



# Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

May 30, 2023

7:00pm

**Note:**

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

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

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

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

- I. Call to Order, Pledge of Allegiance, Roll Call, and County Staff Introductions
- II. Public Comment- This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board/Council about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of

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

- III. Approval of Minutes for May 9, 2023. (For possible action)
- IV. Approval of the Agenda for May 30, 2023 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items (for discussion only)
- VI. Planning and Zoning
  1. **TM-23-500043-MKTSLVBL, LLC:**  
**TENTATIVE MAP** for a commercial subdivision on 1.3 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the north side of Harmon Avenue and the east side of Las Vegas Boulevard South within Paradise. JG/rk/syp (For possible action) **PC 6/6/23**
  2. **UC-22-0405-REBEL LAND & DEVELOPMENT, LLC:**  
**AMENDED HOLDOVER USE PERMITS** for the following: 1) gasoline station; 2) convenience store; 3) alcohol sales, beer and wine packaged; 4) restaurant; and 5) office uses.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce throat depth; 2) reduce departure and approach distances (previously not notified); 3) reduce landscaping; 4) reduce parking; 5) eliminate cross access; and 6) eliminate loading zones.  
**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; 2) gasoline station (fuel canopy); 3) commercial building (restaurant with drive-thru; convenience store; office); and 4) lighting on 1.1 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the south side of Flamingo Road and the west side of Paradise Road within Paradise. JG/bb/jo (For possible action) **PC 6/6/23**
  3. **UC-23-0186-SERENE CENTER, LLC:**  
**USE PERMIT** for an on-premises consumption of alcohol (service bar) in conjunction with an existing restaurant in a commercial center on 2.0 acres in a C-1 (Local Business) Zone. Generally located on the west side of Spencer Street and the north side of Serene Avenue within Paradise. MN/hw/syp (For possible action) **PC 6/6/23**
  4. **UC-23-0168-SAM & GERT FELDMAN, LLC:**  
**USE PERMIT** to allow a minor training facility within an existing office building on 1.2 acres in a C-P (Office and Professional) Zone. Generally located on the east side of Pecos Road and the south side of Zodiac Court within Paradise. JG/sd/syp (For possible action) **PC 6/20/23**
  5. **VS-23-0206-OQUENDO INDUSTRIAL 2022, LP:**  
**VACATE AND ABANDON** a portion of a right-of-way being McLeod Drive located between Oquendo Road and Patrick Lane within Paradise (description on file). JG/jgh/syp (For possible action) **PC 6/20/23**

6. **AR-23-400044 (WS-22-0466)-PRECISION PROPERTIES, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS FIRST APPLICATION FOR REVIEW**  
for the following: 1) eliminate street landscaping; 2) eliminate parking lot landscaping; 3) reduce setbacks; and 4) required trash enclosure.  
**DESIGN REVIEW** for a parking lot on 2.3 acres in an M-1 (Light Manufacturing) Zone. Generally located on the south side of Diablo Drive, 355 feet east of Wynn Road within Paradise. MN/jud/syp (For possible action) **BCC 6/21/23**
7. **AR-23-400046 (UC-22-0461)-ITAI INVESTMENTS, LLC:**  
**USE PERMIT FIRST APPLICATION FOR REVIEW** for a parking lot.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate street landscaping; 2) eliminate parking lot landscaping; 3) reduce setbacks; 4) increase fence height; and 5) required trash enclosure.  
**DESIGN REVIEW** for a parking lot on 1.9 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the north side of Hacienda Avenue and the west side of Dean Martin Drive within Paradise. MN/jud/syp (For possible action) **BCC 6/21/23**
8. **AR-23-400050 (UC-22-0426)-DIAMOND CREEK HOLDINGS, LLC SERIES 8:**  
**USE PERMIT FIRST APPLICATION FOR REVIEW** for a school in conjunction with an existing office and retail shopping center on 0.8 acres in a C-2 (General Commercial) Zone and a C-P (Office and Professional) Zone. Generally located on the west side of Eastern Avenue and the north side of Ford Avenue within Paradise. MN/rp/syp (For possible action) **BCC 6/21/23**
9. **ET-23-400038 (UC-21-0011)-3950, LLC:**  
**USE PERMIT FIRST EXTENSION OF TIME** for a proposed cannabis establishment (cultivation facility) on a portion of 4.9 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of Tompkins Avenue, 300 feet east of Wynn Road within Paradise. MN/tpd/syp (For possible action) **BCC 6/21/23**
10. **ET-23-400039 (UC-21-0012)-3950, LLC:**  
**USE PERMIT FIRST EXTENSION OF TIME** for a proposed cannabis establishment (production facility) on a portion of 4.9 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of Tompkins Avenue, 300 feet east of Wynn Road within Paradise. MN/tpd/syp (For possible action) **BCC 6/21/23**
11. **ET-23-400040 (WS-21-0013)-3950, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for the following: 1) parking lot landscaping; 2) pedestrian walkway; 3) mechanical equipment screening; 4) reduced throat depth; and 5) driveway geometrics.  
**DESIGN REVIEW** for a proposed cannabis establishment building on a portion of 4.9 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of Tompkins Avenue, 300 feet east of Wynn Road within Paradise. MN/tpd/syp (For possible action) **BCC 6/21/23**

12. **WC-23-40052 (ZC-1576-98)-BESEAU, CONCHITA:**  
**WAIVER OF CONDITIONS** of a zone change prohibiting no access to Horseshoe Drive in conjunction with a beauty salon on 0.5 acres in a C-P (Office and Professional) (AE-60) Zone in the Russell Road Transition Corridor Overlay District. Generally located on the north side of Russell Road and the west side of Horseshoe Drive within Paradise. JG/md/syp (For possible action) **BCC 6/21/23**
13. **UC-23-0209-BESEAU, CONCHITA:**  
**USE PERMIT** for personal services (beauty salon).  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce trash enclosure setback; 2) reduce parking; 3) alternative street landscaping; 4) alternative landscaping adjacent to a residential use; 5) allow access to a local street; 6) allow modified street standards; and 7) allow modified driveway design standards.  
**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; and 2) beauty salon on 0.5 acres in a C-P (Office and Professional) (AE-60) Zone in the Russell Road Transition Corridor Overlay District. Generally located on the north side of Russell Road and the west side of Horseshoe Drive within Paradise. JG/md/syp (For possible action) **BCC 6/21/23**

VII. General Business

(For possible action)

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

- IX. Next Meeting Date: June 13, 2023.

- X. Adjournment.

**POSTING LOCATIONS:** This meeting was legally noticed and posted at the following locations:  
Paradise Community Center- 4775 McLeod Dr.  
<https://notice.nv.gov>



## Paradise Town Advisory Board

May 9, 2023

### MINUTES

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

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

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

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- I. Call to Order, Pledge of Allegiance, Roll Call(see above), County Staff Introductions  
Steve DeMerritt; Planning, Blanca Vazquez, Community Liaison  
Meeting was called to order by Chair Philipp, at 7:00 p.m.
- II. Public Comment:  
**None**
- III. Approval of April 25, 2023 Minutes  
**Moved by: Swartzlander**  
**Action: Approve as submitted**  
**Vote: 4-0 Unanimous**  
Approval of Agenda for May 9, 2023  
**Moved by: Cunningham**  
**Action: Approved as submitted**  
**Vote: 4-0 Unanimous**
- IV. Informational Items (For Discussion only)
- V. Planning & Zoning

1. **UC-23-0157-ILUMINA FLAMINGO LP:**  
**USE PERMITS** for the following: 1) allow office as a principal use (work-share/office spaces); and 2) health club.  
**DESIGN REVIEW** for site changes for a previously approved multiple family residential development on 8.0 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the south side of Flamingo Road, 260 feet west of Paradise Road within Paradise. JG/jor/syp (For possible action) **PC 6/6/23**

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

2. **UC-23-0162-HERBST FAMILY LP II:**  
**USE PERMITS** for the following: 1) restaurants; 2) outside dining and drinking; and 3) retail sales and service.  
**WAIVER OF DEVELOPMENT STANDARDS** to eliminate the required 48 inch wide pedestrian access around the perimeter of the outside dining area.  
**DESIGN REVIEWS** for the following: 1) restaurants with outside dining and drinking; and 2) retail uses in conjunction with a parking garage, warehouse, and convenience store with gasoline station on 4.1 acres in an M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the south side of Dewey Drive, the north side of Russell Road, and the west side of Polaris Avenue within Paradise. MN/md/syp (For possible action) **PC 6/6/23**

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

3. **WS-23-0166-POINTE FLAMINGO HOLDINGS, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** for parking lot landscaping.  
**DESIGN REVIEW** for a convenience store on 0.9 acres in a C-2 (General Commercial) Zone. Generally located on the northeast corner of Flamingo Road and Eastern Avenue within Paradise. TS/sd/syp (For possible action) **PC 6/6/23**

**MOVED BY- Cunningham**  
**APPROVE-Subject to staff conditions**  
**VOTE: 3-0**  
**Philipp abstained from comment and vote as she has working relationship with applicant**

4. **ET-23-400030 (DR-20-0520)-SCHOOL BOARD OF TRUSTEES:**  
**DESIGN REVIEWS FIRST EXTENSION OF TIME** for the following 1) finished grade; and 2) retaining walls in conjunction with a school on 8.0 acres in a P-F (Public Facility) Zone. Generally located on the north side of Cherokee Lane, 100 feet east of Algonquin Drive within Paradise. TS/tpd/syp (For possible action) **BCC 6/7/23**

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

5. **ET-23-400031 (ZC-19-0197)-SCHOOL BOARD OF TRUSTEES:**  
**DESIGN REVIEW SECOND EXTENSION OF TIME** for an elementary school on 8.0 acres in a P-F (Public Facility) Zone. Generally located on the north side of Cherokee Lane, 100 feet east of Algonquin Drive within Paradise. TS/tpd/syp (For possible action) **BCC 6/7/23**

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

6. **UC-23-0173-PARBALL NEWCO, LLC:**

**USE PERMITS** for the following: **1)** recreational facility with accessory commercial uses including, but not limited to shops, snack bars, lounges, and restaurants; **2)** on-premises consumption of alcohol; and **3)** all other deviations as depicted per plans on file.

**DEVIATIONS** for the following: **1)** reduce setback; **2)** reduce street landscaping; **3)** reduce height/setback ratio; and **4)** all other deviations as depicted per plans on file.

**WAIVER OF DEVELOPMENT STANDARDS** to reduce setback.

**DESIGN REVIEWS** for the following: **1)** recreational facility with accessory commercial uses including, but not limited to shops, snack bars, lounges, and restaurants; and **2)** finished grade in conjunction with an existing resort hotel (Horseshoe) on a portion of 30.0 acres within a 68.1 acre site in an H-1 (Limited Resort and Apartment) Zone. Generally located on the south side of Flamingo Road, 1,600 feet east of Las Vegas Boulevard South within Paradise. JG/md/syp (For possible action)

**BCC 6/7/23**

**MOVED BY- Philipp**  
**APPROVE-Subject to staff conditions**

- **Reconsider other color for building**

**VOTE: 4-0 Unanimous**

- VI. General Business (for possible action)  
**None**
- VII. Public Comment  
**None heard**
- VIII. Next Meeting Date  
**The next regular meeting will be May 30, 2023**
- IX. Adjournment  
**The meeting was adjourned at 7:35 p.m.**

MARKETPLACE  
(TITLE 30)

LAS VEGAS BLVD S/HARMON AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-23-500043-MKTSLVBL, LLC:**

**TENTATIVE MAP** for a commercial subdivision on 1.3 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the north side of Harmon Avenue and the east side of Las Vegas Boulevard South within Paradise. JG/rk/syp (For possible action)

**RELATED INFORMATION:**

**APN:**  
162-21-214-005

**LAND USE PLAN:**  
WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**  
**Project Description**  
General Summary

- Site Address: 3717 Las Vegas Boulevard S.
- Site Acreage: 1.3
- Number of Lots: 1
- Project Type: Commercial subdivision

The plan depicts a 1 lot commercial subdivision on a 1.3 acre site which is a part of an existing shopping center (Harmon Corner). Access to the site is from driveways on Las Vegas Boulevard South and Harmon Avenue.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-22-0238	Modifications to an approved comprehensive sign package and increased animated sign area in conjunction with an existing shopping center (Harmon Corner)	Approved by BCC	June 2022
UC-21-0646	Various uses within the mall and allowed outdoor kiosks for retail sales	Approved by BCC	December 2021
AR-21-400125 (UC-20-0169)	First application for review of retail sales as a primary use/kiosks	Approved by BCC	September 2021



**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
VS-20-0271	Vacated and abandoned easements along with right-of-way for Harmon Avenue and Las Vegas Boulevard South	Approved by BCC	August 2020
UC-20-0169	Allowed retail sales as a primary use outside/kiosks	Approved by BCC	June 2020
UC-19-0408	Recreational facility in conjunction with a shopping center	Approved by BCC	July 2019
VS-18-0155	Vacated and abandoned a public access easement (driveway)	Approved by PC	April 2018
WS-1029-17	Reduced parking, façade changes, and a mezzanine addition to the existing shopping center	Approved by BCC	January 2018

There have been numerous land use applications for various uses on the property; listed above are the more recent applications submitted on the site.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North & East	Commercial Tourist	H-1	Planet Hollywood Resort Hotel & Miracle Mile shopping center
South	Commercial Tourist	H-1	Commercial building (former Harley Davidson Café) & parking garage
West	Commercial Tourist	H-1	CityCenter & The Cosmopolitan Resort Hotel

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for

conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

**Public Works - Development Review**

- No comment.

**Comprehensive Planning - Addressing**

- 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.

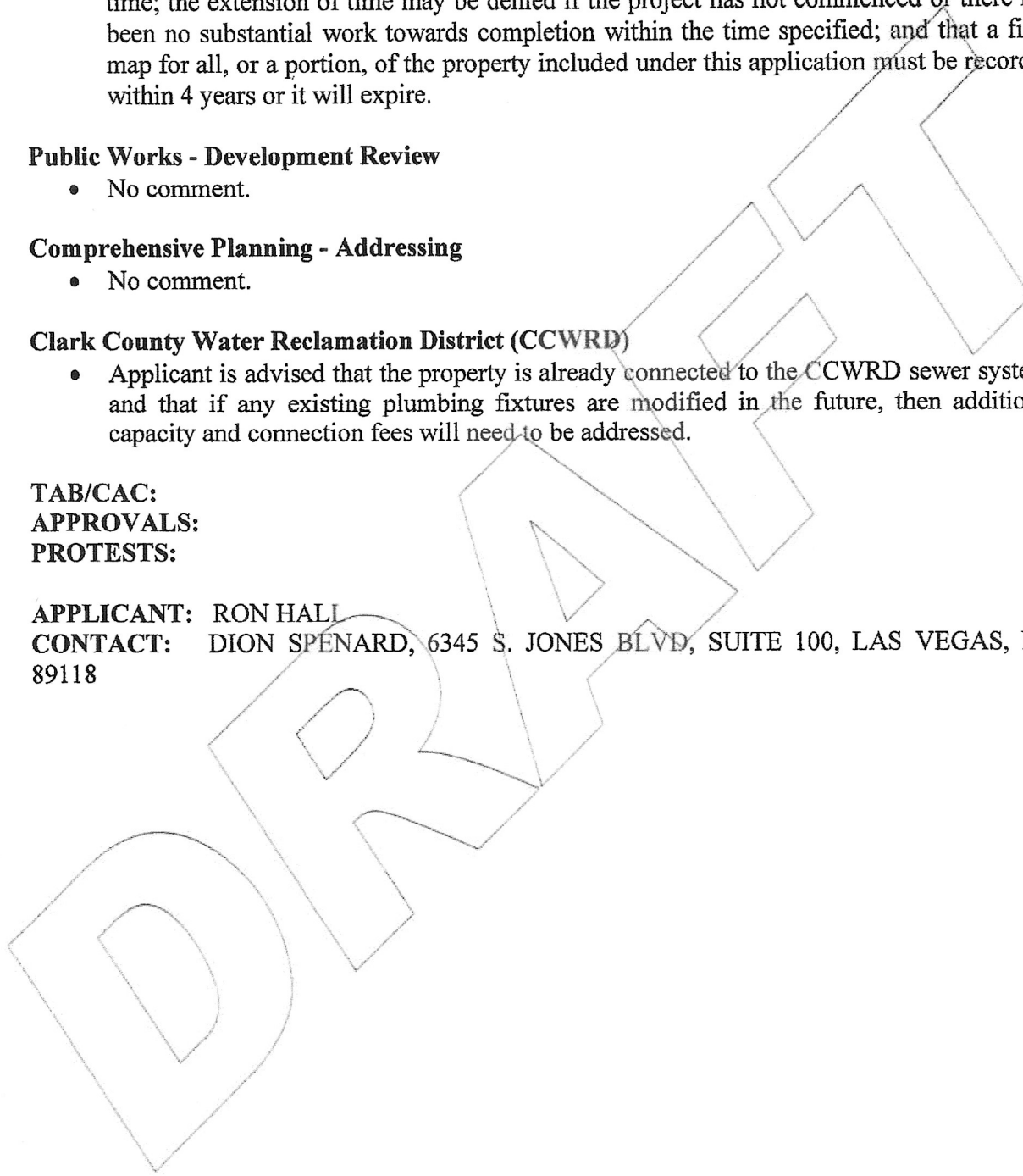
**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** RON HALL

**CONTACT:** DION SPENARD, 6345 S. JONES BLVD, SUITE 100, LAS VEGAS, NV 89118



GASOLINE STATION  
(TITLE 30)

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-22-0405-REBEL LAND & DEVELOPMENT, LLC:**

**AMENDED HOLDOVER USE PERMITS** for the following: 1) gasoline station; 2) convenience store; 3) alcohol sales, beer and wine packaged; 4) restaurant; and 5) office uses.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce throat depth; 2) reduce departure and approach distances (previously not notified); 3) reduce landscaping; 4) reduce parking; 5) eliminate cross access; and 6) eliminate loading zones.

**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; 2) gasoline station (fuel canopy); 3) commercial building (restaurant with drive-thru; convenience store; office); and 4) lighting on 1.1 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone.

Generally located on the south side of Flamingo Road and the west side of Paradise Road within Paradise. JG/bb/jo (For possible action)

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**RELATED INFORMATION:**

**APN:**  
162-22-103-001

**USE PERMITS:**

1. Gasoline station (fuel canopy).
2. Commercial building including convenience store.
3. Alcohol sales, beer and wine packaged.
4. Restaurant (drive-thru).
5. Office uses.

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce throat depth on Flamingo Road to 3 feet where 25 feet is required per Uniform Standard Drawing 222.1 (an 88% decrease).
- b. Reduce throat depth on Paradise Road to 10 feet where 25 feet is required per Uniform Standard Drawing 222.1 (a 60% reduction).
2. a. Reduce driveway departure distance from the Paradise Road intersection to 88 feet where 190 feet is required per Uniform Standard Drawing 222.1 (a 54% decrease).
- b. Reduce driveway approach distance to the Paradise Road intersection to 146 feet where 150 feet is required per Uniform Standard Drawing 222.1 (a 3% decrease) (previously not notified).

3. a. Allow landscape finger island width of 3 feet where 6 feet is required per Figure 30.64-14 (a 50% reduction).
- b. Reduce landscaping adjacent to Flamingo Road to 8 feet where 15 feet is required per Section 30.64.030 (a 47% decrease).
- c. Reduce landscaping adjacent to Paradise Road to 5 feet where 15 feet is required per Section 30.64.030 (a 66% decrease).
4. Reduce the required parking to 38 spaces where 41 spaces are required per Table 30.60-1 (a 5% reduction).
5. Eliminate cross access where required per Table 30.56-2 (a 100% reduction).
6. Eliminate loading zones where 1 loading zone is required per Section 30.60.070 (a 100% reduction).

**DESIGN REVIEWS:**

1. Permit alternative parking lot landscaping (number of islands) where landscaping per Figure 30.64-14 is required.
2. Gasoline station (fuel canopy).
3. Commercial building including convenience store, restaurant with drive-thru, and office.
4. Lighting.

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 4111 Paradise Road
- Site Acreage: 1.1
- Project Type: Gasoline station/convenience store/restaurant/office
- Number of Stories: 3
- Building Height (feet): 34 (building)/21 (canopy)
- Square Feet: 5,304 (building)/2,280 (canopy)
- Parking Required/Provided: 41/38

Site Plan

This property has been used for retail (gasoline station) since before 1993. The existing building will be removed and replaced with a new gasoline station and will remove any nonconforming use status. The site plan depicts a 5,304 square foot retail building to be used as a gasoline station, convenience store, restaurant, and office (meeting space) as primary use on 1.1 acres at the southwest corner of Flamingo Road and Paradise Road. The parking is shown on the north side of the building and west side of the lot with parallel parking along the northeast portion of the site, behind the street landscaping. Access is proposed from an existing driveway on Paradise Road at the southeast corner of the lot. The other 3 existing driveways will be closed in exchange for a new driveway at the northwest corner of the property to access Flamingo Road. A 2,280 square foot canopy will be located on the north side of the proposed building and will meet setback requirements. Twenty foot tall shielded down light poles are shown on the plan to

illuminate parking lot and pedestrian areas and will meet Code requirements. Wall mounted lighting will be provided along the perimeter of the building to illuminate walkways around the building.

Landscaping

There are existing sidewalks along Flamingo Road and Paradise Road, requiring 15 feet of landscaping behind both sidewalks. The applicant is proposing 8 feet to 9 feet of landscaping along Flamingo Road and 5 feet to 6 feet of landscaping along Paradise Road, which require landscaping waivers. Adequate parking lot landscaping is not provided along the west property line or on the north side of the retail building, resulting in the additional design review; however, the required number of trees are provided on site. Title 30, Figure 30.64-14 requires landscape islands every 6 spaces or 12 spaces when adjacent to a planting strip with trees.

Elevations

The plans depict a 34 foot high building with a modern façade, angled roof, ground to roof windows, storefront windows, aluminum door entrance, and decorative vertical metal fascia. A drive-thru pick-up window is located on the southeast side elevation, facing south. The gas canopy is 21 feet high, oriented from east to west with 5 pump islands depicted on the site plan and landscape plan.

Floor Plans

The plans depict a first story footprint of 5,304 square feet, including a 4,082 square foot convenience store, 844 square foot restaurant, 378 square foot lobby entrance to the second story office, meeting room, and third story roof deck. The remaining areas include refrigeration space, beverage area, and a small seating area for the restaurant that has 12 seats. The second floor office space is located on the east side of the building with 1,790 square feet. A 1,108 square foot roof top deck space is located on the third level at the east end of the building, above the office space. The total interior floor area is 8,202 square feet. The drive-thru window is located on the southeast side of the building at the end of the drive-thru aisle.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is proposing to demolish an existing building and replace it with a Rebel convenience store and gas station that will create employment opportunities in this area of the County. Existing driveways closest to the corner of Flamingo Road and Paradise Road will be removed to enhance safe ingress and egress on this site. Lighting will include 20 foot tall shielded down light poles and wall lighting to meet Code requirements.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Entertainment Mixed-Use	H-1	Restaurant
South	Entertainment Mixed-Use	H-1	Retail commercial
East	Entertainment Mixed-Use	H-1	Hotel casino
West	Entertainment Mixed-Use	H-1	Undeveloped

## 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 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.

This site cannot accommodate the proposed size of the building in combination with the gas canopy and required parking associated with all the proposed uses. The combination of the gasoline canopy, restaurant, and proposed size of the building, make the project too intense for the subject site; and therefore, non-compliant with Code requirements. Staff believes a combination restaurant and convenience store without gasoline sales and a canopy could potentially fit on this site and meet most requirements. A gasoline station with canopy and convenience store, but not a restaurant, could also potentially fit on this site and meet most Code requirements. The combination of a gasoline station, 5 pump canopy, and drive-thru restaurant are not compatible with similar size properties in the area and may create problems at the Flamingo Road entrance with too many vehicles trying to access Flamingo Road directly. **Public Works has identified the west most fuel pump as conflicting with traffic movements being so close to the Flamingo driveway.** Master Plan Policy 4.2.5 encourages increased traffic safety and enhanced livability of the community. **The proposed uses may result in a substantial and undue adverse effect on traffic conditions, parking, and access to or from adjacent rights-of-way.** A lack of parking in relationship to the increased number of proposed uses, **and location of gas pumps,** may create vehicular conflicts at the entrances and exits on this property in addition to on-site movements. The combination of all 5 proposed uses, **and a lack of Public Works support,** leads staff to recommend denial and cannot support these requests.

##### 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.

##### Waivers of Development Standards #3 through #6

The requested waivers are required due to the size of the proposed building in combination with the number of uses. This is a self-imposed hardship by the applicant and creates the need for waivers from the development Code. The waivers are not in harmony with the safe and efficient use of the property. Staff cannot support the proposed waivers and recommends denial.

### Design Reviews

The previous convenience store and gas station building was 3,350 square feet. The proposed 5,304 square foot building footprint is a 58% increase over the previous building. This increase, combined with the gas canopy and proposed drive-thru restaurant, are what lead to this site not being able to accommodate the proposed uses under the current Codes. The proposed development does not have cross access, and the location of the **gas canopy and western bank of pumps** may negatively impact the site access and circulation which may negatively impact adjacent roadways and on-site movement of vehicles. Staff cannot support these requests.

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

#### Waivers of Development Standards #1a and #2b

Drivers using the driveway on Flamingo Road will face immediate conflicts with parking spaces on the west side of the site and the fuel pumps southeast of the driveway. **The reduced throat depth, combined with the reduced distance from the driveway to Paradise Road, creates safety issues. Additionally, staff recommended that the property owner work with the owner to the west to create a shared driveway on Flamingo Road to reduce the number of driveways since more driveways create more chances for collisions.** Due to the high volume of traffic on Flamingo Road, staff finds that it is imperative that the minimum standards be met or exceed for this project. Therefore, staff cannot support these requests.

#### Waiver of Development Standards #1b

Although drivers using the driveway on Paradise Road will not encounter immediate on-site conflicts, once farther into the site they will have to negotiate parallel parking spaces on the east side of the site, fuel pumps, and a drive-thru exit slightly northwest of the driveway. Due to the high volume of traffic on Paradise Road, staff finds that it is imperative that the minimum standards be met or exceed for this project. Therefore, staff cannot support this request.

#### Waiver of Development Standards #2a

Staff has no objection to the reduction in the departure distance for the Paradise Road commercial driveway. Although the departure distance do not comply with the minimum standards, the applicant placed the driveway as far south as the site will allow. However, since staff is not supporting the rest of the application, staff cannot support this request.

### **Staff Recommendation**

Denial.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.

- Applicant is advised that the installation and use of cooling systems that consumptively use water are prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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;
- Right-of-way dedication to include an additional 4 feet on Paradise Road and associated spandrel;
- Grant necessary easements including, but not limited to, temporary construction easements, permanent easements, and utility easements;
- 30 days to coordinate with Public Works - Kaizad Yazdani to dedicate the above-mentioned right-of-way and easement and any other necessary right-of-way and easements for the Paradise Road improvement project;
- Reconstruct any unused driveways with full off-site improvements.
- Applicant is advised that off-site improvement permits may be required; and that right-of-way widths shown on the plans are incorrect.

**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0273-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC: Paradise - approval of use permits, waivers of development standards #1a, #1b, #3b, #3c, #4, and the design reviews; denial of waivers of development standards #3a, #5, and #6.**

**APPROVALS:**

**PROTESTS: 1 card**

**PLANNING COMMISSION ACTION:** September 6, 2022 – HELD – To 10/04/22 – per the applicant.

**PLANNING COMMISSION ACTION:** October 4, 2022 – HELD – To 10/18/22 – per the applicant.



**PLANNING COMMISSION ACTION:** October 18, 2022 – HELD – No Date – per the applicant.

**APPLICANT:** ANABI OIL

**CONTACT:** SHELDON COLEN, SCA DESIGN, 2525 W. HORIZON RIDGE PARKWAY, SUITE 230, HENDERSON, NV 89052

DRAFT

06/06/23 PC AGENDA SHEET

ON-PREMISES CONSUMPTION OF ALCOHOL  
(TITLE 30)

SERENE AVE/SPENCER ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0186-SERENE CENTER, LLC:**

**USE PERMIT** for an on-premises consumption of alcohol (service bar) in conjunction with an existing restaurant in a commercial center on 2.0 acres in a C-1 (Local Business) Zone.

Generally located on the west side of Spencer Street and the north side of Serene Avenue within Paradise. MN/hw/syp (For possible action)

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RELATED INFORMATION:

**APN:**

177-23-214-002

**LAND USE PLAN:**

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 1740 E. Serene Avenue, Suite 130
- Site Acreage: 2
- Project Type: Service bar with a restaurant
- Building Height (feet): 24
- Square Feet: 1,215
- Parking Required/Provided: 93/76 (per WS-19-0965)

**Site Plan**

The proposed use will allow the applicant to operate a restaurant with a service bar in an existing business known as Chikyu Vegan Sushi Bar & Izakaya. The restaurant is shown located within the building labeled Building 2. Building 2 is located in the north central portion of the site with the restaurant specifically located in the southeast corner of the building. Parking is provided on the east, south, and west sides of Building 2 but also in the southern portion of the site surrounding Building 1 and Building 3, as well. Access to the site is provided via a commercial driveway along Spencer Street, and another commercial driveway along Serene Avenue. The subject commercial center was originally approved through DR-18-0355 with parking being reduced to 76 spaces from the required 93 spaces by WS-19-0965. As a result, only 76 spaces are being provided.

Landscaping

The landscaping plans show a 10 foot wide landscaping strip composed of a variety of 24 inch box trees and 5 gallon shrubs. This strip wraps around the site and follows along both Serene Avenue and Spencer Street. A detached sidewalk is provided along both Spencer Street and Serene Avenue. Parking lot landscaping is provided throughout the site via landscape finger islands composed of various 24 inch box trees and 5 gallon shrubs. No changes to the existing/approved landscaping are proposed with this use permit.

Elevations

Building 2 where the subject restaurant is located is shown on the provided plans as a 24 foot high building. The exterior finishes are shown to be mainly stucco painted a mix of brown, grey, and white. Along the bottom of the building grey, white, and black stone veneer is provided as a textual accent. Aluminum storefront windows/door systems are provided for entry into the building, and black hanging awnings are provided over the doorways for decoration and protection from the elements. No changes to the existing/approved elevations are proposed with this use permit.

Floor Plans

The floor plans provided show a typical 1,215 square foot restaurant lease space. The overall floor area is divided into a 756 square foot front of house area and a 459 square foot back of house area. The front of house area consists of the 420 square foot (28 seats) main dining area, a 40 square foot reception area, an 8 seat, 194 square foot sushi bar, and two, 51 square foot restrooms. The back of house area is shown composed of a 400 square foot kitchen with sinks, prep area, grills, and an oven range. A 59 square foot storage area is also provided in the back of house area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant currently operates a restaurant at the site and has an active Clark County business license for the subject location. The applicant states that they would like to start selling beer and wine with meals at their restaurant. They feel that serving beer and wine would elevate their customer experience and enhance their current menu. They state that their restaurant helps to bring foot traffic to other businesses in the plaza and there are no businesses nearby that also serve alcohol. They do not foresee any negative impacts to the surrounding area or businesses as a result of selling beer and wine at this location.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
TM-20-500109	1 lot commercial subdivision	Approved by PC	September 2020
WS-19-0965	Reduce required parking from 93 spaces to 76 spaces	Approved by PC	February 2020

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
DR-18-0355	Commercial center with retail and restaurant uses	Approved by PC	June 2018
VS-0466-17	Vacated and abandoned 5 feet along Spencer Street and Serene Avenue – recorded	Approved by PC	July 2017
UC-0432-16	Commercial complex with a recreational facility, retail, and restaurant uses – expired	Approved by PC	August 2016
UC-0115-08	Convenience store with reduced residential separation and a supper club	Approved by PC	March 2008
TM-0005-08	1 lot commercial subdivision – expired	Approved by PC	February 2008
ZC-1251-07	Reclassified the site from R-E to the C-1 zone for a proposed retail center with increased height and reduced parking – expired	Approved by BCC	November 2007
ZC-0777-07	Reclassified the site from R-E to the C-1 zone for a proposed retail center with increased height, reduced parking, alternative landscaping, and manmade water features – expired	Approved by BCC	August 2007
NZC-1777-04	Reclassified the site from R-E to the C-1 zone for a proposed neighborhood shopping center	Withdrawn	May 2005

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Public Use	P-F	Fire station
South	Public Use	R-E	Challenger School
East	Corridor Mixed-Use	C-1	Commercial center
West	Neighborhood Commercial	C-1	Undeveloped

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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

The restaurant with proposed on-premises consumption of alcohol is compatible with the surrounding area, as the nearby residential area is separated from the site by Serene Avenue, a collector street. The uses on the north side of Serene Avenue are either commercial in nature, undeveloped land, or a fire station which should not be greatly impacted by the addition of beer and wine sales at this location. As a result of there being no residential uses north of Serene

Avenue, the proposed use meets the minimum required distance separations. The proposed sale of alcohol also meets the Chapter 30.08 definition of a service bar. In addition, no changes are being proposed to the exterior of the building nor the site landscaping. Parking at the site has been previously addressed through WS-19-0965. Therefore, staff can support this request as the proposed service bar will not adversely impact the surrounding area nor have a negative impact on the adjacent uses within the subject commercial center.

**Staff Recommendation**  
Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Applicant is advised that approval of this application does not constitute or imply approval of 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 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.

**Fire Prevention Bureau**

- No comment.

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

**APPLICANT:** CHIKYU, LLC AKA CHIKYU VEGAN SUSHI BAR & IZAKAYA  
**CONTACT:** CHIKYU, LLC, 9850 S MARYLAND PARKWAY, SUITE A-5 #582, LAS VEGAS, NV 89183



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <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 #)	<b>STAFF</b>	APP. NUMBER: <u>UC-23-0180</u> DATE FILED: <u>4/12/23</u> PLANNER ASSIGNED: <u>HW</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>5/30/23</u> PC MEETING DATE: <u>6/20/23</u> BCC MEETING DATE: _____ FEE: <u>\$675</u>
	<b>PROPERTY OWNER</b>	NAME: <u>Serene Center, LLC</u> ADDRESS: <u>11022 Santa Monica Blvd, #208</u> CITY: <u>Los Angeles</u> STATE: <u>CA</u> ZIP: <u>90025</u> TELEPHONE: <u>702-637-7312</u> CELL: <u>702-610-0037</u> E-MAIL: <u>andrea.king@avisonyoung.com</u>
	<b>APPLICANT</b>	NAME: <u>Chikyu, LLC aka Chikyu Vegan Sushi Bar &amp; Izakaya</u> ADDRESS: <u>1740 E Serene Avenue, Suite 130</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: <u>725-777-3787</u> CELL: <u>415-377-8189 (MAIN CONTACT #)</u> E-MAIL: <u>lefamilyluna@gmail.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>	NAME: <u>Lan Lieu</u> ADDRESS: <u>9850 S Maryland Parkway, Suite A-5 #582</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>415-377-8189</u> CELL: <u>415-377-8189</u> E-MAIL: <u>lefamilyluna@gmail.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-23-214-002

PROPERTY ADDRESS and/or CROSS STREETS: 1740 E Serene Avenue, #130, Las Vegas, NV 89123

PROJECT DESCRIPTION: Alcohol Sales

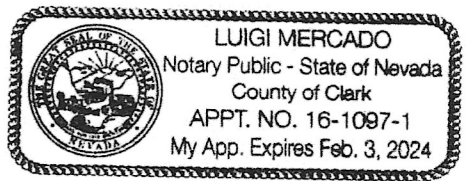
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and 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)\*      Lan Lieu  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Las Vegas

SUBSCRIBED AND SWORN BEFORE ME ON 03/13/2023 (DATE)  
 By LAN LIU

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 23-0186

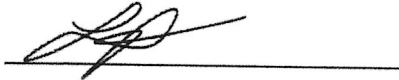
RE: Chikyu Vegan Sushi Bar & Izakaya – 1740 E Serene Avenue, Suite 130, Las Vegas NV 89123

(AKA 1780 E Serene Avenue, Las Vegas NV 89123)

PARCEL NUMBER(S): 23-214-002 OR 177-23-214-003

The Serene Center was a new construction plaza built in 2019-2020. Chikyu Vegan Sushi Bar & Izakaya was opened in 2020 during the pandemic. We followed all the steps and completed what we thought was needed to get a beer & wine license. It was reviewed and approved by, Chandra Adair (Management Analyst I of Comprehensive Planning, Zoning Business License). We are now told that the "use permit" is required. I wish that we were notified previously that this had to be completed.

Information regarding our restaurant: We are proud to share our commitment to high-quality plant-based cuisine. Our entire menu is vegan, and most of it is gluten-free. We are applying for the beer & wine (alcohol) use permit. Our restaurant is one of a kind, and would provide foot traffic to other businesses in our plaza. I do not believe that there are other establishments that serves alcohol nearby. Serving beer & wine in our restaurant will elevate our customers experience and enhance our menu, and help boost our sales.



Lan Lieu

Managing Member

Contact Number (415) 377-8189

**PLANNER  
COPY**

UC-23-0186

06/20/23 PC AGENDA SHEET

MINOR TRAINING FACILITY  
(TITLE 30)

ZODIAC CT/PECOS RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0168-SAM & GERT FELDMAN, LLC:**

**USE PERMIT** to allow a minor training facility within an existing office building on 1.2 acres in a C-P (Office and Professional) Zone.

Generally located on the east side of Pecos Road and the south side of Zodiac Court within Paradise. JG/sd/syp (For possible action)

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RELATED INFORMATION:

**APN:**

161-19-401-023

**LAND USE PLAN:**

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 4760 S. Pecos Road
- Site Acreage: 1.2
- Number of Lots/Units: 1
- Project Type: Minor training facility
- Number of Stories: 2
- Building Height (feet): 30
- Square Feet: 17,154 (office building)/980 (training facility)
- Parking Required/Provided: 69/64

**Site Plans**

The plans show an existing office building in which the applicant would like to open a minor training facility. The building is located in the northwest corner of the site. It is 3 sided surrounding a courtyard open to face to the south. Parking is located along the east and south sides of the building. A previous waiver of development standards was approved to reduce the parking to 64 spaces. Access to the site is from Pecos Road and Zodiac Court. Cross access is provided to the mini-warehouse to the south. The office building currently has 64 on-site parking spaces.



Landscaping

Additional landscaping is not required for this application.

Elevations

The plans depict an existing office building that is 2 stories at 30 feet in height with stucco finish, glazed windows, aluminum door and stucco columns with a flat roofline and a canopy over the front entrance.

Floor Plans

The building is a total of 17,154 square feet with various offices, conference rooms, utility rooms, restrooms, reception area. The applicant's lease space for the minor training facility is approximately 980 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the request for a minor training facility is to offer classes of no more than 15 people who are required to attend anger management and domestic violence classes. The classes include domestic violence classes that are often 1.5 hours in length between 26 weeks to 52 weeks, anger management classes that are generally 1 hour long, parenting classes that are 1 hour in length and impulse control classes which generally last 2 hours. These classes are for those who need to improve communication skills, behavior, and positive relationships.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-1409-04	Health spa and cosmetology, hair salon, chiropractic, massage, and personal services; waiver of development standards for reduced parking	Approved by PC	September 2004

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	C-P	Undeveloped
South & East	Neighborhood Commercial	C-1	Mini-warehouse
West	Compact Neighborhood (up to 18 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**

### **Comprehensive 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 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's primary concerns with these types of uses are to ensure compatibility with existing and planned surrounding uses and that there is adequate on-site parking. This use does not increase the required parking. Minor training facilities in other parts of Clark County have shown to be appropriate and compatible within office developments. Staff does not anticipate any adverse impacts from this training facility and finds that the use is compatible with the existing development in the surrounding area. The proposed use places no additional demands on the site in terms of required parking, landscaping, or other design features; therefore, staff recommends 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

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

#### **Fire Prevention Bureau**

- No comment.

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

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

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

**APPLICANT:** VICTOR G. ITURRIOS  
**CONTACT:** VICTOR ITURRIOS, LAS VEGAS, 4760 S. PECOS ROAD, SUITE 103-20,  
LAS VEGAS, NV 89121

DRAFT



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <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 checked="" 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 #)	<b>STAFF</b>  APP. NUMBER: <u>UC-23-0168</u> DATE FILED: <u>4/3/23</u> PLANNER ASSIGNED: <u>SWD</u> TAB/CAC: <u>Parodi SC</u> TAB/CAC DATE: <u>5-30-23</u> PC MEETING DATE: <u>16-20-23</u> BCC MEETING DATE: _____ FEE: <u>\$ 1,150</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Michael Feldman</u> ADDRESS: <u>800 N. Rainbow Blvd #208</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89107</u> TELEPHONE: <u>702-948-5000</u> CELL: _____ E-MAIL: <u>Rentsamson@aol.com</u>
	<b>APPLICANT</b>  NAME: <u>Luz Nevarez</u> ADDRESS: <u>4760 S. Pecos rd Suite 103-20</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: <u>702-984-7634</u> CELL: _____ E-MAIL: <u>enlightenmentcenterlv@gmail.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>Luz Nevarez</u> ADDRESS: <u>2096 Bowstring Dr.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89142</u> TELEPHONE: <u>702-964-7634</u> CELL: _____ E-MAIL: <u>adrisnevarez@gmail.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 16119401023

PROPERTY ADDRESS and/or CROSS STREETS: Zodiac 4 and S. Pecos Rd.

PROJECT DESCRIPTION: Train facility - Domestic Violence, Anger management, Parenting classes.

(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.

Leslie Mitchell      Leslie Mitchell  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 01-18-23 (DATE)  
 By \_\_\_\_\_  
 NOTARY PUBLIC: \_\_\_\_\_



\*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature document is a corporation, partnership, trust, or provides signature in a representative capacity.

Justification Letter

UC-23-0168

We are providing Domestic Violence classes, Anger Management, Impulse Control, and Parenting classes to court-mandated and DFS-mandated clients. The goal is to teach participants the necessary positive communication and conflict resolution skills to help them improve their behavior and increase their positive relationships with their family, friends, and other people.

DV classes are 1.5 hours long, and participants attend 26 classes and, in some cases, 52, depending on the severity of the cases. The maximum number of students per class, either in person or online, is 15 in person or online.

Anger Management classes are 1 hour long, and participants attend 13 classes. The maximum number of students per class is 15.

Parenting classes are eight sessions of 2 hours long. The maximum number of students per class is 15 in person or online.

Impulse control classes are eight hours to mandated classes. Usually, participants attend these classes for 2 hours. The total number of classes is 4.

06/20/23 PC AGENDA SHEET

RIGHT-OF-WAY  
(TITLE 30)

MCLEOD DR/OQUENDO RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-23-0206-OQUENDO INDUSTRIAL 2022, LP:**

**VACATE AND ABANDON** a portion of a right-of-way being McLeod Drive located between Oquendo Road and Patrick Lane within Paradise (description on file). JG/jgh/syp (For possible action)

RELATED INFORMATION:

**APN:**  
162-36-601-007; 162-36-601-048

**LAND USE PLAN:**  
WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

**BACKGROUND:**  
**Project Description**

The subject parcel within Paradise is located at the intersection of Oquendo Road and McLeod Drive. The plans indicate one, 5 foot wide segment of right-of-way (McLeod Drive) is being vacated. The applicant indicates the segment is being vacated to develop the subject property as a light industrial facility and to construct detached sidewalks.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-22-0198	Reclassified from R-E zoning to an M-D zoning	Approved by BCC	June 2022
DR-0668-08	Office/warehouse development - expired	Approved by BCC	August 2008
NZC-0108-08	Reclassified 1.8 acres from R-E to M-D zoning for an office warehouse development - expired	Approved by BCC	June 2008
VS-08-0109	Vacated a portion of right-of-way - expired	Approved by BCC	June 2008

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Business Employment	R-E	Undeveloped

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
South	Neighborhood Commercial	R-E	Undeveloped
East	Public Use	P-F	Del Sol High School

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

Staff has no objection to the vacation of right-of-way for detached sidewalks.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- 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**

- Right-of-way dedication to include an additional 5 feet for McLeod Drive from APN 162-36-601-007;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Fire Prevention Bureau**

- No comment.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** OQUENDO INDUSTRIAL 2022 LP

**CONTACT:** KAYLA CASSELLA, VTN, 2727 S. RAINBOW BLVD, LAS VEGAS, NV  
89146

DRAFT





# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>VS-23-0206</u>	DATE FILED: <u>4/18/23</u>
		PLANNER ASSIGNED: <u>JG-H</u>	TAB/CAC DATE: <u>5/30/23</u> 7pm
		TAB/CAC: <u>Paradise</u>	
		PC MEETING DATE: <u>6/20/23</u>	
		BCC MEETING DATE: _____	
		FEE: <u>\$875</u>	

PROPERTY OWNER	NAME: <u>OQUENDO INDUSTRIAL 2022 LP</u>
	ADDRESS: <u>1100 GRIER DRIVE</u>
	CITY: <u>LAS VEGAS</u>
	STATE: <u>NV</u> ZIP: <u>89119</u>
	TELEPHONE: <u>702-293-9030</u>
	E-MAIL: <u>MIKEMANLEY@NEWWESTNV.COM</u>
	CELL: <u>702-327-9450</u>

APPLICANT	NAME: <u>OQUENDO INDUSTRIAL 2022 LP</u>
	ADDRESS: <u>1100 GRIER DRIVE</u>
	CITY: <u>LAS VEGAS</u>
	STATE: <u>NV</u> ZIP: <u>89119</u>
	TELEPHONE: <u>702-293-9030</u>
	E-MAIL: <u>MIKEMANLEY@NEWWESTNV.COM</u>
	REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>VTN NEVADA - KAYLA CASSELLA</u>
	ADDRESS: <u>2727 SOUTH RAINBOW BOULEVARD</u>
	CITY: <u>LAS VEGAS</u>
	STATE: <u>NV</u> ZIP: <u>89146</u>
	TELEPHONE: <u>702-873-7550</u>
	E-MAIL: <u>KAYLAC@VTNNV.COM</u>
	REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): VACATION: 162-36-699-001

PROJECT LOCATION: 162-36-601-048 & 162-36-601-007

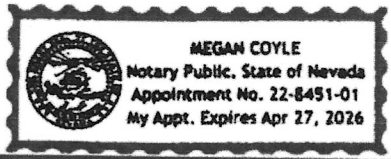
PROPERTY ADDRESS and/or CROSS STREETS: MCLEOD DRIVE & OQUENDO ROAD

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.

[Signature]  
 Property Owner (Signature)  
 STATE OF NEVADA  
 COUNTY OF CLARK

EDWARD T. MANLEY  
 Property Owner (Print)

SUBSCRIBED AND SWORN BEFORE ME ON 11/30/2022 (DATE)  
 By Edward T. Manley  
 NOTARY PUBLIC: Megan Coyle



\*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.

April 4, 2023  
W.O. 8141

Clark County Public Works  
500 S Grand Central Parkway  
Las Vegas, Nevada 89155

VS-23-0206

**Attention: Planning Department**

**Subject: Vacation Request**  
**APN 162-36-601-048 & 162-36-601-007**

Planning Department,

On behalf of our client Oquendo Industrial 2022 LP, VTN Nevada is requesting the approval of a Vacation of the following:

1. Public Right-of-Way

The subject property is located East of McLeod Drive and South of Oquendo Road within the Paradise land use planning area of Clark County jurisdiction.

The applicant is requesting this vacation in order to develop the subject property as a light industrial facility.

**Vacation Request**

The applicant is requesting to vacate 5' of right-of-way on McLeod Drive as shown on the vacation site plan and described in the legal description. The vacation of the right-of-way is to comply with the detached sidewalk requirement as stated in the Parcel Map preliminary review letter for the parcel map MSM-22-600087 for the proposed development of a light industrial facility.

We thank you in advance for your time and consideration. If you have any questions or comments, please feel free to contact me at (702) 873-7550.

Sincerely,

**VTN Nevada**

*Kayla Cassella*

Kayla Cassella  
Project Coordinator

PLANNED  
COPY

PARKING LOT  
(TITLE 30)

WYNN RD/DIABLE DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**AR-23-400044 (WS-22-0466)-PRECISION PROPERTIES, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS FIRST APPLICATION FOR REVIEW**

for the following: **1)** eliminate street landscaping; **2)** eliminate parking lot landscaping; **3)** reduce setbacks; and **4)** required trash enclosure.

**DESIGN REVIEW** for a parking lot on 2.3 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the south side of Diablo Drive, 355 feet east of Wynn Road within Paradise. MN/jud/syp (For possible action)

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RELATED INFORMATION:

**APN:**

162-30-801-005

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate street landscaping where required per Table 30.64-2.
2. Eliminate parking lot landscaping where required per Figure 30.64-14.
3.
  - a. Reduce the front setback for an existing chain-link fence to zero feet where 20 feet is required per Table 30.40-5 (a 100% reduction).
  - b. Reduce the setback from the right-of-way (Diablo Drive) for an existing chain-link fence to zero feet where 10 feet is required per Section 30.56.040 (a 100% reduction).
  - c. Reduce the setback for existing access gates along Diablo Drive to 4 feet where access gates shall be set back a minimum of 18 feet from the property line only if the gates remain open during business hours per Section 30.64.020 (a 77.8% reduction).
4. Waive the trash enclosure required per Section 30.56.120.

**LAND USE PLAN:**

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 2.3
- Project Type: Parking lot

### History & Request

ADR-21-900202 was approved by the Zoning Administrator in May 2021 for a temporary parking lot with a condition to file the applicable land use application within 1 year. Application WS-22-0466 for waivers of development standards, and a design review for the existing parking lot was approved by the Board of County Commissioners in November 2022 with the condition to file an application review as a public hearing. The applicant filed an application pre-review for the application review on March 7, 2023, which was officially filed on April 12, 2023 and set for review as a public hearing. The project site has been secured by the applicant under a short term lease and has been used as a pre-paid parking lot for large events at Allegiant Stadium.

### Site Plans & Parking Lot Operations

This site is located within the Stadium District Plan. The approved plans depict an existing parking lot located on Diablo Drive approximately 355 feet east of Wynn Road. Allegiant Stadium is to the east of the site across both Valley View Boulevard and Polaris Avenue. The site is accessed directly from Diablo Drive. There are 2 gated driveways with secured rolling gates along Diablo Drive. The eastern gate is the only gate used during event days at Allegiant Stadium. This paved parking lot provides 307 parking spaces located along the perimeter of the site, along with 3 double rows of parking spaces and 1 single row of parking spaces located internal to the site in an east to west orientation. Additionally, there are 8 accessible parking spaces for the mobility impaired along the east side of the property.

The applicant stated that there is an existing perimeter chain-link fence approximately 6 feet in height along the west, south, and east property lines of the parcel, which serve as a buffer to the adjoining parcels. They also indicated that a chain-link fence approximately 6 feet in height was installed on the north property line, along Diablo Drive, to help secure the lot when it is not in use. Waivers of development standards are necessary to reduce the zoning district and right-of-way setbacks for the existing chain-link fencing along the northern (front) property line.

The applicant indicated that on event days, Las Vegas Metropolitan police officers provide traffic control along Polaris Avenue and stadium attendants support the needs of Metro as well as manage vehicular movement at this site. Stadium attendants load and unload vehicles on-site solely through the easternmost driveway on Diablo Drive.

### Landscaping

No street or site landscaping improvements were proposed with the original application, necessitating a waiver of development standards.

### Previous Conditions of Approval

Listed below are the approved conditions for WS-22-0466:

#### Current Planning

- Until May 17, 2023 to review as a public hearing;
- Areas for trash collection to be provided on-site.
- Applicant is advised they are responsible to submit review application in a timely manner; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the

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

Applicant’s Justification

The applicant states the site has been secured by Stadco under short-term lease and it has been used intermittently for events held at Allegiant Stadium.

At the Board of County Commissioners November 16, 2022, zoning meeting when this item was originally heard, the applicant informed the Board of County Commissioners this parcel was under a lease set to expire in early 2023, and requested the item be held for review to provide the applicant an opportunity to extend the lease. Over the following months Stadco and the property owner reached an agreement to extend the term of the least; however, the extension is of a short nature.

The original application included 4 different waivers of development standards 1) eliminate street landscaping where required per Table 30.64-2; 2) eliminate parking lot landscaping; 3) reduce setbacks; and 4) required trash enclosure. As with the other companion items originally heard by the Board of County Commissioners in November 2022 the applicant is requesting approval of waiver of development standards #2 through #4. As for waiver of development standards #1, last November Stadco offered to make financial contribution to the County for street landscaping in an amount commensurable with the costs for acquiring and installing street landscaping required under Title 30, and to do this in lieu of installing street facing landscaping for Stadco controlled parcels under short term leases. The lease for this site has been extended until February 29, 2024, Stadco once again offers to make the financial contribution to the County for street landscaping in the same manner as was done under WS-22-0467 and UC-22-0468.

Additionally, the applicant submitted a letter stating that they have met the second condition of approval for this original application, which reads: “Areas for trash collection to be provided on site”.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-22-0466	Parking lot	Approved by BCC	November 2022
ADR-21-900202	Temporary stadium parking lot	Approved by ZA	May 2021
ADR-20-900223	Temporary stadium parking lot - expunged	Approved by ZA	April 2020
ZC-1221-99	Reclassified the site from R-E to M-1 zoning for an office/warehouse facility	Approved by BCC	September 1999

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North & East	Business Employment	M-1	Office/warehouse facilities
South	Business Employment	M-1	Outside storage
West	Business Employment	R-E	Undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
AR-23-400046 (UC-22-0461)	A request for an application review for an existing parking lot is a related item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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

The Stadium District Development Plan states that future developments can increase dedicated open space to improve the capacity for outdoor group activities year-around. Parking is necessary to bring people to the area; however, it should be situated in places and designed in ways to support the area. Landscaping allows to soften hard edges and creates a welcoming environment. Also, it enhances the user experience throughout the District by incorporating desert appropriate landscaping.

Furthermore, landscaping works as a mitigating factor to specific environmental issues that paving creates, like stormwater run-off and heat vulnerability. The use of landscaping along the street and within the parking lot is to soften the view of the primarily paved and open lots. The original requests to waive the required landscaping and provide non-decorative fences along the perimeter of the site were approved on short term lease bases. Staff is concerned by extending the lease and removing the application review time limit the requested waivers of development standards will become permanent. Therefore, staff cannot support the application review request.

**Staff Recommendation**

Denial.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

If approved:

- Until May 17, 2024 to review as a public hearing.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: LV STADIUM EVENTS, CO.**

**CONTACT: DON BURNETTE, 12125 LOS ARROYOS COURT, LAS VEGAS, NV 89138**





AR-23-400044

March 29, 2023

Current Planning Division  
Department of Comprehensive Planning  
500 Grand Central Pkwy  
Las Vegas, Nevada 89155-1841

**Re: REVISED Justification Letter – Application Review for WS-22-0466;**

**Assessors' Parcel Number: 162-30-801-005**

**To Whom It May Concern:**

On behalf of my client, LV Stadium Events Co, LLC. (Stadco), please accept this justification letter for an Application Review for WS-22-0466. This item was before the Board on their November 16, 2022, Zoning meeting agenda as a Design Review for a Parking Lot with Waivers of Development Standards.

**Project Description:**

The parking lot is located south of Diablo Drive and approximately 330 feet west of Wynn Road. While the parking lot currently has two driveways on Diablo Drive, only the driveway located on the east side of the parcel is used to access the site. Since Allegiant Stadium opened on July 10, 2021, the parking lot has been used intermittently for events held at Allegiant Stadium. The site is zoned M-1 and is surrounded by Commercial/Industrial parcels. This parking lot site has been secured by Stadco under a short-term lease and is used exclusively for events at Allegiant Stadium.

At the Board's November 16, 2022, Zoning meeting when this item was originally heard, I informed the Board that this parcel was under a lease that was set to expire in early 2023, and requested that the item be held for review until the Board's May 16, 2023 meeting agenda to provide the Applicant an opportunity to extend the lease. The Board approved the request. Over the following months, Stadco and the property owner have negotiated an extension to the lease agreement; however, the negotiated extension is of a short-term nature.

**Justification:**

This application includes four Waivers of Development Standards under Title 30. Waiver of Development Standards are required for the following: (1) Eliminate street landscaping where required per Table 30.64-2; (2) Eliminate parking lot landscaping where required per Figure 30.64-14; (3) Reduce setbacks; and (4) Waive the trash enclosure required per Section 30.56.120.

As with the other companion items that were approved by the Board on November 16, 2022 (WS-22-0458, WS-22-0463, WS-22-0464, WS-22-0467, and UC-22-0468), the Applicant is respectfully requesting approval of waivers #2, #3, and #4. As for Waiver #1, last November Stadco offered to make a financial contribution to the County for street landscaping in an amount

6

commensurate with the costs for acquiring and installing street landscaping trees required under Title 30, and to do this in lieu of installing street facing landscaping for Stadco controlled parcels under short-term leases. The Board approved of this request for WS-22-0467 and UC-022-0468 and Stadco subsequently made this financial contribution to the County the first week of March 2023. Since Stadco was only able to extend this lease to February 29, 2024, Stadco once again offers to make a financial contribution to the County for street landscaping in the same manner as was done under WS-22-0467 and UC-022-0468.

I appreciate your consideration of the application. Please call me at 702-606-0804 if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald G. Burnette". The signature is fluid and cursive, with a prominent loop at the end.

Donald G. Burnette  
Burnette Consulting

PARKING LOT  
(TITLE 30)

HACIENDA AVE/DEAN MARTIN DR

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**AR-23-400046 (UC-22-0461)-ITAI INVESTMENTS, LLC:**

**USE PERMIT FIRST APPLICATION FOR REVIEW** for a parking lot.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate street landscaping; **2)** eliminate parking lot landscaping; **3)** reduce setbacks; **4)** increase fence height; and **5)** required trash enclosure.

**DESIGN REVIEW** for a parking lot on 1.9 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone.

Generally located on the north side of Hacienda Avenue and the west side of Dean Martin Drive within Paradise. MN/jud/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**

162-29-205-008

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate street landscaping where required per Table 30.64-2.
2. Eliminate parking lot landscaping where required per Figure 30.64-14.
3.
  - a. Reduce the front and side street corner setbacks for an existing chain-link fence to 5 feet where 10 feet is required per Table 30.40-6 (a 50% reduction).
  - b. Reduce the setback from the right-of-way (Dean Martin Drive and Hacienda Avenue) for an existing chain-link fence to 5 feet where 10 feet is required per Section 30.56.040 (a 50% reduction).
  - c. Reduce the setback for existing access gates along Dean Martin Drive and Hacienda Avenue to 6 feet where access gates shall be set back a minimum of 18 feet from the property line only if the gates remain open during business hours per Section 30.64.020 (a 66.7% reduction).
4. Permit an existing non-decorative 6 foot high chain-link fence within the required zoning district setbacks where a maximum fence or wall height of 3 feet is permitted per Section 30.64.020 (a 100% increase).
5. Waive the trash enclosure required per Section 30.56.120.

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

## **BACKGROUND:**

### **Project Description**

#### General Summary

- Site Address: 5285 Dean Martin Drive
- Site Acreage: 1.9
- Project Type: Parking lot

#### History & Request

ADR-20-900225 was approved by the Zoning Administrator in April 2020 for a temporary parking lot with a condition to file the applicable land use application within 1 year. Subsequently, ADR-21-900233 was approved by the ZA in May 2021 with a condition to file the applicable land use application within 1 year. Application UC-22-0461 for a use permit, waivers of development standards, and a design review for the existing parking lot was approved by the Board of County Commissioners in November 2022 with the condition to file an application review as a public hearing. The applicant filed an application pre-review for the application review on March 7, 2023, which was officially filed on April 12, 2023 and set for review as a public hearing.

#### Site Plans & Parking Lot Operations

The site is within the Stadium District Plan. The original plans depicted an existing paved parking lot consisting of 1.9 acres located at the northwest corner of Dean Martin Drive and Hacienda Avenue. Existing parking spaces are located around the perimeter of the site. Three double rows and a single row of parking spaces, oriented in an east/west direction, are located interior to the site. Access to the site is granted via 2 existing driveways adjacent to Dean Martin Drive, necessitating a waiver of development standards to reduce the setback for the existing access gates. A third access point is granted via an existing driveway adjacent to Hacienda Avenue. A waiver of development standards was also required to reduce the setback for the existing access gate along Hacienda Avenue. A total of 223 parking spaces are provided within the interior of the project site. An existing 6 foot high chain-link fence is located along the south and east property lines of the site, with corresponding waivers of development standards to reduce the zoning district and right-of-way setbacks. The chain-link fence has been removed from the west property line of the subject parcel to permit cross access to the adjacent site, APN 162-29-205-005. Attached sidewalks measuring a minimum width of 6 feet are located adjacent to Dean Martin Drive and Hacienda Avenue. Allegiant Stadium is located immediately to the south of the parking lot, across Mandalay Bay Road. No site or landscaping improvements were proposed with this application.

The applicant indicated that on stadium event days, the parcel is used solely to provide rideshare services in support of the transportation needs of Allegiant Stadium. The adjoining parcel to the west, APN 162-29-205-005, is used primarily to provide stadium attendees arriving and departing by rideshare with safe and convenient access between the rideshare lot and the stadium site. This site is served by 2 existing driveways off Dean Martin Drive and 1 driveway on Hacienda Avenue. On stadium event days, vehicular traffic on Dean Martin Drive is turned one-way southbound, hours before the start of the event. Metropolitan police officers provide traffic control on Dean Martin Drive and all southbound non-stadium traffic is diverted westbound on Ali Baba Lane. The 2 southbound Dean Martin Drive lanes south of Ali Baba Lane are used by

rideshare vehicles serving the stadium, and all rideshare vehicles enter the site through the 2 driveways off Dean Martin Drive where they are guided to vehicle queuing lanes on-site for the purpose of picking-up or dropping-off stadium attendees. Upon pick-up or drop-off, all rideshare vehicles depart the site to Hacienda Avenue either through the driveway on the south side of the parcel or through the driveway on the adjacent parcel APN 162-29-205-005, where all vehicles are forced to make right hand turns on Dean Martin Drive. Jersey barriers are used on-site to separate vehicles and pedestrians and generally run the length of the parcel boundary between APN 162-29-205-005 and APN 162-29-205-008.

#### Landscaping

Aerial photographs depict 2 existing trees located at the southeast corner of the site, adjacent to Dean Martin Drive and Hacienda Avenue. The landscape area along Dean Martin Drive measures 5 feet in width, and features limited groundcover. The existing landscape area along the southeast corner of the site, adjacent to Hacienda Avenue and Dean Martin Drive, measures 7 feet in width and also contains limited groundcover. Aerial photographs also depict 170 linear feet of an improved surface (parking spaces) located immediately behind the existing attached sidewalk along Hacienda Avenue. Due to the very limited landscaping along Dean Martin Drive and Hacienda Avenue, a waiver of development standards was required to eliminate street landscaping. Landscape finger islands were not provided within the interior of the parking lot and required a waiver of development standards to eliminate parking lot landscaping. A waiver of development standards was required to permit the existing 6 foot high chain-link fence within the required zoning district setback and street landscape area along Dean Martin Drive and Hacienda Avenue.

#### Signage

Signage was not a part of the original request.

#### Previous Conditions of Approval

Listed below are the approved conditions for UC-22-0461:

#### Current Planning

- Until May 17, 2023 to review as a public hearing;
- Areas for trash collection to be provided on-site.
- Applicant is advised they are responsible to submit review application in a timely manner; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

#### Applicant's Justification

The applicant states the site has been secured by Stadco under a short-term lease and has been used solely as a rideshare site for events at Allegiant Stadium since August 1, 2021. This parking

lot has experienced high utilization on event days. The lot's proximity to Allegiant Stadium has provided stadium attendees arriving by rideshare with convenient access to the stadium site. Attendees utilizing this lot can make the very short walk across Hacienda Avenue, which is closed to vehicular access on event days, to the stadium site. During Stadium events, there are stadium attendants stationed at this site augmented by officers from the Las Vegas Metropolitan Police Department in the area to direct traffic and pedestrian movement on-site and on area roadways.

At the Board of County Commissioners November 16, 2022, zoning meeting when this item was originally heard, the applicant informed the Board of County Commissioners this parcel was under a lease set to expire in early 2023, and requested the item be held for review to provide the applicant an opportunity to extend the lease. Over the following months Stadco and the property owner reached an agreement to extend the term of the lease; however, the extension is of a short nature.

The original application included 5 different waivers of development standards 1) eliminate street landscaping where required per Table 30.64-2; 2) eliminate parking lot landscaping; 3) reduce setbacks; 4) increase fence height; and 5) required trash enclosure. As with the other companion items originally heard by the Board of County Commissioners in November 2022 the applicant is requesting approval of waiver of development standards #2 through #5. As for waiver of development standards #1, last November Stadco offered to make financial contribution to the County for street landscaping in an amount commensurable with the costs for acquiring and installing street landscaping required under Title 30, and to do this in lieu of installing street facing landscaping for Stadco controlled parcels under short term leases. The lease for this site has been extended until July 31, 2025, Stadco once again offers to make the financial contribution to the County for street landscaping in the same manner as was done under WS-22-0467 and UC-22-0468.

Additionally, the applicant submitted a letter stating that they have met the second condition of approval for this original application, which reads: "Areas for trash collection to be provided on site".

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-22-0461	Parking lot	Approved by BCC	November 2022
ADR-21-900233	Parking lot	Approved by ZA	May 2021
ADR-20-900225	Parking lot - expunged	Approved by ZA	April 2020
VC-0289-93	Freestanding sign	Approved by PC	April 1993

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Motel
South	Entertainment Mixed-Use	H-1	Allegiant Stadium
East*	Entertainment Mixed-Use	H-1	Luxor Resort Hotel
West	Entertainment Mixed-Use	M-1	Parking lot

\* Immediately to the east is I-15

### Related Applications

Application Number	Request
AR-23-400044 (WS-22-0466)	A request for an application review for an existing parking lot is a related item of this agenda.

### STANDARDS FOR APPROVAL:

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

### Analysis

#### Comprehensive Planning

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

The Stadium District Development Plan states that future development can increase dedicated open space to improve the capacity for outdoor group activities year-around. Parking is necessary to bring people to the area; however, it should be situated in places and designed in ways to support the area. Landscaping allows to soften hard edges and creates welcoming environment. Also, it enhances the user experience throughout the District by incorporating desert appropriate landscaping.

Furthermore, landscaping works as a mitigating factor to specific environmental issues that paving creates, like stormwater run-off and heat vulnerability. The use of landscaping along the street and within the parking lot is to soften the view of the primarily paved and open lots. The original requests to waive the required landscaping and provide non-decorative fences along the perimeter of the site were approved on short term lease bases. Staff is concerned by extending the lease and removing the application review time limit the requested waivers of development standards will become permanent. Therefore, staff cannot support the application review request.

### Staff Recommendation

Denial.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

If approved:

- Until May 17, 2025 to review as a public hearing.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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**

- No comment.

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

- No comment.

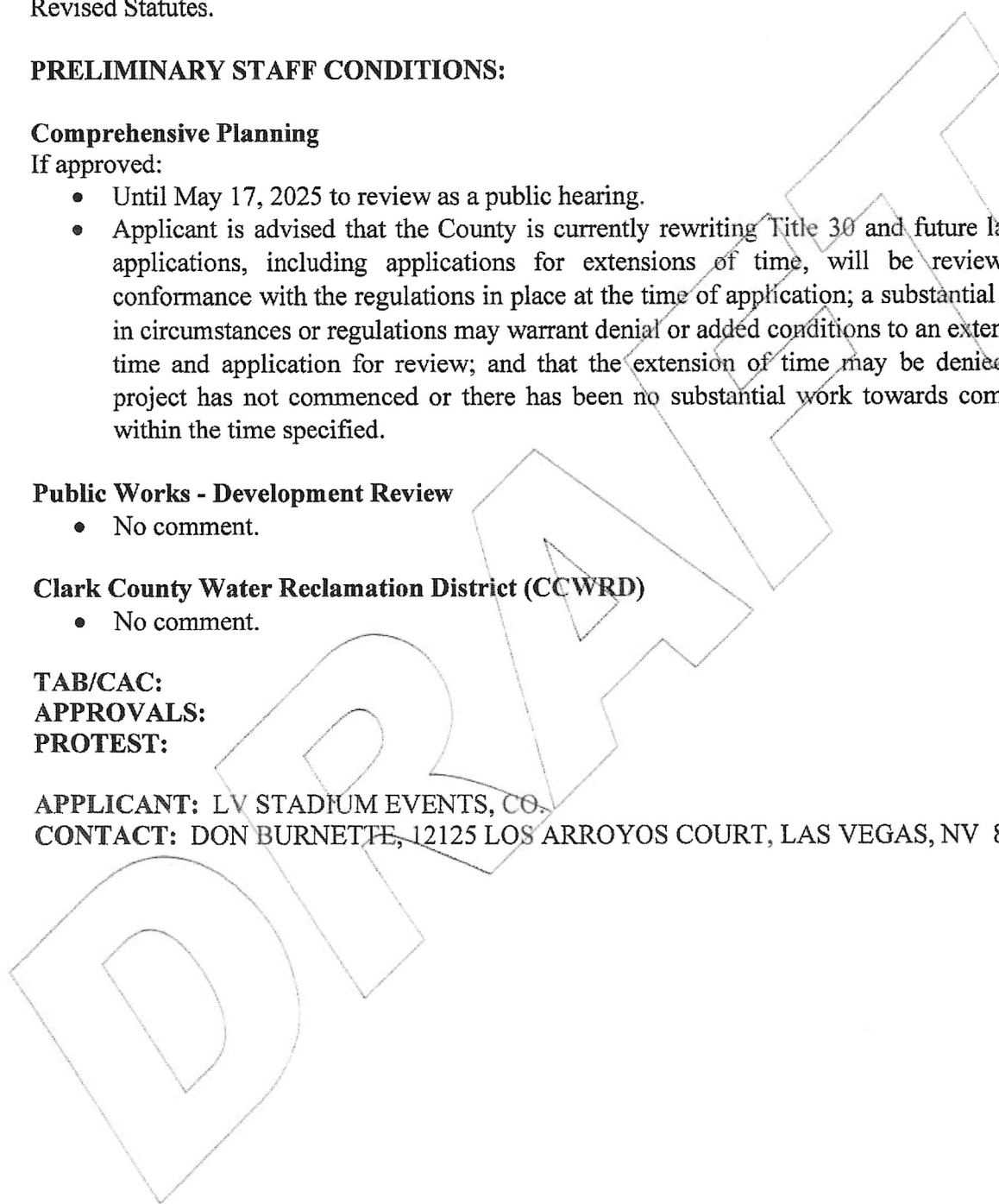
**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** LV STADIUM EVENTS, CO.

**CONTACT:** DON BURNETTE, 12125 LOS ARROYOS COURT, LAS VEGAS, NV 89138







# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input checked="" type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">UC-22-0461</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: <u>AR-23-400046</u>      DATE FILED: <u>04/12/2023</u></p> <p>PLANNER ASSIGNED: <u>JVD</u></p> <p>TAB/CAC: <u>Paradise</u>      TAB/CAC DATE: <u>May 30, 2023</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>June 21, 2023</u></p> <p>FEE: <u>\$ 1425.00</u></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>Itai Investments LLC</u></p> <p>ADDRESS: <u>680 W. Nye Lane, Suite 201</u></p> <p>CITY: <u>Carson City</u>      STATE: <u>NV</u>      ZIP: <u>89703</u></p> <p>TELEPHONE: <u>(301) 750-6400</u>      CELL: <u>N/A</u></p> <p>E-MAIL: <u>N/A</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>LV Stadium Events Co. LLC</u></p> <p>ADDRESS: <u>1474 Raiders Way</u></p> <p>CITY: <u>Henderson</u>      STATE: <u>NV</u>      ZIP: <u>89052</u></p> <p>TELEPHONE: <u>(702) 804-5900</u>      CELL: _____</p> <p>E-MAIL: <u>csotiropulos@raiders.com</u>      REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Don Burnette</u></p> <p>ADDRESS: <u>12125 Los Arroyos Ct.</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89138</u></p> <p>TELEPHONE: <u>N/A</u>      CELL: <u>(702) 606-0804</u></p> <p>E-MAIL: <u>dgburnette6@gmail.com</u>      REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 162-29-205-008

PROPERTY ADDRESS and/or CROSS STREETS: Dean Martin Dr. and Hacienda Ave.

PROJECT DESCRIPTION: Stadium Off-site Parking 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.

\_\_\_\_\_  
Property Owner (Signature)\*

JOSEPH IVAN  
Property Owner (Print)

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

SUBSCRIBED AND SWORN BEFORE ME ON \_\_\_\_\_ (DATE)

By \_\_\_\_\_

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.

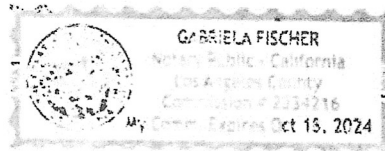

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A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of **California**  
County of **Los Angeles**

Subscribed and sworn to (or affirmed) before me on the **5<sup>th</sup> day of APRIL of 2023** by **JOSEPH IVAN**, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature \_\_\_\_\_



**DOCUMENT: LAND USE APPLICATION**  
(EMBOSSER PLACED ON NOTARY SECTION BELOW SIGNATURE)

AR-23-400046

April 5, 2023

Current Planning Division  
Department of Comprehensive Planning  
500 Grand Central Pkwy  
Las Vegas, Nevada 89155-1841

**Re: Justification Letter – Application Review for UC-22-0461;**

**Assessors' Parcel Number: 162-29-205-008**

**To Whom It May Concern:**

On behalf of my client, LV Stadium Events Co, LLC. (Stadco), please accept this justification letter for an Application Review for UC-22-0461. This item was before the Board on their November 16, 2022, Zoning meeting agenda as a Use Permit and Design Review for a Parking Lot, with Waivers of Development Standards.

**Project Description:**

The parking lot is generally located on the northwest corner of remnant Hacienda Ave. and Dean Martin Dr. The parcel dimensions are approximately 291 feet in length from north to south and approximately 260 feet east to west. The site is zoned H-1 and is surrounded by undeveloped and developed commercial/industrial parcels. This site has been secured by Stadco under a short-term lease and has been used solely as a rideshare site for events at Allegiant Stadium since August 1, 2021.

While this parcel has been designed as a parking lot, on Stadium event days the parcel is used solely to provide rideshare services in support of the transportation needs of Allegiant Stadium. Over its 9 months of operation, this parking lot has experienced high utilization on event days. The lot's close proximity to Allegiant Stadium has provided Stadium attendees arriving by rideshare with convenient access to the Stadium site. Attendees utilizing this lot are able to make the very short walk across Hacienda Ave., which is closed to vehicular access on event days, to the Stadium site. During Stadium events, there are Stadium attendants stationed at this site augmented by Officers from the Las Vegas Metropolitan Police Department in the area to direct traffic and pedestrian movement on -site and on area roadways.

At the Board's November 16, 2022, Zoning meeting when this item was originally heard, I informed the Board that this parcel was under a lease that was set to expire in early 2023, and requested that the item be held for review until the Board's May 16, 2023 meeting agenda to provide the Applicant an opportunity to extend the lease. The Board approved the request. Over the following months, Stadco and the property owner reached an Agreement to extend the term of the lease; however, the extension of the Agreement is of a short-term nature.

**Justification:**

This application, as originally submitted, included five requested Waivers of Development

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Standards under Title 30. Waiver of Development Standards are required for the following: (1) Eliminate street landscaping where required per Table 30.64-2; (2) Eliminate parking lot landscaping where required per Figure 30.64-14; (3) Reduce setbacks; (4) Permit an existing non-decorative 6 foot high chain-link fence within the required zoning district setbacks where a maximum fence or wall height of 3 feet is permitted per Section 30.64.020 (a 100% increase). 5. Waive the trash enclosure required per Section 30.56.120.

As with the other companion items that were approved by the Board on November 16, 2022 (WS-22-0458, WS-22-0463, WS-22-0464, WS-22-0467, and UC-22-0468), the Applicant is respectfully requesting approval of waivers #2, #3, #4, and #5). As for Waiver #1, last November Stadco offered to make a financial contribution to the County for street landscaping in an amount commensurate with the costs for acquiring and installing street landscaping trees required under Title 30, and to do this in lieu of installing street facing landscaping for Stadco controlled parcels under short-term leases. The Board approved of this request for WS-22-0467 and UC-022-0468 and Stadco subsequently made this financial contribution to the County the first week of March 2023. Since Stadco was only able to extend this lease to July 31, 2025, Stadco once again offers to make a financial contribution to the County for street landscaping in the same manner as was done under WS-22-0467 and UC-022-0468.

I appreciate your consideration of the application. Please call me at 702-606-0804 if you have any questions or need additional information.

Sincerely,



Donald G. Burnette  
Burnette Consulting

06/21/23 BCC AGENDA SHEET

SCHOOL  
(TITLE 30)

EASTERN AVE/FORD AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**AR-23-400050 (UC-22-0426)-DIAMOND CREEK HOLDINGS, LLC SERIES 8:**

**USE PERMIT FIRST APPLICATION FOR REVIEW** for a school in conjunction with an existing office and retail shopping center on 0.8 acres in a C-2 (General Commercial) Zone and a C-P (Office and Professional) Zone.

Generally located on the west side of Eastern Avenue and the north side of Ford Avenue within Paradise. MN/rp/syp (For possible action)

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RELATED INFORMATION:

**APN:**

177-14-710-003; 177-14-710-008; 177-14-710-012; 177-14-710-014; 177-14-710-018; 177-14-710-025; 177-14-710-027; 177-14-710-028; 177-14-710-030; 177-14-710-035; 177-14-710-036; 177-14-710-039; 177-14-710-040; 177-14-710-042 through 177-14-710-047; 177-14-710-049 through 177-14-710-053

**LAND USE PLAN:**

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 8645 S. Eastern Avenue
- Site Acreage: 0.8
- Project Type: School
- Number of Stories: 2
- Building Height (feet): 30
- Square Feet: 30,000
- Parking Required/Provided: 802/807

Site Plans & Request

The site was approved to operate as a school within an existing retail and office shopping center. Given the location of the subject site being 464 feet from the city limits of the City of Henderson, this application is considered a project of regional significance.

The previous approved plans depict a 200,330 square foot existing office and retail shopping center consisting of 19 buildings spread across 17.5 acres. Access to the center is through 1 driveway along Ford Avenue, 3 driveways along Eastern Avenue, and 3 driveways along Wigwam Avenue. Parking is shown throughout the site with parking stalls surrounding most of the buildings, and is also provided in a central lot towards the middle of the center. The school is located in the southwestern portion of the center in the south half of the building labeled "2 story Office G."

The previous approved plans also indicate the flow of traffic for the drop-off of students with traffic flowing in a south to north direction through the retail center. The plans show that drop-off traffic will enter the center from the driveway on Ford Avenue, then proceed west and then north along the existing drive aisles before then going west then north again to reach a drive aisle that runs behind the set of buildings along the western extent of the center. Children will be dropped off at the back of the building and traffic will continue north along this back drive aisle before exiting onto Wigwam Avenue using the western most drive aisle.

#### Landscaping

Per previous approved plans, existing landscaping will remain unchanged with street landscaping located along Wigwam Avenue and Eastern Avenue. Landscaping has also been provided along the western property line that is adjacent to existing residential development and along the base of the buildings and through parking lot fingers and islands.

#### Elevations

The previous approved plans show the subject location of the school is a 2 story office building that includes painted stucco walls with portions of the wall projecting outwards creating archways. Foam cornice treatments are provided along the top of parapet walls along the roofline. Triple frame office windows are provided throughout and a typical retail double door system is also provided at the entrance. No changes to the exterior are proposed.

#### Floor Plans

The previous approved plans depict the suite that is utilized for the school is a total of 30,000 square feet split between 2 floors. The total space dedicated to classrooms, which are located on both floors, is approximately 14,000 square feet with the remaining 16,000 square feet being dedicated to offices, conference rooms, restrooms, nurse's office, breakroom, and utility and building support rooms.

#### Signage

Signage was not a part of the original request.

#### Previous Conditions of Approval

Listed below are the approval conditions for UC-22-0426:

#### Current Planning

- Until June 21,2023 to review as a public hearing;
- The Bended Program Policy document submitted to the Board shall be adhered to;
- No barricades on-site for queuing and employees shall be on-site to direct traffic;

- The Nevada Virtual Academy is operating under a provisional approval from Clark County and if the applicant does not abide by the traffic circulation plan on file, revocation proceedings per Title 30.40.160 can be initiated.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extension of time, will be reviewed for conformance with eh regulation in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extensions of time and application for review; the extension of time may be denial if the project had not commenced or there has been no substantial work toward completion within the time specified; and that this application must commence within 2 years of approval date or it will be expire.

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

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

Applicant's Justification

According to the applicant, they moved into the building in June of 2022. Students enrolled at Nevada Virtual Academy engage in off-site/virtual learning. Students have been on-site only when participating in orientation or State mandated testing. When students are on-site, staff members mitigate traffic concerns by directing vehicles. Since commencing operations at this location, there have been no reported traffic issues as result of the school's operations, nor have there been complaints from neighboring businesses. Additionally, the Building Department recently conducted an inspection of the site and requested that alternative postings of maximum building occupancies be provided throughout the building. The applicant is aware of the request and will comply.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-22-0426	School in conjunction with an existing office and retail shopping center	Approved by BCC	September 2021
UC-0419-14	Medical cannabis establishment in conjunction with an existing shopping center	Denied by BCC	December 2014
ADR-0772-05	Minor expansion to an existing shopping center	Approved by ZA	July 2005
VS-1564-04	Vacated and abandoned the Jeffrey Street right-of-way between Ford Avenue and Wigwam Avenue	Approved by PC	October 2004
DR-1349-04	Revised plans for an approved shopping center	Approved by BCC	September 2004
DR-0196-04	Restaurant in conjunction with an approved shopping center	Approved by BCC	March 2004

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-1643-03	Financial services in conjunction with an approved shopping center	Approved by BCC	November 2003
ZC-1326-00 (ET-0164-03)	First extension of time for a zone change that reclassified the site from R-E to C-2 and C-P zoning for a shopping center	Approved by BCC	August 2003
ZC-1326-00 (WC-0341-02)	Waived the conditions of ZC-1326-00 requiring single story buildings only and no buildings permitted in the C-P zoned portion of the proposed shopping center	Approved by BCC	December 2002
VS-0467-01	Vacated and abandoned patent and other easements for a shopping center	Approved by PC	June 2001
ZC-1326-00	Reclassified the site from R-E to C-2 and C-P zoning for a shopping center	Approved by BCC	November 2000

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	C-P & R-E	Retail & single family residential
South	Corridor Mixed-Use	C-2	Retail nursery
East	City of Henderson; Neighborhood Commercial; & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	CN, C-P, & R-1	Retail, office, & single family residential
West	Mid-Intensity Suburban Neighborhood (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**

**Comprehensive Planning**

Title 30 standards of approval on an application for review state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval. Staff may support the request as the recordation of the application has been delayed due to coordination with the neighbors and improvements with the properties to the north, which both are in process (NZC-21-0123).



The Board of County Commissioners previously was concerned that the proposed pick-up/drop-off plan may cause undue conflicts with the existing traffic patterns on the site. According to aerial photos, there is no evidence of parking shortage, barricades, or on-site queuing. Also, staff is not aware of any complaints from the public about the school. However, staff was not able to find a business license for this business at this location. Therefore, staff recommends approval of the request, with a condition of another year to review as a public hearing; so that the applicant has adequate time to obtain a proper business license for this location.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Until June 21, 2024 to review as a public hearing.
- Applicant is advised that obtaining a business license is required for this site; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application to review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- No comment.

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

- No comment.

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

**APPLICANT: NEVADA VIRTUAL ACADEMY**

**CONTACT: G. C. GARCIA, INC C/O MELISSA EURE, 1055 WHITNEY RANCH DRIVE,  
SUITE 210, LAS VEGAS, NV 89014**



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input 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 checked="" type="checkbox"/> APPLICATION REVIEW (AR) UC-22-0426 (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>AR 23-400050</u> DATE FILED: <u>4/18/23</u> PLANNER ASSIGNED: _____ TAB/CAC: _____      TAB/CAC DATE: <u>5/30/23</u> PC MEETING DATE: <u>Paradise</u> BCC MEETING DATE: <u>6/21/23</u> FEE: <u>\$450.00</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Diamond Creek Holdings LLC Series 8</u> ADDRESS: <u>2764 Lake Sahara Dr. #115</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: <u>702-795-8100</u> CELL: <u>n/a</u> E-MAIL: <u>clemz@thecreekcompanies.com</u>
	<b>APPLICANT</b>  NAME: <u>Nevada Virtual Academy</u> ADDRESS: <u>4801 S. Sandhill Rd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: <u>702-407-1825</u> CELL: <u>n/a</u> E-MAIL: <u>yhamilton@nvacademy.org</u> REF CONTACT ID #: <u>n/a</u>
<b>CORRESPONDENT</b>  NAME: <u>Bob Gronauer - Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Dr. ; Ste. 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-693-4262</u> CELL: <u>n/a</u> E-MAIL: <u>psieck@kcnvlaw.com</u> REF CONTACT ID #: <u>n/a 219070</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-14-710-023, 177-14-710-025, 177-14-710-010, 177-14-710-014, 177-14-710-016, 177-14-710-025, 177-14-710-027, 177-14-710-025, 177-14-710-030, 177-14-710-035, 177-14-710-035, 177-14-710-035, 177-14-710-035, 177-14-710-040

PROPERTY ADDRESS and/or CROSS STREETS: Eastern/Ford

PROJECT DESCRIPTION: Application Review for UC-22-0426 (School)

(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]

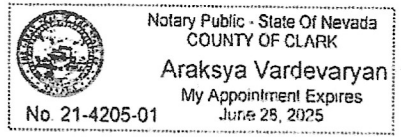
Property Owner (Print) CLEMENT ZIROU, JR

STATE OF NEVADA  
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 4-14-23 (DATE)

By CLEMENT, JR. ZIROU

NOTARY PUBLIC: [Signature]



\*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.

[Handwritten mark]

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

KAEMPFER

CROWELL

ELISABETH E. OLSON  
[eeolson@kcnvlaw.com](mailto:eeolson@kcnvlaw.com)  
D: 702.792.7000

April 17, 2023

**VIA HAND DELIVERY**

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT  
ATTN: Nancy Amundsen  
500 S. Grand Central Parkway  
Las Vegas, Nevada 89155

**Re: UC-22-0426 - Application for Review**

Dear Nancy Amundsen,

Please accept the following documents as our formal hard-copy submittal for the required Application Review under UC-22-0426. The following documents are attached:

Land Use Application:

- Application (1 copy)
- Disclosure Forms (1 copy)
- Deed (1 copy)
- Justification Letter (2 copies)
- Prior Entitlement Documentation (1 copy)

We thank you in advance for your time and consideration of this matter. Should you have any questions or concerns, please feel free to contact me by email at [psieck@kcnvlaw.com](mailto:psieck@kcnvlaw.com) or by phone at 702-693-4262.

Sincerely,

KAEMPFER CROWELL



Parker Sieck



## Parker Sieck

---

**From:** Cindy Horschmann <czh@ClarkCountyNV.gov> on behalf of Nancy A. Amundsen <nancya@ClarkCountyNV.gov>  
**Sent:** Thursday, April 6, 2023 8:42 AM  
**Subject:** Reset of the Land Use Application Process

Good morning,

As many of you know, Clark County had to make adjustments to the application intake process during Covid as staff continued to come to work and process applications while everything was closed down. At the time, the online Application Pre-review (APR) process was the most expeditious, and safe, avenue for review. It provided us with the ability to look at proposals electronically and work with applicants to get to "complete" applications for submittal and scheduling to a public hearing. Knowing there were numerous retirements, staff separations, and lack of qualified job applicants during that time we do appreciate your patience as staff was at less than half of normal but did 2 to 3 times the work to keep applications moving. However, with more than 400 pre-reviews currently in the queue (with another 200 pre-reviews waiting for basic submittal information and another 100 started but not officially uploaded for staff's review), we need to do a reset and get caught up. In addition, we have been hearing that the lack of personal interaction is not desirable anymore and in-person meetings with staff are preferred. Therefore, we will stop accepting **NEW** pre-review uploads on Sunday, April 9th at 5 pm. We will continue to process anything in the queue with the goal of being able to put them onto agendas as quickly as practicable (which of course means that applicant responses and corrections will dictate how quickly since we are seeing many responses taking weeks before addressing).

For any APRs currently under review, you may continue through the online review process, and have until Thursday, April 14<sup>th</sup> to respond to previous comments and requests for information and send the email as was directed by staff. For any pending APRs waiting assignment, you may continue through the online review process unless you decide to opt out and instead schedule an appointment when they are available. For any APRs still pending assignment and where we are awaiting information before we assign to staff for review, you have until Sunday April 9th at 5 pm to upload your additional information and send an email to [zoning@clarkcountynv.gov](mailto:zoning@clarkcountynv.gov) informing us of the upload.

In the meantime, Comprehensive Planning will be establishing an appointment rotation, a scheduling system, and start scheduling appointments for in-person planner meetings. We anticipate opening appointment scheduling the week of May 1st with the first appointments starting on May 15th.

There will still be applications we will take "over the counter" which will include:

Administrative applications (TC and Zoning letters)

Extensions of Time (ETs and ADETs)

Applications for Review (AR)

One last point, from today until Sunday, APR uploads must have ALL information necessary to assign to a planner. Any applications that are simply uploaded to get placed in the queue but don't provide the submittal requirements listed on the applicable application form will be rejected and the record will be voided. Additionally, applicants will be provided with a short turn-around time to respond to staff's comments and requests for revisions. If applicants do not meet the stated timeframes, the applicant will be directed to the appointment process. We honestly have to manage our reset and not chase down more than is necessary to get through the existing applications.

Remember, the checklists of information necessary to be shown on ALL PLANS have always been online and can be found here:



[https://www.clarkcountynv.gov/government/departments/comprehensive\\_planning\\_department/divisions/current\\_planning\\_division/index.php](https://www.clarkcountynv.gov/government/departments/comprehensive_planning_department/divisions/current_planning_division/index.php)

In addition, the other critical information necessary (things such as Application, Disclosure Form, Deed, etc) can be found with every application form type. Application forms types can be found here: [https://www.clarkcountynv.gov/government/departments/comprehensive\\_planning\\_department/forms.php#outer-2021](https://www.clarkcountynv.gov/government/departments/comprehensive_planning_department/forms.php#outer-2021)

Thank you,

Nancy Amundsen, Director  
Department of Comprehensive Planning



06/21/23 BCC AGENDA SHEET

CANNABIS CULTIVATION FACILITY  
(TITLE 30)

WYNN RD/TOMPKINS AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-23-400038 (UC-21-0011)-3950, LLC:**

**USE PERMIT FIRST EXTENSION OF TIME** for a proposed cannabis establishment (cultivation facility) on a portion of 4.9 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the north side of Tompkins Avenue, 300 feet east of Wynn Road within Paradise. MN/tpd/syp (For possible action)

---

RELATED INFORMATION:

**APN:**

162-19-702-015 ptn

**LAND USE PLAN:**

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

WINCHESTER/PARADISE- ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3950 W. Tompkins Avenue
- Site Acreage: 4.9 (portion)
- Project Type: Cannabis cultivation facility
- Number of Stories: 1
- Building Height: 14 feet, 8 inches
- Square Feet: 20,340
- Parking Required/Provided: 36/175

History & Site Plan

The approved site plan depicts a developed industrial parcel which consists of an existing transportation service establishment. The existing transportation service establishment was approved via ZC-1614-05, when the parcel was reclassified to M-1 zoning. There are 2 existing buildings on-site, the first being an office located on the southwest corner of the parcel and the second building located immediately to the east (large modular building with bay doors which face north). Today, the provided parking is located along the east, south, and north property lines, a portion of the northwest corner, and centrally located parking spaces (north of the existing buildings). Access to the site is via an existing driveway at the northern end of the cul-

de-sac bulb of Tompkins Avenue. Lastly, there is an existing propane fill-up structure on the east half of the site adjacent to centrally located parking spaces.

The applicant requested a cannabis cultivation/production facility on the site. Per the submitted site plan, a proposed building will be constructed on the northwest corner of the site, set back 10 feet from the north property line, 64 feet from the west property line, 165 feet from the south property line, and 280 feet from the east property line. The site plan shows a loading zone on the northwest corner of the proposed facility, a sliding security gate and the main entrance located on the west side of the building, a proposed 10 foot wide walkway is to be constructed around the entire facility, with a 10 foot high security fence along the east, south, and west sides of the building.

Parking will remain along the west property line and extend to the northwestern most corner of the parcel. Twenty-one parking spaces along the north property line and parking spaces north of the existing office building will be eliminated to accommodate the proposed facility. Twenty-two parking spaces will remain along the north property line and additional parking will be added to the southeast corner of the proposed facility. The required parking for the entire site is 36 parking spaces where 175 parking spaces are provided.

#### Landscaping

The site landscaping consists of an existing landscape planter on the northern portion of the cul-de-sac bulb (Tompkins Avenue). There is also existing landscaping south of the existing office building located on the southwest corner of the parcel. A waiver of development standards to waive parking lot landscaping where the proposed facility is located is a companion item to this application ET-23-400040 (WS-21-0013). There is no existing landscaping along the north, east, and west property lines, and portions of the south property line since the surrounding parcels consist of industrial uses and the subject parcel is not adjacent to any less intensive uses.

#### Elevations

The approved elevation depicts a single-story building with an overall height of 14 feet, 8 inches. The exterior finishes include white colored stucco walls, and doors to be affixed on the south, east, and west facing elevations.

#### Floor Plan

The approved floor plan for the proposed building includes a cultivation area of the facility with an overall area of 10,980 square feet, a production portion of the facility with an overall area of 6,480 square feet, and an administrative area, breakroom, and other miscellaneous areas with a total overall area of 2,880 square feet. The proposed building has a total overall area of 20,340 square feet.

#### Signage

Signage is not a part of this request.

### Previous Conditions of Approval

Listed below are the approved conditions for UC-21-0011:

#### Current Planning

- A valid Clark County business license must be issued for this establishment within 2 years of approval or the application will expire;
- To prevent odor nuisances, an odor control plan must be submitted to the Clark County Business License Department.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; approval of this application does not constitute or imply approval of 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 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

- Drainage study and compliance;
- Traffic study and compliance;
- Reconstruct driveway as a commercial pan driveway per Uniform Standard Drawings 222.1 and 224 or provide a 5 foot wide concrete sidewalk behind the existing driveway for compliance with the Americans with Disabilities Act.
- Applicant is advised that off-site improvement permits may be required.

#### 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.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; to show on-site fire lane, turning radius, and turnarounds; and 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.

#### Southern Nevada Health District (SNHD) - Septic

- Applicant is advised to schedule an appointment with the SNHD Environmental Health Division at (702) 759-0660 to obtain written approval for a Tenant Improvement so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

#### 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 #0014-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.



Applicant's Justification

The applicant is seeking an extension of time for UC-21-0011. Due to the issues between the owner and the previous engineer, the applicant has hired a new engineer to improve the site plans and have them submitted for their permits. There have been issues with the adjacent property owner. A drainage study is being prepared with the new engineer; an extension of time is needed for this process to occur.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-21-0011	Cannabis cultivation facility	Approved by BCC	March 2021
UC-21-0012	Cannabis production facility	Approved by BCC	March 2021
WS-21-0013	Waiver and design review for a cannabis facility	Approved by BCC	March 2021
ZC-1614-05	Reclassified the site from M-1 and M-2 zoning to M-1 zoning for a transportation service business, waiver of alternative design standards for the office building, and design review for a modular office building for the transportation service business	Approved by BCC	November 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-1	Industrial & office warehouse
South	Business Employment & Entertainment Mixed-Use	M-1	Outside storage
East	Entertainment Mixed-Use	M-1	Union Pacific Railroad & office warehouse
West	Business Employment	M-1	Vehicle repair

**Related Applications**

Application Number	Request
ET-23-400040 (WS-21-0013)	A first extension of time for waiver of development standards and design review for cannabis facility is a companion item on this agenda.
ET-23-400039 (UC-21-40012)	A first extension of time for a use permit for a cannabis production facility 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**

### **Comprehensive 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.

Staff believes the applicant has taken steps towards commencing the use permit. The applicant is currently working with multiple departments to move forward with the development process. Along with an approved traffic study, the applicant has a demolition permit that is ready to be issued. For these reasons staff can support the extension of time 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

- Until March 3, 2025 to obtain a valid Clark County Business License for this establishment.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; approval of this application does not constitute or imply approval of 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 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.

#### **Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** JDW NEVADA ,LLC

**CONTACT:** LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,  
BLDG 3 STE 577, LAS VEGAS, NV 89134

DRAFT



# CANNABIS ESTABLISHMENT APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>		<b>STAFF</b>	APP. NUMBER: <u>23-400038</u>	DATE FILED: <u>4/6/23</u>
<input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) <u>UC-21-0011</u> (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION FOR REVIEW (AR) (ORIGINAL APPLICATION #) <b>CANNABIS ESTABLISHMENT</b> <input type="checkbox"/> CONSUMPTION LOUNGE <input checked="" type="checkbox"/> CULTIVATION FACILITY <input type="checkbox"/> DISPENSARY <input type="checkbox"/> DISTRIBUTOR <input type="checkbox"/> INDEPENDENT TESTING LABORATORY <input type="checkbox"/> REDUCTION FACILITY <input type="checkbox"/> RETAIL CANNABIS STORE			PLANNER ASSIGNED: <u>Tyler</u>	TAB/CAC DATE: <u>5/30/23</u>
			TAB/CAC: <u>Paradise</u>	PC MEETING DATE: _____
		<b>PROPERTY OWNER</b>	BCC MEETING DATE: <u>6/21/23</u>	FEE: <u>\$2,500</u>
			NAME: <u>3950 L L C c/o J. Jimmerson</u> ADDRESS: <u>415 S 6TH ST # 100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101-6937</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>iake@loscannaglobal.com</u>	
		<b>APPLICANT</b>	NAME: <u>JDW Nevada, LLC</u> ADDRESS: <u>717 S Brevard Ave</u> CITY: <u>Tampa</u> STATE: <u>FL</u> ZIP: <u>33606</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>iake@loscannaglobal.com</u> REF CONTACT ID #: _____	
<b>CORRESPONDENT</b>	NAME: <u>Jay Brown-Brown, Brown, &amp; Premisrirut</u> ADDRESS: <u>520 S 4th St,</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>(702) 598-1484</u> CELL: _____ E-MAIL: <u>stewplan@gmail.com</u> REF CONTACT ID #: <u>165577</u>			
	ASSESSOR'S PARCEL NUMBER(S): <u>162-19-702-015</u>			
PROPERTY ADDRESS and/or CROSS STREETS: <u>3950 Tomkins</u> PROJECT DESCRIPTION: <u>extension of time- cannabis cultivation production</u>				
<p>(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.</p>				
<u>[Signature]</u> Property Owner (Signature)*		<u>James J. Jimmerson</u> Property Owner (Print)		
STATE OF <u>Nevada</u>				
COUNTY OF <u>Clark</u>				
SUBSCRIBED AND SWORN BEFORE ME ON <u>March 2, 2023</u> (DATE)				
By <u>James J. Jimmerson</u>				
NOTARY PUBLIC: <u>[Signature]</u>				
<p>*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.</p>				

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23-400038

*LAS Consulting*  
1930 Village Center Circle 3 #577  
Las Vegas, NV. 89134  
(702) 499-6469-cell  
(702) 946-0857

February 28, 2023

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

RE: Extension of Time- Use Permit- Cultivation relocation UC-21-0011-

Dear Sir or Madam:

Please accept this letter as an extension of time for our request to relocate our cultivation facility from 3121A Sammy Davis Jr. Drive to 3950 Tompkins Avenue. The site is 4.87 acres located on the north side of Tompkins Avenue, 300 + feet east of Wynn Road. The site has existing structures on the site and a new, prefabricated building (extreme cubes). Companion applications for the production facility and design review with waivers are submitted with this application. A total of 25 employees are expected to be employed in both facilities-cultivation and production.

This location is located within a developed industrial area. The intent is to get both operations up and running and to operate at this location permanently. Stringent security is planned for the exterior and interior of the building, including a new security fence.

-The proposed use shall be in harmony with the purpose, goals, objectives and standards of the plan and title. This proposed location meets all state requirements of NRS 453D and Clark County Title 30.44. It is zoned industrial and is more than 1,000 feet from the closest school and 1500 feet from nonrestricted gaming. It is also more than 300 feet from a community facility as defined in NRS 453A and Clark County Title 30.08.030.

-The proposed marijuana cultivation facility will operate within the rules and regulations of the State of Nevada and Clark County. The current licenses (cultivation and production) are in good standing with Clark County and the State of Nevada. The facilities will be located within an

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23-400038

enclosed building and will only sell its marijuana products to licensed dispensaries within the State of Nevada.

-The proposed use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right of way, or other matters affecting the public health, safety, and general welfare.

We believe this location is suited for both the cultivation and production facilities. The facility has excellent nearby access to I-15, facilitating deliveries to valley wide dispensaries. Therefore, we respectfully request your approval of this use permit for cultivation.

Please accept this as our request to relocate our cultivation facility, originally approved at

Yours truly,

*Lucy Stewart*

Lucy Stewart

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CANNABIS PRODUCTION FACILITY  
(TITLE 30)

WYNN RD/TOMPKINS AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-23-400039 (UC-21-0012)-3950, LLC:**

**USE PERMIT FIRST EXTENSION OF TIME** for a proposed cannabis establishment (production facility) on a portion of 4.9 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the north side of Tompkins Avenue, 300 feet east of Wynn Road within Paradise. MN/tpd/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**  
162-19-702-015 ptn

**LAND USE PLAN:**  
WINCHESTER/PARADISE - BUSINESS EMPLOYMENT  
WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**  
**Project Description**  
General Summary

- Site Address: 3950 W. Tompkins Avenue
- Site Acreage: 4.9 (portion)
- Project Type: Cannabis production facility
- Number of Stories: 1
- Building Height: 14 feet, 8 inches
- Square Feet: 20,340
- Parking Required/Provided: 36/175

**History & Site Plan**

The approved site plan depicts a developed industrial parcel which consists of an existing transportation service establishment. The existing transportation service establishment was approved via ZC-1614-05, when the parcel was reclassified to M-1 zoning. There are 2 existing buildings on-site, the first being an office located on the southwest corner of the parcel, and the second building located immediately to the east (large modular building with bay doors which face north). Today, the provided parking is located along the east, south, and north property lines, a portion of the northwest corner, and centrally located parking spaces (north of the existing buildings). Access to the site is via an existing driveway at the northern end of the cul-

de-sac bulb of Tompkins Avenue. Lastly, there is an existing propane fill-up structure on the east half of the site adjacent to centrally located parking spaces.

The applicant requested a cannabis cultivation/production facility on the site. Per the submitted site plan, a proposed building will be constructed on the northwest corner of the site, set back 10 feet from the north property line, 64 feet from the west property line, 165 feet from the south property line, and 280 feet from the east property line. The site plan shows a loading zone on the northwest corner of the proposed facility, a sliding security gate and the main entrance located on the west side of the building, a proposed 10 foot wide walkway is to be constructed around the entire facility, with a 10 foot high security fence along the east, south, and west sides of the building.

Parking will remain along the west property line and extend to the northwestern most corner of the parcel. Twenty-one parking spaces along the north property line and parking spaces north of the existing office building will be eliminated to accommodate the proposed facility. Twenty-two parking spaces will remain along the north property line and additional parking will be added to the southeast corner of the proposed facility. The required parking for the entire site is 36 parking spaces where 175 parking spaces are provided.

#### Landscaping

The site landscaping consists of an existing landscape planter on the northern portion of the cul-de-sac bulb (Tompkins Avenue). There is also existing landscaping south of the existing office building located on the southwest corner of the parcel. A waiver of development standards to waive parking lot landscaping where the proposed facility is located is a companion item to this application ET-23-400040 (WS-21-0013). There is no existing landscaping along the north, east, and west property lines, and portions of the south property line since the surrounding parcels consist of industrial uses and the subject parcel is not adjacent to any less intensive uses.

#### Elevations

The approved elevation depicts a single story building with an overall height of 14 feet, 8 inches. The exterior finishes include white colored stucco walls, and doors to be affixed on the south, east, and west facing elevations.

#### Floor Plan

The approved floor plan for the proposed building includes a cultivation area of the facility with an overall area of 10,980 square feet, a production portion of the facility with an overall area of 6,480 square feet, and an administrative area, breakroom, and other miscellaneous areas with a total overall area of 2,880 square feet. The proposed building has a total overall area of 20,340 square feet.

#### Signage

Signage is not a part of this request



### Previous Conditions of Approval

Listed below are the approved conditions for UC-21-0012:

#### Current Planning

- A valid Clark County business license must be issued for this establishment within 2 years of approval or the application will expire;
- To prevent odor nuisances, an odor control plan must be submitted to the Clark County Business License Department.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; approval of this application does not constitute or imply approval of 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 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

- Drainage study and compliance;
- Traffic study and compliance;
- Reconstruct driveway as a commercial pan driveway per Uniform Standard Drawings 222.1 and 224 or provide a 5 foot wide concrete sidewalk behind the existing driveway for compliance with the Americans with Disabilities Act.
- Applicant is advised that off-site improvement permits may be required.

#### 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.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; to show on-site fire lane, turning radius, and turnarounds; and 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.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0014-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

### Applicant's Justification

The applicant is seeking an extension of time for UC-21-0012. Due to the issues between the owner and the previous engineer, the applicant has hired a new engineer to improve the site plans and have them submitted for their permits. There have been issues with the adjacent property owner. A drainage study is being prepared with the new engineer; an extension of time is needed for this process to occur.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-21-0011	Cannabis cultivation facility	Approved by BCC	March 2021
UC-21-0012	Cannabis production facility	Approved by BCC	March 2021
WS-21-0013	Waiver and design review for a cannabis facility	Approved by BCC	March 2021
ZC-1614-05	Reclassified the site from M-1 and M-2 to M-1 zoning for a transportation service business, waiver of alternative design standards for the office building, and design review for a modular office building for the transportation service business	Approved by BCC	November 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-1	Industrial & office warehouse
South	Business Employment & Entertainment Mixed-Use	M-1	Outside storage
East	Entertainment Mixed-Use	M-1	Union Pacific Railroad & office warehouse
West	Business Employment	M-1	Vehicle repair

**Related Applications**

Application Number	Request
ET-23-400038 (UC-21-0011)	A first extension of time for a use permit for a cannabis cultivation facility is a companion item on this agenda.
ET-23-400040 (WS-21-0013)	A first extension of time for a waiver of development standards and design review for a cannabis facility 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**

**Comprehensive 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.

Staff believes the applicant has taken steps towards commencing the use permit. The applicant is currently working with multiple departments to move forward with the development process. Along with an approved traffic study, the applicant has a demolition permit that is ready to be issued. For these reasons staff can support the extension of time 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Until March 3, 2025 to obtain a valid Clark County Business License for this establishment.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; approval of this application does not constitute or imply approval of 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 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.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** JDW NEVADA ,LLC

**CONTACT:** LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE, BLDG 3 STE 577, LAS VEGAS, NV 89134



# CANNABIS ESTABLISHMENT APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) <u>UC-21-0012</u> <small>(ORIGINAL APPLICATION #)</small> <input type="checkbox"/> APPLICATION FOR REVIEW (AR)  <small>(ORIGINAL APPLICATION #)</small> <b>CANNABIS ESTABLISHMENT</b> <input type="checkbox"/> CONSUMPTION LOUNGE <input type="checkbox"/> CULTIVATION FACILITY <input type="checkbox"/> DISPENSARY <input type="checkbox"/> DISTRIBUTOR <input type="checkbox"/> INDEPENDENT TESTING LABORATORY <input checked="" type="checkbox"/> PRODUCTION FACILITY <input type="checkbox"/> RETAIL CANNABIS STORE	<b>STAFF</b> APP. NUMBER: <u>23-400039</u> DATE FILED: <u>4/6/23</u> PLANNER ASSIGNED: <u>Tyles</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>5/30/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>6/21/23</u> FEE: <u>\$2,500</u>
	<b>PROPERTY OWNER</b> NAME: <u>3950 L L C c/o J. Jimmerson</u> ADDRESS: <u>415 S 6TH ST # 100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101-6937</u> TELEPHONE: _____      CELL: _____ E-MAIL: <u>jake@loscannaglobal.com</u>
	<b>APPLICANT</b> NAME: <u>JDW Nevada. LLC</u> ADDRESS: <u>717 S Brevard Ave</u> CITY: <u>Tampa</u> STATE: <u>FL</u> ZIP: <u>33606</u> TELEPHONE: _____      CELL: _____ E-MAIL: <u>jake@loscannaglobal.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Jay Brown-Brown. Brown. &amp; Premisrirut</u> ADDRESS: <u>520 S 4th St.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>(702) 598-1484</u> CELL: _____ E-MAIL: <u>stewplan@gmail.com</u> REF CONTACT ID #: <u>165577</u>
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ASSESSOR'S PARCEL NUMBER(S): 162-19-702-015

PROPERTY ADDRESS and/or CROSS STREETS: 3950 Tomkins

PROJECT DESCRIPTION: extension of time- cannabis cultivation production

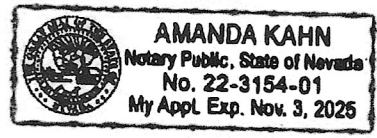
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and 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)  
James J. Jimmerson  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON March 2, 2023 (DATE)

By James J. Jimmerson  
 NOTARY PUBLIC: Amanda Kahn



\*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.

LAS Consulting  
1930 Village Center Circle 3 #577  
Las Vegas, NV. 89134  
(702) 499-6469-cell  
(702) 946-0857

February 28, 2023

Clark County Current Planning/Zoning  
500 S. Grand Central Parkway  
Las Vegas, NV 89155

RE: Extension of Time -Use Permit-Production relocation UC-21-0012

Dear Sir or Madam:

Please accept this letter as our request for an extension of Time to relocate our production facility from 3121A Sammy Davis Jr. Drive to 3950 Tompkins Avenue. The site is 4.87 acres located on the north side of Tompkins Avenue, 300 + feet east of Wynn Road. The site has existing structures on the site and a new, prefabricated building (extreme cubes). Companion applications for the cultivation facility and design review with waivers are submitted with this application. The production portion of the facility is -----square feet. A total of 25 employees are expected to be employed in both facilities. Cultivation and Production are separately sealed portions of the building and are divided as follows: Cultivation only: 10980 sq. ft. Production only: 6480 sq. ft. Combined Admin/break room/etc: 2880 sq. ft. If divided the common areas up evenly (as both sides of the building will be using this area in the facility equally) 12420 sq. ft. for Cultivation Combined; and 7920 sq. ft. for Production.

This location is located within a developed industrial area. The intent is to get both operations up and running and to operate at this location permanently. Stringent security is planned for the exterior and interior of the building, including a new security fence.

-The proposed use shall be in harmony with the purpose, goals, objectives and standards of the plan and title. This proposed location meets all state requirements of NRS 453D and Clark County Title 30.44. It is zoned industrial and is more than 1,000 feet from the closest school and 1500 feet from nonrestricted gaming. It is also more than 300 feet from a community facility as defined in NRS 453A and Clark County Title 30.08.030.

-The proposed marijuana production facility will operate within the rules and regulations of the State of Nevada and Clark County. The current licenses (cultivation and production) are in good

standing with Clark County and the State of Nevada. The facilities will be located within an enclosed building and will only sell its marijuana products to licensed dispensaries within the State of Nevada.

-The proposed use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right of way, or other matters affecting the public health, safety, and general welfare.

We believe this location is suited for both the cultivation and production facilities. The facility has excellent nearby access to I-15, making deliveries to valley wide dispensaries. Therefore, we respectfully request your approval of this use permit for production.

Please accept this as our request to relocate our cultivation facility, originally approved at

Yours truly,

*Lucy Stewart*

Lucy Stewart

CANNABIS FACILITY  
(TITLE 30)

WYNN RD/TOMPKINS AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-23-400040 (WS-21-0013)-3950, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for the following: 1) parking lot landscaping; 2) pedestrian walkway; 3) mechanical equipment screening; 4) reduced throat depth; and 5) driveway geometrics.

**DESIGN REVIEW** for a proposed cannabis establishment building on a portion of 4.9 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the north side of Tompkins Avenue, 300 feet east of Wynn Road within Paradise. MN/tpd/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-19-702-015 ptn

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate parking lot landscaping where required per Figure 30.64-14.
2. Eliminate a pedestrian walkway where required per Section 30.60-050.
3. Eliminate the mechanical equipment screening requirement (for freezer condensing units) located on the exterior walls of a proposed cannabis facility where required per Table 30.56-2.
4. Reduce the throat depth of an existing driveway to zero feet where 150 feet is required (a 100% decrease).
5. Allow the existing driveway geometrics on-site where Uniform Standard Drawing 222.1 is the standard.

**LAND USE PLAN:**

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

WINCHESTER/PARADISE – ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3950 W. Tompkins Avenue
- Site Acreage: 4.9 (portion)
- Project Type: Cannabis cultivation and production facility
- Number of Stories: 1

- Building Height: 14 feet, 8 inches
- Square Feet: 20,340
- Parking Required/Provided: 36/175

#### History & Site Plan

The approved site plan depicts a developed industrial parcel which consists of an existing transportation service establishment. The existing transportation service establishment was approved via ZC-1614-05, when the parcel was reclassified to M-1 zoning. There are 2 existing buildings on-site, the first being an office located on the southwest corner of the parcel, and the second building located immediately to the east (large modular building with bay doors which face north). Today, the provided parking is located along the east, south, and north property lines, a portion of the northwest corner, and centrally located parking spaces (north of the existing buildings). Access to the site is via an existing driveway at the northern end of the cul-de-sac bulb of Tompkins Avenue. Lastly, there is an existing propane fill-up structure on the east half of the site adjacent to centrally located parking spaces.

The applicant requested a cannabis cultivation/production facility on the site. Per the submitted site plan, a proposed building will be constructed on the northwest corner of the site, set back 10 feet from the north property line, 64 feet from the west property line, 165 from the south property line, and 280 feet from the east property line. The site plan shows a loading zone on the northwest corner of the proposed facility, a sliding security gate and the main entrance located on the west side of the building, a proposed 10 foot wide walkway is to be constructed around the entire facility, with a 10 foot high security fence along the east, south, and west sides of the building.

Parking will remain along the west property line and extend to the northwestern most corner of the parcel. Twenty-one parking spaces along the north property line and parking spaces north of the existing office building will be eliminated to accommodate the proposed facility. Twenty-two parking spaces will remain along the north property line and additional parking will be added to the southeast corner of the proposed facility. The required parking for the entire site is 36 parking spaces where 175 parking spaces are provided.

The applicant requested to waive parking lot landscaping, a pedestrian walkway, mechanical equipment screening for freezer condensing units, and for the existing driveway geometrics to remain the same.

#### Landscaping

The site landscaping consists of an existing landscape planter on the northern portion of the cul-de-sac bulb (Tompkins Avenue). There is also existing landscaping south of the existing office building located on the southwest corner of the parcel. There is no existing landscaping along the north, east, and west property lines, and portions of the south property line since the surrounding parcels consist of industrial uses and the subject parcel is not adjacent to any less intensive uses; therefore, landscaping is not required. The site currently does not have parking lot landscaping since it was designed and established in 2005. Since the northwest corner is being redesigned to accommodate the proposed cannabis facility, a portion of the parking was



redesigned. The applicant is requesting to waive any required parking lot landscaping to meet today's standards.

#### Elevations

The approved elevation depicts a single story building with an overall height of 14 feet, 8 inches. The exterior finishes include white colored stucco walls, and doors to be affixed on the south, east, and west facing elevations.

#### Floor Plan

The approved floor plan for the proposed building includes a cultivation area of the facility with an overall area of 10,980 square feet, a production portion of the facility with an overall area of 6,480 square feet, and an administrative area, breakroom, and other miscellaneous areas with a total overall area of 2,880 square feet. The proposed building has a total overall area of 20,340 square feet.

#### Signage

Signage is not a part of this request.

#### Previous Conditions of Approval

Listed below are the approved conditions for WS-21-0013:

##### Current Planning

- To prevent odor nuisances, an odor control plan must be submitted to the Clark County Business License Department;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; approval of this application does not constitute or imply approval of 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 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;
- Reconstruct driveway as a commercial pan driveway per Uniform Standard Drawings 222.1 and 224 or provide a 5 foot wide concrete sidewalk behind the existing driveway for compliance with the Americans with Disabilities Act.
- Applicant is advised that off-site improvement permits may be required.

**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.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; to show on-site fire lane, turning radius, and turnarounds; and 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.

**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 #0014-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**Applicant's Justification**

The applicant is seeking an extension of time for WS-21-0013. Due to the issues between the owner and the previous engineer, the applicant has hired a new engineer to improve the site plans and have them submitted for their permits. There have been issues with the adjacent property owner. A drainage study is being prepared with the new engineer; an extension of time is needed for this process to occur.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-21-0011	Cannabis cultivation facility	Approved by BCC	March 2021
UC-21-0012	Cannabis production facility	Approved by BCC	March 2021
WS-21-0013	Waiver and design review for a cannabis facility	Approved by BCC	March 2021
ZC-1614-05	Reclassified the site from M-1 and M-2 zoning to M-1 zoning for a transportation service business, waiver of alternative design standards for the office building, and design review for a modular office building for the transportation service business	Approved by BCC	November 2005

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Business Employment	M-1	Industrial & office warehouse
South	Business Employment & Entertainment Mixed-Use	M-1	Outside storage
East	Entertainment Mixed-Use	M-1	Union Pacific Railroad & office warehouse
West	Business Employment	M-1	Vehicle repair

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ET-23-400038 (UC-21-0011)	A first extension of time for a use permit for a cannabis production facility is a companion item on this agenda.
ET-23-400039 (UC-21-0012)	A first extension of time for a use permit for a cannabis cultivation facility 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**

**Comprehensive 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.

Staff believes the applicant has taken steps toward commencing the waiver of development standards. The applicant is currently working with multiple departments to move forward with the development process. Along with an approved traffic study, the applicant has a demolition permit that is ready to be issued. For these reasons staff can support the extension of time request.

**Public Works - Development Review**

There have been no significant changes in this area. Staff has no objection to this extension of time.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Until March 3, 2025 to commence.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation

of this application; approval of this application does not constitute or imply approval of 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 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.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** JDW NEVADA, LLC

**CONTACT:** LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,  
BLDG 3 STE 577, LAS VEGAS, NV 89134



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input 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 checked="" type="checkbox"/> EXTENSION OF TIME (ET) <u>WS-21-0013</u> (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>23-400040</u> DATE FILED: <u>4/6/23</u> PLANNER ASSIGNED: <u>Tyler</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>5/30/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>6/21/23</u> FEE: <u>\$600</u>
	<b>PROPERTY OWNER</b>  NAME: <u>3950 L L C c/o J. Jimmerson</u> ADDRESS: <u>415 S 6TH ST # 100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: _____      CELL: _____ E-MAIL: <u>iake@loscannaglobal.com</u>
	<b>APPLICANT</b>  NAME: <u>JDW Nevada, LLC</u> ADDRESS: <u>717 S Brevard Ave</u> CITY: <u>Tampa</u> STATE: <u>FL</u> ZIP: <u>33606</u> TELEPHONE: _____      CELL: _____ E-MAIL: <u>iake@loscannaglob</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Jay Brown-Brown, Brown, &amp; Premisirut</u> ADDRESS: <u>520 S 4th St.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: _____      CELL: <u>702-275-8888</u> E-MAIL: <u>stewplan@gmail.co</u> REF CONTACT ID #: <u>165577</u>

ASSESSOR'S PARCEL NUMBER(S): 162-19-702-015

PROPERTY ADDRESS and/or CROSS STREETS: 3950 Tomkins

PROJECT DESCRIPTION: Extension of Time- Design Review & Waivers of Dev. Stds

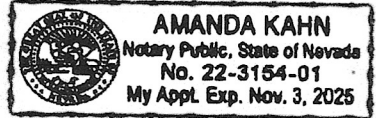
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

[Signature]      James J. Jimmerson  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON March 2, 2023 (DATE)

By James J. Jimmerson  
 NOTARY PUBLIC: Amanda Kahn



\*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.

*LAS Consulting  
1930 Village Center Circle 3 #577  
Las Vegas, NV. 89134  
(702) 499-6469-cell  
(702) 946-0857*

February 28, 2023

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

RE: Design Review Cultivation & Production WS 20-0013

Dear Sir or Madam:

Please accept this letter as our request for an extension of time for the design review/waivers of development standards to relocate our cultivation & production facilities from 3121A Sammy Davis Jr. Drive to 3950 Tompkins Avenue. Two companion extension of time applications for cultivation and production use permits are submitted with this application.

The site is 4.87 acres located on the north side of Tompkins Avenue, 300 + feet east of Wynn Road. There are two existing structures, and the site was originally developed in 1979. The 5400 square foot building is an office, and the larger building is an existing garage. Both buildings have metal siding with stucco on a portion of the office building. Wall mounted lights along the north and south faces of the existing building elevations provide lighting for the site. The property is zoned Light Manufacturing (M-1) and the Planned Land Use is IND - Industrial - Paradise Land Use Guide. The surrounding zoning and land uses are industrial. There is a railroad adjacent to the site along the eastern boundary.

Executive Coach and Service and Executive Las Vegas are licensed for this location as motor transportation services. Destination Las Vegas LLC is licensed is also licensed as business support services at this address. The entire site is paved

11

with a portion of the property adjacent to the office building is landscaped. There is a block wall surrounding the site. Both buildings and all businesses will remain on the site, in addition to the new building.

A new, prefabricated, 19,040 square-foot, single story building (extreme cube) is proposed to be placed on the northern end of the property. The building exterior finish is course texture stucco, and the roof line is tapered foam with a TPO membrane (Thermoplastic Polyolefin) cover. There are 178 parking spaces provided and 4 new bicycle spaces are being installed in front of the office building. The cultivation portion of the facility is -----square feet and the production portion is \_\_\_square feet. A total of 25 employees are expected to be employed in the new building. A security fence will separate this use from the other uses on the site. Stringent security is planned for the exterior and interior of the building. The client has been working with the engineer to improve the site and have submitted for their permits. This extension of time will allow to to pull permits and complete construction on the site.

#### **Waivers approved with the original approval**

-Eliminate parking lot landscaping where landscaping per Figure 30.64-14 and Section 30.60.050 is required. *This is an existing parking lot and no changes are proposed to the site except installing a new prefabricated building and security fence.*

-Allow a surface parking lot without pedestrian walkways where required per Section 30.60.050. *There will be no customers to this site as a result of this new facility. There is no need for pedestrian walkways.*

-Reduce throat depth to 3 feet where 150 feet are required per Uniform Standard Drawing 222.1. *This is an existing site with existing uses at the end of a cul-de-sac with no thru traffic. There is an existing parking space immediately on the site when vehicles turn onto the site, however even if there was a car to run into the space, the street has no traffic to be impacted since it terminates at this property.*

06/21/23 BCC AGENDA SHEET

PERSONAL SERVICES (BEAUTY SALON)  
(TITLE 30)

RUSSELL RD/HORSESHOE DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WC-23-400052 (ZC-1576-98)-BESEAU, CONCHITA:**

**WAIVER OF CONDITIONS** of a zone change prohibiting no access to Horseshoe Drive in conjunction with a beauty salon on 0.5 acres in a C-P (Office and Professional) (AE-60) Zone in the Russell Road Transition Corridor Overlay District.

Generally located on the north side of Russell Road and the west side of Horseshoe Drive within Paradise. JG/md/syp (For possible action)

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RELATED INFORMATION:

**APN:**

162-25-411-014

**LAND USE PLAN:**

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 2700 Horseshoe Drive
- Site Acreage: 0.5
- Project Type: Personal services (beauty salon)
- Number of Stories: 1
- Building Height (feet): Up to 16.5
- Square Feet: 2,674
- Parking Required/Provided: 11/10

History & Request

The C-P zoning for the subject property was approved via ZC-1576-98 by the Board of County Commissioners in October 1998 to convert an existing single family residence into an office building. However, building permits were never submitted to convert the residence to an office building. The applicant is now proposing to convert the existing single family residence to a beauty salon consisting of 6 salon suites, necessitating a use permit. A condition of ZC-1576-98 requires no access to Horseshoe Drive. This is a request to waive that condition.



### Site Plans

The plans depict an existing 1 story single family residence located on a project site consisting of 0.5 acres at the northwest corner of Russell Road and Horseshoe Drive. The residence will be converted into a beauty salon and features the following existing setbacks: 1) 9 feet from the north property line requiring a waiver to reduce the setback; 2) 68 feet from the east property line adjacent to Horseshoe Drive; 3) 30 feet from the south property line; and 4) 43 feet from the west property line. A trash enclosure is located immediately to the northeast of the existing building, and is set back 5 feet from the north property line, requiring a waiver to reduce the setback from the property line and adjacent single family residence. The proposed development requires 11 parking spaces where 10 parking spaces are provided, necessitating a waiver to reduce parking. The parking spaces are located along the northeast, east, and southeast perimeter of the project site. Access to the site is granted via an existing driveway adjacent to Horseshoe Drive, requiring waiver for access to a local street, a non-standard driveway, reduced throat depth and to reduce the approach distance to the intersection of Horseshoe Drive and Russell Road. The existing driveway adjacent to Russell Road will be closed with a raised curb and landscape area.

### Landscaping

The plans depict an existing landscape area along Russell Road measuring between 2.5 feet to 7 feet in width, behind a 5 foot wide attached sidewalk, consisting of trees, shrubs, and groundcover. A street landscape area measuring 7 feet in width is located between the existing sidewalk along Russell Road the existing 6 foot high CMU block wall at the southwest corner of the site. An existing landscape area measuring between 4 feet to 21 feet in width, behind a proposed 5 foot wide attached sidewalk, is located adjacent to Horseshoe Drive that also includes trees, shrubs, and groundcover. Several trees will be planted at the northeast corner of the site, including 1 tree adjacent to the trash enclosure. Existing trees and shrubs are located along the northwest property line, adjacent to an existing single family residence. A landscape planter area for shrubs is located along the southeast portion of the building. In lieu of providing the required amount of landscape finger islands within the interior of the parking lot, the required trees have been distributed throughout the interior and perimeter of the site. The development requires 13 trees within the interior and perimeter of the site where 15 trees are provided. The applicant indicates the use of the dustpan driveway necessitates a waiver to reduce the driveway throat depth.

### Elevations

The plans depict an existing single story building measuring between 15 feet to 16.5 feet in height with a pitched, concrete tile roof. An existing porte-cochere measuring 9 feet in height is attached to the east portion of the building. The exterior of the building consists of stucco and is painted with neutral, earth tone colors. All rooftop mounted equipment will be screened from public view and the right-of-way with metal panels painted to match the exterior of the building.

### Floor Plans

The plans depict an existing building measuring 2,674 square feet consisting of 6 salon suites, restroom facilities, shampoo room, lobby, kitchen/breakroom, and a storage and office area.

### Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-1576-98:

**Current Planning:**

- Subject to no resolution of intent and staff preparing an ordinance to adopt the zoning;
- No access to Horseshoe Drive;
- Drive aisles per code;
- Handicap space to be relocated adjacent to entrance to building;
- 6 foot minimum landscaping along Russell Road in front of existing wall;
- Residential character to be maintained;
- No lighting to shine on neighboring properties;
- Any rear parking areas to be gated and locked during non-office hours;
- Design review as a public hearing for any significant changes on plans;
- Monument signage only (maximum 70 square feet, 7 feet by 10 feet with a maximum height of 7 feet);
- Screening any rooftop mounted mechanical equipment;
- Second story windows (if applicable) that face onto existing residences to be of an opaque or obscure nature;
- Converted residence to be constructed to Clark County Building Code commercial standards.

**Public Works – Development Review**

- Property owner to sign Special Improvement Agreement for Russell Road and License and Maintenance Agreement for any non-standard improvements within the right-of-way.

Applicant’s Justification

The applicant states after reviewing several options to add a commercial driveway on Russell Road, it has been determined that it is not going to be achievable. The primary reason being that a driveway on Russell Road conflicts with the existing utility pole and traffic signal.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-1576-98	Reclassified the subject property to C-P zoning for a future office building	Approved by BCC	October 1998

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E & CRT	Office complex & single family residential
East	Neighborhood Commercial	C-P	Place of worship
West	Neighborhood Commercial	R-E	Single family residential

### Related Applications

Application Number	Request
UC-23-0209	A use permit with waivers of development standards with a design review 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

#### Comprehensive Planning

The intent of the previously approved condition was to prohibit access onto Horseshoe Drive to mitigate any impacts vehicular traffic would have on the surrounding residential development. ZC-1576-98 was approved by the Board of County Commissioners in October 1998 to convert an existing single family residence into an office building. However, building permits were never submitted to convert the residence to an office building. The applicant is now proposing to convert the existing single family residence to a beauty salon consisting of 6 salon suites. Staff ordinarily does not support waiving conditions previously imposed by the Board of County Commissioners. The applicant is proposing to reconfigure the existing driveway adjacent to Horseshoe Drive as a single point of ingress and egress to the site. The applicant is also proposing to close the existing driveway access to Russell Road, thereby eliminating a commercial driveway along an arterial street. The existing place of worship, immediately to the east of the project site, has a single point of access to Horseshoe Drive. Furthermore, a place of worship typically generates a larger amount of vehicular traffic than a beauty salon. Staff finds the request to waive the condition requiring no access to Horseshoe Drive should have minimal impact on the surrounding properties and land uses. Therefore, staff recommends approval of this request.

#### Staff Recommendation

Approval.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the conditions will no longer fulfill its intended purpose.

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

### PRELIMINARY STAFF CONDITIONS:

#### Public Works - Development Review

- No comment.

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

- No comment.

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

**APPLICANT:** CONCHITA BESEAU

**CONTACT:** CONCHITA BESEAU, 4077 MONTHILL AVENUE, LAS VEGAS, NV 89121

DRAFT



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <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 type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) <u>2C-1576-98</u> (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 #)	<b>STAFF</b>  APP. NUMBER: <u>WC-23-40052</u> DATE FILED: <u>4/19/23</u> PLANNER ASSIGNED: <u>MND</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>5/30/23</u> PC MEETING DATE: <u>-</u> @ <u>7:00 P.M.</u> BCC MEETING DATE: <u>6/21/23 @ 9:00 A.M.</u> FEE: <u>\$475.00</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Beseau Conchita</u> ADDRESS: <u>4077 Monthill Avenue</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: _____      CELL: _____ E-MAIL: <u>chitabeseauhair@gmail.com</u>
	<b>APPLICANT</b>  NAME: <u>ACG Design</u> ADDRESS: <u>4310 Cameron Street, Suite 12-A</u> CITY: <u>Las Vegas</u> STATE: _____      ZIP: _____ TELEPHONE: <u>702-931-2992</u> CELL: _____ E-MAIL: <u>hshinton@acg.design</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>ACG Design</u> ADDRESS: <u>4310 Cameron Street, Suite 12-A</u> CITY: <u>Las Vegas</u> STATE: _____      ZIP: _____ TELEPHONE: <u>702-931-2992</u> CELL: _____ E-MAIL: <u>hshinton@acg.design</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 162-25-411-014

PROPERTY ADDRESS and/or CROSS STREETS: 2700 Horseshoe Dr

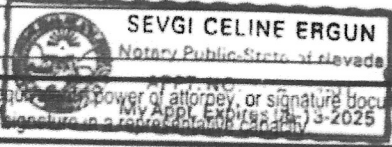
PROJECT DESCRIPTION: Driveway and Parking Lot Remodel/Upgrade to existing commercial office.

(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.

Conchita Beseau      Conchita Beseau  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON January 27, 2023 (DATE)  
 By Conchita Beseau

NOTARY PUBLIC: \_\_\_\_\_  
 Sevgi Celine Ergun

\*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 recorded instrument) 3-2025

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April 14, 2023

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

**RE: Design Review & Waiver of Development Standards**  
**APN #: 062-25-411-014**  
**2700 Horseshoe Dr.**

PLANNER  
COPY

To Whom It May Concern:

Please find attached our Land Use Application for the above referenced project. The new owners of this property have recently become aware of previously approved conditions placed on this property due to an (OP) office professional zone change.

Here are the following "waivers of Conditions" request along with explanations to help clarify why they are being requested:

- A. Allow a main driveway entry and exit on Horseshoe Dr. and remove the commercial driveway requirement on Russell Rd. and Waive the Notice of Final Action condition to have "no access to Horseshoe Drive."

Explanation: After reviewing several options to add a commercial driveway on Russell Road, it has been determined that it is not going to be achievable. The primary reason being that a driveway on Russel Rd. conflicts with the existing utility pole and traffic signal. In addition, regarding the commercial driveway on Horseshoe Drive, we are requesting a waiver to waive the commercial curb return per USD 221.1 and build the driveway per USD 224.

Here are the following "waivers of Development standards" requested along with explanations to help clarify why they are being requested:

- B. Reduce the required parking spaces to 10 spaces where 11 spaces are required.  
Explanation: Due to the size of the lot, the site does not support 11 parking spaces.
- C. Reduce the setback for a trash enclosure to 26 feet where a minimum setback of 50 feet from any residential development is required per Section 30.56.120 (Trash Enclosures), P.30.56-29. Provide justification.  
Explanation: Several options were discussed and drawn up. It was determined that the current location allows for the safest flow of traffic in and out of the parking lot. Allows for Accessible Parking to be located next to the building and is the preferred location Republic Services pick up.

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The corner location of the trash enclosure allows it to be hidden from public view. A large tree is being placed behind the trash enclosure to act as a screen for the neighboring property.

- D. Reduce the building setback for a trash enclosure to 6.25 feet where a minimum interior side yard setback of 15 feet is required per Table 30.40-4.  
Explanation: Several options were discussed and drawn up. It was determined that the current location allows for the safest flow of traffic in and out of the parking lot. Allows for Accessible Parking to be located next to the building and is the preferred location for Republic Services pick up. The corner location of the trash enclosure allows it to be hidden from public view. A large tree is being placed behind the trash enclosure to act as a screen for the neighboring property.
- E. Alternative street landscaping adjacent to Russell Road (15' minimum of landscaping required behind an existing attached sidewalk).  
Explanation: A 15' minimum landscape requirement will reduce parking on the site.
- F. Reduce interior side yard setback on north property line from required 15 feet to 9 feet.  
Explanation: The building is existing.
- G. Eliminate landscaping adjacent to a less intensive use (single-family) where landscaping per Figure 30.64-1z (Large 24" inch box evergreen) Intense landscape buffer required per Section 30.48.470.1, Page 30.48-26.  
Explanation: The 15' setback is reduced to 9 feet at the existing building and trash enclosure, not allowing the landscape buffer per Section 30.48.470.1, Page 30.48-26.
- H. Permit access to a local street, Horseshoe Drive, where not permitted per Table 30.56-2, P.30.56-12.  
Explanation: After reviewing several options to add a commercial driveway on Russell Road, it has been determined that it is not going to be achievable. The primary reason being that a driveway on Russel Rd. conflicts with the existing utility pole and traffic signal.
- I. to use a commercial and industrial driveway per USD 224 from the use of a commercial and industrial driveway per USD 221.  
Explanation: USD 224 allows for increased on-site parking, landscaping, and site access. It is appropriate for this small property.
- J. It was brought to my attention that the standards shown on Uniform Standard drawing 22.1 also apply to USD 224. Request waivers for throat depth and the app.  
Explanation: With the use of a dustpan driveway, a waiver is being requested from the min 25' throat depth to 13.5' and 13'.

PLANNER  
COPY

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- K. Approach Distance from Back of Curb at intersection of Russell Road and Horseshoe Drive to the driveway line. 150' min approach side. Request Waiver for a 38'-0" approach from the Intersection of Russel Rd. and Horseshoe Dr. to the Driveway.

Explanation: The new driveway is located as far back from the intersection of Russell Road and Horseshoe Drive as possible, but due to the site restriction, an approach of the min 150' is not possible. Request waiver for an approach distance of 38' as shown on Sheet Z1.00.

Here are the following design review requests along with explanations to help clarify why they are being requested:

- A. Personal Services (Beauty Salon) – Special Use Permit?

Services Provided:	Hair Services, Nail Services, Cosmetology & esthetician.
Hours of operation	Sunday thru Saturday 8am to 8pm
	Six salon Suites
	Six salon Suite employees

- B. Design review for alternative parking lot landscaping. The required number of landscape finger islands are not provided per FIG.30.64.14, P.30.64-19. However, if the quantity of trees within the interior of the parking lot exceeds the number of requested interior parking lot trees, you may request this design review.

Explanation: Per FIG.30.64.14, Parking Lot trees required:4. Parking Lot Trees required:8  
Request design review.

All site lighting will be shielded to not impact neighboring lots. The building height is within allowable limits, required parking is provided at 10 stalls and the building will be upgraded to commercial standards.

If you have any questions, please do not hesitate to contact me.

Sincerely,

  
Kerry Shahan  
Architectural Civil Group, LLC.  
Principal/Architect  
[kshahan@acg.design](mailto:kshahan@acg.design)  
(702) 355-9638



4.14.23

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PERSONAL SERVICES (BEAUTY SALON)  
(TITLE 30)

RUSSELL RD/HORSESHOE DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0209-BESEAU, CONCHITA:

USE PERMIT for personal services (beauty salon).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce trash enclosure setback; 2) reduce parking; 3) alternative street landscaping; 4) alternative landscaping adjacent to a residential use; 5) allow access to a local street; 6) allow modified street standards; and 7) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; and 2) beauty salon on 0.5 acres in a C-P (Office and Professional) (AE-60) Zone in the Russell Road Transition Corridor Overlay District.

Generally located on the north side of Russell Road and the west side of Horseshoe Drive within Paradise. JG/md/syp (For possible action)

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RELATED INFORMATION:

APN:

162-25-411-014

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce the setback for a trash enclosure to 5 feet where a minimum setback of 50 feet is required from a residential development per Section 30.56.120 (a 90% reduction).
- b. Reduce the interior side setback to 5 feet where a minimum setback of 15 feet is required per Table 30.40-4 and Section 30.56.120 (a 66.7% reduction).
2. Reduce parking spaces to 10 spaces where 11 spaces are required per Table 30.60-1 (a 9.1% reduction).
3. Allow alternative street landscaping along Russell Road and Horseshoe Drive where landscaping is required per Table 30.64-2.
4. Allow alternative landscaping along the north and west property lines where an intense landscape buffer is required when adjacent to residential uses per Section 30.48.470 and Figure 30.64-12.
5. Allow access to a local street (Horseshoe Drive) where access to a local street is not permitted per Table 30.56-2.
6. Reduce the approach distance to the intersection of Russell Road and Horseshoe Drive to 38 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 74.7% reduction).

7. a. Reduce throat depth to 13 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 40% reduction).
- b. Permit a non-standard driveway along Horseshoe Drive where a commercial curb return driveway is required per Uniform Standard Drawing 222.1.

**LAND USE PLAN:**

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 2700 Horseshoe Drive
- Site Acreage: 0.5
- Project Type: Personal services (beauty salon)
- Number of Stories: 1
- Building Height (feet): Up to 16.5
- Square Feet: 2,674
- Parking Required/Provided: 11/10

History & Request

The C-P zoning for the subject property was approved via ZC-1576-98 by the Board of County Commissioners in October 1998 to convert an existing single family residence into an office building. However, building permits were never submitted to convert the residence to an office building. The applicant is now proposing to convert the existing single family residence to a beauty salon consisting of 6 salon suites, necessitating a use permit. A condition of ZC-1576-98 requires no access to Horseshoe Drive. WC-23-400052 (ZC-1576-98) is a companion item to this development proposal with a request to waive the previously imposed condition prohibiting access to Horseshoe Drive.

Site Plans

The plans depict an existing 1 story single family residence located on a project site consisting of 0.5 acres at the northwest corner of Russell Road and Horseshoe Drive. The residence will be converted into a beauty salon and features the following existing setbacks: 1) 9 feet from the north property line requiring a waiver to reduce the setback; 2) 68 feet from the east property line adjacent to Horseshoe Drive; 3) 30 feet from the south property line; and 4) 43 feet from the west property line. A trash enclosure is located immediately to the northeast of the existing building, and is set back 5 feet from the north property line, requiring a waiver to reduce the setback from the property line and adjacent single family residence. The proposed development requires 11 parking spaces where 10 parking spaces are provided, necessitating a waiver to reduce parking. The parking spaces are located along the northeast, east, and southeast perimeter of the project site. Access to the site is granted via an existing driveway adjacent to Horseshoe Drive, requiring waiver for access to a local street, a non-standard driveway, reduced throat depth and to reduce the approach distance to the intersection of Horseshoe Drive and Russell Road. The existing driveway adjacent to Russell Road will be closed with a raised curb and landscape area.

### Landscaping

The plans depict an existing landscape area along Russell Road measuring between 2.5 feet to 7 feet in width, behind a 5 foot wide attached sidewalk, consisting of trees, shrubs, and groundcover. A street landscape area measuring 7 feet in width is located between the existing sidewalk along Russell Road the existing 6 foot high CMU block wall at the southwest corner of the site. An existing landscape area measuring between 4 feet to 21 feet in width, behind a proposed 5 foot wide attached sidewalk, is located adjacent to Horseshoe Drive that also includes trees, shrubs, and groundcover. Several trees will be planted at the northeast corner of the site, including 1 tree adjacent to the trash enclosure. Existing trees and shrubs are located along the northwest property line, adjacent to an existing single family residence. A landscape planter area for shrubs is located along the southeast portion of the building. In lieu of providing the required amount of landscape finger islands within the interior of the parking lot, the required trees have been distributed throughout the interior and perimeter of the site. The development requires 13 trees within the interior and perimeter of the site where 15 trees are provided. The applicant indicates the use of the dustpan driveway necessitates a waiver to reduce the driveway throat depth.

### Elevations

The plans depict an existing single story building measuring between 15 feet to 16.5 feet in height with a pitched, concrete tile roof. An existing porte-cochere measuring 9 feet in height is attached to the east portion of the building. The exterior of the building consists of stucco and is painted with neutral, earth tone colors. All rooftop mounted equipment will be screened from public view and the right-of-way with metal panels painted to match the exterior of the building.

### Floor Plans

The plans depict an existing building measuring 2,674 square feet consisting of 6 salon suites, restroom facilities, shampoo room, lobby, kitchen/breakroom, and a storage and office area.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant is requesting a use permit to establish a 6 suite beauty salon offering the following services: 1) hair services; 2) nail services; 3) cosmetology; and 4) esthetician. The salon will operate from 8:00 a.m. to 8:00 p.m., 7 days a week with 6 employees. The applicant states that due to the size of the lot, the site does not support 11 parking spaces; therefore, 10 parking spaces are provided. It was determined that the current location of the trash enclosure allows for the safest flow of traffic in and out of the parking lot and allows for accessible parking to be located next to the building and is the preferred location Republic Services pick-up. The corner location of the trash enclosure allows it to be hidden from public view. A large tree is being placed behind the trash enclosure to act as a screen for the neighboring property. The applicant indicates the interior side yard setback reduction is required since the building is existing. The applicant states the alternative street landscaping is necessary adjacent to Russell Road and Horseshoe Drive as the Code required landscaping would reduce on-site parking spaces. The intense landscape buffer is not provided due to the setback of the existing building and proposed trash enclosure. The driveway along Horseshoe Drive is located as far back from the intersection

of Russell Road and Horseshoe Drive as possible, but due to the site restriction, the minimum approach distance to the intersection of 150 feet cannot be met. The amount of trees distributed throughout the interior and perimeter of the site exceeds the Code required landscaping.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-1576-98	Reclassified the subject property to C-P zoning for a future office building	Approved by BCC	October 1998

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E & CRT	Office complex & single family residential
East	Neighborhood Commercial	C-P	Place of worship
West	Neighborhood Commercial	R-E	Single family residential

**Related Applications**

Application Number	Request
WC-23-400052 (ZC-1576-98)	A waiver of conditions prohibiting access to Horseshoe Drive 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**

**Comprehensive 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 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's primary concerns with these types of uses are to ensure compatibility with existing and planned surrounding uses and that there is adequate on-site parking. Staff does not anticipate that the proposed use will have any adverse or negative impacts on the adjacent residential or commercial properties. Staff finds that the use is consistent and compatible with the existing development in the surrounding area and within the Russell Road Transition Corridor Overlay District. Therefore, staff recommends approval.

### 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 typically does not support requests to reduce the setback for trash enclosures from residential developments and property lines. Although the setback reductions for the trash enclosure are significant, the enclosure is set back a minimum of 26 feet from the single family residence to the north. The location of the required trash enclosure will have minimal visibility from the street, not conflict with the driveway throat depth from Horseshoe Drive, and not impact the on-site vehicular circulation. Therefore, staff recommends approval with a condition that trash collection only occur between the hours of 9:00 a.m. and 6:00 p.m.

#### Waiver of Development Standards #2

The reduction to the required number of parking spaces for the proposed beauty salon is negligible and should have minimal to no impact on the surrounding land uses and properties. Therefore, staff recommends approval of this request.

#### Waiver of Development Standards #3

The applicant is proposing a landscape area along Russell Road measuring between 2.5 feet to 7 feet in width consisting of trees, shrubs, and groundcover. A landscape area measuring between 4 feet to 21 feet in width is provided along Horseshoe Drive that also includes trees, shrubs, and groundcover. Due to the pre-existing conditions of the project site, and the configuration of the parking lot serving the property, staff finds the proposed alternative street landscaping is acceptable. The proposed street landscaping is consistent and compatible with the existing landscaping in the surrounding area; therefore, staff recommends approval.

#### Waiver of Development Standards #4

The C-P zoned property (place of worship) immediately to the east of the project site, across Horseshoe Drive, is adjacent to existing single family residences and does not have an intense landscape buffer. There are also several C-P zoned properties to the west of the project site that also do not have intense landscape buffers. Aerial photographs reveal existing landscaping located at the northwest corner of the project site, adjacent to single family residences. Staff finds the existing landscaping and 6 foot high block wall, located along the north and west property lines, should assist in mitigating any impact the residential to commercial building conversion will have on the adjacent residential uses. Therefore, staff recommends approval.

#### Waiver of Development Standards #5

The intent of not allowing non-residential development to access a local street is to ensure commercial traffic does not adversely or negatively impact the surrounding land uses and properties. Staff finds the request to permit access to a local street, Horseshoe Drive, should have minimal impact on the surrounding properties and land uses. The applicant is also

proposing to close the existing driveway access to Russell Road, thereby eliminating a commercial driveway along an arterial street. Furthermore, the existing place of worship, immediately to the east of the project site, has a single point of access to Horseshoe Drive. Therefore, staff recommends approval of this request.

#### Design Review #1

Staff finds the proposed alternative parking lot landscaping, including the distribution of the trees within the interior and perimeter of the site, complies with the Master Plan by encouraging screened parking with landscaping. The commercial development requires a total of 9 perimeter (street) trees and 4 trees within the interior of the parking lot. A total of 15 trees, including the required trees along the street, are distributed throughout the site. The proposed landscaping will reduce the “heat island” effect and improve the aesthetics of the project site and surrounding area. Staff finds that the request to permit alternative parking lot landscaping through the site is reasonable. Therefore, staff recommends approval.

#### Design Review #2

The intent of the Russell Road Transition Corridor Overlay District is to preserve existing single family residential buildings for non-residential reuse where traffic patterns and the characteristics of existing structures no longer encourage a single family environment. Furthermore, Policy WP-3.1 of the Master Plan encourages adaptive reuse of vacant or functionally obsolete homes for non-residential uses along major corridors to provide a smooth transition between viable residential uses and major streets while maintaining a residential character and retaining the historic pattern of development. No modifications or additions are proposed to the existing commercial building, with the exception of screening the rooftop mounted equipment. The exterior structure of the building will be preserved, maintaining a residential appearance in accordance with the intent of the Master Plan and Overlay District. The design of the parking lot is functional and allows for proper vehicular circulation throughout the site. However, since Public Works is not supporting the waivers of development standards for modified street and driveway design standards, staff cannot support this request.

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

##### Waiver of Development Standards #6

Staff cannot support the reduction of the driveway approach distance along Horseshoe Drive. Staff has concerns with the traffic from Russell Road as well as the residential traffic to the north being in conflict with movements from the commercial driveway on Horseshoe Drive.

##### Waiver of Development Standards #7

Commercial curb return driveways help mitigate traffic by allowing a smooth transition from the road into the commercial site, whereas pan driveways require vehicles to nearly come to a stop to negotiate a turn into a site. As such, pan driveways are not an acceptable standard for any driveways other than emergency access driveways only. When combined with the reduction in throat depth, there will be an increase in the potential for collisions.

#### **Staff Recommendation**

Approval of the use permit, waivers of development standards #1 through #5, and design review #1; denial of waivers of development standards #6 and #7, and design review #2.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

If approved:

- Trash collection only between the hours of 9:00 a.m. and 6:00 p.m;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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 Parking" signs to be installed in close proximity to the site on Russell Road, as determined by Public Works Development Review;
- Reconstruct any unused driveways with full off-site improvements.
- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

**Fire Prevention Bureau**

- No comment.

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

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

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

**APPLICANT:** CONCHITA BESEAU

**CONTACT:** CONCHITA BESEAU, 4077 MONTHILL AVENUE, LAS VEGAS, NV 89121



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <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 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 #)	<b>STAFF</b>  APP. NUMBER: <u>UC-23-0209</u> DATE FILED: <u>4/19/23</u> PLANNER ASSIGNED: <u>MNO</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>5/20/23</u> PC MEETING DATE: <u>—</u> <u>07:00 P.M.</u> BCC MEETING DATE: <u>6/21/23 @ 9:00 A.M.</u> FEE: <u>\$1,825.00</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Beseau Conchita</u> ADDRESS: <u>4077 Monthill Avenue</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: _____      CELL: _____ E-MAIL: <u>chitabeseauhair@gmail.com</u>
	<b>APPLICANT</b>  NAME: <u>ACG Design</u> ADDRESS: <u>4310 Cameron Street, Suite 12-A</u> CITY: <u>Las Vegas</u> STATE: _____      ZIP: _____ TELEPHONE: <u>702-931-2992</u> CELL: _____ E-MAIL: <u>hshinton@acg.design</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>ACG Design</u> ADDRESS: <u>4310 Cameron Street, Suite 12-A</u> CITY: <u>Las Vegas</u> STATE: _____      ZIP: _____ TELEPHONE: <u>702-931-2992</u> CELL: _____ E-MAIL: <u>hshinton@acg.design</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-25-411-014

PROPERTY ADDRESS and/or CROSS STREETS: 2700 Horseshoe Dr

PROJECT DESCRIPTION: Driveway and Parking Lot Remodel/Upgrade to existing commercial office.

(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.

Conchita Beseau      Conchita Beseau  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON January 27, 2023 (DATE)  
 By Conchita Beseau

NOTARY PUBLIC: SEVGI CELINE ERGUN  
 Notary Public, State of Nevada  
 My Comm. Expires 12/31/2025

\*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-23-0209

April 17, 2023

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

**RE: Design Review & Waiver of Development Standards**  
**APN #: 062-25-411-014**  
**2700 Horseshoe Dr.**

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To Whom It May Concern:

Please find attached our Land Use Application for the above referenced project. The new owners of this property have recently become aware of previously approved conditions placed on this property due to an (OP) office professional zone change.

Here are the following "waivers of Conditions" request along with explanations to help clarify why they are being requested:

- A. Allow a main driveway entry and exit on Horseshoe Dr. and remove the commercial driveway requirement on Russell Rd. and Waive the Notice of Final Action condition to have "no access to Horseshoe Drive."

Explanation: After reviewing several options to add a commercial driveway on Russell Road, it has been determined that it is not going to be achievable. The primary reason being that a driveway on Russel Rd. conflicts with the existing utility pole and traffic signal. In addition, regarding the commercial driveway on Horseshoe Drive, we are requesting a waiver to waive the commercial curb return per USD 221.1 and build the driveway per USD 224.

Here are the following "waivers of Development standards" requested along with explanations to help clarify why they are being requested:

- B. Reduce the required parking spaces to 10 spaces where 11 spaces are required.

Explanation: Due to the size of the lot, the site does not support 11 parking spaces.

- C. Reduce the setback for a trash enclosure to 26 feet where a minimum setback of 50 feet from any residential development is required per Section 30.56.120 (Trash Enclosures), P.30.56-29. Provide justification.

Explanation: Several options were discussed and drawn up. It was determined that the current location allows for the safest flow of traffic in and out of the parking lot. Allows for Accessible Parking to be located next to the building and is the preferred location Republic Services pick up.

The corner location of the trash enclosure allows it to be hidden from public view. A large tree is being placed behind the trash enclosure to act as a screen for the neighboring property.

- D. Reduce the building setback for a trash enclosure to 6.25 feet where a minimum interior side yard setback of 15 feet is required per Table 30.40-4.  
Explanation: Several options were discussed and drawn up. It was determined that the current location allows for the safest flow of traffic in and out of the parking lot. Allows for Accessible Parking to be located next to the building and is the preferred location for Republic Services pick up. The corner location of the trash enclosure allows it to be hidden from public view. A large tree is being placed behind the trash enclosure to act as a screen for the neighboring property.
- E. Alternative street landscaping adjacent to Russell Road (15' minimum of landscaping required behind an existing attached sidewalk).  
Explanation: A 15' minimum landscape requirement will reduce parking on the site.
- F. Reduce interior side yard setback on north property line from required 15 feet to 9 feet.  
Explanation: The building is existing.
- G. Eliminate landscaping adjacent to a less intensive use (single-family) where landscaping per Figure 30.64-1z (Large 24" inch box evergreen) Intense landscape buffer required per Section 30.48.470.1, Page 30.48-26.  
Explanation: The 15' setback is reduced to 9 feet at the existing building and trash enclosure, not allowing the landscape buffer per Section 30.48.470.1, Page 30.48-26.
- H. Permit access to a local street, Horseshoe Drive, where not permitted per Table 30.56-2, P.30.56-12.  
Explanation: After reviewing several options to add a commercial driveway on Russell Road, it has been determined that it is not going to be achievable. The primary reason being that a driveway on Russel Rd. conflicts with the existing utility pole and traffic signal.
- I. to use a commercial and industrial driveway per USD 224 from the use of a commercial and industrial driveway per USD 221.  
Explanation: USD 224 allows for increased on-site parking, landscaping, and site access. It is appropriate for this small property.
- J. It was brought to my attention that the standards shown on Uniform Standard drawing 22.1 also apply to USD 224. Request waivers for throat depth and the app.  
Explanation: With the use of a dustpan driveway, a waiver is being requested from the min 25' throat depth to 13.5' and 13'.

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- K. Approach Distance from Back of Curb at intersection of Russell Road and Horseshoe Drive to the driveway line. 150' min approach side. Request Waiver for a 38'-0" approach from the Intersection of Russel Rd. and Horseshoe Dr. to the Driveway.

Explanation: The new driveway is located as far back from the intersection of Russell Road and Horseshoe Drive as possible, but due to the site restriction, an approach of the min 150' is not possible. Request waiver for an approach distance of 38' as shown on Sheet Z1.00.

Here are the following design review requests along with explanations to help clarify why they are being requested:

- A. Personal Services (Beauty Salon) – Special Use Permit?

Services Provided: Hair Services, Nail Services, Cosmetology & esthetician.  
Hours of operation: Sunday thru Saturday 8am to 8pm  
Six salon Suites  
Six salon Suite employees

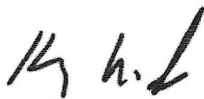
- B. Design review for alternative parking lot landscaping. The required number of landscape finger islands are not provided per FIG.30.64.14, P.30.64-19. However, if the quantity of trees within the interior of the parking lot exceeds the number of requested interior parking lot trees, you may request this design review.

Explanation: Per FIG.30.64.14, Parking Lot trees required:4. Parking Lot Trees required:8  
Request design review.

All site lighting will be shielded to not impact neighboring lots. The building height is within allowable limits, required parking is provided at 10 stalls and the building will be upgraded to commercial standards.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Kerry Shahan  
Architectural Civil Group, LLC.  
Principal/Architect  
[kshahan@acg.design](mailto:kshahan@acg.design)  
(702) 355-9638



APR 17 2020

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