



Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

September 27, 2022

7:00pm

AGENDA

Note:

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

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

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

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

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

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

- III. Approval of Minutes for September 13, 2022. (For possible action)
- IV. Approval of the Agenda for September 27, 2022 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
 - Applications are available until November 15, 2022 for appointments by the Clark County Board of County Commissioners to serve on the (Paradise TAB) for a two-year (2-year) term beginning January 2023.
- VI. Planning and Zoning
 1. **UC-22-0405-REBEL LAND & DEVELOPMENT, LLC:**
HOLDOVER USE PERMITS for the following: 1) gasoline station; 2) convenience store; 3) alcohol sales, beer and wine packaged; 4) restaurant; and 5) office uses.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce throat depth; 2) reduced departure distance; 3) reduce landscaping; 4) reduce parking; 5) eliminate cross access; and 6) eliminate loading zones.
DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; 2) gasoline station (fuel canopy); 3) commercial building (restaurant with drive-thru; convenience store; office); and 4) lighting on 1.1 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the south side of Flamingo Road and the west side of Paradise Road within Paradise. JG/bb/jo (For possible action) **PC 10/4/22**
 2. **UC-22-0446-4251 OQUENDO RD LLC:**
USE PERMITS for the following: 1) outdoor banquet facility; and 2) live entertainment.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; 2) alternative landscaping; and 3) modified driveways.
DESIGN REVIEWS for the following: 1) live entertainment; 2) outdoor banquet facility; and 3) lighting on 0.5 acres in an M-1 (Light Manufacturing) Zone. Generally located on the south side of Oquendo Road, 300 feet west of Wynn Road within Paradise. MN/bb/syp (For possible action) **BCC 10/5/22**
 3. **DR-22-0490-EHH VENTURE:**
DESIGN REVIEW for a wedding chapel in conjunction with a banquet facility within an existing shopping center on 4.7 acres in a C-2 (General Commercial) (AE-65) Zone. Generally located on the south side of Sunset Road, 630 feet west of Spencer Street within Paradise. JG/hw/syp (For possible action) **PC 10/18/22**

4. **ET-22-400104 (UC-21-0636)-APEX LAS VEGAS, LLC:**
USE PERMIT FIRST EXTENSION OF TIME for a multiple family residential development.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; 2) non-standard landscaping; and 3) alternative standards for perimeter fence.
DESIGN REVIEW for the conversion of a motel to a multiple family residential development on 5.2 acres in an H-1 (Limited Resort and Hotel) (AE-60) Zone within the Midtown Maryland Parkway District. Generally located on the south side of Twain Avenue and the west side of Cambridge Street within Paradise. TS/sr/syp (For possible action) **PC 10/18/22**

5. **NZC-22-0499-SHOUGHRO FAMILY IRREVOCABLE SUB-TRUST ETAL & SMITH, RON TRS:**
ZONE CHANGE to reclassify 2.1 acres from an R-E (Rural Estates Residential) Zone to an R-5 (Apartment Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback; 2) reduce parking; 3) allow alternative street landscaping; 4) modified driveway design standards; and 5) modified street standards.
DESIGN REVIEWS for the following: 1) multiple family residential development; 2) alternative parking lot landscaping; and 3) finished grade. Generally located on the north side of Hacienda Avenue and the west side of Caliente Street within Paradise (description on file). JG/md/syp (For possible action) **PC 10/18/22**

6. **WS-22-0489-ANNIE OAKLEY INVESTORS, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to reduce throat depth.
DESIGN REVIEW for building and site modifications to an existing distribution center on 12.5 acres in an M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the southwest corner of Annie Oakley Drive and Silvestri Lane within Paradise. JG/gc/syp (For possible action) **PC 10/18/22**

7. **WS-22-0491-INRAM, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks of a proposed patio cover in conjunction with an existing single family residence on 0.5 acres in an R-E (Rural Estates Residential) Zone. Generally located on the west side of Tomiyasu Lane and the north side of Maule Avenue within Paradise. JG/lm/syp (For possible action) **PC 10/18/22**

8. **WS-22-0492-FLAMINGO PARTNERS, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to reduce parking.
DESIGN REVIEW for a place of worship on 4.4 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Flamingo Road and the west side of Hildebrand Lane within Paradise. TS/lm/syp (For possible action) **PC 10/18/22**

9. **ET-22-400100 (WS-20-0294)-HERBST FAMILY LIMITED PARTNERSHIP II:**
DESIGN REVIEW FIRST EXTENSION OF TIME for a parking garage in conjunction with an existing convenience store with gasoline station and warehouse on 4.0 acres in an M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the west side of Polaris Avenue and the north side of Russell Road within Paradise. MN/sr/syp (For possible action) **BCC 10/19/22**

VII. General Business (For possible action)

Review previous fiscal year budget request(s) and take public input regarding suggestions for the next budget year (FY 2023/2024)

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: October 11, 2022.

X. Adjournment.

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



Paradise Town Advisory Board

September 13, 2022

MINUTES

Board Members : John Williams –Chair-**PRESENT**
 Susan Philipp - Vice Chair- **PRESENT**
 Jon Wardlaw– **PRESENT**
 Katlyn Cunningham – **PRESENT**
 Roger Haywood- **PRESENT**

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

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

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

Mark Donohue, Planning; Blanca Vazquez Community Liaison

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

II. Public Comment:
None

III. Approval of August 30, 2022 Minutes

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

Approval of Agenda for September 13, 2022

Moved by: Philipp
Action: Approve with changes
Vote: 5 -0 Unanimous

IV. Informational Items (For Discussion only)
None

V. Planning & Zoning

1. **TM-22-500165-MGP LESSOR, LLC:**

TENTATIVE MAP consisting of 1 commercial lot on 51.4 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the south side of Tropicana Avenue and the west side of Las Vegas Boulevard South within Paradise. MN/md/syp (For possible action)

MOVED BY- Philipp

APPROVE-Subject to staff conditions

VOTE: 5-0 Unanimous

2. **VS-22-0430-CHURCH LDS PRESIDING BISHOP:**

VACATE AND ABANDON easements of interest to Clark County located between Tropicana Avenue and Reno Avenue, and between Burnham Avenue and Spencer Street within Paradise (description on file). JG/jud/syp (For possible action)

MOVED BY- Wardlaw

APPROVE-Subject to staff conditions

VOTE: 5-0 Unanimous

3. **UC-22-0426-DIAMOND CREEK HOLDINGS LLC SERIES 8:**

USE PERMIT for a school in conjunction with an existing office and retail shopping center on 0.8 acres in a C-2 (General Commercial) Zone and a C-P (Office and Professional) Zone. Generally located on the west side of Eastern Avenue and the north side of Ford Avenue within Paradise. MN/hw/syp (For possible action)

MOVED BY- Philipp

DENY

5-0 Unanimous

4. **NZC-22-0455-HARSCH INVESTMENT PROPERTIES, LLC:**

ZONE CHANGE to reclassify 3.0 acres from an M-D (Designed Manufacturing) (AE-65) Zone to a C-2 (General Commercial) (AE-65) Zone in conjunction with an existing commercial center. Generally located on the north side of Sunset Road and the east side of Pecos Road within Paradise (description on file). JG/rk/syp (For possible action)

MOVED BY- Williams

APPROVE-Subject to staff conditions

VOTE: 5-0 Unanimous

5. **NZC-22-0481-ABBOUD ELIAS & NOUHRA YARA:**

ZONE CHANGE to reclassify 2.1 acres from an R-E (Rural Estates Residential) Zone to an R-D (Suburban Estates Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) establish alternative yards; 2) street intersection off-set; 3) alternative access gate geometrics; and 4) off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).

DESIGN REVIEWS for the following: 1) building orientation of single family residences; and 2) a single family residential development. Generally located on the north side of Serene Avenue and the west side of Manhattan Road within Paradise (description on file). JG/md/syp (For possible action)

MOVED BY- Williams
DENY
VOTE: 5-0 Unanimous

6. **TM-22-500168-ABBOUD, ELIAS & NOUHRA, YARA:**
TENTATIVE MAP consisting of 6 lots and common lots on 2.1 acres in an R-D (Suburban Estates Residential) Zone. Generally located on the north side of Serene Avenue and the west side of Manhattan Road within Paradise. JG/md/syp (For possible action)

MOVED BY- Williams
DENY
VOTE: 5-0 Unanimous

7. **UC-22-0478-FLAMINGO VEGAS HOLDCO, LLC:**
USE PERMITS for the following: 1) multiple family residential development; 2) restaurant; and 3) on-premises consumption of alcohol on 8.0 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduce parking; and 3) allow modify driveway design standards.
DESIGN REVIEWS for the following: 1) proposed multiple family residential development with a ground level restaurant; and 2) alternative parking lot landscaping. Generally located on the south side of Flamingo Road, 260 feet west of Paradise Road within Paradise. JG/rk/syp (For possible action)

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

8. **WS-22-0483-CURBELO, ISBEL:**
WAIVER OF DEVELOPMENT STANDARDS to increase block wall height on 0.2 acres in a CRT (Commercial Residential Transitional) (AE-60) Zone. Generally located on the south side of Desert Inn Road and the east side of Oneida Way within Paradise. TS/sd/syp (For possible action)

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

9. **DR-22-0465-COUNTY OF CLARK (PUBLIC WORKS):**
DESIGN REVIEW for parking lots in conjunction with an existing detention basin on 97.3 acres in a P-F (Public Facility) (AE-60 and AE-65) Zone. Generally located on the east side of Decatur Boulevard and the north side of Sobb Avenue within Paradise. MN/md/syp (For possible action)

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

10. **UC-22-0461-ITAI INVESTMENTS, LLC:**
USE PERMIT for a parking lot.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; 2) eliminate parking lot landscaping; 3) reduce setbacks; 4) increase fence height; and 5) required trash enclosure.
DESIGN REVIEW for a parking lot on 1.9 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the north side of Hacienda Avenue and the west side of Dean Martin Drive within Paradise. MN/md/syp (For possible action)

MOVED BY- Philipp
APPROVE- Use Permit Subject to staff conditions
DENY- Waivers of Standards
DENY- Design Review
VOTE: 5-0 Unanimous

11. **UC-22-0468-WESTSTATE LAND:**
USE PERMIT for a parking lot.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; 2) eliminate parking lot landscaping; 3) reduce setbacks; 4) increase fence height; and 5) required trash enclosure.
DESIGN REVIEW for a parking lot on 2.5 acres in an H-1 (Limited Resort and Apartment) (AE-60 and AE-65) Zone. Generally located on the west side of Century Park Drive and the south side of Quail Avenue within Paradise. MN/md/syp (For possible action)

MOVED BY- Philipp
APPROVE- Use Permit Subject to staff conditions
DENY- Waivers of Standards
DENY- Design Review
VOTE: 5-0 Unanimous

12. **VS-22-0447-4251 OQUENDO RD LLC:**
VACATE AND ABANDON a portion of a right-of-way being Oquendo Road located between Wynn Road and Arville Street within Paradise (description on file). MN/bb/syp (For possible action)

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

13. **UC-22-0446-4251 OQUENDO RD LLC:**
USE PERMITS for the following: 1) outdoor banquet facility; and 2) live entertainment.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; 2) alternative landscaping; and 3) modified driveways.
DESIGN REVIEWS for the following: 1) live entertainment; 2) outdoor banquet facility; and 3) lighting on 0.5 acres in an M-1 (Light Manufacturing) Zone. Generally located on the south side of Oquendo Road, 300 feet west of Wynn Road within Paradise. MN/bb/syp (For possible action)

Held per board. Return to the Paradise 9/27/22 TAB. Applicant to return with detailed site plans.

14. **WS-22-0458-GLOBAL LUXURY REAL ESTATE INVESTMENT FUND, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate parking lot landscaping; 2) reduce access gate setback; and 3) required trash enclosure.
DESIGN REVIEW for a parking lot on 2.5 acres in an M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the north side of Hacienda Avenue, 270 feet west of Dean Martin Drive and within Paradise. MN/md/syp (For possible action)

MOVED BY- Philipp
DENY
VOTE: 5-0 Unanimous

15. **WS-22-0463-LV LIVE LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; 2) eliminate parking lot landscaping; 3) reduce setbacks; and 4) required trash enclosure.
DESIGN REVIEW for a parking lot on 2.1 acres in an M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the north side of Dewey Drive and the west side of Polaris Avenue within Paradise. MN/jud/syp (For possible action)

MOVED BY- Philipp
DENY
VOTE: 5-0 Unanimous

16. **WS-22-0464-SERVICE MASTERS PROPERTY, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; 2) eliminate parking lot landscaping; 3) reduce setbacks; and 4) required trash enclosure.
DESIGN REVIEW for a parking lot on 2.0 acres in an M-1 (Light Manufacturing) Zone. Generally located on the south side of Ali Baba Lane and the west side of Polaris Avenue within Paradise. MN/hw/syp (For possible action)

MOVED BY- Philipp
DENY
VOTE: 5-0 Unanimous

17. **WS-22-0466-PRECISION PROPERTIES, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; 2) eliminate parking lot landscaping; 3) reduce setbacks; and 4) required trash enclosure.
DESIGN REVIEW for a parking lot on 2.3 acres in in an M-1 (Light Manufacturing) Zone. Generally located on the south side of Diablo Drive, 355 feet east of Wynn Road within Paradise. MN/hw/syp (For possible action)

MOVED BY- Philipp
DENY
VOTE: 5-0 Unanimous

18. **WS-22-0467-5 STAR DEVELOPMENT, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; 2) eliminate parking lot landscaping; 3) reduce setbacks; and 4) required trash enclosure.
DESIGN REVIEW for a parking lot on 2.2 acres in an M-1 (Light Manufacturing) Zone. Generally located on the west side of Polaris Avenue, 670 feet north of Dewey Drive within Paradise. MN/md/syp (For possible action)

MOVED BY- Philipp
DENY
VOTE: 5-0 Unanimous

- VI. General Business (for possible action)

Cunningham motioned to nominate Cunningham as representative and Haywood as the alternate for the Community Development Advisory Committee (CDAC) for the 2022/2023 FY

Review of the previous fiscal year budget requests discussed were

- **Traffic light at Twain and Sandhill**
- **New pavement/pothole repair at the NE corner of Annie Oakley and Patrick**
- **Chain link fence near 215 and eastern, which separates the flood channel from the LVAC Center is constantly cut by homeless. Please consider replacing chain link fencing with EMSF**
- **Repave Sandhill, between DI and Harmon**
- **Repave Harmon, between Sandhill and Pecos**

Board will be taking public input regarding the next budget year (FY 2023/2024) suggestions as well as the board's suggestions

- VII. Public Comment

Blanca made the announcement:

Applications will be available until November 15, 2022 for appointments by the Clark County Board of County Commissioners to serve on the Paradise town advisory board for a two- year (2- year) term beginning January 2023

- VIII. Next Meeting Date

The next regular meeting will be September 27, 2022

- IX. Adjournment

The meeting was adjourned at 10:50 p.m.

GASOLINE STATION
(TITLE 30)

UPDATE
FLAMINGO RD/PARADISE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0405-REBEL LAND & DEVELOPMENT, LLC:

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

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce throat depth; 2) reduced departure distance; 3) reduce landscaping; 4) reduce parking; 5) eliminate cross access; and 6) eliminate loading zones.

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

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

RELATED INFORMATION:

APN:

162-22-103-001

USE PERMITS:

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

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce throat depth on Flamingo Road to 3 feet where 25 feet is required per Uniform Standard Drawing 222.1 (an 88% decrease).
b. Reduce throat depth on Paradise Road to 10 feet where 25 feet is required per Uniform Standard Drawing 222.1 (a 60% reduction).
2. Reduce driveway departure distance from the Paradise Road intersection to 88 feet where 190 feet is required per Uniform Standard Drawing 222.1 (a 54% decrease).
3. a. Allow landscape finger island width of 3 feet where 6 feet is required per Figure 30.64-14 (a 50% reduction).
b. Reduce landscaping adjacent to Flamingo Road to 8 feet where 15 feet is required per Section 30.64.030 (a 47% decrease).

- c. Reduce landscaping adjacent to Paradise Road to 5 feet where 15 feet is required per Section 30.64.030 (a 66% decrease).
4. Reduce the required parking to 35 spaces where 40 spaces are required per Table 30.60-1 (a 12.5% reduction).
5. Eliminate cross-access where required per Table 30.56-2 (a 100% reduction).
6. Eliminate loading zones where 1 loading zone is required per Section 30.60.070 (a 100% reduction).

DESIGN REVIEWS:

1. Allow 1 landscape finger island per 13 parking spaces where 1 landscape finger island per 6 parking spaces is the standard per Figure 30.64-14.
2. Gasoline station (fuel canopy).
3. Commercial building including convenience store, restaurant with drive-thru, and office.
4. Lighting.

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4111 Paradise Road
- Site Acreage: 1
- Project Type: Gasoline station/convenience store/restaurant/office
- Number of Stories: 3
- Building Height (feet): 34
- Square Feet: 5,304 building/2,720 canopy
- Parking Required/Provided: 40/35

Site Plan

This property has been used for retail (gasoline station) since before 1993. The existing building will be removed and replaced with a new gasoline station and will lose any nonconforming use status. The site plan depicts a 5,304 square foot retail building to be used as a gasoline station, convenience store, restaurant, and office (meeting space) as primary use on 1.1 acres at the southwest corner of Flamingo Road and Paradise Road. The parking is shown on the north side of the building and west side of the lot with parallel parking along the northeast portion of the site, behind the street landscaping. Access is proposed from an existing driveway on Paradise Road at the southeast corner of the lot. The other 3 existing driveways will be closed in exchange for a new driveway at the northwest corner of the property to access Flamingo Road. The canopy will be located on the north side of the proposed building and will meet setback requirements. Twenty foot tall shielded down light posts are shown on the plan to illuminate parking lot and pedestrian areas and will meet code requirements at the time of construction. Wall mounted lighting will be provided along the perimeter of the building to illuminate walkways around the building and provide adequate interior views for emergency services.

Landscaping

There are existing sidewalks along Flamingo Road and Paradise Road, requiring 15 feet of landscaping behind both sidewalks. The applicant is proposing 8 feet to 9 feet of landscaping along Flamingo Road and 5 feet to 6 feet along Paradise Road, which requires landscaping waivers. Parking lot landscaping is not provided along the west property line or on the north side of the retail building, requiring another waiver; however, the required number of trees are provided on site, including within a landscaped area between the drive-thru and entrance off of Paradise Road.

Elevations

The elevations depict a modern façade with an angled roof, ground to roof windows, storefront windows and entrance and decorative vertical metal fascia. A drive-thru pickup window is located on the east side elevation. The gas canopy is 21 feet high and oriented from east to west with 6 pump islands depicted on the site plan and landscape plan. A menu board is located at the beginning of the drive-thru aisle on the south and west corner of the building.

Floor Plans

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

Signage

Signage is not a part of this request.

Applicant's Justification

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

Surrounding Land Use

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

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties. This site cannot accommodate the proposed size of the building in combination with the gas canopy and required parking associated with all the proposed uses. The combination of the gasoline canopy and restaurant and proposed size of the building, make the project too intense for the subject site, and therefore, non-compliant with Code requirements. Staff believes a combination restaurant and convenience store without gasoline sales and a canopy could potentially fit on this site and meet most requirements. A gasoline station with canopy and convenience store, but not a restaurant, could also potentially fit on this site and meet most code requirements. The combination of a gasoline station, 6 pump canopy, and drive through restaurant are not compatible with similar size properties in the area and may create problems at the Flamingo Road entrance with too many vehicles trying to access Flamingo Road directly. Master Plan Policy 4.2.5 encourages increased traffic safety and enhanced livability of the community. A lack of parking in relationship to the increased number of proposed uses may create vehicular conflicts at the entrances and exits on this property in addition to on-site movements. The combination of all 5 proposed uses leads staff to recommend denial in this situation.

Waivers of Development Standards

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

Waivers of Development Standards #3 through #6

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

Design Reviews

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

Public Works - Development Review

Waiver of Development Standards #1a

Drivers using the driveway on Flamingo Road will face immediate conflicts with parking spaces on the west side of the site and the fuel pumps southeast of the driveway. Due to the high volume of traffic on Flamingo Road, staff finds that it is imperative that the minimum standards be met or exceeded for this project. Therefore, staff cannot support this request.

Waiver of Development Standards #1b

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

Waiver of Development Standards #2

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

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water are prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;

- Right-of-way dedication to include an additional 4 feet on Paradise Road and associated spandrel;
- Grant necessary easements including, but not limited to, temporary construction easements, permanent easements, and utility easements;
- 30 days to coordinate with Public Works - Kaizad Yazdani to dedicate the above-mentioned right-of-way and easement and any other necessary right-of-way and easements for the Paradise Road improvement project;
- Reconstruct any unused driveways with full off-site improvements.
- Applicant is advised that off-site improvement permits may be required; and that right-of-way widths show on the plans are incorrect.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

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

TAB/CAC:

APPROVALS:

PROTESTS: 1 card

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

APPLICANT: ANABI OIL

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

10/04/22 BCC AGENDA SHEET

BANQUET FACILITY
(TITLE 30)

OQUENDO RD/WYNN RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0446-4251 OQUENDO RD LLC:

USE PERMITS for the following: 1) outdoor banquet facility; and 2) live entertainment.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; 2) alternative landscaping; and 3) modified driveways.

DESIGN REVIEWS for the following: 1) live entertainment; 2) outdoor banquet facility; and 3) lighting on 0.5 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the south side of Oquendo Road, 300 feet west of Wynn Road within Paradise. MN/bb/syp (For possible action)

RELATED INFORMATION:

APN:

162-31-610-008

USE PERMITS:

1. Banquet facility (outdoors).
2. Live entertainment.

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce on-site parking to 8 spaces where a minimum of 57 spaces are required per Table 30.60-1 (a 712% reduction).
2. Allow parking spaces without landscaping where required per Figure 30.64-14.
3. a. Reduce driveway width to 24 feet where 32 feet is required per Uniform Standard Drawing 222.1 (a 6% decrease).
b. Reduce throat depth to zero feet where 25 feet is required per Uniform Standard Drawing 222.1 (a 100% decrease).

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 4251 Oquendo Road
- Site Acreage: 0.5

- Project Type: Banquet facility
- Number of Stories: 2
- Building Height (feet): 20
- Square Feet: 3,651
- Parking Required/Provided: 57/8 (67 spaces by agreement)

Site Plan

The site plan depicts a 3,651 square foot 2 story building in the center of a .5 acre lot located at the west end of the Oquendo Road cul-de-sac. The building is used as a sound and recording studio and the applicant is proposing an outdoor banquet facility with live entertainment for approximately 24 events per year. The lot is a combination of concrete and asphalt surfaces with converted conex boxes with 1 side open as covered seating area located on the southwest corner of the lot. Food trucks or food cart locations are located in the south central area of the lot. An access gate is located on the south side of the building. There are 8 parking spaces, 7 are located on the east side of the property adjacent to the south property line. One of the spaces is accessible and located on the north side of the building, adjacent to Oquendo Road. A DJ booth and stage are located at the northwest corner of the lot, facing the open area and converted storage unit seating structures. An 11,328 square foot open paved area is located between the stage, food trucks, and seating areas for use as a banquet space. The applicant has negotiated a shared parking agreement with the property to the north. The agreement includes the use of 67 spaces during evening and weekend hours. A contracted valet service will be hired for special events and traffic control. There is an existing chain-link fence around the property with a sliding gate on the north side of the property, an existing concrete driveway that does not meet minimum County standards, and a gate key box approximately 15 feet from the edge of pavement for the proposed vacated portion of Oquendo Road. The existing building has wall mounted lights near the edge of the roof facing east, north, and west. The lighting on the east wall is decorative and down facing, while the lighting on the north and west walls is security lighting and illuminates the property. The stage will have various lighting arrangements dependent on special event needs with no impact to any residential uses.

Landscaping

There are existing landscape planters located adjacent to the building entrance and a 5 foot wide planter box located along the front property line adjacent to the cul-de-sac. A 15 foot wide area of decorative rock will be part of the proposed vacated right-of-way. The applicant is requesting a waiver to not provide additional landscaping.

Elevations

The elevations depict a 2 story stucco sided office building with a flat roof, 7 windows and main entrance on the east side of the building. Security cameras are located on the 1st and 2nd floors of the southeast corner of the building. The north side of the building has 2 entry doors, 1 on each level, with 5 windows facing north. An exterior staircase is located on the north side of the building to access the 2nd floor door. The outdoor stage includes a 4 post lattice structure that is approximately 15 feet high to accommodate lighting for special events. The plans depict a set of 2 stacked conex box storage units with 1 side open towards the stage. Seating and a safety rail are located inside the boxes to allow for tables, couches and seating that has a view of the stage

area and banquet facility. Each set of stacked storage units will have exterior staircase access, 1 on the east side and 1 on the north side.

Floor Plan

The floor plan depicts a 1,831 square foot office space with the remainder of the 1st floor and 2nd floor shown as storage areas and previous warehouse space. There are 3 individual bathrooms shown inside the building on the 1st floor. Access doors are shown on the east and north sides of the building.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is requesting to operate a banquet facility, live entertainment, food trucks and carts with on-premises consumption of alcohol for as many as 24 special events a year. The applicant has obtained shared access to 67 parking spaces on a property located just north of this site. The shared parking will be available in the evening and weekend hours. A contracted parking service will take care of parking logistics during special events. The applicant is proposing to use stacked storage units in 2 groups of 2 stacked storage units with one side open to allow for seating and tables on the inside to view the banquet area and a DJ booth with stage behind the main building. The facility will be able to accommodate up to 200 guests.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-1	Distribution/Warehouse
South	Business Employment	M-1	Cement training center
East	Business Employment	M-1	Furniture manufacturing
West	Business Employment	M-1	Railroad

Related Applications

Application Number	Request
VS-22-0447	A request to vacate Oquendo Road right-of-way is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

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

This property and adjacent parcels within the immediate area are zoned for light manufacturing uses. While the banquet facility will have limited hours of operation tied to special event dates, the request is not consistent with existing and planned development in the area and would have a negative impact on the surrounding properties, considering the commercial and industrial development in the area. Operations are likely to become a nuisance to surrounding areas, disrupt traffic patterns and conflict with industrial uses. Therefore, staff cannot support this request.

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

The plans show 8 on-site parking spaces and with the addition of the banquet facility's 67 spaces, 85 spaces are provided. Title 30 allows parking spaces to be shared by specific land uses that operate at different times throughout the day. The applicant has stated in their justification letter that the proposed banquet facility will have operating hours on weekends and primarily in the evening hours when the adjacent shared parking lot would be more underutilized or not used at all by the owner. In addition, the applicant has reached an agreement with the property owner to the north to use their parking lot as an overflow lot if necessary. Without assurances that events would only take place at times when all available parking spaces are accessible, the proposed uses could create a parking conflict and traffic pattern conflict in this industrial area. It is unknown what other industrial users are operating outside normal business hours and how those uses would be impacted by the proposed banquet facility and traffic. It is for these reasons that staff recommends denial of the parking reduction.

Waiver of Development Standards # 2

The site has minimal landscaping and would benefit from required trees and parking lot landscaping, considering this use is more commercial in nature and involves the public access for banquet facility and live entertainment uses. It is for this reason that staff recommends denial of the parking-landscape waivers.

Design Reviews #1 and #2

The live entertainment, banquet facility use, food trucks, food carts, and food booths are tied to special events that take place in the evenings or on weekends and are located within the property boundary. The generation of noise, traffic, and pedestrian movements to access the off-site parking lot associated with the live entertainment and banquet facility may create a significant impact to other businesses in the area. The property backs to a railroad line and is surrounded by industrial, manufacturing, and commercial uses with associated heavy truck traffic and uses that are not compatible with the proposed uses. It is for these reasons staff recommends Denial of the design reviews for live entertainment, food trucks/carts/booths, and banquet facility.

Design Review #3

The proposed stage and lighting will be specific to individual special events and tied to temporary commercial use permits. The existing building lighting will continue to provide security lighting and site lighting at a standard similar to the surrounding area without creating a detrimental condition on surrounding property. While the lighting may be consistent with the surrounding area, because staff is recommending denial of the other aspects of this proposal, staff cannot support the design review for lighting.

Public Works - Development Review

Waiver of Development Standards #3

Staff cannot support the request to reduce the width or throat depth of the driveways. The required minimum width of driveways is set to ensure that the public can safely access and leave the development. Narrower driveways, combined with no throat depth, increase the potential for collisions.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If Approved:

- 1 year to complete and review as a public hearing;
- Plant 6 large trees (listed in SNRPC plant list) in the landscape areas east of the building;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the project is subject to noise regulations per Section 30.68.020; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Applicant is advised that driveways must be reconstructed as commercial curb return driveways in accordance with Uniform Standard Drawings 222.1 and 225.

Fire Prevention Bureau

- A meeting will be required to discuss fire access; please contact khoyt@clarkcountyNV.gov or 702-281-3755
- Applicant is advised to Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features; and that the fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: 4251 OQUENDO RD LLC

CONTACT: LV ACCESS LLC, 3172 N. RAINBOW BLVD. STE. 202, LAS VEGAS, NV 89108

DRAFT

WEDDING CHAPEL
(TITLE 30)

SUNSET RD/SPENCER ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
DR-22-0490-EHH VENTURE:

DESIGN REVIEW for a wedding chapel in conjunction with a banquet facility within an existing shopping center on 4.7 acres in a C-2 (General Commercial) (AE-65) Zone.

Generally located on the south side of Sunset Road, 630 feet west of Spencer Street within Paradise. JG/hw/syp (For possible action)

RELATED INFORMATION:

APN:
177-02-102-007

LAND USE PLAN:
WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 1641 E. Sunset Road
- Site Acreage: 4.7
- Project Type: Wedding chapel
- Building Height (feet): 17
- Square Feet: 900
- Parking Required/Provided: 217/243

Site Plan & Request

The site plan depicts an existing shopping center, most recently approved by WS-0430-03, located on approximately 4.7 acres. The shopping center consists of 3 main in-line retail buildings and 2 outparcel buildings. The 3 in-line buildings are all approximately 14,400 square feet and divided into several suites for retail purposes. The eastern outparcel building serves as a 6,000 square foot tavern and the western outparcel is a 4,970 square foot office space. The location of the banquet facility and proposed wedding chapel is in the western most suite of the southern in-line building.

Parking is found throughout the site with parking located along the perimeter of the site, in rows in front of the in-line and outparcel buildings, in double and single rows between the outparcel

buildings and the in-line buildings, and in a large double row through the middle of the site. Access to the site is provided by 2 driveways that connect with Sunset Road.

The applicant is requesting this design review to operate an accessory wedding chapel in conjunction with a banquet facility. Title 30 requires that plans for wedding chapels be reviewed and approved by either the Planning Commission or the Board of County Commissioners.

Landscaping

Existing landscaping will remain unchanged and is not a subject of this request. Existing landscaping consists of trees and shrubs scattered throughout parking lot finger islands in the central parking row and planters along the perimeter of the site. Street landscaping consists of a 15 foot strip of shrubs and rockscape between the sidewalk and outparcel buildings and an island between the 2 driveways. Landscaping was previously reduced by WS-0430-03.

Elevations

The elevations of the subject suite depict a single story in-line building with painted stucco walls with stone flourishes near the base on the building. Foam cornice treatments are provided along the top of parapet walls along the roofline. The overall height of the building is shown as 17 feet tall. A typical retail/office window and door system is provided along the front of the building.

Floor Plan

The floor plan depicts a 900 square foot banquet hall/wedding chapel facility split into 5 separate rooms. An approximately 155 square foot entrance lobby is connected by a hallway to the main banquet area, which will also function as the wedding chapel space. The main banquet area is approximately 400 square feet. Other support rooms are shown with an office space, bridal and changing room, and a bathroom.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that they are looking to hold immersive, art-focused micro-weddings within their existing banquet/reception hall. The weddings would be highly personalized and would primarily include the couple along with a small number of guests. The weddings will have music being played a low level and the receptions held in connection with the wedding will be small in scale and thus should not disturb the neighbors. The applicant states that the use would not be out of character for the complex and parking should not be an issue as the gatherings are small and both limo and ridesharing services will be encouraged.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-0359-06	Stealth monopalm communications tower	Approved by ZA	May 2006

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0430-03	Shopping center remodeled and addition with waivers for alternative street and parking lot landscaping	Approved by PC	April 2003
UC-1445-01	Outside storage that is not screened from the right-of-way and in the front yard - expired	Approved by PC	December 2001
ZC-1082-00	Reclassified the site from C-3 to C-2 zoning to implement Title 30	Approved by BCC	September 2000
UC-1341-98	Print shop in conjunction with a shopping center - expired	Approved by PC	September 1998
UC-1072-98	Live entertainment in conjunction with a tavern and night club	Approved by PC	August 1998
UC-1283-95	Piano school within an existing shopping center - expired	Approved by PC	September 1995

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Use	P-F	Harry Reid International Airport
South	Business Employment	M-D	Office/warehouse facility
East	Business Employment	C-2 & R-E	Undeveloped
West	Business Employment	M-D	Office/warehouse facility & undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Overall, the design of and the use of the suite as a wedding chapel appear to be in harmony with the shopping center, the surrounding uses, and the Master Plan. Policy 5.1.3 of the Master Plan encourages the continuing emphasis on tourism with regard to Clark County's economy, while Policy 5.1.5 encourages reinvestments in commercial centers with vacant suites. Staff finds that the wedding chapel as it has been proposed is in conformance with these policies.

With regard to the impact on the shopping center and surrounding uses, it does not appear that the wedding chapel, as proposed, would generate a significant amount of additional traffic, and the shopping center seems to be overparked enough to handle a slight increase in traffic. In terms of disturbance, the banquet facility does not appear to have any noise violations and the proposed size and scope of the weddings does not concern staff in terms of additional disturbance brought on by having these weddings at this location. Also, with the appropriate noise attenuation, the location of the proposed chapel within the AE-65 Airport Environs Overlay does not concern staff either.

Finally, the operation of the wedding chapel as described appears to meet Title 30 regulations for wedding chapels, as the applicant has indicated that the wedding chapel use will remain accessory to the banquet facility. In addition, it also appears the applicant intends to use the banquet space for receptions in conjunction with the weddings conducted on site, further supporting the accessory nature of the weddings conducted. For these reasons, staff can support the approval of this design review.

Department of Aviation

The property lies within the AE-65 (65-70 DNL) noise contour for Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade Harry Reid International Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- No comment.

Department of Aviation

- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the 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.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

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

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LAS VEGAS IMMERSIVE WEDDINGS, LLC

CONTACT: LAS VEGAS IMMERSIVE WEDDINGS LLC, 2722 N. GREEN VALLEY PARKWAY #50344, HENDERSON, NV 89016

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>DR-22-0490</u> DATE FILED: <u>8/18/22</u> PLANNER ASSIGNED: <u>HW</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>9/27/22</u> PC MEETING DATE: <u>10/18/22</u> BCC MEETING DATE: _____ FEE: <u>\$675</u>
	PROPERTY OWNER NAME: <u>THE EHH VENTURE LLC</u> ADDRESS: <u>6149 S RAINBOW BLVD</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>(702) 373-2589</u> CELL: _____ E-MAIL: _____
	APPLICANT NAME: <u>LAS VEGAS IMMERSIVE WEDDINGS LLC</u> ADDRESS: <u>2722 N Green Valley Parkway, #50344</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89016</u> TELEPHONE: <u>702-931-8390</u> CELL: _____ E-MAIL: <u>lasvegassimmersiveweddings@gmail.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Susan Hjorth</u> ADDRESS: <u>2722 N Green Valley Parkway, #50344</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89016</u> TELEPHONE: <u>702-931-8390</u> CELL: _____ E-MAIL: <u>lasvegassimmersiveweddings@gmail.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-02-102-007

PROPERTY ADDRESS and/or CROSS STREETS: 1641 E Sunset Rd, #B117, Las Vegas NV 89119

PROJECT DESCRIPTION: Small wedding chapel for micro wedding ceremonies

(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.

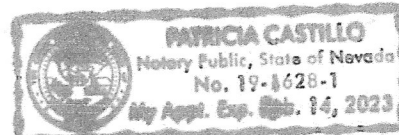
Eric Chau
Property Owner (Signature)*

Eric Chau
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON August 8, 2022 (DATE)

By Eric Chau
NOTARY PUBLIC: Patricia Castillo



3

*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
DR-22-0490

Susan Hjorth
Las Vegas Immersive Weddings LLC
1641 E Sunset Rd #B117 | Las Vegas NV 89119
LasVegasImmersiveWeddings@gmail.com

July 26, 2022

Dear Clark County,

Introduction

We are requesting the authorization to establish a Wedding Chapel as an accessory use for an existing banquet/reception facility located at 1641 E Sunset Rd B117, which is a C-2 district, in accordance with the Clark County Unified Development Code. In this justification letter, we will establish the ways in which the proposal will produce an environment of stable and desirable character consistent with the objectives of the Comprehensive Master Plan and provide an analysis of outstanding issues, the intended uses, the impact on adjacent properties, and the need for public or utility service actions.

Intended Uses

We intend to establish a Wedding Chapel as an accessory use for an existing banquet/reception facility located at 1641 E Sunset Rd B117, which is a C-2 district, in accordance with the Clark County Unified Development Code. The chapel will serve as an immersive, arts-focused space for mini-micro wedding ceremonies in order to enhance intellectual and social experiences within Clark County.

This highly personal, artistic wedding chapel will host only one wedding at a time, usually consisting of just the couple, and occasionally also including a small number of their guests. From the moment our guests walk into the lobby, we will make them feel welcomed into the experience. During the wedding, the couple will be surrounded by immersive, animated art displays that are tailored to the ceremony.

There will be quiet, low-impact background music to accompany the animations during the ceremonies, but the volume will be low enough for the officiant to be heard without a microphone, so there will not be any issues with sound traveling outside the building.

We will offer limited reception services for very small groups, but for couples looking for more extensive or larger parties, receptions, and activities, we will encourage them to check out the other experiences and businesses Clark County has to offer.

Since I was born and raised in Denmark, I personally look forward to using my connections to bring European visitors back to Las Vegas. I studied performing arts in Copenhagen, Denmark and Madrid, Spain and performed in theatrical and television projects around Europe, and I maintain a rich social network in Europe, including some celebrities, and I intend to reach out to them to share and promote the chapel and, by extension, increase overall tourism in Las Vegas.

3

Consistency with Objectives of Master Plan

This business will help produce an environment of stable and desirable character consistent with the objectives of the Comprehensive Master Plan

As a unique, women-owned business that welcomes all and practices non-discrimination, it will aligns with the Master Plan's Core Value #5: A Diverse and Resilient Economy and Core Value #2: Equitable Access. The artistic nature of our unique endeavor aligns with Core Value #1: Unique Communities, Neighborhoods, and Lifestyles. We only intend to use existing structures and are committed to environmentally friendly practices an alignment with Core Value #3: A Healthy and Sustainable Natural Environment. And the safe land use in accordance with existing policies aligns with Core Value #5: Predictable Growth and Development.

Impact on Adjacent Properties

We do not anticipate any noticeable impact on adjacent properties because 1641 E Sunset Rd #B117 is a single, small unit in a commercial building in the C-2 district. There are no planned architectural or landscaping changes planned, and because the ceremonies will be tiny, there will be no impact on flow of traffic.

No Need for Additional Public Services, Parking, or Actions

The proposal does not require any public utility or public services beyond what is already in place, and it will be small enough that there will be no detrimental impact on existing infrastructure.

The property on which the chapel sits already has more parking than is required for the buildings. (See parking analysis.) And there are always several parking spaces available immediately outside our unit, B117 that will more than accommodate our guests. However, we don't even expect to use those spaces often, as we will be offering a third party limousine service to pick up and drop off clients, and the limousine will not be parked on site. We expect that most of our clients will be tourists, so even those who do not opt for the limo will often be taking a taxi, Uber, or Lyft.

Analysis of Outstanding Issues

There are no known outstanding issues.

Conclusion

Given the information above, we hope you will grant our request to establish a Wedding Chapel as an accessory use for an existing banquet/reception facility located at 1641 E Sunset Rd B117, in accordance with the Clark County Unified Development Code.

We are looking forward to creating this unique and personalized wedding chapel experience, and with your approval our dreams can become a reality!

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10/18/22 PC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL
(TITLE 30)

TWAIN AVE/CAMBRIDGE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-22-400104 (UC-21-0636)-APEX LAS VEGAS, LLC:

USE PERMIT FIRST EXTENSION OF TIME for a multiple family residential development. **WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced parking; 2) non-standard landscaping; and 3) alternative standards for perimeter fence. **DESIGN REVIEW** for the conversion of a motel to a multiple family residential development on 5.2 acres in an H-1 (Limited Resort and Hotel) (AE-60) Zone within the Midtown Maryland Parkway District.

Generally located on the south side of Twain Avenue and the west side of Cambridge Street within Paradise. TS/sr/syp (For possible action)

RELATED INFORMATION:

APN:

162-15-701-002; 162-15-701-003

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the required parking to 202 spaces where 339 spaces are required per Table 30.60-1 (a 40% reduction)
2.
 - a. Allow alternative landscaping along a collector street where a 15 foot landscape area is required with an existing attached sidewalk per Section 30.64.030(1)(4).
 - b. Allow alternative landscaping along a local street where landscaping per Figure 30.64-9 is required.
3.
 - a. Allow a decorative fence which is not set back for landscaping as required per Section 30.64.020.
 - b. Increase the maximum height of a fence to 6 feet 2 inches where 6 feet is the maximum allowed per Section 30.64.020 (a 3% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

- Site Address: 905 & 955 E. Twain Avenue
- Site Acreage: 5.2
- Number of Units: 228
- Density (du/ac): 47.2

- Project Type: Multiple family residential
- Number of Stories: 2
- Building Height (feet): 22
- Parking Required/Provided: 339/202

History

The existing development was built in the mid 1970's as a multiple family development. In 2008, a zone change (ZC-0804-08) was approved to reclassify the multiple family development from R-5 zoning to H-1 zoning and to convert the use to a motel. In 2015, an application was submitted to revert the motel back to a multiple family development; however, the application was withdrawn, leaving the development as a motel. Through the years, the development was licensed as an apartment and motel, similar to long/short term lodging that has been included into Title 30 since the time of the previous approval. This request is to revert the development back to a multiple family residential use. This is for permanent residency and does not allow for transient occupancy, meaning the units must be leased for a minimum of 31 consecutive days.

Since this is a developed site with no new construction, the existing conditions which were previously approved or permitted may continue without additional land use. For example, the parking stalls do not meet the required 18 foot length; however, a waiver to allow 16 feet was previously approved. However, a fence was installed which does not meet the standards; therefore, a waiver of development standards was required.

When the use changes on a site, for example from a motel to a multiple family development, the regulations related to the use must meet Code. In this case, the parking requirement is per a multiple family residential use. Since the on-site parking does not meet Code for multiple family developments, a waiver of development standards for parking was required.

Site Plans

The site is developed with 2 complex structures consisting of 26 buildings with 228 units. The buildings are generally grouped into 2 complexes which are a mirror image of each other with each complex consisting of 13 buildings. There are courtyards within the buildings, with 1 pool in each grouping. Parking is located on the west and east property lines and in the center of the 2 groupings. Three hundred thirty-nine parking spaces are required for a multiple family complex and 202 parking spaces are provided. Trash enclosures are located along the southern property line. The plans show 4 driveways from Twain Avenue and 1 driveway from Cambridge Street. Two driveways on Twain Avenue, and the 1 on Cambridge Street are gated for emergency use only. The 2 central driveways along Twain Avenue do not have a gate.

Landscaping

Existing palm trees are shown in a landscape strip ranging from 8 feet to 16 feet wide along Twain Avenue, as well as along the southern property line. The previously approved plans depict additional shrubs to enhance the landscaping on Twain Avenue; however, Code requires a 15 foot strip next to a collector street, and palm trees are no longer a permitted tree type per Southern Nevada Regional Planning Coalition Regional Plant List. Medium trees spaced 30 feet apart (20 feet is the maximum per Code) and shrubs are provided along Cambridge Street, in an existing 8 foot wide landscape strip. Landscaping was removed at the northeast corner of the

site, as it was located within the right-of-way. A portion of the landscape strip to the east of the central driveway is shown to be converted to artificial turf.

A 6 foot 2 inch wrought iron fence is located just behind the sidewalk of Twain Avenue and Cambridge Street which required the waiver of development standards.

Elevations

The buildings are approximately 22 feet tall with a tile pitched roof. Existing exterior materials include stucco with stone veneer accents.

Floor Plan

The apartment complex consists of 1 bedroom and 2 bedroom units.

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for UC-21-0636:

Current Planning

- 6 months to commence with any extension of time to be a public hearing;
- 1 year to review as a public hearing, applicant to provide a status report to address progress to correct all safety issues identified by the Clark County Fire Department, Clark County Building Department, Clark County Code Enforcement, and to secure all units that are not in use;
- Containers shall be removed prior to zoning approval of a business license or a building permit;
- Parking stalls shall be striped prior to zoning approval of a business license or issuance of a building permit;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a change of occupancy permit may be required by the Clark County Building Department, and if so, the change must be approved by the Building Department prior to zoning approval of the business license; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

Department of Aviation

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998, and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Building Department - Fire Prevention

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

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

Applicant's Justification

The applicant is requesting additional time to complete the work necessary to transition the use of the property from a hotel (short/long term lodging) to a multiple family development and says they experienced some delay in finding a qualified licensed contractor due to economic conditions complicated by the pandemic. The applicant states they have made progress in satisfying the conditions of approval for the business license. More specifically, the applicant states they have removed containers, and installed trash enclosures and lighting, and are working on installing landscaping, painting buildings, and all other building and safety issues are being addressed with oversight from the Building Department.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-21-0636	Conversion of a motel to a multiple family development with a reduction in parking	Approved by PC	January 2022
ZC-0804-08	Reclassified from R-5 to H-1 zoning for a conversion of an existing multiple family development to a motel	Approved by BCC	November 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Entertainment Mixed-Use	R-5	Multiple family residential
East	Public Facility	P-F	Park
West	Entertainment Mixed-Use	C-2	Shopping center

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, the applicant has made little to no progress towards addressing the building Code violations and while the applicant stated they did construct trash enclosures, the work was done without necessary permits. However, due to the current life/safety issues and since this is the first extension of time, staff can support this request with a 1 year time limit to complete the building permit and inspection process and obtain the necessary business license to operate the project as a multiple family residential development (apartment) use.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 1 year to complete the building permit and inspection process, and obtain a business license for the multiple family residential development (apartment) use.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: APEX LAS VEGAS, LLC

CONTACT: STEVEN GLASS, 1870 VERDUGO LORNA DRIVE, SUITE C, GLENDALE,
CA 91208

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

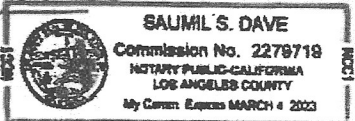
APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE : CONFORMING (ZC) : 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"/> 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) UC-21-0636 (ORIGINAL APPLICATION #) APPLICATION REVIEW (AR) UC-21-0636 (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>ET-22-400104</u> DATE FILED: _____ PLANNER ASSIGNED: <u>SL</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>9/27/22</u> PC MEETING DATE: <u>10/18/22</u> SCC MEETING DATE: <u>X</u> FEE: <u>\$1,425.00</u>
	PROPERTY OWNER NAME: <u>Apex Las Vegas LLC</u> ADDRESS: <u>631 S. Olive St., Suite 860</u> CITY: <u>Los Angeles</u> STATE: <u>CA</u> ZIP: <u>90014</u> TELEPHONE: <u>(213) 622-6165</u> CELL: _____ E-MAIL: <u>sumi@proresidential.com</u>
	APPLICANT NAME: <u>Apex Las Vegas LLC</u> ADDRESS: <u>631 S Olive St., Suite 860</u> CITY: <u>Los Angeles</u> STATE: <u>CA</u> ZIP: <u>90014</u> TELEPHONE: <u>(213) 622-6165</u> CELL: _____ E-MAIL: <u>sumi@proresidential.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>Steven E. Glass, Esq.</u> ADDRESS: <u>1870 Verdugo Loma Dr., Suite C</u> CITY: <u>Glendale</u> STATE: <u>CA</u> ZIP: <u>91208</u> TELEPHONE: <u>(818) 243-6776</u> CELL: <u>(818) 207-9672</u> E-MAIL: <u>steveneglass@gmail.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 162-15-701-002; 162-15-701-003
 PROPERTY ADDRESS and/or CROSS STREETS: 905 and 955 East Twain Ave., Las Vegas, NV 89169
 PROJECT DESCRIPTION: Multi-Family Residential Development - 228 Units

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, plans, and drawings attached hereto and all the statements and oaths 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 premises for the purpose of advising the public of the proposed application.

Property Owner (Signature) _____ Apex Las Vegas LLC
 Property Owner (Print)
 STATE OF California
 COUNTY OF Los Angeles
 SUBSCRIBED AND SWORN BEFORE ME ON 7-15-2022 (DATE)
 By Patrick [Signature]
 NOTARY PUBLIC: _____



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

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STEVEN E. GLASS

ATTORNEY AT LAW
1870 VERDUGO LOMA DR.
GLENDALE, CA 91208
(818) 243-6776
steveneglass@gmail.com

July 26, 2022

Sami R. Real
Planning Manager
Department of Comprehensive Planning
500 S. Grand Central Pkwy
Box 551741
Las Vegas NV 89155-1741
(702) 455-3129

**Re: Apex Las Vegas LLC
Land Use Application Extension
Reference: UC-21-0636**

Sami R. Real,

JUSTIFICATION LETTER

In response to your email request on July 25th for specifics regarding progress my client has made in satisfying the conditions of approval for the business license, my client states that:

1. Containers are removed.
2. Trash Enclosures have been installed.
3. Landscape work is in progress.
4. Painting of buildings is in progress.
5. Lighting has been installed.
6. 24/7 Security is in place.
7. All other building and safety issues are being addressed with oversight from the Building Department and are proceeding as quickly as

10/18/22 PC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT HACIENDA AVE/CALIENTE ST
(TITLE 30)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**NZC-22-0499-SHOUGHRO FAMILY IRREVOCABLE SUB-TRUST ETAL & SMITH,
RON TRS:**

ZONE CHANGE to reclassify 2.1 acres from an R-E (Rural Estates Residential) Zone to an R-5 (Apartment Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback; 2) reduce parking; 3) allow alternative street landscaping; 4) modified driveway design standards; and 5) modified street standards.

DESIGN REVIEWS for the following: 1) multiple family residential development; 2) alternative parking lot landscaping; and 3) finished grade.

Generally located on the north side of Hacienda Avenue and the west side of Caliente Street within Paradise (description on file). JG/md/syp (For possible action)

RELATED INFORMATION:

APN:

162-26-210-012

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the rear yard setback to 10 feet where a minimum setback of 20 feet is required per Table 30.40-3 (a 50% reduction).
2. Reduce parking to 96 spaces where 111 spaces are required per Table 30.60-1 (a 13.5% reduction).
3.
 - a. Allow alternative street landscaping along Hacienda Avenue where landscaping including a detached sidewalk is required per Table 30.64-2 and Figure 30.64-17.
 - b. Allow alternative street landscaping along Caliente Street where landscaping is required per Table 30.64-2.
4. Reduce the throat depth for a proposed driveway on Caliente Street to 8 feet where a minimum depth of 75 feet is required per Uniform Standard Drawing 222.1 (an 89.4% reduction).
5. Reduce the departure distance for a proposed driveway on Hacienda Avenue to 137 feet where a distance of 190 feet is required to Caliente Street per Uniform Standard Drawing 222.1 (a 27.9% reduction).

DESIGN REVIEWS:

1. Multiple family residential development.
2. Alternative parking lot landscaping.

3. Increase finished grade to 62 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 72.2% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - COMPACT NEIGHBORHOOD

BACKGROUND:

Project Description

General Summary

- Site Address: 1592 E. Hacienda Avenue
- Site Acreage: 2.1
- Number of Units: 57
- Density (du/ac): 27.5
- Project Type: Multiple family residential development
- Number of Stories: 3
- Building Height (feet): 48.5
- Square Feet: 72,695
- Open Space Required/Provided: 5,700/25,873
- Parking Required/Provided: 111/96

Neighborhood Meeting Summary

This request is for a nonconforming zone change to reclassify 2.1 acres from an R-E zoning district to an R-5 zoning district for a proposed office/warehouse building. The applicant conducted a neighborhood meeting on August 9, 2021, as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site. Three neighbors attended the meeting and asked general questions about the project and application.

Site Plans

The plans depict a proposed 3 story multiple family residential development consisting of 57 dwelling units with a density of 27.5 dwelling units per acre. The building is oriented in a "C" shaped configuration, predominantly located along north, east, and west portions of the site. The multiple family building has been designed with the following setbacks: 1) 10 feet from the north property line with a request to reduce the rear yard setback; 2) 7 feet from the west property line; 3) 58 feet from the east property line, adjacent to Caliente Street; and 4) 93 feet from the south property line, along Hacienda Avenue. The proposed development features a single point of access from a driveway adjacent to Hacienda Avenue, requiring a waiver of development standards to reduce the throat depth. An additional waiver is required to reduce the departure distance from the intersection of Hacienda Avenue and Caliente Street to the driveway adjacent to Hacienda Avenue. The development requires 111 parking spaces, where 96 parking spaces are provided, necessitating a waiver of development standards for the parking reduction. Trash enclosures are centrally located within the project site. A 5 foot wide attached sidewalk is provided along Hacienda Avenue where a detached sidewalk is required per Code. An attached 5 foot wide sidewalk is provided along Caliente Street. According to the applicant, an increase to finished grade is also part of this request and is necessary to ensure the building is set high enough to provide positive drainage from the rear of the site to the right-of-way.

Landscaping

The plans depict a landscape area ranging between 5 feet to 15 feet in width, with an attached sidewalk, along Hacienda Avenue. A landscape area measuring between 4 feet to 8 feet in width, with an attached sidewalk, is located adjacent to Caliente Street. The street landscape area consists of 24 inch box trees, planted 20 feet on center, in addition to shrubs and groundcover. In lieu of providing the required amount of landscape finger islands within the interior of the site, specifically at the southeast and southwest corners of the building, additional trees have been distributed throughout the interior and perimeter of the development. The development requires a total of 24 trees within the interior of the parking lot. The site has been designed to include an additional 3 trees (47 total trees) that will be distributed throughout the interior and perimeter of the project site. The development requires 5,700 square feet of open space where 25,873 square feet of open space is provided. The open space consists of a 5 foot wide walking trail located around the east, west, and north sides of the building in addition to landscape areas located at the southeast and southwest corners of the building.

Elevations

The plans depict a 3 story multiple family building with a varying roofline measuring between 36 feet to 48.5 feet in height. The building materials consist of integral color masonry blocks, aluminum windows, and painted metal solar shades and railings. A roof top deck is featured on top of the third story of the building, and is covered by a painted metal canopy with steel framing.

Floor Plans

The plans depict a 3 story multiple family building featuring a total of 57, one and 2 bedroom units. A rooftop deck area measuring 598 square feet is located on the fourth level of the building.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states due to parking issues, size of the lot, and the building layout a reduction to a 10 foot setback is being requested. The property to the north will not be impacted as it is currently a parking lot with covered parking. The applicant states the parking reduction represents a 13.81% reduction in the number of parking spaces. Unused impervious asphalt contributes to the heat island effect, thus the off-setting benefit. The property is also close to UNLV and lots of students use alternate methods of transportation versus vehicles. The reduction to the departure distance is due to there being an existing driveway on the adjacent property to the west, right at their property line. A dedicated right turn lane is proposed to provide for the required throat depth and when it is measured around the curb return 88 feet is provided which exceeds the 75 feet. If a detached sidewalk is provided there is no allowance for a landscape area behind the sidewalk. The alternative landscape design is to provide a landscape area behind the sidewalk that varies between 5 feet and 15 feet and provide medium and large trees at 20 feet on center with groundcover. The site as designed provides for landscape fingers every 6 parking spaces with the exception of 2 areas with 1 being at the southeast corner of the site near the building and the other at the southwest corner. It is also proposed to provide

additional large and medium trees along the perimeter of the site and the interior to meet or exceed the required number. A design review to increase finished grade is necessary to ensure that the building is set high enough above the grade in Hacienda Avenue and Caliente Street to provide flood protection.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-0044-12	57 condominium units - expired	Approved by BCC	July 2012
NZC-0077-08 (ET-0062-12)	Second extension of time to reclassify the project site to R-4 zoning for a multiple family residential development - expired	Approved by BCC	July 2012
NZC-0077-08 (ADET-0116-11)	First extension of time to reclassify the project site to R-4 zoning for a multiple family residential development - expired	Approved by ZA	February 2011
TM-0083-08	57 condominium units - expired	Approved by PC	May 2008
NZC-0077-08	Reclassified the project site to R-4 zoning for a multiple family development with a waiver of development standards to increase building height - expired	Approved by BCC	April 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Compact Neighborhood (up to 18 du/ac)	R-3	Multiple family residential
South	Public Use	P-F	Gene Ward Elementary School
East	Mid-Intensity Suburban Neighborhood (up to 8 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
Zone Change

The applicant shall provide Compelling Justification that approval of the nonconforming zoning boundary amendment is appropriate. A Compelling Justification means the satisfaction of the following criteria as listed below:

1. *A change in law, policies, trends, or facts after the adoption, readoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate.*

The applicant states since the adoption of the Winchester/Paradise Plan in 2005, the housing market in Las Vegas has seen more growth but more recently a slowdown in the housing market place which is driving the prices of single family homes down and requiring a greater demand for workforce housing that is affordable. This development would benefit the community as a whole by providing the much needed workforce housing.

Immediately to the north and west of the proposed multiple family development are existing multiple family developments zoned R-3 with a planned land use of Compact Neighborhood. To the east of the project site, across Caliente Street, is an existing single family residential development zoned R-1 with a planned land use of Mid-Intensity Suburban Neighborhood. To the south of the proposed development, across Hacienda Avenue, is the Gene Ward Elementary School. The proposed nonconforming zone boundary amendment to an R-5 zoning district is not compatible with the surrounding land uses and zoning districts. Staff finds there has not been a change in law, policies, trends, or facts within the immediate area which makes the proposed nonconforming zone boundary amendment appropriate.

- 2. The density and intensity of the uses allowed by the nonconforming zoning is compatible with the existing and planned land uses in the surrounding area.*

The applicant indicates the density of the proposed use would be more of a compatible use for the neighborhood than the current master plan designation of neighborhood commercial. The size of the parcel is approximately 2.5 acres, this acreage would support a mini-mart or convenience store that would inevitably apply for a package liquor license. With Gene Ward Elementary School directly to the south of the subject parcel, the applicant believes the neighborhood commercial designation is not suitable for the area and that residential designation would better serve the community.

Immediately to the north and west of the proposed multiple family development are existing multiple family developments zoned R-3 with a planned land use of Compact Neighborhood. The multiple family developments to the north and west are developed at 15.8 dwelling units per acre and 17.9 dwelling units per acre, respectively. To the east of the project site, across Caliente Street, is an existing single family residential development zoned R-1 with a planned land use of Mid-Intensity Suburban Neighborhood. The single family residential subdivision is developed at 4.5 dwelling units per acre. To the south of the proposed development, across Hacienda Avenue, is the Gene Ward Elementary School. Therefore, staff finds that the density and intensity of the proposed project, a multiple family residential development with a density of 27.5 dwelling units per acre, is incompatible with existing planned land uses in the surrounding area.

- 3. There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed by the nonconforming zoning.*

According to the applicant, the nonconforming zone change would not adversely affect the health, safety, and welfare of the surrounding residents and would actually benefit the area by helping to construct the needed roadway in front of this parcel.

There has been no indication from service providers that this request will have a substantial adverse effect on public facilities and services. The school district has indicated this development would generate 8 additional elementary school students, 4 middle school students, and 4 high school students. Furthermore, the school district has indicated that Dailey and Ward Elementary schools are currently 22 students and 66 students under capacity, respectively. The school district has also indicated that Cannon Middle School and Del Sol High School are currently 154 students and 149 students over capacity, respectively.

4. *The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies.*

The applicant states this nonconforming zone change request would not create or establish an undesirable precedent for the area. Although this is a nonconforming use according to the adopted Master Plan, the evolution of the neighborhood indicates that a project of this nature can not only conform but enhance the area, adding diversity and vitality, one of the current goals of affordable housing.

The proposed development complies with Goal 1.1 of the Master Plan that encourages opportunities for diverse housing options to meet the needs of residents of all ages, income levels and abilities. The project also complies with Policy 1.3.2 that encourages a mix of housing options, both product types and unit sizes, within larger neighborhoods and multiple family developments. However, staff finds the isolated nature of the requested R-5 zoning, in relation to surrounding zoning districts, is not compatible with the existing and planned land uses for Compact Neighborhood, Mid-Intensity Suburban Neighborhood, and Public Use.

Summary

Zone Change

Staff finds that there has not been a change in law, policies, and trends that make this request appropriate for the area. The reclassification of this site to an R-5 zoning district for the proposed project would allow greater residential densities that are incompatible with the multiple family and single family residential development within the surrounding area. Staff finds that the proposed request does not satisfy all of the requirements of a compelling justification to warrant approval of the nonconforming zone boundary amendment to R-5 zoning; therefore, staff recommends denial.

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

The request to reduce the rear yard setback by 50% is a self-imposed burden. Furthermore, the proposed building measures 48.5 feet in height while the adjacent multiple family developments

to the north and south have a maximum height of 2 stories. Encroachment of the proposed building into the required rear yard setback may potentially impact the development to the north and is not consistent with the established setbacks for the multiple family development adjacent to the site. Therefore, staff recommends denial.

Waiver of Development Standards #2

Staff is concerned the reduced on-site parking may potentially impact Caliente Street with additional on-street parking. The request to reduce the required parking for the development is a result of the site being overbuilt; therefore, staff recommends denial.

Waiver of Development Standards #3

Detached sidewalks are safer for pedestrians since the pedestrian is not walking adjacent to the drivable surface of street. In addition, detached sidewalks provide for a more aesthetically pleasing streetscape. The request for alternative street landscaping is a self-imposed burden. Therefore, staff cannot support this request.

Design Review #1

Staff finds a variety of design elements are utilized on all sides of the residential building, including articulating building facades. The proposed building materials and color are consistent and compatible with the exterior materials utilized on the surrounding residential developments. The proposed building does not exceed the maximum permissible height of 50 feet as established for the R-5 zoning district; however, staff is concerned with the proposed building height when compared to the existing residential developments surrounding the project site. The existing multiple family developments to the north and west of the project site consist of 2 stories. The single family residential development to the east, across Caliente Street, is a mixture of 1 and 2 story homes. Due to staff's concerns with building height compatibility, reduced setback, parking, and alternative landscaping, in addition to not supporting the zone change, staff recommends denial of the design review.

Design Review #2

The intent of parking lot landscaping is to provide climate adaptable plant materials that improve the visual appearance of the project site, enhance environmental conditions by providing shade and reducing storm water run-off, and to provide buffer areas between land uses of varying intensity. Staff recognizes the fact the applicant has provided additional trees within the interior and around the perimeter of the site to compensate for the absence of 2 landscape finger islands. However, since staff is not supporting the zone change, waivers of development standards #1, #2, and #3, and design review #1, staff recommends denial of this request.

Public Works - Development Review

Waivers of Development Standards #4 & #5

The applicant is providing a right turn lane adjacent to the Hacienda Avenue commercial driveway for a safe transition into the site from the right-of-way, mitigating potential impacts from the reduction in the throat depth and departure distance. Therefore, staff does not object to these requests.

Design Review #3

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

Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Harry Reid International Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval of waivers of development standards #4 and #5, and design review #3; denial of the zone change, waivers of development standards #1, #2, and #3, and design reviews #1 and #2. This item will be forwarded to the Board of County Commissioners' meeting for final action on November 16, 2022 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Resolution of Intent to complete in 3 years;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; 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

- Traffic study and compliance;
- Full off-site improvements;

- Right-of-way dedication to include 10 additional feet for Hacienda Avenue, plus a dedicated right turn lane into the development on Hacienda Avenue.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; 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 residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that dead-end streets/cul-de-sacs in excess of 500 feet must have an approved Fire Department turn-around provided; and that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0356-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: MIKE CHERNINE

CONTACT: CRAY BAUXMONT-FLYNN, 1701 W. CHARLESTON BLVD., SUITE 610,
LAS VEGAS, NV 89102



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE

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

STAFF

APP. NUMBER: N2C-22-0499 DATE FILED: 8/22/22
 PLANNER ASSIGNED: MNO
 TAB/CAC: PARADISE TAB/CAC DATE: 9/27/22
 PC MEETING DATE: 10/18/22 @ 7:00 P.M. @ 7:00 P.M.
 BCC MEETING DATE: 11/16/22 @ 9:00 A.M.
 FEE: \$3,153.50

PROPERTY OWNER

NAME: Hacienda Caliente MF, LLC
 ADDRESS: 1997 Cherry Creek Cir
 CITY: Las Vegas STATE: NV ZIP: 89135
 TELEPHONE: _____ CELL: _____
 E-MAIL: mike@indicapinc.com

APPLICANT

NAME: Mike Cherwine
 ADDRESS: 1997 Cherry Creek Cir
 CITY: LV STATE: NV ZIP: 89135
 TELEPHONE: 702-496-2223 CELL: _____
 E-MAIL: mike@indicapinc.com REF CONTACT ID #: _____
lom

CORRESPONDENT

NAME: Clayton Neilson / LNeilson
 ADDRESS: 6765 W. Russell Rd #202
 CITY: Las Vegas STATE: NV ZIP: 89118
 TELEPHONE: 702-798-7978 CELL: _____
 E-MAIL: Clayton.Neilson@trneng.com REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-26-210-012
 PROPERTY ADDRESS and/or CROSS STREETS: 1592 E HACIENDA AVE
 PROJECT DESCRIPTION: A 57-Unit MF Apartment Complex

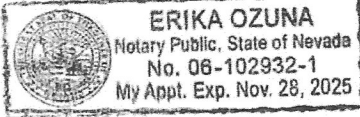
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Hacienda Caliente MF, LLC ; Hovsep Janazonian, LLC
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 8/22/22 (DATE)
 By Michael Allen Guernsey and Hovsep Janazonian
 NOTARY PUBLIC: [Signature]



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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.

Justification and Compelling Justification Letter for

HACIENDA CALIENTE

Mr. Mark Donahue, Principal Planner
Clark County Comprehensive Planning
500 S. Grand Central Parkway
Las Vegas, Nevada 89155-1744

N20-22-0499

Project Number: 2021-185
Apn# 162-26-210-012

PLANNER
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Dear Staff,

We are pleased to provide this justification letter to address the development plans for the above referenced parcel. The applicant is requesting a re-zone from Rural Estates Residential to R-5 Multiple-Family Residential District (High Density), Site Plan Review, Design Review, and Waiver of Development Standards.

The plans depict a multiple family building shaped in a "U" configuration and placed centrally on the site. This project shall be a For Rent Condominium development consisting of 57 units for an anticipated density of approximately 27.5 dwelling units per acre. The development is not in compliance with the design standards for parking and landscaping and a waiver of development standards is being requested. The requirements for open space, bulk and density provisions, and maximum building height are being met. The development will feature a walking trail along the entire property boundary. In fact, the open space is over three times the requirement for this type of development. The project will conform to all other development standards contained within Title 30. The site plan was mindfully designed taking into account the development code, neighborhood, and future residents.

The elevations are proposed to be three story, 48.5 foot high with exposed CMU unit exterior. The elevations depict enhanced building facades with modern architectural detailing, articulation, and window and door fenestration. The roof will consist of a low-slope roofing membrane behind parapets. The building height is compliant and could be achieved without requesting a waiver of development standards.

Surrounding Zoning and Land Use

The immediate area is developed with single family and multiple family developments. To the west and north are existing multiple family developments zoned R-3. Farther west, north, and southwest approximately 1,000 feet in either direction are existing R-4 zoned developments. To the east across Caliente Street is an existing development zoned R-1. To the southeast is another development zoned R-1. To the south across Hacienda Avenue is an elementary school (Gene Ward) zoned P-F.

Related Applications

There are 5 other non-conforming zone changes in the Paradise planning area, and the cumulative impact report submitted with agenda item, AG-0171-08, that are being heard during this batching cycle.

Neighborhood Meeting

The applicant conducted a neighborhood meeting as required by the non-conforming zone boundary amendment process. Approximately 10 participants were in attendance. A number of issues were brought forth regarding the proposed development. Some of the more discussed issues were related to no parking reduction, less number of units, location of recreation building, and two story buildings. The applicant revised the plans from those presented at the neighborhood meeting to address and mitigate all but the building height concern. The applicant has met all provisions of Title 30 regarding pre-submittal and submittal of a non-conforming zone boundary amendment.

Design Review

We are requesting the following items for Design Review:

1. Elevation of Grading
 - 1.1. A Design Review for Fill because the site will require more than 36" of fill. This is needed to ensure that the building is set high enough above the grade in Hacienda and Caliente to provide flood protection. As part of the Design Review, cross sections have been provided and the maximum fill is anticipated to be 5.1' (61.2") which is an increase over the 36" of 2.1' (25.2").
2. Parking Lot Landscaping
 - 2.1. We are requesting a Waiver of Development Standards for an Alternative Parking Lot Landscaping. Chapter 30.64 Figure 30.64-14 on Page 30.64-19 requires a landscape finger every 6 parking spaces. The site as designed provides for landscape fingers every 6 parking spaces with the exception of two (2) areas with one being at the southeast corner of the site near the building and the other at the southwest corner. It is also proposed to provide additional large and medium trees along the perimeter of the site and the interior to meet or exceed the required number. The Landscape Plan being submitted as part of this application provides a summary of the number of trees, size and type to exemplify the added landscaping to enhance the development for the requested waiver. For the parking islands there is a requirement of twenty-four (24) trees and eighteen (18) trees being provided at the various parking fingers and adjacent curb line.

Waiver of Developmental Standards

We are requesting waivers of the development standards listed below:

1. Rear Building Setback
 - 1.1. We are requesting a waiver of standards for the rear setback. A 20' setback is required but due to parking issues, size of the lot, and the building layout a reduction to a 10' setback is being requested. The property to the north will not be impacted as it is currently a parking lot with covered parking.
2. Parking Calculations
 - 2.1. Reduction from the required parking of 111 spaces to 96. This represents a 13.81% reduction in the number of spaces. Unused impervious asphalt contributes to the heat island effect, thus the offsetting benefit. The property is also close to UNLV and lots of students use alternate methods of transportation versus vehicles.

3. Approach and Departure Distance
 - 3.1. The development is requesting a waiver of development standard to reduce the departure distance required by Uniform Standard Drawing 222.1 of 190 feet to 137 feet. This is due to there being an existing driveway on the adjacent property to the west right at their property line.
4. Throat Depth
 - 4.1. The development is requesting a waiver of development standards to reduce the throat depth from 75' to 8'. A dedicated right turn lane is proposed to provide for the required throat depth and when it is measured around the curb return 88' is provided which exceeds the 75'.
5. Detached Sidewalk
 - 5.1. The development is requesting a waiver of development standards to allow an alternative landscape design along Hacienda Avenue. A dedicated right turn lane is proposed to provide for the required throat depth at the entrance off of Hacienda and this does not allow for a detached sidewalk. If a detached sidewalk is provided there is no allowance for a landscape area behind the sidewalk. The alternative landscape design is to provide a landscape area behind the sidewalk that varies between 5' and 15' and provide medium and large trees at 20' on center with ground cover. The requested design is provided on the Landscape Plans. For the landscaping requirements along Caliente Street a total of eleven (11) trees at 20' on center are provided where thirteen (13) trees are required. For the landscaping requirements along Hacienda Avenue a total of thirteen (13) trees at 20' on center are provided where fourteen (14) trees are required.
 - 5.2. Along Hacienda Avenue

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Compelling Justification

In addition to the Justification presented above as part of the Non-Conforming Zone Change, Design Review and Waiver Development Standards a Compelling Justification is required. It is required to address four (4) items of criteria. We are pleased to provide this compelling justification letter pursuant to Title 30.08.030. The Criteria to be addressed and justification are provided below:

Item#1 - A change in law, policies, trends, or facts after the adoption, re-adoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed amendment appropriate, and

Since the adoption of Winchester/Paradise Master Plan in August of 2005 the housing market in Las Vegas has seen more growth and more recently a slow down in the housing market place which is driving the prices of single-family homes down and requiring a greater demand for workforce housing that is affordable. This development would benefit the community as a whole by providing the much-needed workforce housing.



7/18/22

Item#2 – The density or intensity of the uses allowed by the amendment is compatible with the existing and planned land uses in the surrounding area; and

The density of the proposed use would be more of a compatible use for the neighborhood than the current master plan designation of neighborhood commercial. The size of the parcel is approximately 2.5 acres; this acreage would support a mini-mart or convenience store that would inevitably apply for a package liquor license. With Gene Ward Elementary school directly to the south of our parcel, our client feels that the neighborhood commercial designation is not suitable for the area and that residential designation would better serve the community. The properties to the west and north are currently zoned R-3, the property to the east is currently zoned R-1 and the parcel to the south is currently zoned P-F.

Item#3 – There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed; and

The non-conforming zoning change would not adversely effect the health safety and welfare of the surrounding residents and would actually benefit the area by helping to construct the needed roadway in front of this parcel.

Item#4 – The proposed amendment conforms to other applicable adopted plans, goals, and policies. (Ord 3885 § 1, 8/2010; Ord. 3106 § 1 (part), 8/2004; Ord. 2889 § 1 (part), 4/2003)

This development would adhere to all of the goals and policies for this type of use in Title 30/Comprehensive Planning.

This non-conforming zone change request would NOT create or establish an undesirable precedent for the area. Although this is a non-conforming use according to the County's current land use standards, the involvement of the neighborhood indicates that a project of this nature can not only conform but enhance the area, adding diversity and vitality, one of the current goals of affordable housing.

If you have any further questions, or desire additional information, please feel free to contact this office at your convenience.

Sincerely,

Cray Bauxmont-Flynn

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7/18/22

COO, ASCOT Group

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10/18/22 PC AGENDA SHEET

BUILDING/SITE MODIFICATIONS
(TITLE 30)

ANNIE OAKLEY DR/SILVESTRI LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0489-ANNIE OAKLEY INVESTORS, LLC:

WAIVER OF DEVELOPMENT STANDARDS to reduce throat depth.

DESIGN REVIEW for building and site modifications to an existing distribution center on 12.5 acres in an M-D (Designed Manufacturing) (AE-65) Zone.

Generally located on the southwest corner of Annie Oakley Drive and Silvestri Lane within Paradise. JG/gc/syp (For possible action)

RELATED INFORMATION:

APN:

161-31-710-028 through 161-31-710-042

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the throat depth for multiple driveways to 12 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 52% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 6225 Annie Oakley Drive
- Site Acreage: 12.5
- Project Type: Building and site modifications
- Number of Stories: 2
- Building Height (feet): 36
- Square Feet: 142,454
- Parking Required/Provided: 72/114

Site Plans

The plans show building and site modifications to an existing distribution center as part of a proposed tenant improvement. Modifications consist of 13 loading dock doors being cut into the north façade of the building along with the construction of a 10 foot wide dock podium and a 60 foot deep concrete truck apron. Additionally, the 4 existing driveways (2 on Silvestri Lane and 2

on Post Road) are being converted from pan driveways to curb return driveways to bring the driveways up to current Code and to accommodate the additional truck traffic. Furthermore, to mitigate the reduced driveway throat depths, parking lot landscape islands near the driveways are being expanded along with some parking spaces being removed. With the parking spaces removed, there will still be 114 parking spaces provided where 72 parking spaces are required. The throat depths of the driveways are reduced to 20 feet on the western Silvestri Lane driveway, 12 feet on the eastern Silvestri Lane driveway, and 14 feet on the western and eastern Post Road driveways where 25 feet is required.

Landscaping

The street landscaping will remain the same except that within the existing 17 foot wide landscape area along Silvestri Lane in front of the new truck docks, additional trees (Chilean Mesquite) and shrubs will be planted to help screen the docks from the right-of-way. The existing landscaping will be maintained within the expanded parking lot islands with the addition of matching decorative rock mulch.

Elevations

The plans depict an existing 2 story, 36 foot high distribution center with thirteen, 10 feet by 10 feet overhead dock doors being installed into the north facade of the building. The overhead doors and existing concrete tilt-up panels will be painted to match the existing building colors.

Floor Plans

The plans show an existing 142,454 square foot distribution center with warehouse area on the ground floor and 27,863 square feet of office area on the first and second floors of the building.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that a significant amount of office space has been removed from the second floor to make room for additional warehouse space in the building, and that the additional docks will make the building more functional for a warehouse use. No dock doors shall face Annie Oakley Drive per the previous conditions of approval for ZC-314-89. The parking area north of the truck docks have been removed to allow for sufficient space and maneuvering area on-site, and; therefore, will mitigate the reduced throat depth for the driveways along Silvestri Lane. Furthermore, parking lot landscape islands near all driveways have been expanded and parking spaces have been removed to mitigate any potential conflicts from vehicles entering the site.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0097-95	Allowed an office/warehouse building to exceed 35 feet in height within 600 feet of a residential zone	Approved by PC	February 1995
DR-1663-94	Office/warehouse building	Approved by PC	November 1994

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-314-89	Reclassified the site from R-E to M-D zoning	Approved by BCC	December 1989

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, East, & West	Business Employment	M-D	Office/warehouses & industrial buildings
South	Business Employment & Compact Neighborhood (up to 18 du/ac)	M-D & R-3	Office/warehouses & 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

Waiver of Development Standards

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

Design Review

Staff finds the proposed request to be compatible to the surrounding area. The truck docks are located on the north side of the building towards Silvestri Lane and other industrial uses that are zoned M-D. Furthermore, additional trees and shrubs will be planted within the existing street landscape area that will help screen the docks from the public right-of-way. The subject building itself will also screen the docks from the existing residential development located to the south of the site. Therefore, the request complies with Policy 6.2.1 of the Master Plan which promotes ensuring that the design of new development is compatible with established neighborhoods and uses.

Public Works - Development Review

Waiver of Development Standards

Staff can support the request to reduce the throat depth for the driveways on Silvestri Lane and Post Road as the applicant has reduced the potential conflicts by providing extra landscape planters on the drive aisles to provide drivers more distance before they encounter any conflicting parking spaces.

Department of Aviation

The property lies within the AE-65 (65-70 DNL) noise contour for Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade Harry Reid International Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Street landscaping along Silvestri Lane per plans on file;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Driveways shall be reconstructed in conformance with Uniform Standard Drawings 222.1 and 225 and Chapter 30.52 of County Code.

Department of Aviation

- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the 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.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

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

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: GREENLAW PARTNERS

CONTACT: CHRIS TEACHMAN, LEE & SAKAHARA ARCHITECTS, 6280 S. VALLEY VIEW BOULEVARD, SUITE 116, LAS VEGAS, NV 89118

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WS-22-0489</u> DATE FILED: <u>8-16-22</u> PLANNER ASSIGNED: <u>GRC</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>9-27-22</u> PC MEETING DATE: <u>10-18-22</u> BCC MEETING DATE: <u>-</u> FEE: <u>1,150</u>
	PROPERTY OWNER NAME: <u>Annie Oakley Investors, LLC</u> ADDRESS: <u>6225 Annie Oakley Dr.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>949-331-1300</u> CELL: <u>951-317-4071</u> E-MAIL: <u>lisa@greenlawpartners.com</u>
	APPLICANT NAME: <u>Greenlaw Partners</u> ADDRESS: <u>18301 Von Karmen Ave.</u> CITY: <u>Irvine</u> STATE: <u>CA</u> ZIP: <u>92612</u> TELEPHONE: <u>949-331-1300</u> CELL: <u>951-317-4071</u> E-MAIL: <u>lisa@greenlawpartners.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>Chris Teachman</u> ADDRESS: <u>6280 S. Valley View Blvd., Ste 116</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-270-6600</u> CELL: _____ E-MAIL: <u>cteachman@leesaklv.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 161-31-710-028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042

PROPERTY ADDRESS and/or CROSS STREETS: 6225 Annie Oakley Dr.

PROJECT DESCRIPTION: Warehouse tenant improvement with minor exterior alterations.

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

Property Owner (Signature)* Wilbur H. Holmes Smith III Property Owner (Print) Wilbur H. Smith III, Principal of Greenlaw Partners, LLC, Manager of Greenlaw Annie Oakley Investors, LLC, Manager of Annie Oakley Investors, LLC

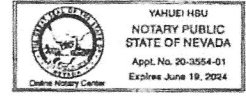
STATE OF Nevada

COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON July 13, 2022 (DATE)

By Wilbur H. Holmes Smith III

NOTARY PUBLIC: Ya Hwei Hsu



*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.

6



LEE & SAKAHARA
ARCHITECTS, INC
 ARCHITECTURE PLANNING

6260 S. Valley View Blvd., Suite 116 Las Vegas, NV 89118 391-
 1-702.270.6600 1-702.270.6643 www.leeesak.com

July 15, 2022

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

WS-22-0489

Reference: **Justification for Design Review for:**

DESIGN REVIEW to an existing distribution/warehouse building.

To Whom It May Concern:

On behalf of Greenlaw Partners & Lee & Sakahara Architects, respectfully submits this application for the above referenced property, located at 6225 Annie Oakley Dr., Las Vegas, NV 89120

APN:

161-31-710-028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042

CURRENT LAND USE PLAN:

M-D – Designed Manufacturing / BE – Business Employment

PROJECT DESCRIPTION:

- Site Address: 6225 Annie Oakley Dr.
- Site Acreage: 12.49 combined acres
- Project Type: 1 existing concrete building
- Number of Stories: 2
- Building Height: 36 feet (existing)
- Square Feet: 142,454
- Parking Required/Provided: 72/114

Site Plans

The plans depict a proposed 142,454 tenant improvement with minor alterations to the northern side of the site. This area depicts 13 dock doors cut into the north façade of the building along with a 10-foot-wide podium and 60-foot-deep concrete truck apron. The docks will be screened along Silvestri with additional trees along with the existing trees. Any painting required as part of the building modification shall match the existing building color. All four drives have been updated to meet the current code standards and some of the landscape islands will increased in size.

There are no off-site improvements as a part of this application.

Landscaping

Some of the landscape islands will increase in size. Additional landscaping will be added to the north side of the site along Silvestri Lane. A more intense landscape buffer will be provided to screen the dock spaces from the street.

Elevations

This is an existing building. The north façade will be modified to include 13, 10'x10' dock doors along with a concrete podium. The loading dock area will be screened from public view by the building and from some parking lot landscape areas.

No other exterior areas of the building will be modified as a part of this application.

6

Floor Plans

The plans depict a warehouse area with offices on the east side and the west side of the building. Each office area is two-stories and contain offices, break rooms and restrooms which serve the warehouse. The office area is accessory to the warehouse, at 19% of the total area.

Signage

Signage is not a part of this request. The exterior elevation shows schematic locations of where signage may be intended to be placed on the building in the future.

Applicant's Justification

This building was a two-story office building for a number of years. It has been renovated by removing a significant amount of the second floor to make room for warehouse space. This reduced the amount of parking required and decreased the estimated traffic around the area. There are currently 6 existing dock-high spaces on the west side of the building. The additional 13 doors help to make the building more functional from a warehouse use. No dock doors shall face Annie Oakley, per the previous NOFA issued, as a condition of approval (ZC-314-89).

The interior has left a small part of the second floor and will be renovated into new offices for the tenant. The properties to the north, east and west are also M-D under the planned Business Employment. The property to the southwest is zoned R-3, Compact Neighborhood, which is opposite side of the site the proposed dock doors will be installed.

STANDARDS FOR APPROVAL:

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

Waiver of Standards Waiver of Development Standards #1:

A Waiver of Development Standards is requested to reduce the required throat depths of the driveways accessing the property as follows:

Northeast Driveway along Silvestri Ln. - Reduce throat depth to 12 feet at the immediate driveway approach where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 for driveways servicing less than 50 parking spaces.

Justification: This driveway is intended primarily for truck access entering the loading area with sufficient space and maneuvering area provided onsite at the loading dock area without needing additional driveway throat depth length. To accommodate the new loading dock improvements, we are proposing to remove most of the existing standard parking stalls that were previously accessible by this driveway; therefore, mitigating the need for additional throat depth.

Northwest Driveway along Silvestri Ln. - Reduce throat depth to 20 feet at the immediate driveway approach where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 for driveways servicing less than 50 parking spaces.

Justification: This driveway is intended primarily for truck access entering the loading area with sufficient space and maneuvering area provided onsite at the loading dock area without needing additional driveway throat depth length. To accommodate the new loading dock improvements, we are proposing to remove most of the existing standard parking stalls north of the building that were previously accessible by this driveway; therefore, mitigating the need for additional throat depth to the loading dock area. On the east side of the driveway approach, we propose removing existing parking stalls and installing additional 48' of landscaping for the first two (2) bays of parking to provide additional onsite queue length to the existing parking field in lieu of extending the throat depth.

Southeast Driveway along Post Rd. - Reduce throat depth to 14 feet at the immediate driveway approach where a minimum of 25 feet is required per Uniform Standard

Drawing 222.1 for driveways servicing less than 50 parking spaces.

Justification: To bring this driveway up to current design standards, we are proposing to remove some of the existing standard parking stalls that were previously accessible and adjacent to this driveway; therefore, mitigating the need for additional throat depth. On the east side of the driveway approach, we propose removing existing parking stalls and installing additional 48' of landscaping for the first three (3) bays of parking to provide additional onsite queue length to the existing parking field in lieu of extending the throat depth. On the west side of the driveway approach, we propose removing existing parking stalls and installing an additional 74' of landscaping to provide additional onsite queue length to the existing parking field south of the building, in lieu of extending the throat depth.

Southwest Driveway along Post Rd. - Reduce throat depth to 14 feet at the immediate driveway approach where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 for driveways servicing less than 50 parking spaces.

Justification: To bring this driveway up to current design standards, we are proposing to remove some of the existing standard parking stalls that were previously accessible and adjacent to this driveway; therefore, mitigating the need for additional throat depth. On the west side of the driveway approach, we propose removing existing parking stalls and installing an additional 64' of landscaping to provide additional onsite queue length to the existing parking field south of the building, in lieu of extending the throat depth.

We are hopeful that this letter clearly describes the project and the intent of the proposed development. If you have any questions or require any additional information, please contact our office.

Should you have any questions or comments regarding the above-mentioned project, please feel free to contact us.

Best Regards,



Chris Teachman, Principal
Lee & Sakahara Architects, Inc.

PATIO COVER
(TITLE 30)

TOMIYASU LN/MAULE AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-22-0491-INRAM, LLC:

WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks of a proposed patio cover in conjunction with an existing single family residence on 0.5 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the west side of Tomiyasu Lane and the north side of Maule Avenue within Paradise. JG/lm/syp (For possible action)

RELATED INFORMATION:

APN:
177-01-611-005

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce patio cover rear setback (Maule Avenue) to 5 feet where 17 feet is required per Table 30.40-1 (a 70% reduction).
- b. Reduce patio cover interior side (west property line) setback to 6 feet where 7 feet is required per Table 30.40-1 (a 14% reduction).

LAND USE PLAN:
WINCHESTER/PARADISE RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 6875 Hidden Sunset Lane
- Site Acreage: 0.5
- Project Type: Patio cover
- Building Height: 10 feet, 3 inches (patio cover)
- Square Feet: 2,075 (patio cover)

Site Plan

The plan depicts an existing single family residence centrally located on the site. Access to the residence is via a driveway on the north (front) property line. The proposed patio cover will be an attached solid patio cover on the south facing elevation of the residence. The proposed rear setback will be 5 feet from the south property line, and the side setback will be 6 feet from the west property line. The patio cover completely covers the proposed pool and spa area.

Landscaping

There are no proposed changes to the existing landscaping in the front or side yards. Landscaping is neither required nor part of this request.

Elevations & Floor Plans

The plans depict a proposed solid patio cover to be constructed on the south facing elevation of the residence. The patio cover has an overall area of 2,075 square feet (25 feet by 83 feet) and an overall height of 10 feet 3 inches.

Applicant's Justification

The applicant indicates that they have an active building permit request (BD22-08473) for the proposed patio cover. The patio cover is for the pool and barbeque area to create an outdoor living space. Additionally, the cover will slow the evaporation of water from the pool and help with water conservation. Lastly the homeowner's association has approved the request as they are consistent with the community standards.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-19-400119 (WS-0471-15)	Second extension of time for original waivers and design review for a single family residential development	Approved by BCC	October 2019
WS-0471-15 (ET-0132-17)	First extension of time for original waivers and design review for a single family residential development	Approved by BCC	October 2017
WS-0471-15	Reduced setbacks and full off-site improvements with design reviews for a single family residential development and finished grade	Approved by BCC	September 2015
TM-0142-15	Single family residential development	Approved by BCC	September 2015

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	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.

Staff reviews waiver of development standards to ensure compatibility with existing and planned development in the surrounding area. Setbacks help to preserve the appeal and integrity of an area and to moderate visual impacts and possible safety issues. Staff does not oppose the applicant's request to reduce the required patio cover rear and side setbacks. The proposed patio cover should not impose a negative impact to the applicant's site, or to the neighboring residence to the west. Additionally, Maule Avenue, while dedicated, is currently used as a maintenance entrance to Sunset Park, located farther to the west and is unpaved. Staff finds that the proposed reduction in setback will not have any negative impacts on the adjacent residences; 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: KIRK PIERCE

CONTACT: KIRK PIERCE, 6875 HIDDEN SUNSET LANE, LAS VEGAS, NV 89120



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>105-22-0491</u> DATE FILED: <u>8/22/2022</u> PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>9/27/2022</u> PC MEETING DATE: <u>10/18/2022</u> BCC MEETING DATE: _____ FEE: <u>\$475.00</u>
	PROPERTY OWNER NAME: <u>Inram LLC</u> ADDRESS: <u>6875 Hidden Sunset Lane</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702-485-5511</u> CELL: <u>702-371-9120</u> E-MAIL: <u>kirk8004@yahoo.com</u>
	APPLICANT NAME: <u>Kirk Pierce, Manager of Inram LLC</u> ADDRESS: <u>6875 Hidden Sunset Lane</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702-485-5511</u> CELL: <u>702-371-9120</u> E-MAIL: <u>kirk8004@yahoo.com</u> REF CONTACT ID #: <u>702-371-9120</u>
	CORRESPONDENT NAME: <u>Kirk Pierce</u> ADDRESS: <u>6875 Hidden Sunset Lane</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702-485-5511</u> CELL: <u>702-371-9120</u> E-MAIL: <u>kirk8004@yahoo.com</u> REF CONTACT ID #: <u>702-371-9120</u>

ASSESSOR'S PARCEL NUMBER(S): 177-01-611-005

PROPERTY ADDRESS and/or CROSS STREETS: 6875 Hidden Sunset Ln Las Vegas NV 89120

PROJECT DESCRIPTION: Pool Cover

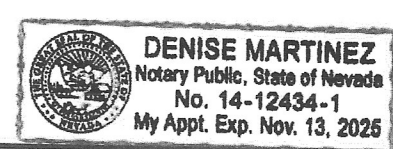
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON May 3, 2022 (DATE)
 By Kirk Pierce

NOTARY PUBLIC: [Signature]



7

*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.

August 11, 2022

Kirk Pierce
Renee Ngo
Inram LLC
6875 Hidden Sunset Ln
Las Vegas NV 89120

RE: Waiver of Development Standards

To Lorna Phegley, Senior Planner, Clark County Comprehensive Planning,

I am requesting a waiver of development standards for a pool/bbq area cover to be attached to my house. Made In The Shade, the contractor for the cover, needs to get a permit for a 2,075 square foot cover. The six footings will be five feet from the property line. This cover will slow the evaporation of water from the pool and help with water conservation that we need in the desert.

The homeowners association has already approved my plans as they are consistent with the community standards. There have already been two properties in the community with similar projects completed. There will be no impact on surrounding properties. There is no need for any public utility or public services for the project as this project is located within our property lines within our community. This project should be completed within three months after this waiver is obtained. I have attached three renderings of the project to this letter only for illustrative purposes only. The cover will be attached to the house with a height of 10 feet 3 inches. It will not be taller than the house. It also will not overhang the six posts. I included the renderings only to show what the finished project will look like as a different lady at your office said I should include pictures of the project. I can upload this letter again without the renderings if needed.

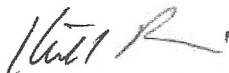
Specifically, I am requesting the following waivers;

Waiver of Development Standards: Reduce patio cover rear setback to 5 feet where 17 feet is allowed in an R-E zone, per Table 30.40-1.

Waiver of Development Standards: Reduce patio cover interior side setback to 5 feet where 7 feet is allowed in an R-E zone, per Table 30.40-1.

Thank you for your consideration,

Kirk Pierce



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10/18/22 PC AGENDA SHEET

PLACE OF WORSHIP
(TITLE 30)

FLAMINGO RD/HILDEBRAND LN

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-22-0492-FLAMINGO PARTNERS, LLC:

WAIVER OF DEVELOPMENT STANDARDS to reduce parking.
DESIGN REVIEW for a place of worship on 4.4 acres in a C-2 (General Commercial) Zone.

Generally located on the south side of Flamingo Road and the west side of Hildebrand Lane within Paradise. TS/lm/syp (For possible action)

RELATED INFORMATION:

APN:
162-24-513-001

WAIVER OF DEVELOPMENT STANDARDS:
Reduce parking to 215 spaces where 242 spaces are required per Table 30.60-1 (an 11% reduction).

LAND USE PLAN:
WINCHESTER/PARADISE - CORRIDOR MIXED-USE

BACKGROUND:
Project Description

General Summary

- Site Address: 3075 Flamingo Road
- Site Acreage: 4.4
- Project Type: Place of worship
- Number of Stories: 1
- Square Feet: 3,075 (place of worship)/48,228 (shopping center)
- Parking Required/Provided: 242/ 215

Site Plans

The plans depict a proposed place of worship located in a suite at the east side of the shopping center part of the southerly building that wraps around the southerly portion of the site. There are 2 pad sites located to the north, adjacent to Flamingo Road. Shared parking is located within the shopping center with access from Flamingo Road and Hildebrand Lane.

Landscaping

There are no proposed or required changes to the existing landscaping.

Elevations

The photos depict an existing 1 story shopping center suite.

Floor Plans

The plans depict a 3,075 square foot suite with a reception area, office space, auditorium, kitchen with dining area, classrooms, and restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the congregation found this location to meet and worship together. The reduction to the parking is minimal as the parking is mostly empty during the day and the place of worship will meet on Wednesday's from 7:00 p.m. to 8:00 p.m., and Sunday's from 11:00 a.m. to 1:30 p.m. with office hours Monday through Thursday from 10:00 a.m. to 3:00 p.m.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-21-500119	1 lot commercial subdivision	Approved by PC	September 2021
ADR-900484-16	Outside enclosure for exterior exercise area	Approved by ZA	July 2016
WS-0106-13	Animated sign separation	Approved by BCC	May 2013
ZC-0290-89	Reclassified from R-1 to C-2 zoning	Approved by BCC	November 1989

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Use	P-F	CCSD Nevada Learning Academy
South & East	Compact Neighborhood (up to 18 du/ac)	R-3	Senior living apartments & condominium residences
West	Neighborhood Commercial & Public Use	C-1 & P-F	Commercial retail & CCSD

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waiver of Development Standards

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

Waiver of Development Standards & Design Review

Typically, staff does not support the reduction in parking for places of worship. However, the use is within an existing shopping center (calculated at 5 parking spaces per 1000 square feet) that has multiple users with varying hours of operation (fitness center and tavern) that have not been cause for high parking volume per aerial photograph evidence. Therefore, with the limited hours proposed, staff can support the use and reduction in parking.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Worship and meeting hours limited to Wednesday's after 6:00 p.m. and Sunday's.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: IGLESIA EN ACCION LAS VEGAS
CONTACT: IGLESIA EN ACCION, 3075 E. FLAMINGO RD., STE 100, LAS VEGAS, NV
89121

DRAFT

LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE


<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p><input type="checkbox"/> CONFORMING (ZC)</p> <p><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME REVERTING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> AMNESTION REQUEST (AR)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>(ORIGINAL APPLICATION #)</p>	STAFF	<p>APP NUMBER: <u>WS-22-0492</u> DATE FILED: <u>8/22/2022</u></p> <p>PLANNER ASSIGNED: <u>LMN</u></p> <p>TAB/CAD: <u>PARADISE 9/27/2022</u> TAB/CAD DATE: <u>9/27/2022</u></p> <p>PC MEETING DATE: <u>10/18/2022</u></p> <p>BOG MEETING DATE: _____</p> <p>FEE: <u>\$1,975.00</u></p>
PROPERTY OWNER	<p>NAME: <u>Flamingo Partners 2021 LLC</u></p> <p>ADDRESS: <u>6125 Washington Blvd, #300</u></p> <p>CITY: <u>Culver City</u> STATE: <u>CA</u> ZIP: <u>90232</u></p> <p>TELEPHONE: <u>(323)319-3907</u> CELL: <u>(718)755-4908</u></p> <p>E-MAIL: <u>Tony@Sunsetequitygroup.com</u></p>	
APPLICANT	<p>NAME: <u>Iglesia en Accion Las Vegas</u></p> <p>ADDRESS: <u>3075 E Flamingo Rd</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u></p> <p>TELEPHONE: <u>702.303.4833</u> CELL: <u>702.429.1775</u></p> <p>E-MAIL: <u>Iglesiaenaccionlv@gmail.com</u> REF CONTACT ID: <u>1702468268</u></p>	
CORRESPONDENT	<p>NAME: <u>Iglesia en Accion Las Vegas</u></p> <p>ADDRESS: <u>3075 E. Flamingo Rd</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u></p> <p>TELEPHONE: <u>702.303.4833</u> CELL: <u>702.429.1775</u></p> <p>E-MAIL: <u>Iglesiaenaccionlv@gmail.com</u> REF CONTACT ID: <u>1702468268</u></p>	

ASSESSOR'S PARCEL NUMBER(S): 102-24-501-002

PROPERTY ADDRESS AND/OR CROSS STREETS: 3075 E. Flamingo Rd, Sp. 100, LV, NV 89121

PROJECT DESCRIPTION: Place of Worship

I, the undersigned, being duly sworn, depose and say that I am the owner of the property described in this application, or I am authorized to execute this application on the attached legal description, plans, and drawings attached hereto, and of the contents hereof, and that the contents hereof are true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be completed and filed with the Clark County Comprehensive Planning Department, or its designee, in order to proceed and to hold any real estate interest in the property described in the proposed application.

Signature:  _____

Benjamin Dorel
Property Owner (Print)

Notary Public: Benjamin Dorel DATE: 6/1/2022

NOTARY PUBLIC

LIDA KOBANSKAYA
COMM. #2370475
Notary Public - California
Los Angeles County
My Comm. Expires Sep. 7, 2025

NOTE: A power of attorney or signature documentation is required if the applicant and/or property owner is not the owner of the property, or if the applicant is acting in a representative capacity.



To Whom It May Concern,

I am the senior pastor for Iglesia en Accion. We were a church that formed during the pandemic and were forced to have Online/Home meetings when we began the church due to COVID and restrictions. Our growth has led us to find a commercial location to meet.

We are requesting a design review for place of worship in C-2 zone, a retail office complex. We also request a waiver of Development Standards to reduce parking to 215 spaces where 242 is required. The location is convenient and easy to find. A main concern was parking. The parking lot sits 80% empty throughout the day. In addition, our meetings take place Wednesday night and Sunday morning. We verified with the owner and there are no other businesses open during our service times.

Additionally, there was a church in this same space that would hold its services here and did not have issues getting everything setup. If you have any questions or concerns, please feel free to let me know. I have listed the church meeting times below for reference.

Gratefully,

Mery Trujillo- Pastor

Hours of worship: Wednesday 7:00 to 8:00 PM

Sunday 11:00 to 1:30

OFFICE HOURS (one person):

Monday to Thursday from 10:00 to 3:00 PM

PARKING GARAGE
(TITLE 30)

RUSSELL RD/POLARIS AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-22-400100 (WS-20-0294)-HERBST FAMILY LIMITED PARTNERSHIP II:

DESIGN REVIEW FIRST EXTENSION OF TIME for a parking garage in conjunction with an existing convenience store with gasoline station and warehouse on 4.0 acres in an M-1 (Light Manufacturing) (AE-60) Zone.

Generally located on the west side of Polaris Avenue and the north side of Russell Road within Paradise. MN/sr/syp (For possible action)

RELATED INFORMATION:

APN:

162-29-401-013; 162-29-401-014; 162-29-401-016

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3440 & 3480 W. Russell Road
- Site Acreage: 4
- Project Type: Parking garage
- Number of Stories: 4
- Building Height (feet): 49 feet 4 inches
- Parking Provided: 713 (695 auto/18 motorcycle)

Site Plan

The subject site is located on the west side of Polaris Avenue and the north side of Russell Road across from Allegiant Stadium. The site currently has a convenience store with gasoline station and a warehouse with associated parking and landscaping. A portion of the warehouse will be demolished for the construction of the 4 story parking garage. The parking garage will be located on the western side of the parcels. The western side of the structure will have a zero foot setback, and a 10 foot setback from the portion of the warehouse to the south that will remain on-site. The parking garage will be set back 20 feet from Polaris Avenue and 30 feet from Dewey Drive. Access to the parking garage will be provided from Dewey Drive. Pedestrian ingress/egress from the garage will be from 3 exits: 1 onto Dewey Drive; 1 onto Polaris Avenue; and 1 from the south end of the garage which will lead to walkways leading to Polaris Avenue and Russell Road.

Landscaping

The previously approved plans depict perimeter landscape areas with existing attached sidewalks. The existing turf along Polaris Avenue will be replaced with landscaping per Title 30 requirements. A landscape area extends along Polaris Avenue from Dewey Drive south with a width ranging from 20 feet 9 inches to 23 feet 11 inches wide, with the southern portion ending at the existing convenience store with gasoline station where a 6 foot wide landscape area will be replaced. The new landscaping along Dewey Drive consists of an area that ranges from 29 feet 8 inches wide to 35 feet 6 inches wide at the entrance to the parking garage.

Elevations

The parking garage is 4 stories with an overall height of 49 feet 4 inches. The height includes the elevators/stairwells on the top floor; however, the majority of the structure is shown at a height of 38 feet. Vehicular access to the parking garage will be from the north from Dewey Drive via a controlled access gate. The parking garage will be constructed from concrete and will be a neutral color with red accents on the various levels.

Floor Plans

The parking garage consists of 4 levels and 713 spaces. A portion of level 1 is open for future tenant build-out which would incorporate a portion of the parking garage and reduce the overall spaces for the first level by 41 spaces. The controlled access is located on the first level, in the northwest corner from Dewey Drive, with entry and exit ticket booths and gates. Each level has elevators and stairwells located on the north side of the garage and an additional stairwell on the south side of the garage.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for WS-20-0294:

Current Planning

- Applicant to work with Current Planning on the design of the pedestrian realm, sidewalks, and street landscaping along Polaris Avenue and Dewey Drive to comply with the intent of the Stadium District Plan that is under development;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that land use applications will be required for future uses; that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;

- If required by the traffic study, a queuing analysis must be approved by Public Works - Development Review Division.
- Applicant is advised that off-site improvement permits may be required.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- 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.

Applicant's Justification

The applicant is requesting additional time to obtain all required building permits and commence construction. The applicant states they have been diligently pursuing permits and working towards commencing construction as evidenced by their submittal and processing of permits for grading and the parking garage (BD22-24502, BD22-23457, and BD2-29184).

Prior Land Use Requests

Application Number	Request	Action	Date
VS-22-0182	Vacated patent easements	Approved by PC	May 2022
WS-21-0412	Supper club on the first floor of the subject parking garage	Approved by PC	October 2021
VC-0321-99	Turf landscaping	Approved by PC	April 1999
VC-1118-97	75 foot high freestanding sign	Approved by PC	August 1997
UC-0752-97	100 foot high flag pole	Approved by BCC	July 1997

Prior Land Use Requests

Application Number	Request	Action	Date
VC-0153-97	Reduced parking for a warehouse	Approved by PC	March 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	M-1	Parking lot
South	Entertainment Mixed-Use	M-1	Convenience store & gasoline station
East	Entertainment Mixed-Use	H-1	Allegiant Stadium
West	Entertainment Mixed-Use & Public Facilities	M-1	NV Energy substation & parking lot

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 or in the areas surrounding the subject property since the original approval. Additionally, the applicant has demonstrated progress towards obtaining all necessary permits for construction of the project. For these reasons, staff can support the request for additional time.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until August 19, 2024 to commence.

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

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: TIMOTHY HERBST

CONTACT: CASSANDRA WORRELL, 520 SOUTH FOURTH STREET, LAS VEGAS, NV 89101

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input 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) WS-20-0294 (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>ET-22-400100</u> DATE FILED: <u>8/11/22</u> PLANNER ASSIGNED: <u>SAL</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>9/27/22</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>10/19/22</u> FEE: <u>✓ paid</u>
	PROPERTY OWNER NAME: <u>Herbst Family Limited Partnership II</u> ADDRESS: <u>5195 S. Las Vegas Blvd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702.798.6400</u> CELL: <u>702.327.0291</u> E-MAIL: <u>tpherbst@terribleherbst.com</u>
	APPLICANT NAME: <u>Timothy P. Herbst - Trustee Timothy</u> ADDRESS: <u>5195 S. Las Vegas Blvd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702.798.6400</u> CELL: <u>702.327.0291</u> E-MAIL: <u>tpherbst@terribleherbst.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Jay Brown/Lebene Ohene</u> ADDRESS: <u>520 South Fourth Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u> E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>

ASSESSOR'S PARCEL NUMBER(S): 162-29-401-016, 162-29-401-014, 162-29-401-013

PROPERTY ADDRESS and/or CROSS STREETS: Polaris Ave & Russell Rd.

PROJECT DESCRIPTION: Extension of time for a previously approved application (WS-20-0294)

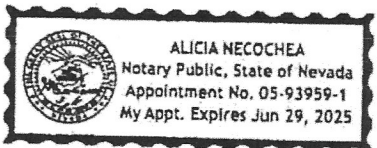
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Property Owner (Signature)* [Signature] Timothy P. Herbst
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON June 24, 2022 (DATE)

By Timothy P. Herbst
 NOTARY PUBLIC: Alicia Necochea



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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.

LAW OFFICE

Brown, Brown & Premsrirut

JAY H. BROWN
DAVID T. BROWN
PUOY K. PREMSRIRUT

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

TELEPHONE: (702) 384-5563
FACSIMILE: (702) 385-1023
EMAIL: jbrown@brownlawlv.com

July 14, 2022

Clark County Comprehensive Planning
Current Planning Division
500 Grand Central Parkway
Las Vegas Nevada 89155

ET-22-400100

RE:

**Justification Letter: Extension of Time: (WS-20-0294)
Waivers of Development Standards and Design Review for a parking garage).
Assessors' Parcel Numbers: - 162-29-401-013, 162-29-401-014 & 162-29-401-016.**

To Whom It May Concern:

On behalf of our Client, Herbst Family Limited Partnership II, please accept this application package for a request for the first Extension of Time for a previously approved parking garage (WS-20-0294) in conjunction with an existing convenience store, gasoline station and warehouse building. The project is on a total of 4.0 acres and is located on the west side of Polaris Avenue and the north side of Russell Road.

This request is for a two (2) year extension of time to obtain all required building permits, commence construction, and complete the project. This extension of time request is required because construction has not yet commenced on the project. The application (WS-20-0294) was originally approved by the Clark County Board of County Commissioners on August 19, 2020, with two (2) years to complete being August 19, 2022. A subsequent application for a supper club within a portion of the garage (UC-21-0412) was approved on October 05, 2021, is still active and is not a part of this application. The building permits for the garage and construction must commence for the garage prior to the supper club.

The building permits for the garage are submitted and under review at this time.

Below are all the permits submitted and under review.

Foundations Only Permit (Phased Agreement) – BD22-23457
Grading Only Permit – BD22-24502
Parking Garage Permit – BD22-29184

The information provided above demonstrates that the Applicant is diligently pursuing permits and working to commence construction of the project as soon as possible. The request for the two (2) year extension of time is to ensure enough time to allow for the issuance of all required permits, completion of technical studies to allow the commencement and completion of the project.

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LAW OFFICE

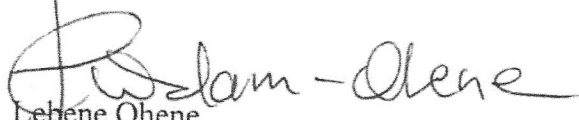
Brown, Brown & Premsrirut

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

We appreciate your review and approval of the application as requested. Please contact me at 702-598-1429, if you have any questions or need additional information.

Sincerely,

BROWN, BROWN & PREMSRIRUT


Lebene Ohene
Land Use and Development Consultant