grades to proposed pad grades and 66" from existing grade to proposed finished floor. Through the design process, due to limitations in the sloping of the site, it was proposed to reduce the distance from the ground water elevation to the proposed finished floors. After reviewing the plans and a subsequent site investigation, the geotechnical engineer accepted the reduction and the proposed elevations currently shown on the plans.

We humbly ask for your consideration and the approval of our administrative application.

Sincerely,

ENGINEERING PARTNERS, INC.

Manny Galvez, P.E.
Principal

PLANNER
COPY

MINI-WAREHOUSE
(TITLE 30)

UNIVERSITY CENTER DR/FLAMINGO RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

DR-21-0198-SWENSON 72, LLC:

DESIGN REVIEW for finished grade in conjunction with a previously approved mini-warehouse on 1.4 acres in a C-1 (Local Business) (AE-60) Zone within the Midtown Maryland Parkway District.

Generally located on the east side of University Center Drive, 1,160 feet north of Flamingo Road within Paradise. TS/md/jo (For possible action)

RELATED INFORMATION:

APN:

162-15-801-001

DESIGN REVIEW:

Increase finished grade to 51 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 184% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.4
- Project Type: Mini-warehouse facility
- Number of Stories: 3
- Building Height (feet): Up to 38.5
- Square Feet: 86,076
- Parking Required/Provided: 5/5

History & Request

The C-1 zoning was approved via ZC-18-0905 by the Board of County Commissioners in April 2019 on the subject parcel, consisting of 1.4 acres, for a mini-warehouse facility measuring 86,076 square feet. The applicant is requesting to increase finished grade up to a maximum of 51 inches within the interior of the project site.

Site Plans

The previously approved plans depict a proposed mini-warehouse facility located on an undeveloped 1.4 acre site that is surrounded by existing R-5 zoned multiple family residential development. The overall facility will consist of 2 buildings located near the north and south perimeters of the site. A 27 foot wide drive aisle is located between the buildings with a turn-around at the eastern portion of the property. The access gate to the facility is located within the interior of the site beyond the customer parking area. Access is taken from 1 driveway on University Center Drive. A total of 5 parking spaces are provided where a minimum of 5 parking spaces are required.

Landscaping

The previously approved landscape plans depict a 20 foot wide landscape area behind an attached sidewalk located along University Center Drive. A 10 foot wide landscape area with trees spaced 30 feet apart are located along all other perimeter property lines. The subject development is Midtown Maryland Parkway District which requires "Art Work" in addition to landscaping. Within the 20 foot wide landscape area along University Center Drive the owner proposes to install a sculpture of about 6 feet in height constructed of steel. The steel sculpture will have a spiral design that wraps around the center post.

Elevations

Both buildings are 3 stories, 38.5 feet high with parapets and some variation in roofline. The building materials include exterior plaster and stucco finish with metal panel accents, aluminum and glass storefront windows and doors.

Floor Plans

The northern building is 46,500 square feet with storage units of various sizes. The southern building is 30,975 square feet with storage units of various sizes. The office is located in the southern building which consists of a reception area, office, and restroom. There will be a total of 516 storage units, all of which are accessed interior to the buildings.

Signage

Signage is not a part of this request.

Applicant's Justification

According to the applicant, the proposed mini-warehouse facility will raise the grade of the project site by a maximum of 4 feet and 3 inches. Groundwater was encountered during a geotechnical investigation of the project property and the initial recommendation from the geotechnical engineer who performed the investigation was to provide a minimum distance of 9 feet from the ground water to the proposed building pad grades. Based on where the ground water was encountered, this difference would have required an elevation increase of 4.5 feet from existing grades to proposed pad grades and 5.5 feet from existing grade to proposed finished floor. Through the design process, due to limitations in the sloping of the site, it was proposed to reduce the distance from the groundwater elevation to the proposed finished floors. After reviewing the plans and a subsequent site investigation, the geotechnical engineer accepted the reduction and the proposed elevations currently shown on the plans.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-18-0905	Reclassified this site to C-1 zoning for a mini-warehouse facility	Approved by BCC	April 2019
DR-0790-03	140 unit senior apartment complex - expired	Approved by BCC	August 2006
ZC-1365-02	Reclassified this site to U-V zoning for a mixed-use development	Approved by BCC	March 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Commercial Tourist	R-5	Multiple family apartments & condominiums

Related Applications

Application Number	Request
ET-21-400067 (ZC-18-0905)	A first extension of time request for ZC-18-0905 is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change

in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Commercial curb return driveway per Uniform Standard Drawings 222.1 and 225 with a minimum width of 32 feet from the lip of gutter to lip of gutter.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Building Department - Fire Prevention

- Applicant is advised 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: SWENSON 72, LLC

CONTACT: SWENSON 72, LLC, 235 W. BROOKS AVENUE, 2ND FLOOR, NORTH LAS VEGAS, NV 89030



4775 W. Teco Avenue, Suite 255
Las Vegas, Nevada 89118
702.931.3000
www.epinc.pro

28000-19-04

February 18, 2021

Clark County Nevada
Department of Public Works
Development Review Division
500 S. Grand Central Parkway
Las Vegas, Nevada 89155-4000

DR-21-0198

Attention: Mr. Denis Cederberg, Director

Subject: Swenson Mini-Storage, Justification for Finish Floor Elevation Waiver

Please accept this letter as justification for a waiver of the requirements of Title 30.32.040(9) with regard to the maximum increase of finished grade elevations.

The Swenson Mini-Storage project will raise the grade of the project site by a maximum of 4.3'. Ground water was encountered during a geotechnical investigation of the project property and the initial recommendation from the geotechnical engineer who performed the investigation was to provide a minimum distance of 9' from the ground water to the proposed building pad grades. Based on where the ground water was encountered, this difference would have required an elevation increase of 4.5' from existing grades to proposed pad grades and 5.5' from existing grade to proposed finished floor. Through the design process, due to limitations in the sloping of the site, it was proposed to reduce the distance from the ground water elevation to the proposed finished floors. After reviewing the plans and a subsequent site investigation, the geotechnical engineer accepted the reduction and the proposed elevations currently shown on the plans.

In consideration of the existing ground water at the project site we believe the fill in excess of 18" is justified. We humbly ask for your consideration and the approval of our administrative application.

Sincerely,

ENGINEERING PARTNERS, INC.

A handwritten signature in black ink, appearing to read 'Manny Galvez', written in a cursive style.

Manny Galvez, P.E.
Principal

PLANNER
COPY

06/16/21 BCC AGENDA SHEET

EASEMENT
(TITLE 30)

SPENCER ST/ROBINDALE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-21-0185-MARIANO, MARILOU:

VACATE AND ABANDON easements of interest to Clark County located between Spencer Street and Bruce Street, and between Robindale Road and Sur Este Avenue (alignment) within Paradise (description on file). MN/md/jd (For possible action)

RELATED INFORMATION:

APN:

177-11-603-003

LAND USE PLAN:

WINCHESTER/PARADISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of a public drainage easement encumbering the western portion of the project site. The area occupied by the easement measures 7,268 square feet. The applicant states the vacation of the easement is necessary for the development of the project site. Furthermore, according to the applicant, the portion of the easement being vacated is not necessary for the conveyance of stormwater.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residential & drainage channel
South & East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residential
West	Residential Suburban (up to 8 du/ac) & Public Facilities	R-E	Single family residential & drainage channel

Related Applications

Application Number	Request
UC-21-0184	A request for a use permit for a place of worship is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Staff has no objection to the vacation of a portion of the drainage easements that is not necessary for site, drainage, or roadway development.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Drainage study and compliance;
- Right-of-way dedication to include a portion of the Duck Creek Channel;
- Grant necessary easements and/or right-of-way;
- Applicant shall perform a topo survey to determine the limits of the Duck Creek Channel in relationship to the on-site and off-site improvements.

Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: MARILOU MARIANO

**CONTACT: PHILIP WAKEFIELD, BLUE DIAMOND CIVIL ENGINEERING, 9816
GILESPIE ST., BUILDING E. STE. 120, LAS VEGAS, NV 89183**

DRAFT



VACATION APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

APPLICATION TYPE	STAFF	DATE FILED: <u>4/20/21</u>	APP. NUMBER: <u>VS-21-0185</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: <u>MNO</u> ACCEPTED BY: <u>MNO</u> FEE: <u>\$875</u> CHECK #: _____ COMMISSIONER: <u>MAFT</u> OVERLAY(S)? <u>NONE</u> TRAILS? <input checked="" type="checkbox"/> PFNA? <input checked="" type="checkbox"/>	TAB/CAC <u>PARADISE</u> TAB/CAC DATE: <u>5/25/21</u> TIME: <u>7:00</u> PC MEETING DATE: _____ BCC MTG DATE: <u>6/16/21 9:00 A.M.</u> ZONE / AE / RNP: <u>R-E/NONE</u> PLANNED LAND USE: <u>WPRMP</u>

PROPERTY OWNER	NAME: <u>MARILOU MARIANO</u> ADDRESS: <u>1605 VESPERTINA COURT</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u> TELEPHONE: <u>702-521-6598</u> CELL: _____ E-MAIL: <u>marilou_mariano165@yahoo.com</u>
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APPLICANT	NAME: <u>MARILOU MARIANO</u> ADDRESS: <u>1605 VESPERTINA COURT</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u> TELEPHONE: <u>702-521-6598</u> CELL: _____ E-MAIL: <u>marilou_mariano165@yahoo.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Blue Diamond Civil Engineering / Phil Wakefield</u> ADDRESS: <u>9816 GilesPie Street, Ste 120</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>702.478.8580</u> CELL: _____ E-MAIL: <u>pwakefield@bdce-lv.com</u> REF CONTACT ID #: _____
---------------	---

ASSESSOR'S PARCEL NUMBER(S): 177-11-603-003

PROPERTY ADDRESS and/or CROSS STREETS: Spencer /Robindale

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




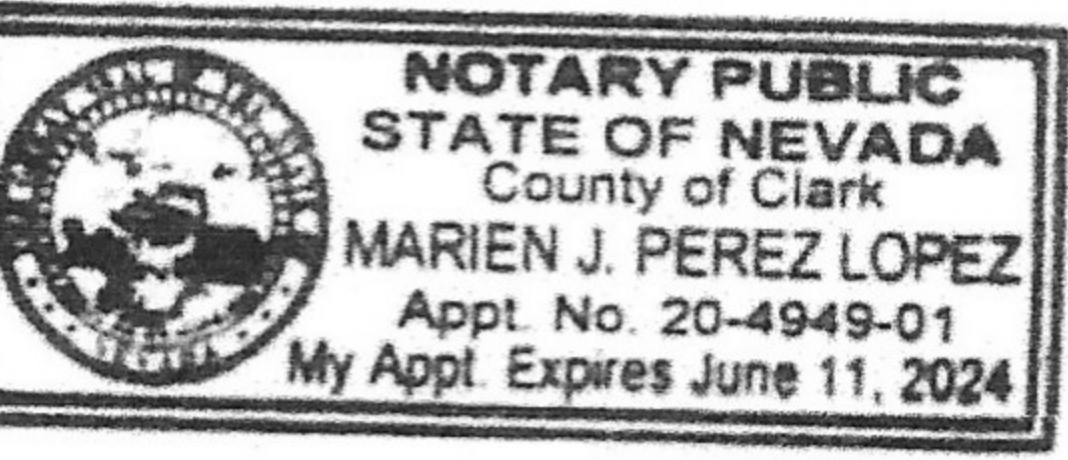
 Property Owner (Signature)*

STATE OF NEVADA
 COUNTY OF Clark

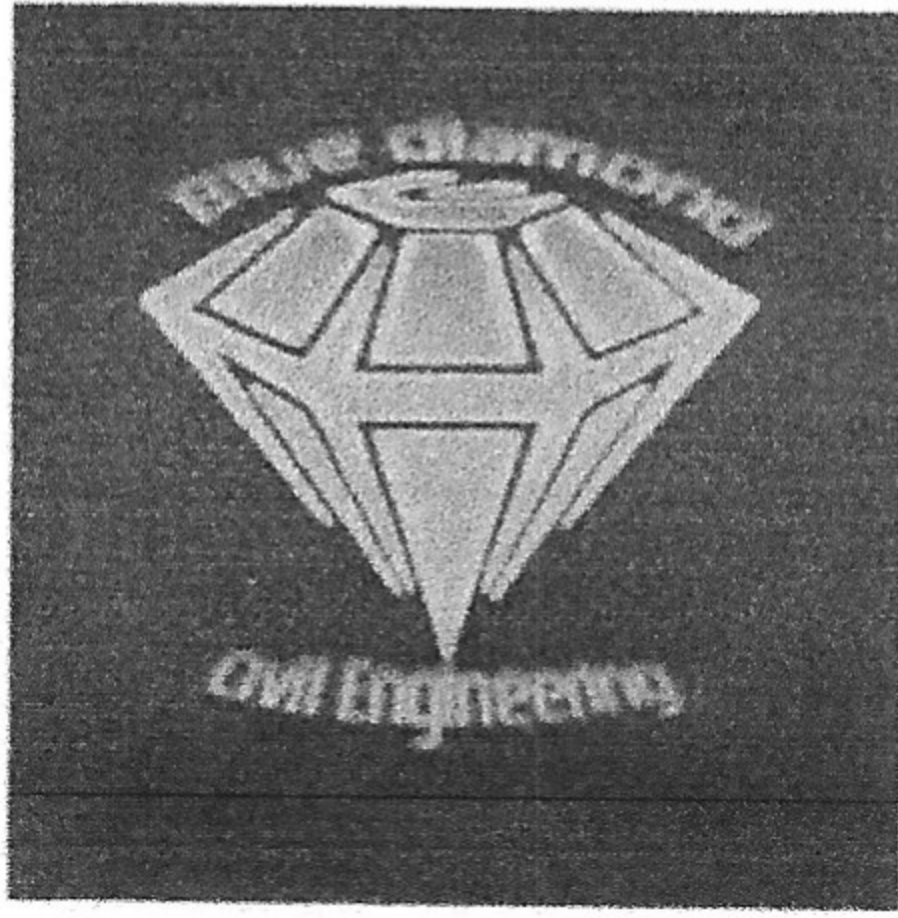
SUBSCRIBED AND SWORN BEFORE ME ON Sept. 14, 2020 (DATE)

By Marilou L. Mariano

NOTARY PUBLIC: 



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



March 10, 2021

Clark County Planning Department
500 South Grand Central Parkway
Las Vegas, Nevada 89155

VS-21-0185

Re: Justification Letter for 7630 Spencer Street (Vacation of a Portion of Drainage Easement)

To Whom It May Concern:

This letter is prepared to address the justification for the proposed religious center. This application is for a vacation of a portion of the drainage easement that encumbers a portion of the property. The project is located on an approximate 0.76-acre parcel located at 7630 Spencer Street. The property major cross streets are Robindale Road and Spencer Street. (APN 177-11-603-003)

Vacation

This vacation of a portion of the drainage easement is to remove the portion encumbering a critical part of the site for access. The area to be vacated can be seen on the attached site plan for this application. The drainage easement was created by the document shown per File 5, Page 97 of Parcel Maps. It appears the full width of the drainage easement is not needed for the conveyance of stormwater.

I trust this satisfies your concerns regarding this project. If there are any questions or additional information necessary, please contact this office.

Sincerely,

Blue Diamond Civil Engineering

Angela Baca

Angela Baca
Project Coordinator

**PLANNER
COPY**

Blue Diamond Civil Engineering
9816 Gilespe Street., Suite 120
Las Vegas, NV 89183
(702) 478-8580

7

PLACE OF WORSHIP
(TITLE 30)

SPENCER ST/ROBINDALE RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-21-0184-MARIANO, MARILOU:

USE PERMIT for a place of worship.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking; 2) eliminate trash enclosure setback; 3) eliminate street landscaping; 4) eliminate parking lot landscaping; 5) alternative landscaping adjacent to a less intensive use (single family residences); 6) eliminate the pedestrian walkway from the adjacent public sidewalk to the principal building entrance; 7) reduce the setback for an accessory structure (carport); 8) reduce drive aisle width; and 9) allow modified driveway design standards.

DESIGN REVIEW for a place of worship on 0.8 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the east side of Spencer Street, 440 feet north of Robindale Road within Paradise. MN/md/jd (For possible action)

RELATED INFORMATION:

APN:
177-11-603-003

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce parking to 19 spaces where 37 spaces are required per Table 30.60-1 (a 48.6% reduction).
2.
 - a. Reduce the setback for a proposed trash enclosure to zero feet where a minimum of 50 feet is required from any residential development (single family residence) on a separate parcel per Section 30.56.120 (a 100% reduction).
 - b. Reduce the interior side yard setback for a proposed trash enclosure to zero feet where a minimum of 5 feet is required per Table 30.40-1 (a 100% reduction).
3. Eliminate street landscaping (Spencer Street) where required per Section 30.64.030.
4. Eliminate parking lot landscaping where required per Figure 30.64-14.
5.
 - a. Provide alternative landscaping adjacent to a less intensive use (single family residence) where landscaping per Figure 30.64-11 is required (portions of the southwest and northwest property lines).
 - b. Eliminate landscaping adjacent to a less intensive use (single family residence) where landscaping per Figure 30.64-11 is required (portions of the northeast, east and southeast property lines).

6. Eliminate the pedestrian walkway from the adjacent public sidewalk to the principal building entrance where a 5 foot wide walkway is required to connect the adjacent public sidewalk to the principal building entrance per Section 30.60.050.
7. Reduce the setback for an existing accessory structure (carport) to zero feet where a minimum of 5 feet is required per Table 30.40-1 (a 100% reduction).
8. Reduce one-way drive aisle width to 10 feet where a minimum width of 12 feet is required per Table 30.60-4 (a 16.7% reduction).
9.
 - a. Permit an existing pan driveway where a commercial driveway is required per Uniform Standard Drawing 222.1.
 - b. Reduce the width of an existing driveway along Spencer Street to 20 feet where a minimum of 36 feet is required per Uniform Standard Drawing 222.1 (a 44.4% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 7630 Spencer Street
- Site Acreage: 0.8
- Project Type: Place of worship
- Number of Stories: 1
- Building Height (feet): 20 (top of building)/23 (top of cross)
- Square Feet: 3,653
- Parking Required/Provided: 37/19

Site Plans

The plans depict an existing 1 story single family residence that is being utilized as a place of worship. The place of worship is set back 215 feet from the west property line along Spencer Street, 12 feet from the north property line, 15 feet from the south property line, and 48 feet from the east property line. The place of worship is located within the eastern portion of the project site. An existing carport is located 9 feet to the west of the building, with a setback of zero feet along the south property line, necessitating a waiver of development standards. A proposed trash enclosure is located to the northwest of the place of worship, with a setback of zero feet from the north property line requiring a waiver of development standards. Two existing storage buildings, each measuring 48 square feet, will be relocated to the eastern portion of the site with a 5 foot setback from the rear and side yards, and a minimum separation of 6 feet between structures. An existing pool is located within the rear yard of the project site; however, the pool appears to be empty based on recent aerial photographs. Nineteen parking spaces are provided for the place of worship where 37 parking spaces are required. Eleven parking spaces are designed as parallel with a minimum length of 21 feet and width of 9 feet, meeting Code standards. The on-site circulation of vehicles is serviced by a one-way circular drive aisle, ranging between 10 feet to 14 feet in width. A 10 foot wide drive aisle is located along the south portion of the site while an 11 foot wide drive aisle is located along the north portion of the parcel. The substandard drive

aisle width requires a waiver of development standards. Bicycle spaces are located at the northwest corner of the building. Access to the site is granted via a single, existing 20 foot driveway along Spencer Street, requiring a waiver to reduce the required width of the driveway. An existing 5 foot wide attached sidewalk is located along Spencer Street. No pedestrian walkway is provided from the attached sidewalk to the principal entrance of the place of worship, necessitating a waiver of development standards.

Landscaping

The existing attached sidewalk along Spencer Street will remain and no street landscaping is proposed along the right-of-way, requiring a waiver of development standards. The interior of the parking lot features a central landscape area with 11 existing palm trees, 3 of which will be removed to accommodate the drive aisle width adjacent to the place of worship. Per the Development Code, palm trees are not allowed in the interior of parking lots as they provide minimal shade; therefore, a waiver is necessary to eliminate parking lot landscaping. Five existing palm trees are provided along a portion of the southwest property line, adjacent to a single family residence, and 3 existing palm trees are depicted along a portion of the northwest property line, adjacent to the drainage channel. No other perimeter landscaping is provided along the northeast, east, and southeast property lines of the project site, which are adjacent to single family residences. Waivers are requested for alternative landscaping and to eliminate landscaping adjacent to the existing residential uses. An existing 6 foot high CMU block wall surrounds the perimeter of the project site.

Elevations

The plans depict an existing place of worship consisting of a stucco exterior and an asphalt shingled roof. The height of the existing building is 20 feet to the top of the pitched roof and 23 feet to the top of the cross. The exterior of the building is painted with neutral, earth tone colors. The height of the existing metal carport is 8 feet. The existing storage buildings are 7.5 feet in height. The storage buildings consist of an asphalt shingled roof with exterior wood siding. The storage buildings are painted with neutral earth tone colors.

Floor Plans

The plans depict a 3,653 square foot place of worship consisting of a front and main sanctuary area, prayer room, media room, restroom facilities, childrens' room, kitchen, mass hall, storage and equipment rooms, and pantry.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the place of worship's service hours will be every Sunday, 6:00 p.m. to 9:00 p.m., and Wednesday, 7:00 p.m. to 9:00 p.m. The anticipated amount of parishioners is 60 of which most will utilize carpooling. The current zoning for the parcel is R-E (Rural Estates Residential). The zoning surrounding the site is also (R-E) Rural Estates Residential. This use is acceptable and the project will not have an adverse impact to the surrounding parcels. The applicant states additional parking can be provided on the adjacent street (Spencer Street). It is anticipated that the maximum parking will be required on Sundays during worship service times.

Parking needs will be significantly reduced at other times during the week. The frontage of the property currently exists and is limited; therefore, street landscaping will not be installed. The parking lot currently exists with mature and well-maintained landscaping. This project has mature landscaping throughout and appears to sufficiently match the surrounding landscaping within the neighborhood. A trash enclosure has been provided; however, the 50 foot setback from a residential use requirement cannot be met based on the width of the lot. The trash enclosure has been placed in a practical location with zero feet setback from the northern property line. The existing driveway provides a walkway adequate for pedestrian access to the principal entrance of the building. The owner intends to remove the carport structure in the near future as it conflicts with the proposed parking. The frontage of the property currently exists and the existing on-site driveway is limited to 20 feet.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residential & drainage channel
South & East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residential
West	Residential Suburban (up to 8 du/ac) & Public Facilities	R-E	Single family residential & drainage channel

Related Applications

Application Number	Request
VS-21-0185	A request to vacate and abandon a portion of a public drainage easement is a companion item on this agenda.

Clark County Public Response Office (CCPRO)

CE-19-17787 is a violation for building without a permit (alterations to the front entry, garage conversion, and room addition) and CE19-17788 (operation of a place of worship without approved land use).

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit

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

With appropriate building siting, proper building massing and scale, required parking, and appropriate buffering; a place of worship can be consistent and compatible with residential

neighborhoods in accordance with Title 30 and the Comprehensive Master Plan. Other places of worship have been approved and developed in residential areas with little or no adverse impact to the community. Staff does not have an issue with the proposed use; therefore, can support the request. However, staff is concerned with the numerous waiver requests and design of the site.

Waivers of Development Standards

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

Waiver of Development Standards #1

Staff finds there is an adequate amount of area within the project site to provide additional parking spaces. The central landscape area within the subject property has an overall area of 3,600 square feet. Eighteen additional parking spaces, each measuring 9 feet in width and 18 feet in length, would require an additional 2,916 square feet of area. Staff finds the existing landscape area can be reconfigured to accommodate additional parking spaces, thereby reducing or eliminating the parking deficiency altogether. The reduced on-site parking is a self-imposed burden; therefore, staff recommends denial.

Waiver of Development Standards #2a & #2b

Although the reduction to the required trash enclosure setback is significant, there is 150 feet of separation between the proposed enclosure and the single family residence to the northeast of the project site. However, since staff is not supporting the remaining waivers of development standards and design review associated with this request, staff recommends denial of this waiver.

Waiver of Development Standards #3

The west property line of the subject property, adjacent to Spencer Street, is approximately 100 feet wide. However, 65 feet of the lot width along Spencer Street is encumbered by an existing public drainage easement, and 20 feet of the lot width is occupied by an existing driveway. The remaining 15 feet of potential landscape area is located within the site visibility zone, where no trees can be planted. Staff does not have an objection to this waiver request as the lack of street landscaping within this area will have minimal impact on the surrounding land uses. However, since staff is not supporting the additional waiver requests or the design review, staff recommends denial of this request.

Waiver of Development Standards #4

The intent of parking lot landscaping is to provide climate adaptable plant materials that improve the visual appearance of the project site, enhance environmental conditions by providing shade and reducing storm water run-off, and to provide buffer areas between land uses of varying intensity. The request to waive the required landscaping is a self-imposed burden. Staff finds the applicant has not provided compelling justification to waive the required parking lot landscaping; therefore, cannot support this request.



LAND USE APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF DATE FILED: <u>4/20/21</u> PLANNER ASSIGNED: <u>MNO</u> ACCEPTED BY: <u>MNO</u> FEE: <u>\$ 3,125</u> CHECK #: _____ COMMISSIONER: <u>NAFT</u> OVERLAY(S)? <u>NONE</u> PUBLIC HEARING? <input checked="" type="checkbox"/> <u>Y/N</u> TRAILS? <input checked="" type="checkbox"/> <u>Y/N</u> PFNA? <input checked="" type="checkbox"/> <u>Y/N</u> APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>UC-21-0184</u> TAB/CAC: <u>PARADISE</u> TAB/CAC MTG DATE: <u>5/25/21</u> TIME: <u>7:00</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>6/16/21</u> ZONE / AE / RNP: <u>R-E / NONE</u> PLANNED LAND USE: <u>WPRNP</u> NOTIFICATION RADIUS: <u>500</u> SIGN? <input checked="" type="checkbox"/> <u>Y/N</u> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____	
	PROPERTY OWNER NAME: <u>MARILOU MARIANO</u> ADDRESS: <u>1605 VESPERTINA COURT</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u> TELEPHONE: <u>702-521-6598</u> CELL: _____ E-MAIL: <u>marilou_mariano165@yahoo.com</u>	APPLICANT NAME: <u>MARILOU MARIANO</u> ADDRESS: <u>CCCCCC</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u> TELEPHONE: <u>702-521-6598</u> CELL: _____ E-MAIL: <u>marilou_mariano165@ya</u> REF CONTACT ID #: _____	CORRESPONDENT NAME: <u>Blue Diamond Civil Engineering/ Phil Wakefield</u> ADDRESS: <u>9816 Gilespe Street, Suite 120</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>702.478.8580</u> CELL: <u>702.287.8914</u> E-MAIL: <u>pwakefield@bdce-lv.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-11-603-003

PROPERTY ADDRESS and/or CROSS STREETS: Spencer /Robindale

PROJECT DESCRIPTION: Place of worship


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

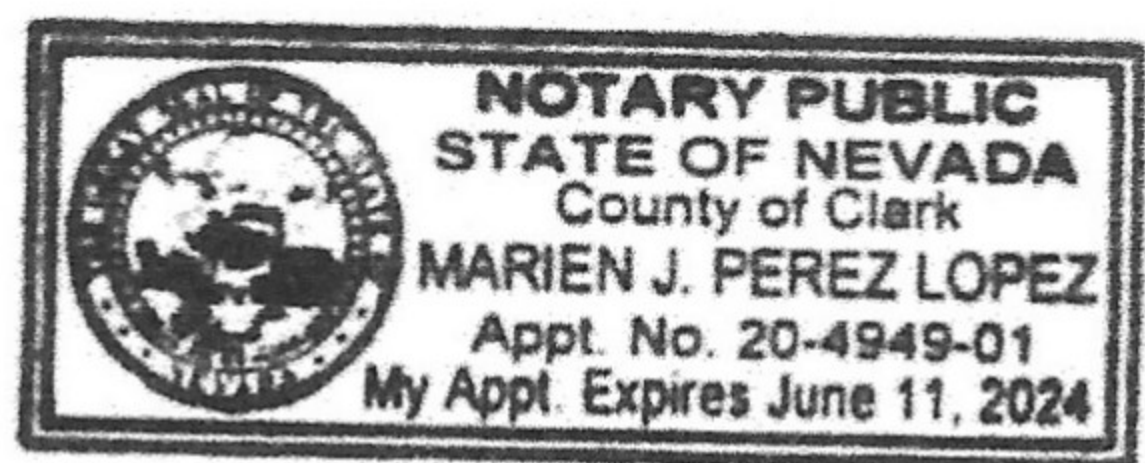

 Property Owner (Signature)*

MARILOU MARIANO
 Property Owner (Print)

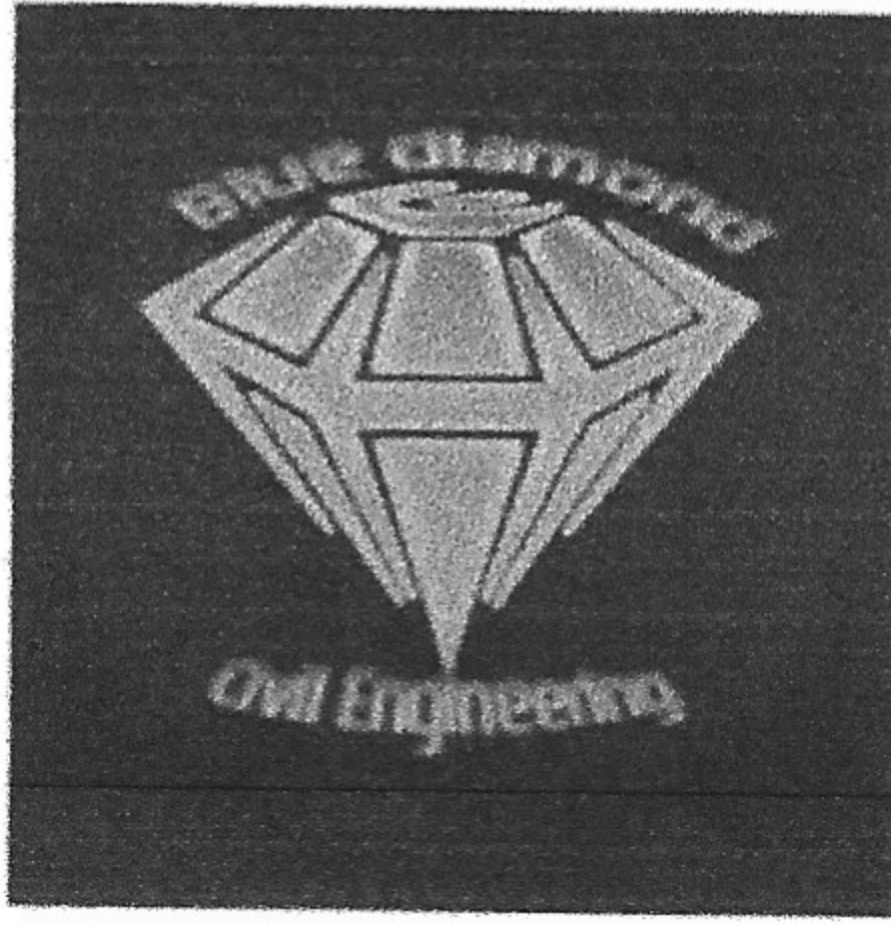
STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON Sept. 14, 2020 (DATE)
 By Marilou J. Mariano

NOTARY PUBLIC: 



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



UC-21-0184

**PLANNER
COPY**

April 7, 2021

Clark County Planning Department
500 South Grand Central Parkway
Las Vegas, Nevada 89155

Re: Justification Letter for 7630 Spencer Street (Use Permit, Design Review, and Waiver)

To Whom It May Concern:

This letter is prepared to address the justification for the proposed religious center. This application is for a use permit, design review, and waivers. The project is located on an approximate 0.76-acre parcel located at 7630 Spencer Street. The major cross streets for this property are Robindale Road and Spencer Street. (APN 177-11-603-003).

Use Permit

The use permit is for the existing single-family home with the proposed use as a religious center. The religious center's service hours will be every Sunday, 6pm – 9pm, and Wednesday, 7pm-9pm. The anticipated amount of parishioners is 60 of which most will utilize carpooling. The current zoning for the parcel is rural estates residential (R-E). A use permit is required per Title 30. The zoning surrounding the site is also rural estates residential (R-E). This use is acceptable and the project will not have an adverse impact to the surrounding parcels.

Design Review and Waivers

As stated, this project is for the proposed use of a religious center. The site will conform to requirements in Title 30. This project will not have an adverse impact to the surrounding parcels due to parking and request approval of the waiver to reduce parking requirements. The following waivers will be needed:

1. Reduce the required number of parking spaces from 37 spaces to 19 spaces. Based on Title 30 Table 30.6-1, 10 parking spaces are required per 1000 square feet of building. The current building is 3653 square feet and will require 37 parking stalls. A site plan has been submitted that shows 19 parking stalls proposed onsite. Additional parking can be provided on the adjacent street (Spencer Street). It is anticipated that the maximum parking will be required on Sundays during worship service times. Parking needs will be significantly reduced at other times during the week.
2. Eliminate street landscaping where required per Figures 30.64-17 and 30.64-18. The frontage of the property currently exists and is limited.
3. Eliminate parking lot landscaping where required per Figure 30.64-14. The parking lot currently exists with mature and well-maintained landscaping.
4. Provide alternative landscaping along the south property line adjacent to a less intensive use (single-family residence) and eliminate landscaping along the north property line adjacent to a less intensive use (single-family residence). This project has mature landscaping throughout and appears to sufficiently match the neighborhood surroundings.
5. Eliminate the requirement for a trash enclosure where required per Figure 30.56-24 and Section 30.56.120, page 30.56-29. A trash enclosure has been provided, however, the 50-foot setback from

Blue Diamond Civil Engineering

9816 Gillespie Street., Suite 120
Las Vegas, NV 89183
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- a residential use requirement cannot be met based on the width of the lot. The trash enclosure has been placed in a practical location with zero setback from the northern property line.
6. Eliminate the five (5) foot wide pedestrian walkway connecting the existing, attached sidewalk along Spencer Street to the principal entrance of the building, per Section 30.60.050, pg 30.60-9. The existing driveway provides a walkway adequate for pedestrian access.
 7. Reduce the setback for the existing carport structure to zero (0) feet where a minimum of five (5) feet is required for accessory structures. The owner intends to remove this structure in the near future as it conflicts with the proposed parking.
 8. Eliminate the requirement for the driveway to be constructed per Uniform Standard Drawing 222.1 as required by Title 30.52.050 and permit a commercial pan driveway per Uniform Standard Drawing 224. Reduce the required minimum driveway width from 32 feet to 20 feet. The frontage of the property currently exists and the existing onsite driveway is limited to 20 feet.

I trust this satisfies your concerns regarding this project. If there are any questions or additional information necessary, please contact this office.

Sincerely,

Blue Diamond Civil Engineering

Angela Baca

Angela Baca – Project Coordinator

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COPY**

Blue Diamond Civil Engineering

9816 Gilespe Street., Suite 120

Las Vegas, NV 89183

(702) 478-8580

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CHAPEL/MAUSOLEUM
(TITLE 30)

EASTERN AVE/ROBINDALE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0181-PALM MORTUARY, INC.:

WAIVER OF DEVELOPMENT STANDARDS for increased building height.

DESIGN REVIEWS for the following: **1)** a chapel/mausoleum; and **2)** finished grade on a portion of a 71.3 acre site in an R-E (Rural Estates Residential) Zone.

Generally located on the east side of Eastern Avenue and the north side of Robindale Road within Paradise. JG/jvm/jo (For possible action)

RELATED INFORMATION:

APN:

177-12-201-02 ptn

WAIVER OF DEVELOPMENT STANDARDS:

Increase building height to 42 feet where 25 feet is the maximum allowed per Table 30.40-1 (a 68% increase).

DESIGN REVIEWS:

1. A chapel/mausoleum.
2. Increase finished grade to 4.1 feet where 1.5 feet is allowed per Section 30.32.040 (a 173% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - INSTITUTIONAL

BACKGROUND:

Project Description

General Summary

- Site Address: 7600 Eastern Avenue
- Site Acreage: 71.3 (portion)
- Project Type: Cemetery with associated uses
- Number of Stories: 1
- Building Height (feet): 42
- Square Feet: 8,063
- Parking Required/Provided: 284/300

Site Plan

The submitted site plan depicts a 71.3 acre site devoted to various aspects of a cemetery that was originally approved in 2000 and expanded in 2006. This request is for a new chapel/mausoleum located in the middle of parcel on the eastern portion of the site. There is an internal road network running throughout and access is achieved from Eastern Avenue. Existing structures include an office area located in the southwest, a mausoleum in the middle, a mortuary located in the northeast, and burial areas throughout the parcel. An undeveloped area is located in the far northeast corner of the site.

Landscaping

Mature landscaping is located throughout the developed portions of the 71.3 acre site.

Elevations

The elevations for the new chapel/mausoleum depict a contemporary/modern building with multiple horizontal roof elements. The construction materials show stone accents, clerestory windows, and a clear window wall. The maximum height of the building is shown at 42 feet.

Floor Plans

The submitted plans depict a 8,063 square foot area composed of a chapel room, several library areas, 2 private family areas, reception area, and restrooms. Also, within the interior of the building are several areas for mausoleum crypts.

Applicant's Justification

The applicant states that the reason for the increased height of the building is that the chapel is to have a heaven-ward chapel like purpose. In addition the closest residential property is approximately 500 feet from this location. The request for increased finished grade is to allow the site to properly drain to the pond to the west.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0855-06	Waivers to allow early grading	Approved by PC	July 2006
DR-0576-06	Expansion of a cemetery	Approved by PC	June 2006
DR-1018-00	Cemetery	Approved by PC	August 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac), Residential Suburban (up to 8 du/ac), & Residential High (8 du/ac to 18 du/ac)	R-E, R-1, & R-3	Undeveloped, single family residential, & multiple family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South & East	City of Henderson	City of Henderson	Single family residential
West	Residential Suburban (up to 8 du/ac)	R-2	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waiver of Development Standards

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

Staff finds that the increase in height will not create any negative impacts on the existing site or the surrounding developments. The closest residential property to the proposed chapel is over 500 feet away. In addition, trees are being planted around the new structure which will help buffer the chapel from the residences to the east. Therefore, staff can support the waiver request.

Design Review #1

Staff finds that the new chapel/mausoleum is an aesthetically pleasing building and fits in well with the overall scheme of the cemetery property. It is located near the existing roadway network within the property and sufficient parking is being provided to support the new use. Therefore, staff can support the design review.

Public Works - Development Review

Design Review #2

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

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

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: PALM MORTUARY, INC

**CONTACT: DWYER ENGINEERING, 7310 SMOKE RANCH RD., SUITE E, LAS VEGAS,
NV 89128**

APR 20-100961



LAND USE APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

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

STAFF	DATE FILED: <u>4/19</u>	APP. NUMBER: <u>WS-21-0181</u>
	PLANNER ASSIGNED: <u>NR</u>	TAB/CAC: <u>Paradise</u>
	ACCEPTED BY: _____	TAB/CAC MTG DATE: <u>5/25</u> TIME: <u>7pm</u>
PROPERTY OWNER	FEE: <u>1150</u>	PC MEETING DATE: _____
	CHECK #: _____	BCC MEETING DATE: <u>6/16</u>
	COMMISSIONER: <u>JG</u>	ZONE / AE / RNP: _____
APPLICANT	OVERLAY(S)? _____	PLANNED LAND USE: _____
	PUBLIC HEARING? Y / N	NOTIFICATION RADIUS: <u>500</u> SIGN? Y <input checked="" type="checkbox"/> N
	TRAILS? Y / N PFNA? Y / N	LETTER DUE DATE: _____
CORRESPONDENT	APPROVAL/DENIAL BY: _____	COMMENCE/COMPLETE: _____
	NAME: <u>Celena Dilullo, President of Palm Mortuary, Inc.</u>	
	ADDRESS: <u>1325 North Main Street</u>	
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u>	
	TELEPHONE: <u>702-464-8301</u> FAX: <u>866-491-8930</u>	
	CELL: _____ E-MAIL: <u>celena.dilullo@dignitymem</u>	
	NAME: <u>Blayne Soule, Dwyer Engineering, Inc</u>	
	ADDRESS: <u>7310 Smoke Ranch Rd. Suite E</u>	
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u>	
	TELEPHONE: <u>702-254-2200</u> E-MAIL: <u>bsoule@</u>	
	CELL: _____ <u>dwyerengineering.com</u>	
	NAME: <u>Same</u>	
	ADDRESS: _____	
	CITY: _____ STATE: _____ ZIP: _____	
	TELEPHONE: _____ FAX: _____	
	CELL: _____ E-MAIL: _____	

ASSESSOR'S PARCEL NUMBER(S): 177-12-201-002

PROPERTY ADDRESS and/or CROSS STREETS: 7600 Eastern Ave.

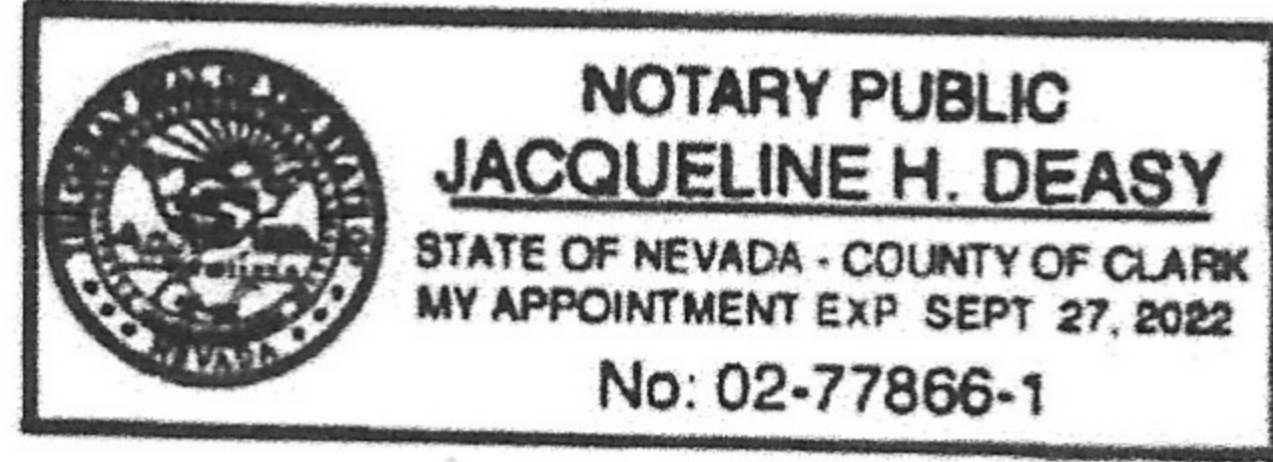
PROJECT DESCRIPTION: Construct a new Mausoleum Chapel

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

Property Owner (Signature)* [Signature] Property Owner (Print) Celena DiLullo

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 12/21/2020 (DATE)
 By Jacqueline H. Deasy
 NOTARY PUBLIC: Jacqueline H. Deasy



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

WS-21-0181

CERTIFICATE OF ASSISTANT SECRETARY
OF
PALM MORTUARY, INC.

I hereby certify that I am the duly elected and acting Assistant Secretary of Palm Mortuary, Inc., a Nevada corporation (the "Company"), that the following resolutions were unanimously adopted by the Board of Directors of the Company on December 21, 2020 and that said resolutions have never been amended or rescinded and are now in full force and effect.

RESOLVED, that Celena Dilullo, its President, or any other officer of the Company, is authorized to negotiate and enter into such agreements with Clark County Comprehensive Planning Department (the "County"), as she shall deem reasonable and appropriate in conjunction with the Land Use Application for Palm Eastern Chapel Mausoleum located in the County of Clark, City of Las Vegas, State of Nevada (the "Property"); and

FURTHER RESOLVED, that any one of such officers is authorized to expend such incidental funds as shall be deemed reasonable and necessary to carry out the intent of the foregoing and to execute and deliver all writings, documents, instruments, and do all things necessary to effect the foregoing resolutions on substantially the terms set forth.

Dated: December 21, 2020


Lyndi S. Roundtree, Assistant Secretary

JUSTIFICATION LETTER

PLANNER
COPY

WS-21-0181

To: Clark County Planning Department

Date: April 15, 2021

Subject: Proposed Chapel within the currently existing Palm Eastern-Green Valley Cemetery.
APN: 177-12-201-002

From: R. Blayne Soule', P.E.

The current owners of the Parcel 177-12-201-002 are seeking to construct a new chapel/mausoleum within the currently existing Palm Eastern-Green Valley Cemetery, located at 7600 South Eastern Avenue, in Las Vegas. For the proposed building, the following are being requested:

1. Waiver of Development Standards for reduced parking. The proposed building will not be used for worship services, as found with most typical church buildings. Instead, the building will be used for limited and scheduled funeral services, which ensures that on-site parking will be carefully regulated. This building will also be used for permanent interment or inurnment of the dead that will be lightly visited during normal hours of access. This purpose will not overlap with the forementioned purpose of funeral services.
2. Waiver of Development Standards for increased building height (42' as opposed to the standard 35'). The waiver is being sought due to the fact that the building is to have a heaven-ward, chapel-like purpose. Please note that the extra height consists of a softly projecting transparent glass wall and ceiling element, that will not have a significant impact on the skyline. It is also important to note that the closest property line from the proposed building is about 200' away, with the closest residential property being about 500' away. This setback will absorb the small height differential.
3. Design review for an increase in finished grade above 18". The plans show a maximum 4.1' to the finish grade elevation, which is being requested to allow the building to have a heaven-ward, chapel-like appearance as well as to allow the site grade properly to the pond to the west. As also mentioned in request #2 above, the closest property line from the proposed building is about 200' away, with the closest residential property being about 500' away. This setback will absorb the small height differential.

Sincerely,

DWYER ENGINEERING, INC.

R. Blayne Soule' P.E.

