



# PARADISE TOWN ADVISORY BOARD

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV 89121

September 8, 2020

7:00pm

## AGENDA

### Note:

- Social distancing will be practiced during this meeting. You will be asked to keep appropriate spacing (six (6) feet) away from other meeting attendees.
- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Secretary Name at Secretary's Phone Number and is/will be available on the County's website at [www.clarkcountynv.gov](http://www.clarkcountynv.gov).

Board/Council Members: Jon Wardlaw - Chairperson  
 John Williams, Vice Chairperson  
 Susan Philipp  
 Bart Donovan

Secretary: Maureen Helm 702-606-0747, [mhelmtab@gmail.com](mailto:mhelmtab@gmail.com)

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

- I. Call to Order, Pledge of Allegiance, Roll Call, and County Staff Introductions
- II. Public Comment- This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board/Council about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.
- III. Approval of Minutes for August 25, 2020. (For possible action)

BOARD OF COUNTY COMMISSIONERS  
 MARILYN KIRKPATRICK, Chair • LAWRENCE WEEKLY, Vice Chair  
 LARRY BROWN • JAMES B. GIBSON • JUSTIN C. JONES • MICHAEL NAFT • TICK SEGERBLOM  
 YOLANDA T. KING, County Manager

IV. Approval of the Agenda for September 8, 2020 and Hold, Combine, or Delete any Items. (For possible action)

V. Informational Items

Announcements of upcoming neighborhood meetings and County or community meetings and events.

Applications are available until Tuesday, December 1, 2020 for appointments by the Board of County Commissioners to serve on the Paradise TAB for a two-year term beginning January 2021

VI. Planning and Zoning

1. **WS-20-0336-3900 PARADISE RETAIL OWNER SPE, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate street landscaping; 2) allow alternative parking lot design standards; 3) reduce parking; and 4) allow alternative sign standards.

**DESIGN REVIEWS** for the following: 1) modifications to an existing shopping center; 2) alternative parking lot landscaping; and 3) signage in conjunction with an existing shopping center on 4.0 acres in a H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Paradise Road, 640 feet south of Twain Avenue within Paradise. TS/jt/jd (For possible action) **PC 9/15/20**

2. **ET-20-400083 (ZC-18-0666)-BOMBARD ELECTRIC, LLC and POST ROAD CAPTIAL REAL ESTATE FUND LP:**

**ZONE CHANGE FIRST EXTENSION OF TIME** to reclassify a 0.5 acre portion of 2.5 acres from R-E (Rural Estates Residential) Zone and M-1 (Light Manufacturing) Zone to M-1 (Light Manufacturing) Zone.

**USE PERMIT** to allow an office as a principal use in an M-1 (Light Manufacturing) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce parking; and 2) allow modified commercial driveway geometrics.

**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; and 2) a proposed office warehouse building on 4.1 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of Post Road and the east and west sides of Arville Street (alignment) within Paradise (description on file). MN/jgh/jd (For possible action) **BCC 9/15/20**

3. **UC-20-0344-NEEDHAM, HOWARD J. & CHRISTINE S.:**

**USE PERMIT** for a day care facility in conjunction with an existing office complex on 1.9 acres in a C-P (Office and Professional) Zone. Generally located on the east side of Eastern Avenue, approximately 500 feet south of Hacienda Avenue within Paradise. JG/nr/jd (For possible action) **PC 10/6/20**

**BOARD OF COUNTY COMMISSIONERS**

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LARRY BROWN • JAMES B. GIBSON • JUSTIN C. JONES • MICHAEL NAFT • TICK SEGERBLOM  
YOLANDA T. KING, County Manager



4. **UC-20-0361-NOVAL, LP:**  
**USE PERMITS** for the following: 1) reduce separation from a proposed supper club to a residential use; 2) reduce the separation from an outside dining/drinking area to a residential use; and 3) eliminate the pedestrian access around the outside dining/drinking area in conjunction with a supper club within an existing shopping center on a portion of 11.0 acres in a C-2 (General Commercial) Zone with a portion in the Russell Road Transition Corridor Overlay District. Generally located on the south side of Russell Road, 770 feet west of Pecos Road within Paradise. JG/jt/jd (For possible action) **PC 10/6/20**
  
5. **VS-20-0351-OZ OPTICS HOLDINGS, INC:**  
**VACATE AND ABANDON** a portion of right-of-way being Decatur Boulevard located between Patrick Lane and Oquendo Road within Paradise (description on file). MN/sd/jd (For possible action) **PC 10/6/20**
  
6. **WS-20-0347-TUCKER CALI TRUST:**  
**WAIVER OF DEVELOPMENT STANDARDS** to increase fence height in conjunction with a single family residence on 0.3 acres in an R-1 (Single Family Residential) Zone. Generally located on the north side of Greencrest Drive, approximately 135 feet west of Farmcrest Drive, and 550 feet northwest of the intersection of Harmon Avenue and Sandhill Road within Paradise. TS/nr/jd (For possible action) **PC 10/6/20**
  
7. **AR-20-400089 (UC-0849-14 ) -MGM GRAND PROPCO, LLC:**  
**USE PERMIT FOURTH APPLICATION FOR REVIEW** of a recreational facility (Topgolf) with accessory retail, eating and drinking facilities and other accessory uses, and structures in conjunction with a resort hotel (MGM Grand) on an 8.5 acre portion of 102.7 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone in the MUD-1 Overlay District. Generally located on the southwest corner of Harmon Avenue and Koval Lane within Paradise. JG/jgh/jd (For possible action) **BCC 10/7/20**

VII. General Business

Review FY 2020 budget request(s) and take public input regarding suggestions for FY 2022 budget request(s). (For possible action).

Review/finalize FY 2022 budget request(s) and take public comment on the budget request(s). (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 vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.
- IX. Next Meeting Date: September 29, 2020.
- X. Adjournment.

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

Paradise Community Center – 4775 McLeod Dr

Clark County Library – 1401 E. Flamingo Rd.

Sunset Park – 2601 E. Sunset Rd.

Fire Station 38 – 1755 Silver Hawk Ave.

<https://notice.nv.gov>

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YOLANDA T. KING, County Manager



## Paradise Town Advisory Board

August 25, 2020

### MINUTES

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Board Members:	Jon Wardlaw –Chair- <b>PRESENT</b> John Williams —Vice Chair- <b>PRESENT</b>	Susan Philipp – <b>PRESENT</b> Bart Donovan- <b>PRESENT</b>
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

Brady Bernhart; Planning, Stephanie Halasi; Administrative Specialist

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

II. Public Comment:  
None

III. Approval of August 11, 2020 Minutes

**Moved by: Donovan**  
**Action: Approval as submitted**  
**Vote: 4-0 Unanimous**

Approval of Agenda for August 25, 2020

**Moved by: Williams**  
**Action: Approve as submitted**  
**Vote:4 -0 Unanimous**

IV. Informational Items  
None

V. Planning & Zoning

1. **TM-20-500109-MASS EQ-SPENCER & SERENE, LLC:**  
**TENTATIVE MAP** for a 1 lot commercial subdivision on 2.0 acres in a C-1 (Local Business) Zone. Generally located on the north side of Serene Avenue and the west side of Spencer Street within Paradise. MN/bb/jd (For possible action) PC 9/1/20

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

2. **UC-20-0332-DIAMOND CREEK HOLDINGS, LLC SERIES 11:**  
**USE PERMIT** for an assisted living facility.  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce the minimum lot area for an assisted living facility on 0.9 acres in a C-P (Office and Professional) Zone. Generally located on the east side of Eastern Avenue and the north side of Twain Avenue within Paradise. TS/rk/jd (For possible action) PC 9/15/20

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

3. **WS-20-0336-3900 PARADISE RETAIL OWNER SPE, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate street landscaping; 2) allow alternative parking lot design standards; 3) reduce parking; and 4) allow alternative sign standards.  
**DESIGN REVIEWS** for the following: 1) modifications to an existing shopping center; 2) alternative parking lot landscaping; and 3) signage in conjunction with an existing shopping center on 4.0 acres in a H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Paradise Road, 640 feet south of Twain Avenue within Paradise. TS/jt/jd (For possible action) PC 9/15/20

**Applicant arrived after close of meeting. Return to the Paradise 9/8/2020 TAB meeting**

4. **ET-20-400083 (ZC-18-0666) -BOMBARD ELECTRIC, LLC:**  
**ZONE CHANGE FIRST EXTENSION OF TIME** to reclassify a 0.5 acre portion of 2.5 acres from R-E (Rural Estates Residential) Zone and M-1 (Light Manufacturing) Zone to M-1 (Light Manufacturing) Zone.  
**USE PERMIT** to allow an office as a principal use in an M-1 (Light Manufacturing) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce parking; and 2) allow modified commercial driveway geometrics.  
**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; and 2) a proposed office warehouse building on 4.1 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of Post Road and the east and west sides of Arville Street (alignment) within Paradise (description on file). MN/jgh/jd (For possible action) BCC 9/16/20

**NO show. Return to the Paradise 9/8/2020 TAB meeting**

- VI. General Business  
**None**
- VII. Public Comment  
**None**
- VIII. Next Meeting Date  
**The next regular meeting will be September 9, 2020**
- IX. Adjournment  
**The meeting was adjourned at 7:12 p.m.**

DRAFT

09/15/20 PC AGENDA SHEET

SHOPPING CENTER MODIFICATIONS  
(TITLE 30)

PARADISE RD/TWAIN AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-20-0336-3900 PARADISE RETAIL OWNER SPE, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate street landscaping; 2) allow alternative parking lot design standards; 3) reduce parking; and 4) allow alternative sign standards.

**DESIGN REVIEWS** for the following: 1) modifications to an existing shopping center; 2) alternative parking lot landscaping; and 3) signage in conjunction with an existing shopping center on 4.0 acres in a H-1 (Limited Resort and Apartment) Zone.

Generally located on the east side of Paradise Road, 640 feet south of Twain Avenue within Paradise. TS/jt/jd (For possible action)

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RELATED INFORMATION:

APN:

162-15-401-038

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate a portion of street landscaping adjacent to Paradise Road where 15 feet of landscaping is required per Figure 30.64-17 or Figure 30.64-18 (a 100% reduction).
2.
  - a. Reduce the area of diamond shaped landscape planters in the parking lot to 36 square feet (6 feet by 6 feet) where 49 square feet (7 feet by 7 feet) is the minimum area required per Figure 30.64-14 (a 27% reduction).
  - b. Reduce the size of parking spaces adjacent to diamond shaped landscape planters to 9 feet wide by 18 feet long where 10 feet wide by 19 feet long is the minimum required per Figure 30.64-14 (a 15% reduction).
3. Reduce the number to parking spaces to 181 spaces where 276 spaces are required per Table 30.60-1 (a 34% reduction).
4.
  - a. Increase freestanding sign height to 48 feet where 36 feet is the maximum allowed per Table 30.72-1 (a 33% increase).
  - b. Increase animated sign area in conjunction with a freestanding sign to 448 square feet where 150 square feet is the maximum allowed per Table 30.72-1 (a 199% increase).
  - c. Reduce setbacks for a freestanding sign to 5 feet where 10 feet is required from the right-of-way (Paradise Road) per Section 30.56.040 and Table 30.72-1 (a 50% reduction).
  - d. Allow roof signs where roof signs are prohibited per Section 30.72.040.

- e. Allow signage (wall signs and roof signs) to face adjacent residential development not separated by a street where not allowed per Table 30.72-1.

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3900 Paradise Road
- Site Acreage: 4
- Project Type: Modifications to an existing shopping center
- Number of Stories: 2
- Building Height (feet): 36
- Square Feet: 68,880
- Parking Required/Provided: 276/181

Overview

This application includes modifications to an existing shopping center. The modifications include changes to the parking lot layout, site landscaping, replacing an existing freestanding sign, changes to wall signs, and allowing roof signs. An approved multiple family residential development, which shares parking and cross access with the subject shopping center, is proposed to be built on the adjacent parcel to the east. Until the adjacent multiple family residential development is built, the subject shopping center is deficient in the number of parking spaces. As a result, the applicant is reducing existing landscaping and modifying the layout of the parking lot to add 6 additional parking spaces. In addition, Paradise Road will be widened, further reducing the street landscaping along Paradise Road. Lastly, this application includes a new, animated freestanding sign, wall signage, and roof signage, some of which will face the future multiple family residential development to the east.

Site Plans

The site plans depict an existing shopping center with access from Paradise Road to the west and cross access with an approved multiple family residential development to the east. No changes are proposed to the existing buildings on the site. However, several changes are proposed to the parking layout and landscaping to add additional parking spaces. For example, street landscaping will be eliminated on the southwest portion of the site, adjacent to Paradise Road, to add 5 additional parking spaces. The elimination of the landscaping in this area is due both to the proposed redesign of the parking lot and the future widening of Paradise Road. Specifically, the applicant is reducing an existing 20 foot wide landscape area by 15 feet for additional parking, and the street widening project will eliminate the remaining 5 feet of landscaping.

Other changes include restriping in the southeast portion of the site to add 6 additional parking spaces and reducing parking in the center and northern portion of the site by 5 parking spaces. Some of the reduced parking is due to adding additional parking lot landscape islands, including diamond shaped planters, which require both a design review and a waiver of development standards due to the reduced size of the planters and adjacent parking spaces. The net increase in



parking spaces for the site is 6 parking spaces. If the adjacent multiple-family residential development is constructed, 928 parking spaces will be provided where 919 parking spaces are required for the entire site (the multiple-family residential development will provide over 95 parking spaces to make-up the commercial deficiency). Therefore, the waiver of development standards to reduce parking for the subject shopping center is necessary in the interim until the approved multiple family residential development is constructed.

#### Landscaping

Existing and proposed landscaping along Paradise Road will range in width from 15 feet wide on the northern portion of the site down to approximately 5 inches of landscaping (essentially eliminating landscaping) near the southern portion of the site. Other landscaping areas include new 6 foot by 6 foot diamond shaped parking lot planters (7 foot by 7 foot is the minimum planter size) and additional areas of landscaping around portions of the base of the buildings.

#### Elevations

The existing buildings range from single story up to 2 stories with a maximum height of 36 feet. A variety of elements are included in the design, including painted brick, stucco finish, fiber cement siding, various types of porcelain tile, metal canopies, precast concrete wall bases, metal fascia, metal tube vertical slats, steel columns, and board formed concrete railing. The color scheme includes white, gray, dark gray, beige, and off-orange. No changes are proposed to the exterior of the buildings; however, the design of the buildings is provided as reference since new signage is proposed.

#### Floor Plans

Floor plans are not provided with this application since the tenants are existing, and no changes are proposed to the interior of the buildings.

#### Signage

Changes to signage include replacing an existing freestanding sign with an animated freestanding sign, adding wall signs and roof signs on the buildings, and adding non-illuminated signage that will face the approved multiple family residential development to the east.

The existing freestanding sign is approximately 24 feet high, which will be removed and replaced with an animated freestanding sign. The new animated freestanding sign is 48 feet high, and a waiver of development standards is necessary to increase the height since the existing buildings on the site are 36 feet high (maximum height for freestanding signs in the H-1 zone is the same as the building height). Total sign area for the freestanding sign will be 523 square feet, and 448 square feet of the area will be animated LED signage. A waiver of development standards is necessary to increase the size of the animated sign where 150 square feet is the maximum. Another waiver of development standards is necessary to reduce the setback from a right-of-way (Paradise Road) to 5 feet where 10 feet is required.

Existing wall signage around the building will also be replaced with new wall and roof signage. A total of 16 wall and roof signs are proposed, which total 1,940 square feet combined where over 12,000 square feet is allowed. Ten of the 16 signs face west towards Paradise Road or internal to the site. The remaining 6 signs will face east towards the approved multiple family

residential development, although these signs will be non-illuminated. Regarding the roof signs, the signs will be located on canopies, which extend out from the wall of the building. As a result, these signs are considered roof signs since they are on the roof of the canopies and not attached to the wall of the buildings. However, the roof signs do not extend above the roofline of the buildings.

Applicant's Justification

According to the applicant, the original shopping center was built in the 1980's, and more recently, exterior renovations to the buildings were approved in March 2020 (ADR-20-900190). To continue to modernize the shopping center, this application includes updates to the landscaping, parking lot, and signage. Although landscaping is being reduced along Paradise Road, additional landscaping is being added internal to the parking lot and around the base of the buildings.

Regarding the waiver of development standards to reduce parking, this is only necessary until the adjacent multiple family residential development is constructed, which will include additional parking spaces to make-up for the deficiency. By way of background, an office building, with additional parking for the shopping center, was previously constructed on the east side of the site; however, the office building was damaged in a fire and subsequently demolished. The multiple family residential development was approved on the same site as the office building. With the redesign of the parking lot and landscaping, the applicant is providing an additional 6 parking spaces on the site. Furthermore, the diamond shaped landscape planters and reduced size of parking spaces adjacent to the diamond shaped planters are the best alternative to provide additional landscaping and parking spaces on the existing site.

The applicant indicates that the increased height, reduced setback, and increased animated area for the freestanding sign is appropriate for several reasons. First, the site is zoned H-1. Second, the height is comparable to existing signs in the area along Paradise Road. Third, the sign is oriented towards Paradise Road and the existing commercial corridor, and finally, the existing shopping center buildings will partially shield the sign from the approved multiple family residential development to the east.

Lastly, the applicant indicates that the proposed wall signs and roof signs are below the allowed area for wall signs on the site. The signs that face the approved multiple family residential development to the east will be non-illuminated, and the remainder of the signs are appropriate in the commercial center, which is zoned H-1 and located along a busy commercial corridor.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ADR-20-900190	Exterior remodel of an existing shopping center	Approved by ZA	March 2020
UC-18-0894	Day spa - expired	Approved by PC	February 2019
UC-18-0079	Major training facility	Approved by PC	March 2018

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0132-04	Real estate school including business related training and certification	Approved by PC	March 2004
UC-1841-03	Expanded on-premises consumption of alcohol and design review to allow standing seam metal roofs and partially enclose an existing outside dining/drinking patio with a proposed restaurant	Approved by PC	January 2004
UC-1454-01	On-premises consumption of alcohol within a restaurant	Approved by PC	December 2001
UC-0130-85	Retail and office complex	Approved by PC	August 1985

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Commercial Tourist	H-1	Hotel
East	Commercial Tourist	H-1	Multiple family residential development with cross access to the subject shopping center
West	Commercial Tourist	H-1	Restaurant & offices

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Waivers of Development Standards

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

Waiver of Development Standards #1

Although a portion of street landscaping along Paradise Road will be eliminated, the reduction to street landscaping will only occur in a small portion (less than 5 feet long) of the overall street frontage. Landscaping along other portions of the Paradise Road street frontage will extend up to 15 feet in width. In addition, the proposed design includes additional landscaping in diamond shaped landscape planters and around portions of the buildings. As a result, the proposed alternative standards mitigate the impact of the reduced landscaping, and staff can support the request.

Waiver of Development Standards #2 & Design Review #2

Diamond shaped landscape planters can provide an alternative to standard landscape fingers on a dense site to maintain as many parking spaces as possible. However, the larger size (7 feet by 7 feet) of the diamond shaped planters required by Title 30 is intended to provide enough root area for healthy tree growth, and the larger parking spaces (10 feet wide by 19 feet long) are intended to provide adequate space for vehicles to park without damaging the undercarriage of the vehicles on the curb around the diamond shaped planters and without damaging the trees. Nevertheless, the existing site is in Community District 1, which consists of the most intense and urban development in Clark County. As a result, it may be appropriate to reduce certain design standards to accommodate the existing development on the site and building pattern in the area. Therefore, parking spaces and landscape areas are denser in this part of Clark County, and staff can support the alternative design standards since the diamond shaped landscape planters will still provide shade within the parking lot and visual relief in the urban area.

Waiver of Development Standards #3

Although this application is to reduce parking spaces, the redesign of the parking lot and landscaping will create a net increase of 6 parking spaces. In addition, the deficiency in parking will be made-up if the adjacent multiple family residential development is constructed. This application is intended to allow businesses to operate and potential tenants to move into the existing shopping center with the existing number of parking spaces until the adjacent multiple family residential development is built. However if the adjacent multiple family residential development is not constructed, staff recommends adding additional parking spaces (with a separate land use application) on the adjacent parcel to the east. Therefore, staff can support the request with a review period to ensure that adequate parking is eventually provided.

Waiver of Development Standards #4 & Design Review #3

Staff recognizes that individual sites may present unique characteristics, including site shape and location, indicating that signage could best be developed through an application for alternative design standards. These alternative sign standards could be considered appropriate if the signage results in having a visual character that is compatible with adjacent development, encourages a development trend or visual character anticipated by Title 30, and results in development that exceeds other requirements. Since the site is in Community District 1 and the H-1 zone, and the site is located along a commercial corridor that is located near and compliments the tourist activities along the Resort Corridor, alternative sign standards may be appropriate.

The increased sign height and increased animated sign area are similar in scale to other signs in the area. In addition, the increased animated sign area helps activate the built environment and promote a sense of excitement, which is appropriate in this area. Staff does not anticipate any negative visual impacts to the approved multiple family residential development to the east. For example, the multiple family residential development was approved at a height of 86 feet, and it will be set back approximately 300 feet from the animated freestanding sign. As a result, the sign will be compatible in height and scale to the existing 38 foot high shopping center and the approved 86 foot high multiple family residential development. Staff also does not anticipate any potential negative impacts to motorists from the reduced street setback since the proposed sign is in the same location as the previous freestanding sign, and the reduced setback is due in part to the future street widening of Paradise Road.

Lastly, staff can support the design review for wall signs and the waiver of development standards for roof signs. The design, location, and scale of the wall and roof signs are appropriate for the shopping center and the location. In addition, the signs facing the approved multiple family residential development to the east are non-illuminated. As a result, all the proposed signs are compatible with building styles on-site and with surrounding neighborhoods, consistent with Urban Specific Policy 20 in the Comprehensive Master Plan.

#### Design Review #1

Staff can support the modifications to the existing shopping center. Although landscaping will be reduced along Paradise Road, additional landscaping will be provided within the parking lot and around portions of the buildings. The additional parking spaces will help accommodate visitors and employees of the site until the adjacent multiple family residential development is built. Finally, the proposed signage is also appropriate for the site and the area. As a result, staff can support the modifications to the existing shopping 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

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

##### **Current Planning**

- 2 years to review waiver of development standards #3;
- Final zoning inspection required.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

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

- Coordinate with Public Works - Design Division for the Paradise Road improvement project;
- Dedicate any right-of-way and easements necessary for the Paradise Road improvement project.

##### **Building Department - Fire Prevention**

- No comment.



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

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

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** 3900 PARADISE RETAIL OWNERS SPE, LLC

**CONTACT:** ANTHONY CELESTE, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., SUITE 650, LAS VEGAS, NV 89135

DRAFT

OFFICE  
(TITLE 30)

ARVILLE ST/POST RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-20-400083 (ZC-18-0666)-BOMBARD ELECTRIC, LLC and POST ROAD CAPITAL REAL ESTATE FUND LP:**

**ZONE CHANGE FIRST EXTENSION OF TIME** to reclassify a 0.5 acre portion of 2.5 acres from R-E (Rural Estates Residential) Zone and M-1 (Light Manufacturing) Zone to M-1 (Light Manufacturing) Zone.

**USE PERMIT** to allow an office as a principal use in an M-1 (Light Manufacturing) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce parking; and **2)** allow modified commercial driveway geometrics.

**DESIGN REVIEWS** for the following: **1)** alternative parking lot landscaping; and **2)** a proposed office warehouse building on 4.1 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the north side of Post Road and the east and west sides of Arville Street (alignment) within Paradise (description on file). MN/jgh/jd (For possible action)

**RELATED INFORMATION:**

**APN:**

162-31-701-047; 162-31-301-030 ptn

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow a reduction in parking to 118 spaces where 189 spaces are required per Table 30.60-1 (a 37.6% reduction).
2. Allow a 7 foot 11 inch throat depth where a 100 foot throat depth is required per Uniform Standard Drawing 222.1 (a 92% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE - INDUSTRIAL

**BACKGROUND:**

**Project Description**

- Site Address: N/A
- Site Acreage: 0.5 acre (portion) of 2.5 acres (zone change)/4.1 (overall site)
- Project Type: Office/warehouse
- Number of Stories: 2
- Building Height (feet): 39
- Square Feet: 62,431
- Parking Required/Provided: 189/118



### History and Request

The Board of County Commissioners approved ZC-18-0666 in October of 2018 permanently reclassifying the subject property to an M-1 Zoning for a proposed office warehouse building. A condition of approval for the zone change was 1 year to review parking as a public hearing. However, the applicant did not commence the use of the building prior to the expiration date; therefore, the parking cannot be reviewed. Staff determined an extension of time to commence the use may be requested for the previously approved Waiver of Development Standards to reduce parking.

### Site Plans

The previously approved plans depict a zone change on a 0.5-acre portion of 2.5 acres on APN 162-31-301-030 east of the Union Pacific Railroad tracks with a waiver of development standards and design review for a proposed office warehouse building and parking area on 4.1 acres, including an additional area farther east. An office warehouse building is centrally located on the northern portion of the site. The building is set back 100 feet from the front (south) property line, 5 feet 9 inches from the rear property line, and a minimum of 46 feet from the east property line. Parking is located on the east, west, and south sides of the building. There are 113 on-site parking spaces provided, with 5 on-street parking spaces for a total of 118 parking spaces provided. An employee patio area with shade canopy and landscaping is located at the northeast corner of the property. Access to the site is provided by 2 driveways from Post Road with the westerly driveway for emergency access. There is an existing communication tower located at the northeast corner of the property which will remain.

### Landscaping

The previously approved plans depict a minimum 10 foot wide landscape area with an attached sidewalk along Post Road consisting of trees, shrubs, and groundcover. Landscape islands consisting of trees, shrubbery, and groundcover are located in the parking areas to the east, south, and west of the building. Adjacent to the south side of the building are medium size evergreen trees.

### Elevations

The building is 2 story with a maximum height of 39 feet. The building is constructed of concrete tilt-up panels with a flat roof behind a parapet wall. The south and east elevations include a main entry feature along with painted metal shade awnings. The exterior of the building is painted in earth tone colors, with storefront window and door systems. The plans depict a 2 station loading dock area on the south side of the building that is recessed approximately 60 feet from the front of the building.

### Floor Plans

The previously approved plans depict that the building has a total area of 62,431 square feet with 19,623 square feet of office area on the first level, 18,431 square feet of office area on the second level and 24,377 square feet of warehouse space on the northwesterly side of the building. The office areas are located on the southerly and easterly portion of the building.

### Previous Conditions of Approval

Listed below are the approved conditions for ZC-18-0666:

#### Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- 1 year to review parking as a public hearing;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

#### Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Post Road, 40 feet for Arville Street, and a curve at the intersection with the radius to be as large as possible to be approved by
- Public Works - Development Review.

#### Department of Aviation

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

- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Building Department - Fire Prevention

- 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 #0499-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states they believed the parking review would be completed within 1 year from the date the Certificate of Occupancy was issued, however, the applicant misunderstood that additional time to commence was also necessary.

Applications on APN 162-31-701-047

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-18-0666	Reclassified 0.5 acres from R-E & M-1 zoning to M-1 zoning	Approved by BCC	October 2018
ZC-0900-14 (ET-0018-17)	First extension of time for a zone change	Approved by BCC	March 2017
VS-0451-16	Vacated and abandoned patent easements	Approved by PC	December 2016
UC-0387-16	A communication tower	Approved by PC	December 2016
ZC-0900-14	Reclassified 2.6 acres from R-E zoning to M-1 zoning	Approved by BCC	February 2015

Applications with improvements on the west side of Union Pacific Railroad tracks on APN 162-31-301-030.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-18-0350	Waived cross access with a design review for an office warehouse complex	Approved by BCC	August 2018

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0396-17	Vehicle dismantling yard with a waiver to reduce the setback between a vehicle dismantling yard and a non-industrial use	Withdrawn at PC	September 2017
UC-0711-14	Vehicle dismantling yard with a waiver to reduce the setback between a vehicle dismantling yard and a non-industrial use	Withdrawn at BCC	December 2014

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Industrial	R-E & M-1	Undeveloped
South	Industrial	M-D & M-1	Office warehouse buildings
East	Industrial	M-1	Office warehouse building
West	Industrial	R-E & M-1	Undeveloped & Union Pacific Railroad tracks

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval. The building has been constructed, but the use has not commenced therefore staff recommends an additional review to ensure the reduction in parking will not impact the surrounding area. The additional time will allow the applicant to finalize the zoning inspection and receive the business license to commence the use.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until October 3, 2022 to review parking as a public hearing.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- Compliance with previous conditions.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

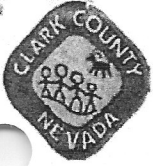
**PROTEST:**

**APPLICANT:** LARRY MONKARSH

**CONTACT:** LARRY MONKARSH, LM CONSTRUCTION CO., LLC, 7115 BERMUDA ROAD, LAS VEGAS, NV 89119

**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 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"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) <u>ZC-18-0666</u> (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>20-400083</u> DATE FILED: <u>7/20/2020</u> PLANNER ASSIGNED: <u>JGH</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>8/25/2020</u> PC MEETING DATE: <u>N/A</u> BCC MEETING DATE: <u>9/16/2020</u> FEE: <u>\$ 650</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Bombard Electric LLC</u> ADDRESS: <u>4380 W. Post Rd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-247-6095</u> CELL: _____ E-MAIL: <u>Ken@bombardsystems.com</u>
	<b>APPLICANT</b>  NAME: <u>LM Construction Co., LLC</u> ADDRESS: <u>7115 Bermuda Rd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-262-6032</u> CELL: _____ E-MAIL: <u>larry@lmconstructionco.com</u> COREF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Larry Monkmarsh</u> ADDRESS: <u>7115 Bermuda Rd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-262-6032</u> CELL: _____ E-MAIL: <u>Larry@lmconstructionco.com</u> COREF CONTACT ID #: _____

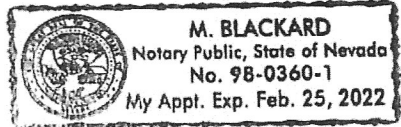
ASSESSOR'S PARCEL NUMBER(S): 162-31-701-047  
 PROPERTY ADDRESS and/or CROSS STREETS: 4380 W. Post Rd, LV 89118 / NE Corner of Post & Arville  
 PROJECT DESCRIPTION: Extension of time for Parking waiver as a condition of final approval

(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]      Kenneth A. Kefalas  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF NV  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 15 July 2020 (DATE)  
 By Kenneth A. Kefalas  
 NOTARY PUBLIC: M. Blackard



\*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.



7115 BERMUDA RD • LAS VEGAS, NV 89118 • (702) 262-6032 • FAX: (702) 262-6150  
[WWW.LMCONSTRUCTIONCO.COM](http://WWW.LMCONSTRUCTIONCO.COM)

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**Justification Letter**

July 20, 2020

Clark County Department of Comprehensive Planning  
500 S. Grand Central Pkwy  
Las Vegas, NV 89155  
(702)455-4314

ET-20-400083

**Re: Extension of Time, Original Permit # ZC-18-0666**

To Whom It May Concern:

Please allow this Justification Letter to explain the basis for Bombard Electric, LLC's ("Applicant") request for an Extension of Time for Permit No.: ZC-18-0666 – Waiver of Development Standards for reduced parking. This extension of time would allow the Current Planning staff time to review the reduced parking as a public hearing as required by the Notice of Final Action dated October 11, 2018.

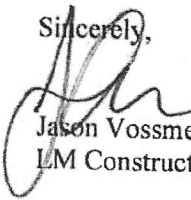
Unfortunately, LM Construction Co., LLC ("LMCC"), the Design-Build Contractor, inadvertently scheduled its review for this matter 1 year from the date the Certificate of Occupancy which was issued on or about January 9, 2020. Additionally, and considering that the Notice of Final Action states that a Certificate of Occupancy and/or business license "*shall not be issued without final zoning inspection.*" LMCC believed that this condition of approval was satisfied upon receiving the Certificate of Occupancy. By reason of LMCC's scheduling for review by January 9, 2021 as well as the issuance of a Certificate of Occupancy, the original application was not resubmitted.

It was not until the Applicant put in its request for a business license change of address that LMCC was made aware that the 1 year timeframe was from the time the Notice of Final Action rather than from the time of Certificate of Occupancy.

We hope that we can work together to provide the Comprehensive Planning Department any documentation and/or information it may need to help process the most recent business license change of address, which is currently pending and in reliance on this request of an Extension of Time.

Thank you in advance for your consideration.

Sincerely,

  
Jason Vossmer  
LM Construction Co., LLC



10/06/20 PC AGENDA SHEET

DAY CARE  
(TITLE 30)

EASTERN AVE/HACIENDA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-20-0344-NEEDHAM, HOWARD J. & CHRISTINE S.:**

**USE PERMIT** for a day care facility in conjunction with an existing office complex on 1.9 acres in a C-P (Office and Professional) Zone.

Generally located on the east side of Eastern Avenue, approximately 500 feet south of Hacienda Avenue within Paradise. JG/nr/jd (For possible action)

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RELATED INFORMATION:

**APN:**

162-25-310-037

**LAND USE PLAN:**

WINCHESTER/PARADISE OFFICE PROFESSIONAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 5426 S. Eastern Avenue
- Site Acreage: 1.9
- Project Type: Day care
- Square Feet: 3,663
- Parking Required/Provided: 9 (day care use) 24/63 (entire site)

Site Plans

The plans depict an existing office complex with 2, 1 story buildings. The proposed day care facility will be located within the southern building with a future play area extending from the southeast corner of the building. Parking for the 2 buildings is located on the perimeter of the site on the north, west, and south sides. The site is accessed from Eastern Avenue from a divided commercial driveway.

Landscaping

Landscaping is existing and is located along Eastern Avenue. No changes to landscaping are required or proposed.

Elevations

The plans show an existing 1 story office building with a desert toned stucco exterior and tile roof. The front of the building has a covered entryway as a decorative feature.

Floor Plans

The proposed day care facility has an area of 3,663 square feet. The building is divided into 5 classrooms, a kitchen, offices, restrooms, and storage areas. The plans indicate that the classrooms are based on the ages of the children.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed use will help to take care of infants to children up to 12 years of age. The day care center will be open from 6:00 a.m. to 12:00 a.m. Monday through Friday. The day care center will accommodate 40 to 50 children with 8 employees.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0458-08	80 feet Stealth communications tower	Withdrawn	October 2008
ZC-0803-98	Reclassified 1.9 acres from R-E to C-P zoning for an office complex	Approved by BCC	June 1998

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Office Professional	C-P	Professional offices
East	Residential Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residential
West	Office Professional	C-P, CRT, & R-1	Single family residential

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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.

Day cares are special uses that are allowed in both commercial and residential zoning districts. The site is located on and will take access from Eastern Avenue, an arterial street located along

the west side of the site; therefore, traffic from this use will have limited impacts on the existing residential developments to the east. The undeveloped portion of the site will be a buffer area for the future playground area. The proposed facility will be located within an existing office complex which is a transition area between residential and light commercial uses. The application also complies with Land Use Goals 1 and 2 of the Comprehensive Master Plan, which encourages uses that promote economic vitality and employment opportunities with development that is compatible with adjacent land uses, while providing opportunities for a mixture of uses within close proximity with one another. Staff finds that the application is in compliance with both the Comprehensive Master Plan and Title 30. Staff does not anticipate any negative impacts to the surrounding area; therefore, staff can support the request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

- Coordinate with Public Works - Development Review to grant a new curb return driveway easement for the existing driveway.

**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:** RHODES TO LEARNING CHILD CARE CENTER

**CONTACT:** WENDY BERRY, 5426 S. EASTERN AVE, UNIT A, LAS VEGAS, NV 89119



# 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 type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b> APP. NUMBER: <u>UC-20-0344</u> DATE FILED: <u>8/5/20</u> PLANNER ASSIGNED: <u>NR</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>9/8/20</u> PC MEETING DATE: <u>10/6/20</u> BCC MEETING DATE: _____ FEE: <u>\$675</u>
	<b>PROPERTY OWNER</b> NAME: <u>HOWARD J. NEEDHAM</u> ADDRESS: <u>3216 W CHARLESTON BLVD #A</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89102</u> TELEPHONE: <u>(702) 258-5858</u> CELL: <u>(702) 505-2535</u> E-MAIL: <u>howardjneedham@yahoo.com</u>
	<b>APPLICANT</b> NAME: <u>Wendy Berry Rhodes to Learning Center LLC</u> ADDRESS: <u>5426 S. Eastern Ave. #A &amp; B</u> CITY: <u>Henderson Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: _____      CELL: <u>(773) 449-7986</u> E-MAIL: <u>rhodeslearningcc2020@gmail.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b> NAME: <u>Wendy Berry</u> ADDRESS: <u>5426 S. Eastern Ave. Unit A</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: _____      CELL: _____ E-MAIL: <u>wpberry1621@gmail.com</u> REF CONTACT ID #: <u>203407</u>	

ASSESSOR'S PARCEL NUMBER(S): 162-25-310-037  
 PROPERTY ADDRESS and/or CROSS STREETS: 5392 & 5426 S. Eastern Ave. Las Vegas NV 89119  
 PROJECT DESCRIPTION: Day Care Center at 5426 S. Eastern Ave.

(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.

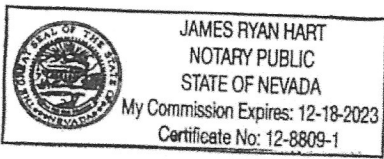
Howard J. Needham  
 Property Owner (Signature)\*

HOWARD J. NEEDHAM  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 7/14/2020 (DATE)

By HOWARD J. NEEDHAM  
 NOTARY PUBLIC: James Ryan Hart



\*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.

# Rhodes to Learning Childcare Center, LLC

*"A child's roadmap towards success."*

5426 S. Eastern Ave. Unit A

Las Vegas, NV 89119

**PLANNER  
COPY**

UC-20-0344

July 23, 2020

**Clark County**

**Department of Comprehensive Planning**

500 S. Grand Central Parkway

Las Vegas, NV 89155

**To:** Comprehensive Planning

**Re:** Justification for Childcare Center

I am writing to request a parking analysis for **Rhodes to Learning Childcare Center, LLC**. located 5426 S. Eastern Avenue in Las Vegas, NV 89119. The building square footage is slightly over 3000. We will be required to provide a minimum of **eight (8)** parking spaces to meet the ordinance of **one (1)** required parking space for every 400 sq. ft. There is **one (1)** designated handicap space. There are **six (6)** additional parking spaces on the west side of the South building. There are twelve (12) parking spaces on the south side of the South building at 5426 S. Eastern Avenue. Also, there are **six (6)** additional parking spaces to the rear of the building at 5426 S. Eastern Ave. The current zoning of the property is C-P.

Our proposed plan is to provide daycare services for infants through twelve years of age. The daycare center will only operate at the southern building, 5426 S. Eastern Ave., Las Vegas, NV 89119. We will be operating from 6:00 am to 12:00 a.m. The maximum number of employees on any one shift will be **eight (8)**. There will be no other uses in the south building besides the daycare during operational hours. The maximum number of children for this use will be approximately 40-50. The number and ages of the children are as follows **twenty (20)** infant and toddlers and **twenty (20)** two to five year-olds and **ten (10)** before and after school care for ages six years through 12 years.

Thank you so much for your attention to this matter. If you have any further questions please contact either me, Wendy Berry, (773) 449-7986 or Toni Rhodes (773) 876-5435.

Sincerely,

Wendy Berry

10/06/20 PC AGENDA SHEET

SUPPER CLUB & OUTSIDE DINING  
(TITLE 30)

RUSSELL RD/PECOS RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-20-0361-NOVAL, LP:**

**USE PERMITS** for the following: **1)** reduce separation from a proposed supper club to a residential use; **2)** reduce the separation from an outside dining/drinking area to a residential use; and **3)** eliminate the pedestrian access around the outside dining/drinking area in conjunction with a supper club within an existing shopping center on a portion of 11.0 acres in a C-2 (General Commercial) Zone with a portion in the Russell Road Transition Corridor Overlay District.

Generally located on the south side of Russell Road, 770 feet west of Pecos Road within Paradise. JG/jt/jd (For possible action)

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RELATED INFORMATION:

**APN:**

162-36-502-001; 162-36-502-002; 162-36-502-003 ptn

**USE PERMITS:**

1. Reduce the required separation from an on-premises consumption of alcohol establishment (supper club) to a residential use to 30 feet where 200 feet is the standard (an 85% reduction).
2. Reduce the required separation from an outside dining/drinking area to a residential use to 30 feet where 200 feet is the standard (an 85% reduction).
3. Eliminate the required 48 inch wide pedestrian access around the perimeter of the outside dining/drinking area.

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3315 E. Russell Road, Suite A-5
- Site Acreage: 11 (portion)
- Project Type: Supper club and outside dining/drinking area
- Number of Stories: 1
- Square Feet: 2,415 (supper club)
- Square Feet: 627 (outside dining/drinking area)



- Parking Required/Provided: 555/639 (per UC-0522-16)

### History

This tenant space was previously approved for a supper club with an outside dining/drinking area. Although the outside dining/drinking area was constructed and the supper club with outside dining and drinking was in operation until 2018, the use has ceased operations for more than a year, and the outside dining portion of the previous land use application was subject to a review and has expired. Therefore, new use permits are required for the supper club and outside dining/drinking area. No changes are proposed to the site, and this application is to operate a supper club and outside dining/drinking area in the previously approved spaces.

### Site Plans

Overall, the shopping center includes a linear building along the western side of the site, anchor tenants along the southern portion of the site, and pad sites located in the northeast corner of the site near the intersection of Russell Road and Pecos Road. Access to the shopping center is provided by 4 driveways from Russell Road along the north side and 2 driveways from Pecos Road along the east side.

The plans show a 2,415 square foot lease area for a proposed supper club (Smoked Burgers & BBQ) located on the north end of the western building within an existing shopping center. The plans also show a 627 square foot outside dining area on the north side of the supper club. The outside dining/drinking area does not have access along the north or east sides; however, there is an ingress along the existing sidewalk adjacent to the east side of the building. The outside dining/drinking area does not have the minimum 48 inch wide pedestrian access route around the perimeter of the outside dining/drinking area.

### Landscaping

The plans and photos show existing landscaping areas along Russell Road and Pecos Road, both with attached sidewalks. Mature Oleander bushes and other mature landscaping are located between the outside dining area and Russell Road. This existing mature landscaping visually obscures most of the outside dining/drinking area from Russell Road. In addition, the potted plants are located within the outside dining/drinking area. No changes to landscaping are proposed or required with this application.

### Elevations

The submitted photos show an existing single story building with a 4 foot high wrought iron fence enclosing the existing walkway area along the north, west, and east sides of the proposed supper club. The enclosed area is for the outside dining/drinking area. The wrought iron fence is painted a earth/brown color, which matches the exterior of the shopping center. Other design elements of the shopping center include stucco finish, concrete roof tile, columns, and awnings.

### Floor Plans

The plans depict a 2,415 square foot lease space for the proposed supper club, which will consist of a sitting/dining area, a kitchen, a bar area, storage, an office and restrooms. The plans also show a 627 square foot outside dining/drinking area with tables and chairs.



Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that this approval will allow for a proposed supper club (Smoked Burgers & BBQ), which will serve food, drinks and provide outdoor seating. The applicant states that the outside dining/drinking area has no access along the north and east sides, except for an ingress through the center along the existing sidewalk adjacent to the building. Additionally, the existing building is on a highly transitory street with high traffic counts not affecting nor further impacting the current noise level. The applicant states that the intended hours of operation shall be Monday through Sunday 10:00 a.m. to midnight.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-0522-16	Supper club and outside dining/drinking area in the same location as this application - conditioned for the outside dining area to close at 10:00 p.m. - expired	Approved by PC	September 2016
UC-0560-12	Recreational facility (miniature golf and laser tag) in conjunction with an existing shopping center	Approved by BCC	November 2012
ZC-0589-11	Reclassified a portion of the shopping center from C-1 and C-2 to C-2 zoning for an existing shopping center with waivers for landscaping and setback requirements	Approved by BCC	January 2012
UC-1210-96 (ET-0330-99)	First extension of time to review an outside eating area in conjunction with an existing pizzeria restaurant - expired	Approved by PC	August 1999
UC-1210-96	Outside eating area in conjunction with an existing pizzeria restaurant in a different tenant space from the subject application - expired	Approved by PC	August 1996
AC-173-85	Architectural supervision to construct and maintain a shopping center	Approved by PC	November 1985
ZC-176-83	Reclassified a portion of the site to C-1 and C-2 zoning for a shopping center and R-D zoning on the adjacent residential development located on the west and south sides of the development	Approved by BCC	October 1983

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Office Professional	R-E, C-P, & C-1	Single family residential, office conversion from a single family residential, office development, & convenience store with gasoline sales and retail building

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
South & West	Residential Suburban (up to 8 du/ac)	R-D	Single family residential
East	Commercial General & Residential Urban Center (18 du/ac to 32 du/ac)	C-1 & R-3	Restaurant with drive-thru & multiple family residential

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Use Permits

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

Use Permits #1 & #2

A supper club with outside dining/drinking was previously approved in this same suite with the same outside dining/drinking location. No public response office complaints were filed for the previous supper club with outside dining/drinking, and staff does not anticipate any negative impacts from reinstating the same uses since an existing block wall and drive aisle separate the back of the supper club and outside dining/drinking from the adjacent residences. However, staff recommends that the outside dining area operate during daytime hours to help prevent any negative noise impacts to the adjacent residences to the west during nighttime hours. With this condition of approval, staff can support these requests.

Use Permit #3

The existing outside dining/drinking area was previously approved and constructed without the required 48 inch wide pedestrian access around the perimeter of the area. No changes are proposed to the existing outside dining/drinking area, which is located on the north end of the shopping center, between the proposed supper club and the street landscaping along Russell Road. A sidewalk is located along Russell Road to accommodate pedestrians on the north side of the outside dining/drinking area, and a fence separates the outside dining area from the parking spaces to the east. As a result, staff does not have any safety concerns due to the location of the outside dining/drinking area. In addition, pictures indicate that the outside dining/drinking area is aesthetically pleasing and appropriate at this location. Therefore, staff can support the request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Outside dining/drinking area subject to daytime hours of operation (6:00 a.m. to 10:00 p.m.).
- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

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

- 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:** TRESAMIGO, LLC

**CONTACT:** RYAN KLAASEN, TRESAMIGO LLC, 2568 PRINCE EDWARD DR,  
HENDERSON, NV 89052



# 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) # 675 <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b> APP. NUMBER: <u>UC-20-0361</u> DATE FILED: <u>8/12/20</u> PLANNER ASSIGNED: <u>JCT</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>9/8/20</u> PC MEETING DATE: <u>10/6</u> BCC MEETING DATE: <u>—</u> FEE: <u>675</u>
	<b>PROPERTY OWNER</b> NAME: <u>NOVAL LIMITED PARTNERSHIP</u> ADDRESS: <u>3375 E. RUSSELL ROAD</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: <u>702 547 6444</u> CELL: _____ E-MAIL: <u>PECOS PLAZA MANAGEMENT</u>
	<b>APPLICANT</b> NAME: <u>TRES AMIGO LLC</u> ADDRESS: <u>3315 JERVELL RD STE A5</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>(725) 214-5398</u> CELL: <u>(702) 908-6416</u> E-MAIL: <u>rk@smokedgroup.com</u> REF CONTACT ID #: <u>Ryan Klaasen 203151</u>
<b>CORRESPONDENT</b> NAME: <u>RYAN KLAASEN</u> ADDRESS: _____ CITY: _____      STATE: _____      ZIP: _____ TELEPHONE: _____      CELL: _____ E-MAIL: _____      REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 1102-36-502-001; 1102-36-502-002; 1102-36-502-003

PROPERTY ADDRESS and/or CROSS STREETS: 3315 E Russell Rd Ste A5

PROJECT DESCRIPTION: Restaurant Patio

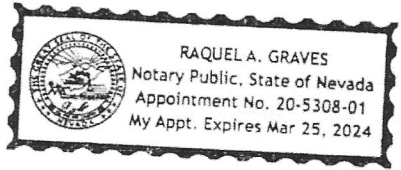
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Constantino Noval  
 Property Owner (Signature)\*      CONSTANTINO NOVAL  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 09/23/2020 (DATE)  
 By Constantino Noval

NOTARY PUBLIC: Raquel Graves



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\*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.

July 19, 2020

Clark County  
Dept. Comprehensive Planning

RE: Conditional Use Permit APPLICATION & REQUEST  
3315 E. Russell Road Suite A-5 Las Vegas, NV 89120

Dear Sirs,

On Behalf of Tres Amigo LLC., Ryan Klaasen would like to submit the attached documents for Planning commission approval requesting a Conditional Use Permit for the intended use of a Supper Club, located at the Pecos Plaza Shopping Center.

Name of Supper Club: Smoked Burgers & BBQ

The business shall serve food, drink, provide outdoor seating upon approval. The majority of its sales shall be derived from food items. The use permit request is to allow a Supper Club with outside patio seating, sited within 30 FT. of a residential Subdivision located to the far West of the establishment. The request shall also allow us to provide a greater than 48" wide pedestrian walkway access along the front entry gate of the outside patio and along the East side of the patio area. The patio does not have access along the North and West sides although there is an ingress through the Center along the existing sidewalk abutting Russell Road directly East of the establishment, providing accessibility to foot traffic.

The existing buildings location is on a highly transitory street with high traffic counts not affecting nor further impacting the current noise levels. The intended hours of operation shall be Monday - Sunday from 10AM - Midnight.

We feel that the location and the hours of operation are a reasonable accommodation to the immediate neighbors. Currently the Alley, the subdivisions dual cinder-block barrier walls and the landscaping act as visual and auditory buffers for any noises which may be produced.

We would like to express our appreciation and gratitude in advance for considering and hope that you see Smoked Burgers & BBQ as a vibrant commercial presence, preserving and improving the quality of the neighborhood.

Best Regards,



Ryan Klaasen  
TresAmigo LLC



RIGHT-OF-WAY  
(TITLE 30)

DECATUR BLVD/PATRICK LN

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-20-0351-OZ OPTICS HOLDINGS, INC:**

**VACATE AND ABANDON** a portion of right-of-way being Decatur Boulevard located between Patrick Lane and Oquendo Road within Paradise (description on file). MN/sd/jd (For possible action)

RELATED INFORMATION:

APN:  
162-31-201-014

LAND USE PLAN:  
WINCHESTER/PARADISE - BUSINESS AND DESIGN/RESEARCH PARK

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

The plans depict a vacation and abandonment of a 5 foot wide portion of right-of-way along the west property line of the subject parcel. The right-of-way was recently dedicated as part of the Clark County Public Works Decatur Boulevard project. As part of the parcel map process the applicant has been requested by the County to vacate the current right-of-way width from 60 feet to 55 feet.

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	C-2	Undeveloped
South	Business and Design/Research Park	P-F	Drainage easement
East	Business and Design/Research Park	R-E	Undeveloped
West	Business and Design/Research Park	M-1	Industrial warehouse

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-19-0467	Reclassified from R-E (AE-65) and P-F (AE-65) to M-1 (AE-65) zoning with use permits and design review for bathhouse, health club and retail uses and alternative landscaping	Approved by BCC	May 2019
VS-19-0126	Vacated and abandoned patent easements	Approved by PC	April 2019



**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 the portion of Decatur Boulevard right-of-way to accommodate 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Satisfy utility companies' requirements.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

**Public Works - Development Review**

- Coordinate with Public Works - Design Division for the Decatur Boulevard improvement project;
- Dedicate any right-of-way and easements necessary for the Decatur Boulevard improvement project;
- Provide an appraisal to Public Works - Design Division for their approval to determine the current market value of the proposed area to be vacated;
- Upon approval of the appraised value by Public Works - Design Division, payment of the appraised value to be made to Clark County prior to the vacation recording;
- 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 recording of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** OZ OPTICS HOLDINGS, INC

**CONTACT:** BRIAN RIDINGER, 1134 CASTLE POINT AVE, HENDERSON, NV 89074

**DRAFT**



# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-20-0351</u>	DATE FILED: <u>8-11-20</u>
<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 #): _____		PLANNER ASSIGNED: <u>SWD</u>	TAB/CAC DATE: <u>9-8-20</u>
		TAB/CAC: <u>Paradise</u>	
		PC MEETING DATE: <u>10-6-20</u>	
		BCC MEETING DATE: _____	
		FEE: <u>\$875</u>	

<b>PROPERTY OWNER</b>	NAME: <u>O Z Optics Holdings Inc</u> ADDRESS: <u>c/o Elysium Enterprises Inc, Mike Bellon 1408 Saintsbury Dr</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89144</u> TELEPHONE: <u>702-243-7677</u> CELL: <u>702-501-6392</u> E-MAIL: <u>elysium_mb@hotmail.com</u>
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<b>APPLICANT</b>	NAME: <u>O Z Optics Holdings Inc</u> ADDRESS: <u>c/o Elysium Enterprises Inc, Mike Bellon 1408 Saintsbury Dr</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89144</u> TELEPHONE: <u>702-243-7677</u> CELL: <u>702-501-6392</u> E-MAIL: <u>elysium_mb@hotmail.com</u> REF CONTACT ID #: _____
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<b>CORRESPONDENT</b>	NAME: <u>The LanDesign Consultant, Brian Ridinger, PE</u> ADDRESS: <u>1134 Castle Point Ave</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u> TELEPHONE: <u>702-547-0047</u> CELL: <u>702-218-9478</u> E-MAIL: <u>brianr@landesignconsult.com</u> REF CONTACT ID #: <u>122889</u>
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ASSESSOR'S PARCEL NUMBER(S): 162-31-201-014

PROPERTY ADDRESS and/or CROSS STREETS: NEC Decatur Blvd and Patrick Lane

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.

	<u>OZ OPTICS HOLDINGS INC.</u>
Property Owner (Signature)* <u>PRESIDENT</u>	Property Owner (Print)

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

SUBSCRIBED AND SWORN BEFORE ME ON JUNE 24<sup>TH</sup>, 2020 (DATE)

By NICHOLAS KARNIS

NOTARY PUBLIC: ONTARIO, CANADA

**NICHOLAS ALEXIS KARNIS**  
**NOTARY PUBLIC, ONTARIO**

\*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.

# The LanDesign Consultant

I N C O R P O R A T E D

LAND DEVELOPMENT CIVIL ENGINEERS

*providing insightful solutions for land development*

JUNE 24, 2020

Clark County  
Department of Comprehensive Planning  
500 S Grand Central Pkwy  
Las Vegas, NV 89106

RE: Justification Letter for Vacation of 5' of Decatur Blvd  
APN 162-31-299-007

To Whom it May Concern:

Our office represents the owner of the property located on Decatur Boulevard on the northeast corner of the intersection with Patrick Lane. The property consists of three legal parcels with one property 162-31-201-014 fronting on recently dedicated Decatur Boulevard. The right of way was recently dedicated as a part of the Clark County Public Works Decatur Boulevard Project.

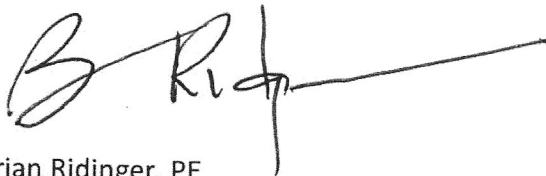
The developer presently has a NOFA for a development and a Parcel Map submittal to create one legal lot for the development. As a part of Parcel Map process we have been requested by Clark County to vacate the current right of way width of 60 feet to 55 feet. Additionally it is currently the policy of Clark County Public Works to request as a part of the project development to vacate the outside 5 feet of 80 feet right of way and bigger streets.

This vacation request is being made to meet the request of Clark County. Should you have any questions, please do not hesitate to contact me at 702-547-0047. Thank you for your consideration.

Sincerely

The LanDesign Consultant

I N C O R P O R A T E D



Brian Ridinger, PE  
brianr@landesignconsult.com

Telephone  
(702) 547-0047

1134  
Castle Point  
Avenue  
Henderson,  
NV 89074

Development Planning and Feasibility

Civil Engineering

Entitlements

The  
LanDesign  
Consultant

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10/06/20 PC AGENDA SHEET

FENCE HEIGHT  
(TITLE 30)

SANDHILL RD/HARMON AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-20-0347-TUCKER CALI TRUST:**

**WAIVER OF DEVELOPMENT STANDARDS** to increase fence height in conjunction with a single family residence on 0.3 acres in an R-1 (Single Family Residential) Zone.

Generally located on the north side of Greencrest Drive, approximately 135 feet west of Farmcrest Drive, and 550 feet northwest of the intersection of Harmon Avenue and Sandhill Road within Paradise. TS/nr/jd (For possible action)

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RELATED INFORMATION:

**APN:**  
161-19-213-034

**WAIVER OF DEVELOPMENT STANDARDS:**  
Increase fence height to 8.5 feet where a maximum of 6 feet is permitted per Section 30.64.020 (a 41.7% increase).

**LAND USE PLAN:**  
WINCHESTER/PARADISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

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

- Site Address: 3754 Greencrest Drive
- Site Acreage: 0.3
- Project Type: Fence height
- Fence Height (feet): 8.5

Site Plan

The project site is developed with a single family residence located north of Greencrest Drive. There is an existing 5.5 foot high block wall on a portion of the north (rear) and the east sides of the property and there is an existing 8.3 foot tall block wall on a portion of the west side of the property. The applicant is proposing a redundant fence along the block wall that surrounds the rear yard.

Landscaping

There are existing shrubs and mature landscaping on the site. Landscaping is not a part of this request.

Elevations

The pictures show the existing conditions on the site with an existing block wall in the rear yard on a portion of the west side measuring 8.3 feet high, a 5.5 foot high portion of wall extending the entire length of the north (rear), and 5.5 foot block wall extending along a portion of the east side of the property. The proposed fence will be 8.5 feet high and be located between 1 inch and 4 inches from the existing block wall in the rear yard of the site. The pictures show the fence on the inside of the existing wall with a brown color.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the current height of the walls in the rear of the property do not provide adequate privacy. Although there is a portion of the existing block wall that measure 8.3 feet high there are breeze blocks that do not provide privacy. The applicant would like to be able to enjoy various aspects of the home with privacy, enhanced safety and security.

Surrounding Land Use

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North, South, East, & West	Residential Neighborhood Preservation (up to 2 du/ac)	R-1	Single family residential

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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.

The proposed fence in the rear yard should have minimal impacts on the surrounding properties. An administrative minor deviation application can be approved to extend the height of the wall to 8 feet high with neighbor approval. The applicant has indicated that the opposite side of the proposed fence will be colored to match the existing block wall at the neighbor's request. Similar requests have been approved with no known adverse impacts to the adjacent properties. The proposed wall will help to screen the applicant's property while providing additional privacy and security for the home and the pool; therefore, staff can support the request.



**Staff Recommendation**  
Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

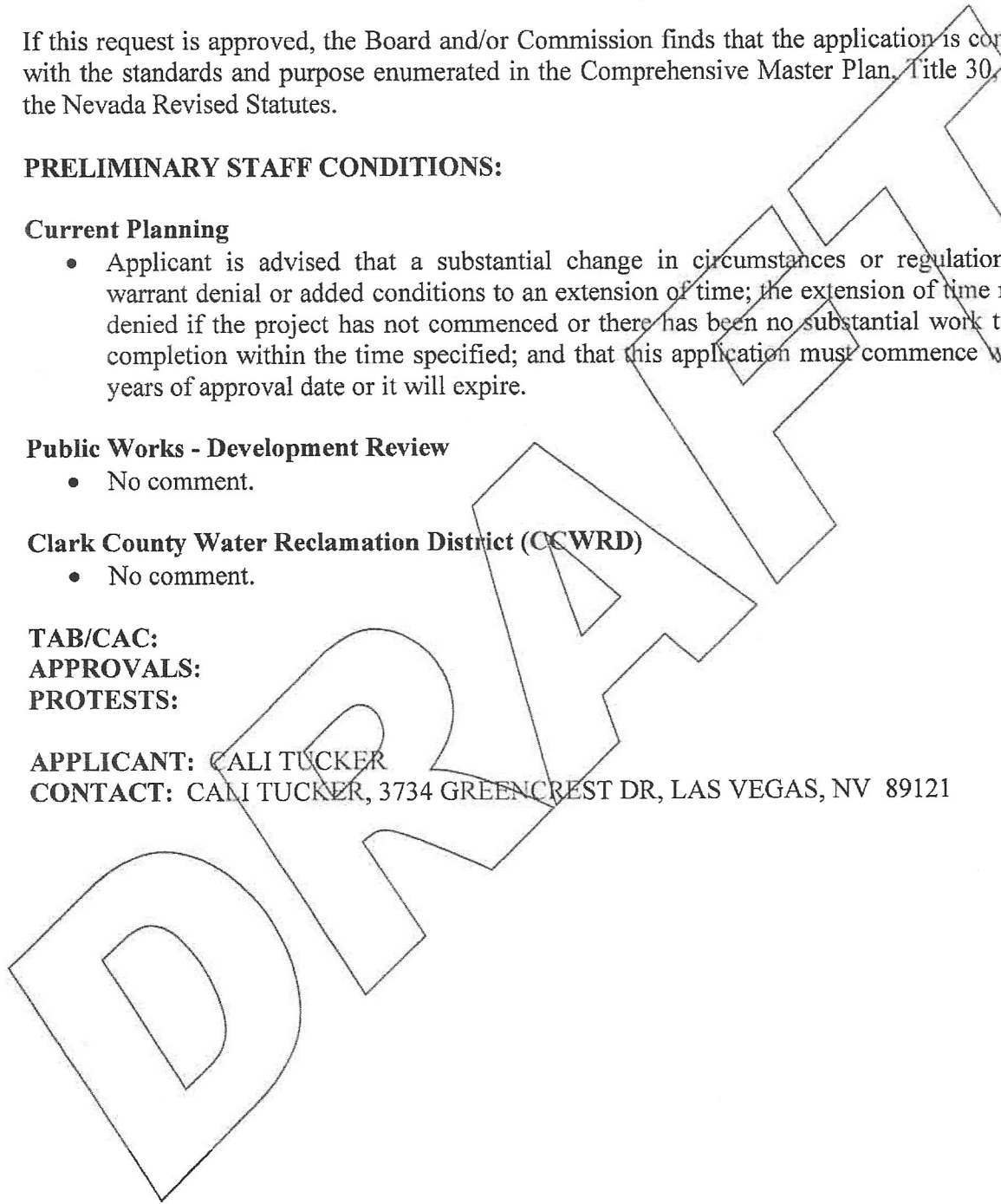
- No comment.

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

- No comment.

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

**APPLICANT:** CALI TUCKER  
**CONTACT:** CALI TUCKER, 3734 GREENCREST DR, LAS VEGAS, NV 89121





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

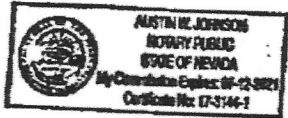
<b>APPLICATION TYPE</b> <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (AR) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b> APP. NUMBER: <u>WS-20-0347</u> DATE FILED: <u>8/11/20</u> PLANNER ASSIGNED: <u>NR</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>9/8 @ 7pm</u> PC MEETING DATE: <u>10/6 @ 7pm</u> BCC MEETING DATE: _____ FEE: <u>\$475</u> <p style="text-align: right;"><u>APR 20-100224</u></p>
	<b>PROPERTY OWNER</b> NAME: <u>THE CALI TUCKER TRUST</u> ADDRESS: <u>3734 Greencrest Dr.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: <u>702-482-5170</u> CELL: <u>702-482-5170</u> E-MAIL: <u>cali@calitucker.com</u>
	<b>APPLICANT</b> NAME: <u>Cali Tucker</u> ADDRESS: <u>3734 Greencrest Dr.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: <u>702-482-5170</u> CELL: <u>702-482-5170</u> E-MAIL: <u>cali@calitucker.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b> NAME: <u>Cali Tucker</u> ADDRESS: <u>3734 Greencrest Dr.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: <u>702-482-5170</u> CELL: <u>702-482-5170</u> E-MAIL: <u>cali@calitucker.com</u> REF CONTACT ID #: <u>203609</u>	

ASSESSOR'S PARCEL NUMBER(S): 16119213034  
 PROPERTY ADDRESS and/or CROSS STREETS: 3734 Greencrest Dr. Las Vegas, NV 89121  
 PROJECT DESCRIPTION: I would like to build an 8.5' wooden privacy fence.

(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]      Cali Tucker  
 Property Owner (Signature)      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON July 22, 2020 (DATE)  
 By Cali Tucker  
 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.

# PLANNER COPY

July 10, 2020 WS-20-0347

To Whom It May Concern:

My name is Cali Tucker, and I've lived at 3734 Greencrest Dr., Las Vegas, NV 89121 since July 2017.

I am requesting to build an 8.5ft X 112ft wooden privacy fence on my side of the shared cinder block wall on the North and East side of my backyard. The cinder block shared wall on the West side is currently 8.5ft Height X 77ft Length – allowing me and my neighbors ample privacy, and I'd simply like to have that same privacy on all walls in my backyard.

The North side shared cinder block wall is currently 5.5ft Height X 112ft Length. The East side shared cinder block wall is currently 5.5ft Height X 85ft Length.

The North side cinder block shared wall is not allowing me the privacy I feel every homeowner should have, especially with the breeze blocks. I have never felt truly comfortable in my own backyard, kitchen, sunroom, bathroom, dining room, and living room, as all of those rooms' windows are within sight of my backyard neighbor's view.

My master bathroom has a large sliding glass door that leads out to the backyard/pool area, and a bathroom is obviously a private space, but unfortunately mine is in direct sight of my neighbor's windows. Even though I have curtains I have to pull up and down every day in the bathroom, I still feel very uncomfortable knowing that it's within sight. When walking around the pool area, I am able to see the windows leading into their home, and I suspect they are able to see mine. They also have a light that comes on at night that is above their door leading to their backyard, and it's so bright that it shines into every window. It feels like a spotlight is on me, even though I know it's not, but it's extremely unpleasant.

I also have a pool slide, and climbing the ladder exposes the back side of me and my guests to their viewing. It's extremely uncomfortable for me and anyone who comes over to have a great time at my home, pool, and slide. We're hesitant to enjoy the home's features, because we feel exposed. I am a single female that wants to feel safe and protected, and I shouldn't feel uncomfortable in a swimsuit in my own backyard, yet I most definitely do.

I am somewhat of a public figure and have celebrity family members, so privacy is extra important to me. I have dealt with stalkers and unwanted eyes, and since this is my first home to purchase, I would love for this one request to be granted to complete what is my dream home.

I have a wonderful contractor and a beautiful design for the wooden fence that would not be visually unpleasant for my neighbors. I have no problem painting the neighbor's side of the wood white/cream to match their inside wall color.

6

Regarding the East side wall, it's not quite as much of an issue, but I would still like permission to build the same 8.5ft Height X 85ft Length wooden privacy fence as to match the height of the other walls.

My request is to build a wooden privacy fence on the North (8.5ft X 112ft) and East (8.5ft X 85ft) side of my back yard to match the 8.5ft height of my West side shared wall.

I understand that the fence cannot touch the retaining block wall and should be between 1-4 inches away from the retaining block walls.

Thank you so much for your understanding and consideration,

Cali Tucker  
702-482-5170  
[Cali@CaliTucker.com](mailto:Cali@CaliTucker.com)  
[www.CaliTucker.com](http://www.CaliTucker.com)

**PLANNER  
COPY**

WS-20-0347

6

RECREATIONAL FACILITY  
(TITLE 30)

HARMON AVE/KOVAL LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**AR-20-400089 (UC-0849-14 ) -MGM GRAND PROPCO, LLC:**

**USE PERMIT FOURTH APPLICATION FOR REVIEW** of a recreational facility (Tongolf) with accessory retail, eating and drinking facilities and other accessory uses, and structures in conjunction with a resort hotel (MGM Grand) on an 8.5 acre portion of 102.7 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone in the MUD-1 Overlay District.

Generally located on the southwest corner of Harmon Avenue and Koval Lane within Paradise. JG/jgh/jd (For possible action)

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RELATED INFORMATION:

**APN:**

162-21-414-001 ptn

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3799 Las Vegas Boulevard South
- Site Acreage: 102.7 (total resort hotel site)/8.5 (portion) (recreational facility)
- Project Type: Recreational facility
- Number of Stories: 4
- Building Height (feet): 56 (building)/180 (mesh safety fence)
- Square Feet: 117,312
- Parking Required/Provided: 9,632/11,529

Site Plan

The approved recreational facility is on the northeast corner of the MGM Grand Resort Hotel site adjacent to the corner of Koval Lane and Harmon Avenue. Existing access is provided to the resort hotel and the recreational facility site from Las Vegas Boulevard South, Tropicana Avenue, Koval Lane, and Harmon Avenue. The recreational facility occupies the northeastern 8.5 acres of the resort hotel site. The facility consists of a single building located on the southern portion of the site. The northern approximately 640 feet, is an open field for the golf driving range. At various distances within the open field are targets for golfers. A 180 foot high mesh

safety fence is located along the north, east, and west sides of the driving range to prevent golf balls from going into abutting properties or within the adjacent rights-of-way.

#### Landscaping

Existing landscape areas will not be altered by this request.

#### Elevations

There is a 28 foot high decorative screen wall along the east side of the southern parking area that is set back approximately 46 feet from the east property line (Koval Lane). A 180 foot high mesh safety fence is located along the north, east, and west sides of the driving range with transparent mesh. The building is 4 stories and a maximum height of 36 feet. The north side of the building is open for the driving range hitting bays. The fourth floor of the building is a VIP deck which is an open area with safety rails around the perimeter of the deck. Permanent shade structures are on portions of the VIP deck with flat roofs. The exterior of the building is a combination of a stucco finish, decorative metal, and glass.

#### Floor Plans

The building has a total area of 117,312 square feet divided between 4 stories and a partial basement. The basement level consists of maintenance areas, mechanical and electrical areas, and storage. Level 1 consists of hitting bays, kitchens, event space, staging area, storage, and a lounge. Level 2 consists of hitting bays, a lobby, lounges and bars, offices, restaurants, kitchens, storage areas, and an outdoor event space with a stage for live entertainment. Level 3 consists of hitting bays, an outdoor pool, deck areas with dining and drinking areas, kitchens, a lounge, and storage area. Level 4 is the VIP deck which consists of a pool with cabanas, putting green, an outdoor bar, with outdoor dining and drinking areas.

#### Previous Conditions of Approval

Listed below are the approved conditions for AR-19-400066 (UC-0849-14):

#### Current Planning

- Until July 30, 2020 to review as a public hearing;
- Maximum of 3 nights per month for live entertainment events permitted including legal holidays (Memorial Day, New Years, Labor Day, 4th of July, and Presidents Day) with events ending at 12:00 a.m., for all remaining days, live entertainment events permitted only until 10:00 p.m.;
- No live entertainment before 8:00 a.m.;
- Applicant to continue to analyze the height and design of safety mesh to determine if it is adequate;
- Point of contact for complaints to be provided to adjacent residential property owners;
- Applicant to continue to coordinate with residents of Marie Antoinette Condominiums;
- Applicant to continue to review emerging technologies for sound mitigation opportunities;
- Applicant to monitor decibel measurements for Marie Antoinette Condominium units during events;



- Residents of the abutting residential developments and County staff to be notified a minimum of 30 days prior to each event planned to end past 10:00 p.m.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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.

Listed below are the approved conditions for AR-18-400135 (UC-0849-14):

#### Current Planning

- Until May 25, 2019 to review as a public hearing;
- Maximum of 3 nights per month for live entertainment events permitted including legal holidays (Memorial Day, New Years, Labor Day, 4<sup>th</sup> of July, and Presidents Day) with events ending at 12:00 a.m., for all remaining days, live entertainment events permitted only until 10:00 p.m.;
- No live entertainment before 8:00 a.m.;
- Applicant to continue to analyze the height and design of safety mesh to determine if it is adequate;
- Point of contact for complaints to be provided to adjacent residential property owners;
- Applicant to continue to coordinate with residents of Marie Antoinette Condominiums;
- Applicant to continue to review emerging technologies for sound mitigation opportunities;
- Applicant to monitor decibel measurements for Marie Antoinette units during events;
- Residents of the abutting residential developments and County staff to be notified a minimum of 30 days prior to each event planned to end past 10:00 p.m.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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.

Listed below are the approved conditions for UC-0849-14 (AR-0023-17):

#### Current Planning

- 1 year for review;
- Maximum of 3 nights per month for events permitted including legal holidays (Memorial Day, New Years, Labor Day, 4<sup>th</sup> of July, and Presidents Day) with events ending at 12:00 a.m., for all remaining days, events permitted only during daylight hours (to end at 10:00 p.m.);
- Applicant to analyze the height of safety mesh to determine if it is adequate;
- Point of contact for complaints to be provided to adjacent residential property owners;
- Applicant to continue to coordinate with residents of Marie Antoinette Condominiums;
- Applicant to continue to review emerging technologies for sound mitigation opportunities;
- Applicant to monitor decibel measurements for Marie Antoinette units during events;
- Temporary Commercial Event applications to be submitted for each event;

- Residents of the abutting residential developments to be notified a minimum of 30 days prior to each event with documentation of the notification to be submitted to staff with the Temporary Commercial Event application.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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.

Listed below are the approved conditions for UC-0849-14:

#### Current Planning

- Raise mesh fence height to 180 feet;
- Parking lot and driving range area not to be used for outdoor live entertainment;
- Design review as a public hearing on lighting and signage;
- Live entertainment limited to daytime hours (6:00 a.m. to 10:00 p.m.);
- Mesh safety fence to be constructed of a non-transparent material;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time; approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license, or approval; and that this application must commence within 2 years of approval date or it will expire.

#### Public Works – Development Review

- Drainage study and compliance.
- Traffic study and compliance.

#### Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; the FAA's airspace determinations include expiration dates; and that the separate airspace determinations will be needed for construction cranes or other temporary equipment.

**Building/Fire Prevention**

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

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

- Applicant is advised that property is already connected to the CCWRD sewer system; additional capacity and connection fees will need to be addressed; and that at the time of construction, submit civil improvement plans for review and approval along with wastewater flows to determine sewer point of connection.

**Las Vegas Valley Water District (LVVWD)**

- Applicant is advised that water and fire flow review are needed; and to please submit plans to LVVWD.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant went through the application review process in 2017, 2018, and 2019 with no negative comments or concerns from neighbors or the public. The applicant maintains a good relationship with the Marie Antoinette Condominiums and other adjacent uses. The applicant is requesting to forego the yearly review process and return for application reviews every 3 years.

**Prior Land Use Requests**

Application Number	Request	Action	Date
AR-19-400066 (UC-0849-14)	Third application for review for interactive golf with driving range, club and pool (Topgolf)	Approved by BCC	July 2019
DR-18-0649	Facade change	Approved by BCC	October 2018
AR-18-400135 (UC-0849-14)	Second application for review for interactive golf with driving range, club and pool (Topgolf)	Approved by BCC	July 2018
DR-18-0081	Monorail Extension	Approved by BCC	March 2018
UC-0849-14 (AR-0023-17)	First application for review for interactive golf with driving range, club and pool (Topgolf)	Approved by BCC	May 2017
DR-0695-17	Sign Modification	Approved by BCC	November 2017
UC-0285-17	Outdoor Sales Booth	Approved by BCC	June 2017
DR-0168-17	Convention center expansion	Approved by BCC	April 2017
UC-0849-14 (WC-0174-16)	Waived conditions of a use permit to allow extended hours of operation for live entertainment in conjunction with a recreational facility (golf driving range)	Approved by BCC	December 2016

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-0373-10 (AR-0135-16)	Second application for review to allow a temporary event for more than 10 days per event and allow membrane structures (tents)	Approved by BCC	December 2016
DR-0347-15 (AR-0088-16)	First application for review for lighting, animated signage (video display units), and mesh safety fence for a recreational facility (golf driving range) – approved with no further reviews required	Approved by BCC	August 2016
DR-0347-15	Lighting and an amendment to a comprehensive sign package to permit additional freestanding signs, wall signs, animated signs, and directional signs for a recreational facility (golf driving range) with waivers of conditions of a use permit (UC-0849-14)	Approved by BCC	July 2015
UC-0849-14	Interactive golf with driving range, club and pool (Topgolf)	Approved by BCC	December 2014
UC-0848-14	Use Permit for Recreational Facility	Denied by BCC	December 2014
VS-0530-14	Vacate a pedestrian easement along Tropicana Avenue	Approved by PC	April 2014
UC-0103-14	VIP drop-off area in conjunction with the MGM Grand Resort Hotel	Approved by BCC	April 2014
DR-0103-12	Expansion & interior modification to the MGM Grand Resort Hotel	Approved by BCC	April 2012
DR-0165-11	Six, 28,980 square-foot wall signs	Approved by BCC	June 2011
UC-0373-10	Allow a temporary event for more than 10 days per event and allow membrane structures (tents)	Approved by BCC	October 2010
UC-0103-08	Manmade decorative water features	Approved by BCC	March 2008
DR-0447-04	Relocate a freestanding sign	Approved by BCC	April 2004

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial Tourist	H-1	Portions of Showcase Mall, commercial businesses, & undeveloped
South	Commercial Tourist	H-1, R-T, & C-2	Tropicana & Hooters Resort Hotels, commercial businesses, motels, & undeveloped

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
East	Commercial Tourist	H-1, R-T, R-4, R-5, & C-2	Marie Antoinette Condominiums, Wyndham Resort condominiums, apartments, commercial uses, & undeveloped
West	Commercial Tourist	H-1 & R-5	The Grand Chateau Time Share Hotel, The Carriage House, MGM Signature Towers, portions of the Showcase Mall, Polo Towers, retail shops, restaurants, New York-New York Resort Hotel, & Park MGM Resort Hotel

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Title 30 standards of approval 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, changes have occurred since the original approval and are identified during each application review. The recreational use of the property will continue to need periodic reviews to ensure compliance with requirements and neighborhood compatibility.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until July 30, 2021 to review as a public hearing;
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**Public Works - Development Review**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** TOPGOLF USA LAS VEGAS, LLC

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





# LAND USE APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

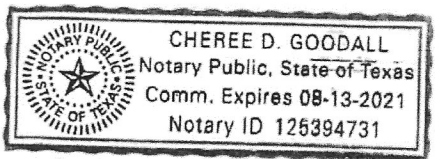
<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #) <input checked="" type="checkbox"/> APPLICATION REVIEW (AR) AR-19-400066(UC-0849-14) (ORIGINAL APPLICATION #) <input type="checkbox"/> DEVELOPMENT AGREEMENT (DA)	<b>STAFF</b>	DATE FILED: <u>7/30/2020</u> PLANNER ASSIGNED: <u>JGH</u> ACCEPTED BY: <u>JGH</u> FEE: <u>\$ 475</u> CHECK #: <u>N/A</u> COMMISSIONER: <u>JG</u> OVERLAY(S)? <u>AE-60</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N TRAILS? Y <input type="checkbox"/> N <input checked="" type="checkbox"/> PFNA? Y <input type="checkbox"/> N <input checked="" type="checkbox"/> APPROVAL/DENIAL BY: <u>BCC</u>	APP. NUMBER: <u>20-400089</u> TAB/CAC: <u>Paradise</u> TAB/CAC MTG DATE: <u>9/8</u> TIME: <u>7:00am</u> PC MEETING DATE: <u>N/A</u> BCC MEETING DATE: <u>10/7 9:00am</u> ZONE / AE / RNP: <u>H-1</u> PLANNED LAND USE: <u>CT</u> NOTIFICATION RADIUS: <u>500</u> SIGN? Y <input checked="" type="checkbox"/> N <input type="checkbox"/> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	<b>PROPERTY OWNER</b>	NAME: <u>MGM Grand Propco, LLC c/o Tax Department</u> ADDRESS: <u>3950 Las Vegas Boulevard S</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>n/a</u> FAX: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u>	
	<b>APPLICANT</b>	NAME: <u>Toppolf USA Las Vegas, LLC</u> ADDRESS: <u>4627 Koval Lane</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: <u>n/a</u> FAX: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u>	
	<b>CORRESPONDENT</b>	NAME: <u>Chris Kaempfer - Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> FAX: <u>702-796-7181</u> CELL: <u>n/a</u> E-MAIL: <u>clk@kcnvlaw.com</u>	

ASSESSOR'S PARCEL NUMBER(S): a portion of 162-21-414-001  
 PROPERTY ADDRESS and/or CROSS STREETS: Koval and Harmon  
 PROJECT DESCRIPTION: Review re: AR-19-400066(UC-0849-14)

(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.

DocuSigned by: Eldridge Burns  
 Property Owner (Signature)\*  
 STATE OF Texas  
 COUNTY OF Dallas  
 DocuSigned by: Eldridge Burns  
 Property Owner (Print)

SUBSCRIBED AND SWORN BEFORE ME ON July 27, 2020 (DATE)  
 By Eldridge Burns  
 NOTARY PUBLIC: Cherie D. Goodall



\*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.

**KAEMPFER**

**CROWELL**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

**CHRISTOPHER KAEMPFER**

[ckaempfer@kcnvlaw.com](mailto:ckaempfer@kcnvlaw.com)  
702.792.7054

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Suite 650  
Las Vegas, NV 89135  
Tel: 702.792.7000  
Fax: 702.796.7181

**RENO OFFICE**  
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**PLANNER  
COPY**

July 15, 2020

**VIA HAND DELIVERY**

Clark County Comprehensive Planning  
500 S. Grand Central Pkwy., 1st Floor  
Las Vegas, NV 89106

**Re: Design Review for TopGolf USA Las Vegas, LLC  
Forth Review for Use Permit re: AR-19-400066 (UC-0849-14)  
APN: 162-21-414-001**

To Whom It May Concern:

Please be advised that our office represents the applicant in the above-referenced matter for property located on the southwest corner of Koval Lane and Harmon Avenue, more particularly known as APN 162-21-414-001 ("Property"). This property is the TopGolf entertainment venue located behind the MGM Grand Las Vegas.

In 2014 the recreational facility (golf driving range) with live entertainment and on-premises consumption of alcohol was approved under UC-0849-14. The first application for review was approved in 2017 under AR-40023-17, the second application for review was approved in 2018 under AR-18-400135, and the third application for review was approved under AR-19-400066. The TopGolf facility is a great addition to the nearby Las Vegas strip and is a very popular gathering place for locals and visitors alike. The business continues to run without incident and works very hard to maintain a good working relationship with its neighbors, particularly the Marie Antoinette Condominiums. Therefore, we are respectfully requesting to forego the yearly review process and are requesting the application reviews to continue on a three (3) year basis. TopGolf temporary closed down due to the Covid-19 outbreak. They are now open and committed to play safely and are adhering to all requirements mandated by Governor Sisolak.

Should you have any questions, please do not hesitate to contact me or my paralegal, Lindsay Brown at (702) 792-7000.

Sincerely,  
KAEMPFER CROWELL

*/s/ Christopher Kaempfer*

Chris Kaempfer

/lab

*F*