



## Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

October 10, 2023

7:00pm

**Note:**

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

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

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

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

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

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

- III. Approval of Minutes for September 26, 2023. (For possible action)
- IV. Approval of the Agenda for October 10, 2023 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items (for discussion only)

VI. Planning and Zoning

- 1. **PA-23-700023-AUTOZONE INC:**  
**PLAN AMENDMENT** to redesignate the existing land use category from Neighborhood Commercial (NC) to Business Employment (BE) on 2.0 acres. Generally located on the southwest corner of Desert Inn Road and Mojave Road within Paradise. TS/gc (For possible action) **PC 10/3/23**
- 2. **ZC-23-0522-AUTOZONE, INC.:**  
**ZONE CHANGE** to reclassify 2.0 acres from a C-1 (Local Business) Zone to an M-D (Designed Manufacturing) Zone.  
**USE PERMIT** to allow retail sales.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) alternative street landscaping; 2) landscaping; 3) increase retaining wall height; and 4) driveway geometrics.  
**DESIGN REVIEW** for a warehouse/storage building addition in conjunction with an existing retail building. Generally located on the southwest corner of Desert Inn Road and Mojave Road within Paradise (description on file). TS/jor/syp (For possible action) **PC 10/3/23**
- 3. **YS-23-0523-AUTOZONE, INC.:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Desert Inn Road and Sego Drive and between Pecos-Mcleod Interconnect and Mojave Road within Paradise (description on file). TS/jor/syp (For possible action) **PC 10/3/23**
- 4. **WS-23-0499-SEC 1910, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** for a loading bay within the front of the complex.  
**DESIGN REVIEW** for a proposed food (salmon) processing facility in conjunction within an existing office/warehouse building on 1.1 acres in an M-D (Designed Manufacturing) Zone and an M-D (Designed Manufacturing) (AE-60) Zone. Generally located on the north side of Maule Avenue, 325 feet east of Spencer Street within Paradise. JG/hw/syp (For possible action) **PC 10/3/23**

5. **PA-23-700030-KAVISON HOMES LLC:**  
**PLAN AMENDMENT** to redesignate the existing land use category from Neighborhood Commercial (NC) to Compact Neighborhood (CN) on 0.8 acres. Generally located on the southwest corner of Pecos Road and Oquendo Road within Paradise. JG/gc (For possible action)  
PC 11/7/23
  
6. **ZC-23-0649-KAVISON HOMES, LLC:**  
**ZONE CHANGE** to reclassify 0.8 acres from an R-E (Rural Estates Residential) Zone to an R-3 (Multiple Family Residential) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce garage openings onto a drive aisle; 2) reduce street landscaping; 3) reduce setbacks; 4) increase building height; 5) reduce the height/setback ratio requirement adjacent to a single family residential use; and 6) allow modified street standards.  
**DESIGN REVIEW** for a multiple family (condominium) development. Generally located on the south side of Oquendo Road and the west side of Pecos Road within Paradise (description on file). JG/md/syp (For possible action)  
PC 11/7/23
  
7. **TM-23-500131-KAVISON HOMES LLC:**  
**TENTATIVE MAP** consisting of 8 condominium units and common lots on 0.8 acres in an R-3 (Multiple Family Residential) Zone. Generally located on the south side of Oquendo Road and the west side of Pecos Road within Paradise. JG/md/syp (For possible action)  
PC 11/7/23
  
8. **UC-23-0613-E-BEVERLY HOLDINGS, LLC:**  
**USE PERMIT** to reduce the separation from a proposed on-premises consumption of alcohol establishment (supper club) to a residential use, in conjunction with an existing shopping center on 6.3 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Warm Springs Road and the east side of Eastern Avenue within Paradise. JG/jor/syp (For possible action)  
PC 11/7/23
  
9. **UC-23-0617-VANDREY PROPERTIES, LLC:**  
**USE PERMIT** to allow a personal services (barbershop) establishment within an existing commercial center on 1.0 acres in a C-2 (General Commercial) (AE-65) Zone and an M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the east side of Decatur Boulevard and the south side of Teco Avenue within Paradise. MN/rp/syp (For possible action)  
PC 11/7/23
  
10. **UC-23-0624-GIBSON CAPITAL MANAGEMENT LLC:**  
**USE PERMIT** to reduce the separation from outside dining to a residential use.  
**DESIGN REVIEW** for a restaurant with drive thru and outside dining area on 0.7 acres in a C-1 (Local Business) Zone. Generally located on the north side Warm Springs Road, 168 feet east of Paradise Bay Drive within Paradise. MN/jud/syp (For possible action)  
PC 11/7/23

11. **WS-23-0622-ISLAMIC INFORMATION CENTER LIVING TRUST:**  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce setbacks.  
**DESIGN REVIEW** for carports with solar panels in conjunction with an existing place of worship on 1.7 acres in an R-E (Rural Estates Residential) Zone. Generally located on the southwest corner of Rawhide Street and Caliente Street within Paradise. JG/jud/syp (For possible action) **PC 11/7/23**
12. **DR-23-0630-VENETIAN PROPCO, LLC:**  
**DESIGN REVIEWS** for the following: 1) wall sign area; 2) animated sign area; 3) animated sign number; and 4) modifications to an approved sign package in conjunction with an existing resort hotel (Venetian/Palazzo) on 63.2 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Sands Avenue within Paradise. TS/hw/syp (For possible action) **BCC 11/8/23**
13. **DR-23-0636-FLAMINGO LV OPERATING CO, LLC:**  
**DESIGN REVIEWS** for the following: 1) facade remodel; 2) addition; and 3) modification to an approved comprehensive sign plan in conjunction with a restaurant within a resort hotel (Flamingo) on a portion of 19.4 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas Boulevard South, 200 feet north of Flamingo Road within Paradise. TS/sd/syp (For possible action) **BCC 11/8/23**
14. **UC-23-0631-BUDGET RENT A CAR SOUTHERN CA:**  
**USE PERMIT** for a monorail on approximately 11.2 acres in an M-1 (Light Manufacturing) Zone and a C-2 (General Commercial) (AE-70, AE-65, & AE-60) Zone. Generally located between Desert Inn Road and Warm Springs Road, and between Maryland Parkway and Valley View Boulevard within Paradise and Enterprise. MN/JG/JJ/bb/syp (For possible action) **BCC 11/8/23**
15. **UC-23-0637-LAS VEGAS VALLEY WATER DISTRICT:**  
**USE PERMIT** for public utility structures consisting of a pumping station, electric substation, fences and walls.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) waive off-site improvements (sidewalk); 2) reduce throat depth; 3) increase driveway width; and 4) allow pan driveways.  
**DESIGN REVIEWS** for the following: 1) public utility and structures (pumping station and electric substation); and 2) increase fill on a 5.9 acre portion of 18.2 acres in a Public Facility (P-F) Zone. Generally located on the north side of Monthill Avenue, 105 feet east of Hazelcrest Drive within Paradise. TS/jba/syp (For possible action) **BCC 11/8/23**
16. **WC-23-400131 (DR-19-0906)-MANDALAY PROPCO, LLC:**  
**WAIVER OF CONDITIONS** of a design review requiring full animation allowed only when Mandalay Bay Road is closed to vehicle traffic, with animation at other times to consist of static images that are displayed for a minimum of 1 hour before transitioning to the next static image in conjunction with an existing Resort Hotel (Mandalay Bay) on 124.1 acres in an H-1 (Limited Resort and Apartment) Zone and an H-1 (Limited Resort and Apartment) (AE-60 & AE-65) Zone. Generally located on the north and south sides of Mandalay Bay Road and the west side of Las Vegas Boulevard South within Paradise. MN/mh/syp (For possible action) **BCC 11/8/23**

17. **WS-23-0593-MGP LESSOR, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** for reduced driveway throat depth.  
**DEVIATION** for existing sidewalk and landscaping.  
**DESIGN REVIEW** for an update to a previously approved resort hotel with all associated and accessory uses, structures, and incidental buildings and structures on 69.8 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the west side of Las Vegas Boulevard South, 1,300 feet south of Spring Mountain Road within Paradise. TS/jor/syp (For possible action) **BCC 11/8/23**
18. **WS-23-0607-WINDMILL LANE SERIES SIERRA INVESTMENT PROPERTIES:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) architectural compatibility; and 2) reduce throat depth.  
**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; and 2) proposed office buildings on 1.1 acres in a CRT (Commercial Residential Transitional) Zone. Generally located on the south side of Windmill Lane, 660 feet east of Spencer Street within Paradise. MN/lm/syp (For possible action) **BCC 11/8/23**

VII. General Business (For possible action)

**Appoint a representative and an alternate to the Community Development Advisory Committee (CDAC) for 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 discussion, action, or vote may be taken on this agenda item. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: October 31, 2023.

X. Adjournment.

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



## Paradise Town Advisory Board

September 26, 2023

### MINUTES

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

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

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

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

Lorna Phegley; Planning, Blanca Vazquez; Community Liaison

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

II. Public Comment:  
**None**

III. Approval of September 12, 2023 Minutes

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

Approval of Agenda for September 26, 2023

**Moved by: Williams**  
**Action: Approve with holding items #1, #2, #3 and #5, all items returning to the 10/10/23 Paradise TAB meeting**  
**Vote: 4-0 Unanimous**

V. Informational Items (For Discussion only)

VI. Planning & Zoning

1. **PA-23-700023-AUTOZONE INC:**  
**PLAN AMENDMENT** to redesignate the existing land use category from Neighborhood Commercial (NC) to Business Employment (BE) on 2.0 acres. Generally located on the southwest corner of Desert Inn Road and Mojave Road within Paradise. TS/gc (For possible action) **PC 10/3/23**

**Held per applicant. Return to the Paradise 10/10/23 Paradise TAB meeting**

2. **ZC-23-0522-AUTOZONE, INC.:**  
**ZONE CHANGE** to reclassify 2.0 acres from a C-1 (Local Business) Zone to an M-D (Designed Manufacturing) Zone.  
**USE PERMIT** to allow retail sales.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) alternative street landscaping; 2) landscaping; 3) increase retaining wall height; and 4) driveway geometrics.  
**DESIGN REVIEW** for a warehouse/storage building addition in conjunction with an existing retail building. Generally located on the southwest corner of Desert Inn Road and Mojave Road within Paradise (description on file). TS/jor/syp (For possible action) **PC 10/3/23**

**Held per applicant. Return to the Paradise 10/10/23 Paradise TAB meeting**

3. **VS-23-0523-AUTOZONE, INC.:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Desert Inn Road and Sego Drive and between Pecos-Mcleod Interconnect and Mojave Road within Paradise (description on file). TS/jor/syp (For possible action) **PC 10/3/23**

**Held per applicant. Return to the Paradise 10/10/23 Paradise TAB meeting**

4. **SC-23-0569-29 MCCARRAN CENTER LC:**  
**STREET NAME CHANGE** for a private drive from Harrahs Court to State of Nevada Way. Generally located on the east side of Bermuda Road and the north side of Capovilla Avenue within Paradise. MN/jud/syp (For possible action) **PC 10/3/23**

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

5. **WS-23-0499-SEC 1910, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** for a loading bay within the front of the complex.  
**DESIGN REVIEW** for a proposed food (salmon) processing facility in conjunction within an existing office/warehouse building on 1.1 acres in an M-D (Designed Manufacturing) Zone and an M-D (Designed Manufacturing) (AE-60) Zone. Generally located on the north side of Maule Avenue, 325 feet east of Spencer Street within Paradise. JG/hw/syp (For possible action) **PC 10/3/23**

**Held per applicant. Return to the Paradise 10/10/23 Paradise TAB meeting**

6. **UC-23-0592-UNIVERSITY BOARD OF REGENTS:**  
**USE PERMITS** for the following: 1) temporary construction storage; and 2) temporary parking lot.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) waive noise standards; and 2) allow temporary construction, storage, and staging activities beyond daytime hours.  
**DESIGN REVIEW** for a temporary construction storage, staging, and parking lot on 36.8 acres in an H-1 (Limited Resort and Apartment) (AE-60, AE-65, & AE-70) Zone. Generally located on the north side of Tropicana Avenue and the east side of Deckow Lane within Paradise. JG/jor/xx (For possible action) **BCC 10/4/23**

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

7. **UC-23-0599-PARADISE 12 LLC:**  
**USE PERMITS** for the following: 1) caterer; 2) temporary construction activities; and 3) temporary construction storage.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow a catering facility within a membrane structure (tent); 2) eliminate parking and loading spaces; 3) eliminate landscaping and screening; 4) allow alternative site design standards; and 5) waive noise standards.  
**DESIGN REVIEW** of a temporary catering facility (6 tents) and temporary construction activities and storage in conjunction with a racetrack on 12.0 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the west side of Paradise Road, 540 feet south of Flamingo Road within Paradise. JG/lm/xx (For possible action) **BCC 10/4/23**

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

8. **AR-23-400118 (DR-22-0582)-CAPSTONE CHRISTIAN ACADEMY:**  
**DESIGN REVIEW FIRST APPLICATION FOR REVIEW** for an addition to an existing school on 2.0 acres in an R-E (Rural Estates Residential) Zone. Generally located on the west side of Paradise Road and the south side of Serene Avenue within Paradise. MN/rp/syp (For possible action) **PC 10/17/23**

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

9. **DR-23-0577-COUNTY OF CLARK (AVIATION):**  
**DESIGN REVIEW** for modifications to a portion of Harry Reid International Airport to construct a new improvement on a 7.0 acre portion of 31.6 acres in a P-F (Public Facility) (AE-65 & AE-70) Zone. Generally located on the north and south sides of Russell Road (alignment), approximately 370 feet east of Las Vegas Boulevard South within Paradise. JG/sd/syp (For possible action) **PC 10/17/23**

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



10. **UC-23-0578-VALLEY VIEW INDUSTRIAL INVESTORS, LP:**  
**USE PERMIT** to allow a pharmacy in conjunction with an existing office/warehouse complex on a portion of 13.1 acres in an M-1 (Light Manufacturing) Zone. Generally located on the west side of Valley View Boulevard and the north side of Viking Road within Paradise. JJ/hw/syp (For possible action) **PC 10/17/23**

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

11. **WC-23-400086 (WS-0462-14)-FERNANDEZ AMALIA HERNANDEZ & HERNANDEZ JORGE T:**  
**WAIVER OF CONDITIONS** of a waiver of development standards requiring landscaping per Figure 30.64-11 along the south side of the addition in conjunction with an existing single family residence on 0.2 acres in an R-1 (Single Family Residential) (AE-60) zone within the Midtown Maryland Parkway District. Generally located on the west side of Barbara Way and the north side of Hacienda Avenue within Paradise. JG/rp/syp (For possible action) **PC 10/17/23**

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

12. **WS-23-0585-PKV 1031 LAS VEGAS, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce parking for an existing multiple family residential development with commercial components on 6.1 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the north side of Twain Avenue and the west side of I 15 within Paradise. JJ/sd/xx (For possible action) **PC 10/17/23**

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

13. **AR-23-400123 (UC-21-0332)-ERBR, LLC:**  
**USE PERMITS FIRST APPLICATION FOR REVIEW** for the following: 1) swap meet; 2) fairground; and 3) recreational facility with accessory food, beverage, and retail sales.  
**WAIVER OF DEVELOPMENT STANDARDS** to eliminate landscaping.  
**DESIGN REVIEWS** for the following: 1) swap meet; 2) fairground; and 3) recreational facility on 4.6 acres in a C-2 (General Commercial) Zone. Generally located on the west side of Boulder Highway, 1,000 feet south of Indios Avenue within Paradise. TS/mh/syp (For possible action) **BCC 10/18/23**

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

14. **VS-23-0584-FORTRESS EQUITIES, LLC ETAL & TANYA KADISHA, LLC:**  
**VACATE AND ABANDON** a portion of right-of-way being Rogers Street located between Cameron Street and Arville Street within Paradise (description on file). MN/bb/syp (For possible action) **BCC 10/18/23**

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

15. **WS-23-0583-FORTRESS EQUITIES, LLC ETAL & TANYA KADISHA, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** for increased retaining wall height.  
**DESIGN REVIEW** for finished grade on 2.0 acres in an M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the southeast corner of Russell Road and Rogers Street within Paradise. MN/bb/syp (For possible action) **BCC 10/18/23**

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

16. **TM-23-500123-FORTRESS EQUITIES, LLC ETAL & TANYA KADISHA, LLC:**  
**TENTATIVE MAP** consisting of a 1 lot commercial subdivision on 2.0 acres in an M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the southeast corner of Russell Road and Rogers Street within Paradise. MN/bb/syp (For possible action) **BCC 10/18/23**

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

- VI. General Business (for possible action)
- VII. Public Comment  
**None**
- VIII. Next Meeting Date  
**The next regular meeting will be October 10, 2023**
- IX. Adjournment  
**The meeting was adjourned at 7:55 p.m.**

10/03/23 PC AGENDA SHEET

PLAN AMENDMENT  
(TITLE 30)

DESERT INN RD/MOJAVE RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**PA-23-700023-AUTOZONE INC:**

**PLAN AMENDMENT** to redesignate the existing land use category from Neighborhood Commercial (NC) to Business Employment (BE) on 2.0 acres.

Generally located on the southwest corner of Desert Inn Road and Mojave Road within Paradise.  
TS/gc (For possible action)

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RELATED INFORMATION:

APN:  
162-13-503-017

**LAND USE PLAN:**  
WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

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

- Site Address: 3185 E. Desert Inn Road
- Site Acreage: 2

Applicant's Justification

The applicant states the site is increasingly surrounded by employment areas and commercial uses, and that designating the site for Business Employment (BE) uses is in-line with the uses existing in the area. The site is underutilized as a large portion of the parcel is undeveloped. Designating the site as BE would revitalize the site. The site is located along a 100 foot wide arterial street (Desert Inn Road) that can support a land use designation of BE. The change in land use designation will not alter current traffic patterns. The proposed plan amendment will not result in any additional impacts on surrounding infrastructure not already contemplated or existing in the area.

**Prior Land Use Requests**

| Application Number | Request  | Action          | Date       |
|--------------------|--|-----------------|------------|
| ZC-0307-97         | Reclassified the site from R-1 to C-1 zoning and included a use permit for an auto parts store | Approved by BCC | April 1997 |

**Surrounding Land Use**

|       | <b>Planned Land Use Category</b>                                | <b>Zoning District</b> | <b>Existing Land Use</b>                                       |
|-------|---|------------------------|--|
| North | Corridor Mixed-Use  | C-2                    | Commercial center  |
| South | Public Use  | R-1                    | Place of worship   |
| East  | Neighborhood Commercial & Compact Neighborhood (up to 18 du/ac) | C-1 & R-3              | Convenience store with gas pumps & multiple family residential |
| West  | Urban Neighborhood (greater than 18 du/ac)                      | R-4                    | Multiple family residential                                    |

**Related Applications**

| <b>Application Number</b> | <b>Request</b>  |
|---------------------------|---|
| ZC-23-0522                | Zone change to reclassify the site from C-1 to M-D zoning; use permit to allow retail as a primary use; waivers of development standards for reduced throat depth, reduced approach and departure distances, and reduced landscaping; and a design review for a warehouse building addition is a companion item on this agenda. |
| VS-23-0523                | A request to vacate and abandon government patent easements is a companion item on this agenda.   |

**STANDARDS FOR ADOPTION:**

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

**Analysis**

**Comprehensive Planning**

The applicant requests a change from Neighborhood Commercial (NC) to Business Employment (BE). Intended primary land uses in the proposed BE land use designation include office, distribution centers, warehouse/flex space, technology, and light industry. Supporting land uses include small scale commercial services, such as restaurants, athletic clubs, service-commercial, and other similar uses.

Staff finds the request to redesignate the site to Business Employment (BE) to be too intense for, and not compatible with, the surrounding area. The site is adjacent and abutting to multiple family residential uses to the west and east, and an R-1 zoned place of worship to the south. The other corners at the intersection of Desert Inn Road and Mojave Road are developed with commercial uses. There are currently no industrial zoned or planned uses in the area. The nearest industrial zoned property is a 0.65 acre, M-D zoned property that is a little less than a mile to the east at the intersection of U.S. Highway 95 and Desert Inn Road. Even though that property is zoned M-D, it is undeveloped and designated as Corridor Mixed-Use (CM) in the Master Plan. The nearest industrial planned use in the Master Plan is approximately a mile to the northeast on the northeast corner of Boulder Highway and the Flamingo Wash.

The request to BE does not comply with Policy 6.2.1 of the Master Plan which promotes ensuring the design and intensity of new development is compatible with established

neighborhoods and uses. The request is also not consistent with Policy 1.4.4 of the Master Plan which encourages in-fill development that is compatible with the scale and intensity of the surrounding area. Furthermore, the Master Plan states that BE uses should be concentrated near airports, major transportation corridors, and railroads. The site is located on an arterial street (Desert Inn Road) but at an intersection with a local road (Mojave Road), where Desert Inn Road does not have any direct access to major highways in the area such as I 15 or U.S. Highway 95. For these reasons, staff cannot support the proposed request.

**Staff Recommendation**

Denial. If approved, adopt and direct the Chair to sign a resolution adopting the amendment. This item will be forwarded to the Board of County Commissioners' meeting for final action on November 8, 2023 at 9:00 a.m., unless otherwise announced.

If this request is adopted, 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.

**STAFF ADVISORIES:**

**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 Overlength dead end in excess of 150 feet is not allowed, and that fire/emergency access must comply with the Fire Code as amended.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

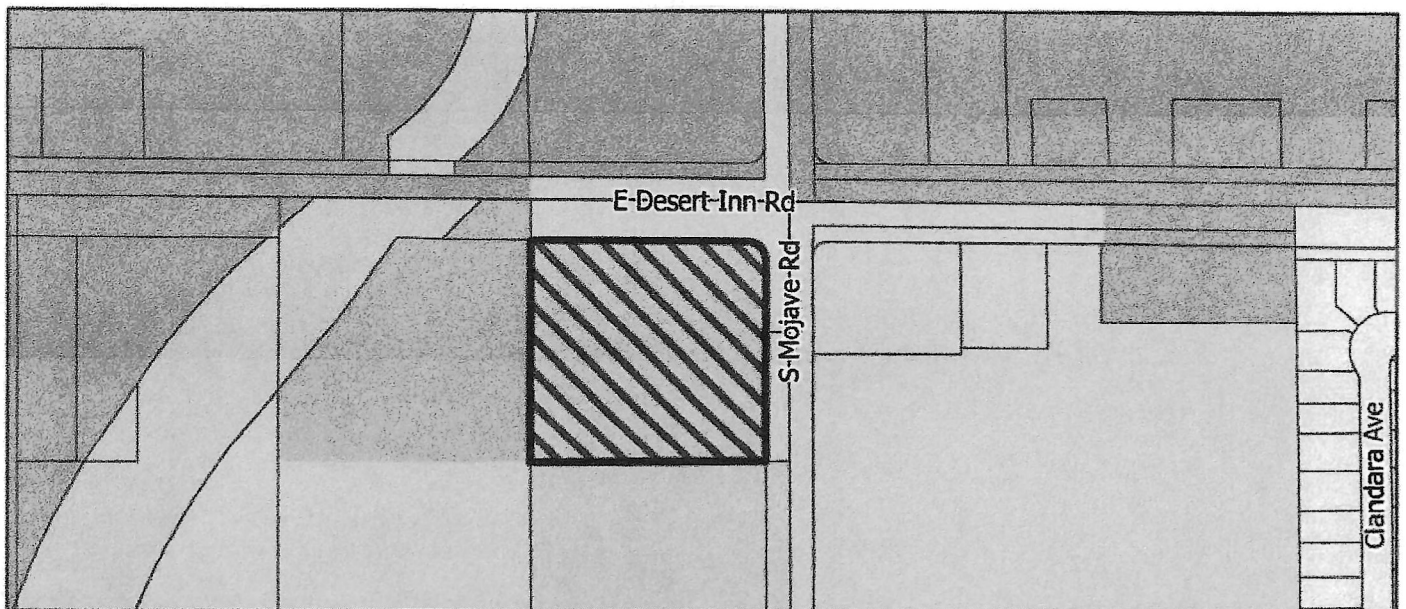
**APPLICANT:** AUTOZONE INC

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

# Planned Land Use Amendment PA-23-700023



**Current**



**Requested**

**Neighborhoods**

- Outlying Neighborhood (ON)
- Edge Neighborhood (EN)
- Ranch Estate Neighborhood (RN)
- Low-Intensity Suburban Neighborhood (LN)
- Mid-Intensity Suburban Neighborhood (MN)
- Compact Neighborhood (CN)
- Urban Neighborhood (UN)

**Employment**

- Business Employment (BE)
- Industrial Employment (IE)

**Commercial and Mixed Use**

- Neighborhood Commercial (NC)
- Corridor Mixed-Use (CM)
- Entertainment Mixed-Use (EM)

**Other**

- Agriculture (AG)
- Open Lands (OL)
- Public Use (PU)
- Major Projects (MP)

Requested Area To Change

Planning Areas

## DRAFT Winchester Paradise Clark County, Nevada

*Note: Categories denoted in the legend may not apply to the presented area.*



WAREHOUSE BUILDING ADDITION  
(TITLE 30)

DESERT INN RD/MOJAVE RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ZC-23-0522-AUTOZONE, INC.:**

**ZONE CHANGE** to reclassify 2.0 acres from a C-1 (Local Business) Zone to an M-D (Designed Manufacturing) Zone.

**USE PERMIT** to allow retail sales.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) alternative street landscaping; 2) landscaping; 3) increase retaining wall height; and 4) driveway geometrics.

**DESIGN REVIEW** for a warehouse/storage building addition in conjunction with an existing retail building.

Generally located on the southwest corner of Desert Inn Road and Mojave Road within Paradise (description on file). TS/jor/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-13-503-017

**USE PERMIT:**

Allow retail sales as a primary use within an M-D Zoning district.

**WAIVERS OF DEVELOPMENT STANDARDS:**

1.
  - a. Reduce the landscape strip adjacent to Desert Inn Road to 11 feet behind an attached sidewalk where 15 feet is required per Chapter 30.64 (a 27% reduction).
  - b. Reduce the landscape strip adjacent to Mojave Road to 8 feet behind an attached sidewalk where 15 feet is required per Chapter 30.64 (a 47% reduction).
2.
  - a. Eliminate landscaping along the west property line where Figure 30.64-11 is required per Table 30.64-2.
  - b. Reduce the required amount of landscape finger islands within existing parking spaces on the east facing elevation of the existing retail building, and on the southwest corner of the site where Figure 30.64-14 is required.
3. Increase the proposed retaining wall height along the south property line to 5 feet where 3 feet is the maximum allowed per Chapter 30.64 (a 66% increase).
4.
  - a. Reduce the driveway throat depth to 11 feet, 9 inches where 25 feet is required per Uniform Standard Drawing 222.1 (a 52% reduction).
  - b. Reduce the driveway approach distance to 79 feet, 8 inches where 150 feet is required per Uniform Standard Drawing 222.1 (a 47% reduction).

- c. Reduce the driveway departure distance to 155 feet, 6 inches where 190 feet is required per Uniform Standard Drawing 222.1 (a 47% reduction).

**DESIGN REVIEW:**

A proposed warehouse/storage building addition in conjunction with an existing retail building (AutoZone).

**PROPOSED LAND USE PLAN:**

WINCHESTER/PARADISE – BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3185 E. Desert Inn Road
- Site Acreage: 2
- Project Type: Proposed warehouse/storage building addition in conjunction with an existing retail building (AutoZone)
- Number of Stories: 1
- Building Height (feet): 18 (Existing AutoZone retail building)/21 (Proposed warehouse/storage building addition)
- Square Feet: 8,153 (Existing AutoZone retail building)/18,340 (Proposed warehouse/storage building addition)
- Parking Required/Provided: 61/68

History and Site Plan

ZC-0307-97 reclassified the site from R-1 to C-1 zoning for an auto parts store. The existing building was constructed on the eastern half of the parcel, and 49 parking spaces were provided north and east of the building. Access is provided via 1 driveway along Desert Inn Road to the north, and a second driveway along the east property line adjacent to Mojave Road.

Today, the applicant is proposing to reclassify the entire site to M-D zoning, to add a proposed warehouse/storage building addition on the west and a portion of the south side of the existing retail building. Provided parking will increase to 68 parking spaces, where 61 parking spaces are required. Additional parking will be installed to the north and west of the building addition. The site plan also depicts a new screened loading area on the southeast corner of the proposed building addition. The proposed addition will be set back 47 feet, 2 inches from the west property line, 85 feet, 5 inches from the north property line, and 20 feet, 3 inches from the south property line. There is an existing 6 foot high CMU block wall along the west and south property lines. This application includes waivers to increase retaining wall height along the south property line to 5 feet where 3 feet is the maximum allowed, landscaping, and driveway geometrics.

Landscaping

Aerial photographs show that there is an existing attached sidewalk with landscape planters along Desert Inn Road and Mojave Road. The northeast corner of the site currently does not have parking lot landscaping.



The new landscape plan shows that the existing landscape planters adjacent to the attached sidewalks will remain, and 1 new landscape finger island will be installed along the east property line. North and northwest of the building will include parking lot landscaping per Figure 30.64-14. However, the parking spaces on the east facing elevation of the existing retail building and new parking spaces on the southwest corner will be missing 1 landscape finger island each. In these areas, there will be 7 continuous parking spaces without a landscape finger island after the sixth parking space. The landscape plan shows that the site does not provide the required amount of trees.

A 20 foot wide landscape planter will be constructed along the south property line, with 24 inch box trees spaced every 20 feet. The west property line does not include a landscape planter, the only landscaping adjacent to the west property line are the 3 landscape finger islands.

The applicant is requesting to eliminate landscaping along the west property line where Figure 30.64-11 is required. In addition, the applicant is requesting to reduce the required amount of landscape finger islands within existing parking spaces on the east facing elevation of the existing retail building, and on the southwest corner of the site (adjacent to the new parking spaces) where Figure 30.64-14 is required. Furthermore, the applicant is also requesting to reduce the landscape strip adjacent to Desert Inn Road to 11 feet where 15 feet is required per Code. Lastly, the applicant is requesting to reduce the landscape strip adjacent to Mojave Road to 8 feet where 15 feet is required per Chapter 30.64.

#### Elevations

The existing retail building for AutoZone has an overall height of 18 feet. The proposed building addition has an overall height of 21 feet. The proposed color scheme of the building addition includes white, orange, dark grey, red, and light grey. The plan shows that the proposed exterior finish includes split face CMU walls.

#### Floor Plans

The existing retail building floor plan of 8,153 square feet will remain the same, however, the building addition will allow 18,340 square feet of warehouse/storage space. The new addition will also include a breakroom and restrooms.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The primary retail use of the existing AutoZone store will remain, a zone change is required due to the size of the proposed warehouse space. Per Code, the cumulative area of accessory buildings shall not exceed the footprint of the principal building. The proposed 18,340 square foot warehouse addition is more than double the size of the 8,152 square foot retail store. As a result, the applicant requests a zone change to M-D, to allow for an accessory warehouse use. The proposed zone change to M-D will not result in a change in the applicant's use of the site. Retail will remain the primary use of the site, with a larger scale storage/warehouse area as an accessory use. The additional warehouse space will allow AutoZone to continue its current operations, while better meeting the needs of the community. The site fronts onto East Desert Inn

Road, which is a highly trafficked, 100 foot right-of-way, with existing commercial and retail uses in both directions. Therefore, the site remains appropriate for retail and warehouse uses. This AutoZone location has been operating with the existing driveways for more than 2 decades, with no reported on-site, traffic issues. The design of the site will allow for sufficient on-site circulation, in that there are 2 points of ingress and egress. The applicant proposes five, 24 inch box Acacia Stenophylla Trees and one, 24 inch box Acacia Aneura tree along the western property line. Although not up to Code, the proposed landscaping will provide an adequate buffer between the retail use and the existing multiple family use to the west. The applicant also requests a waiver to reduce landscaping along East Desert Inn Road and South Mojave Road. The applicant proposed 11 feet of landscaping along East Desert Inn Road and 8 feet of landscaping along South Mojave Road, where 15 feet is required when adjacent to attached sidewalks. This landscaping is existing, and the applicant is not proposing any changes. Therefore, the proposed landscaping will not negatively impact the site or the surrounding uses. Additionally, the reduced landscaping will reduce water consumption, and therefore, support valley wide, water conservation efforts.

**Prior Land Use Requests**

| Application Number | Request  | Action          | Date       |
|--------------------|--|-----------------|------------|
| ZC-0307-97         | Reclassified the site from R-1 to C-1 zoning with a use permit for an auto parts store | Approved by BCC | April 1997 |

**Surrounding Land Use**

|       | Planned Land Use Category                                       | Zoning District | Existing Land Use  |
|-------|---|-----------------|--|
| North | Corridor Mixed-Use  | C-2             | Commercial center  |
| South | Public Use  | R-1             | Place of worship   |
| East  | Neighborhood Commercial & Compact Neighborhood (up to 18 du/ac) | C-1 & R-3       | Convenience store with gas pumps & multiple family residential |
| West  | Urban Neighborhood (greater than 18 du/ac)                      | R-4             | Multiple family residential                                    |

**Related Applications**

| Application Number | Request   |
|--------------------|---|
| PA-23-700023       | A plan amendment request to redesignate the existing land use category from Neighborhood Commercial (NC) to Business Employment (BE) on 2.0 acres is a companion item on this agenda. |
| VS-23-0523         | A request to vacate and abandon government patent easements is a companion item on this agenda.   |

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Comprehensive Planning**

#### Zone Change

The applicant is requesting to reclassify the subject parcel from C-1 zoning to M-D zoning. Today, there are 3 multiple family residential complexes (R-3 and R-4 zoning) to the west, southwest, and to the east. South of the subject parcel is an R-1 zoned place of worship. Although there are C-1 and C-2 zoned parcels to the north and east, there are no industrial zoned parcels or planned land use designations within a 5,000 foot radius. The nearest industrial planned use in the Master Plan is approximately a mile to the northeast on the northeast corner of Boulder Highway and Flamingo Wash. The request is also not consistent with Policy 1.4.4 of the Master Plan which encourages in-fill development that is compatible with the scale and intensity of the surrounding area. Staff does not support this request.

#### Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties. Retail use is an active business model on the site, however, since the applicant is requesting to reclassify the site's zoning from C-1 to M-D a use permit request is required. Staff determines that since the zone change is not supported by staff, the use permit also cannot be supported.

#### 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 #1 & #2

Staff finds that reducing or eliminating any required landscaping on the site does not support the visual image desired by the community when a commercial use expansion is adjacent to a less intense use. Landscaping provides a physical and visual buffer between a potential warehouse building addition and an existing multiple family complex to the west, and a place of worship to the south. With this information and since staff does not support the Zone Change or the Use Permit, staff also cannot support these waivers.

#### Waiver of Development Standards #3

Plans show that the proposed retaining wall height of 5 feet where 3 feet is the maximum allowed per Code is only along the south property line. The landscape plan shows that trees will be planted within a 20 foot wide landscape strip, and the retaining wall will be incorporated north of this planter area. Staff does not foresee a negative impact of raising the retaining wall height to 5 feet, however since staff does not support the request in its entirety, staff cannot support this request

Design Review

Staff finds that a warehouse/storage building addition to the existing retail building is not a compatible site design for the neighborhood. Staff cannot support the design review since the aforementioned applications do not garner staff's support.

**Public Works - Development Review**

Waiver of Development Standards #4a

Staff cannot support the reduction in throat depth for the driveway on Mojave Road. The Mojave driveway has the loading dock opposite the driveway, so trucks will have to back into the dock from the right-of-way, as well as trucks turning will block the driveway, both causing stacking of vehicles and increasing the potential for collisions.

The Applicant worked with staff to provide extra landscape buffer and removed spaces to help mitigate the reduced throat depth for the Desert Inn driveway. However, since staff cannot support this application in its entirety, staff cannot support this request.

Waiver of Development Standards #4b & #4c

Staff cannot support the reduction in approach and departure distance for both driveways. Combined with waiver #4a the reductions will increase the potential for collisions as vehicles will not have enough distance to stop if vehicles are stacked in the right-of-way.

**Staff Recommendation**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on November 8, 2023 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:**

**Comprehensive Planning**

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a Master Plan Amendment and 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; the installation and use of cooling systems that consumptively use water will be prohibited; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permit, waivers of

development standards, and design review must commence within 2 years of approval date or they will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Right-of-way dedication to include an additional 5 feet concentric to the radii at the northeast corner of the site.

**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 overlength dead end in excess of 150 feet is not allowed; and that fire/emergency access must comply with the Fire Code as amended.

**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.

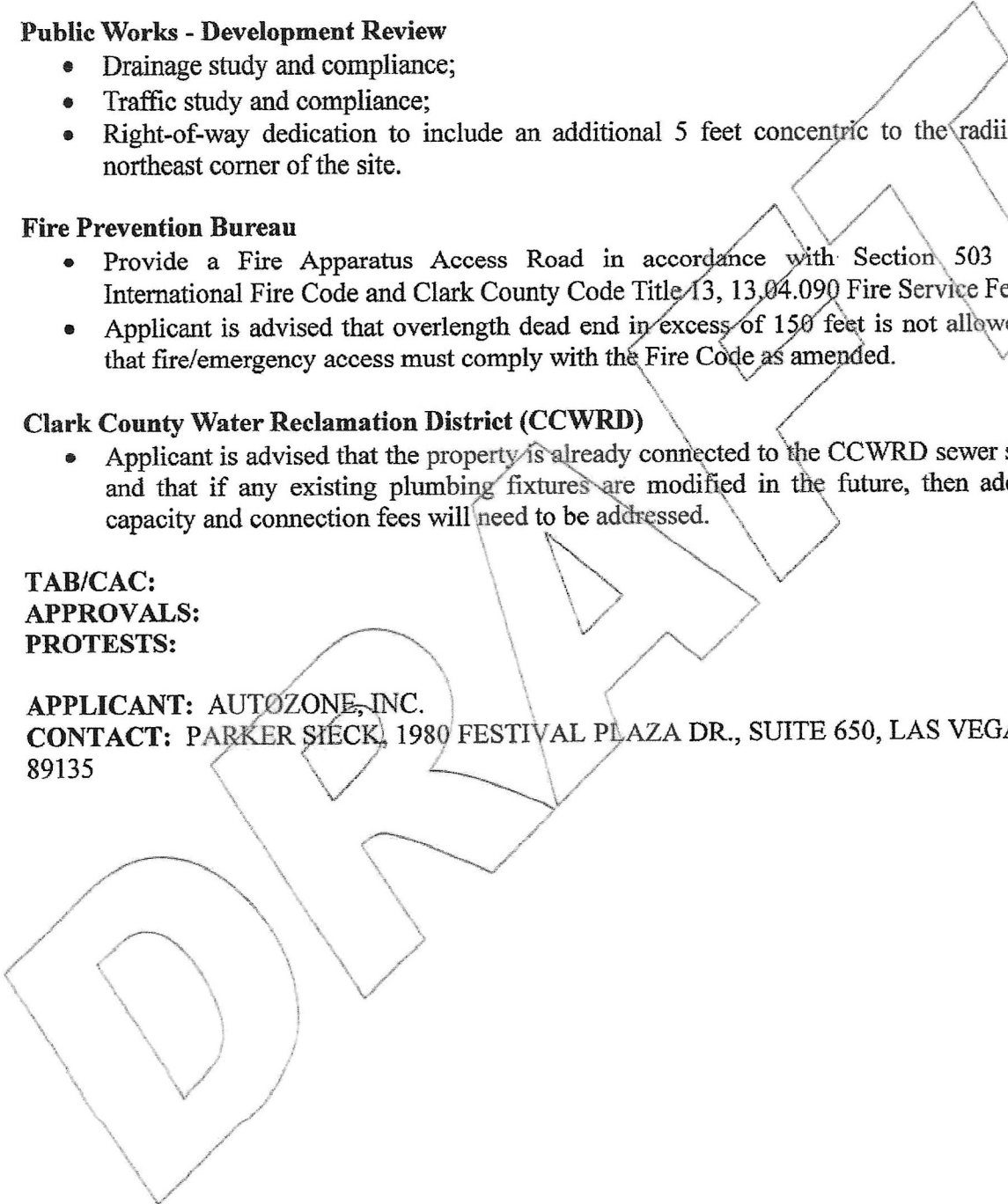
**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: AUTOZONE, INC.**

**CONTACT: PARKER SIECK, 1980 FESTIVAL PLAZA DR., SUITE 650, LAS VEGAS, NV 89135**



EASEMENTS  
(TITLE 30)

DESERT INN RD/MOJAVE RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-23-0523-AUTOZONE, INC.:**

**VACATE AND ABANDON** easements of interest to Clark County located between Desert Inn Road and Sego Drive and between Pecos-Mcleod Interconnect and Mojave Road within Paradise (description on file). TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:  
162-13-503-017

**PROPOSED LAND USE PLAN:**  
WINCHESTER/PARADISE – BUSINESS EMPLOYMENT

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

The applicant is requesting to vacate a 33 foot wide government patent easement along the west project line of the subject parcel, and a 3 foot wide patent easement along the east property line. These easements are no longer necessary for development of the site.

**Prior Land Use Requests**

| Application Number | Request   | Action          | Date       |
|--------------------|---|-----------------|------------|
| ZC-0307-97         | Reclassified the site from R-1 to C-1 zoning and include a use permit for an auto parts store | Approved by BCC | April 1997 |

**Surrounding Land Use**

|       | Planned Land Use Category                                       | Zoning District | Existing Land Use  |
|-------|---|-----------------|--|
| North | Corridor Mixed-Use  | C-2             | Commercial center  |
| South | Public Use  | R-1             | Place of worship   |
| East  | Neighborhood Commercial & Compact Neighborhood (up to 18 du/ac) | C-1 & R-3       | Convenience store with gas pumps & multiple family residential |
| West  | Urban Neighborhood (greater than 18 du/ac)                      | R-4             | Multiple family residential                                    |

**Related Applications**

| <b>Application Number</b> | <b>Request</b>  |
|---------------------------|---|
| PA-23-700023              | A plan amendment to redesignate the existing land use category from Neighborhood Commercial (NC) to Business Employment (BE) on 2.0 acres is a companion item on this agenda.   |
| ZC-23-0522                | A zone change to reclassify the site from C-1 to M-D zoning; use permit to allow retail as a primary use; waivers of development standards for reduced throat depth, reduced approach and departure distances, and reduced landscaping; and a design review for a warehouse building addition is a companion item on this agenda. |

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on November 8, 2023 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:**

**Comprehensive Planning**

- Satisfy utility companies' requirements.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

**Public Works - Development Review**

- Right-of-way dedication to include an additional 5 feet concentric to the radii at the northeast corner of the site;

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

**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 overlength dead end in excess of 150 feet is not allowed; and that fire/emergency access must comply with the Fire Code as amended.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** AUTOZONE INC

**CONTACT:** PARKER SIECK, 1980 FESTIVAL PLAZA DR., SUITE 650, LAS VEGAS, NV 89135

DRAFT



10/03/23 PC AGENDA SHEET

FOOD PROCESSING  
(TITLE 30)

MAULE AVE/SPENCER ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-23-0499-SEC 1910, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** for a loading bay within the front of the complex.

**DESIGN REVIEW** for a proposed food (salmon) processing facility in conjunction within an existing office/warehouse building on 1.1 acres in an M-D (Designed Manufacturing) Zone and an M-D (Designed Manufacturing) (AE-60) Zone.

Generally located on the north side of Maule Avenue, 325 feet east of Spencer Street within Paradise. JG/hw/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**  
177-02-603-022

**WAIVER OF DEVELOPMENT STANDARDS:**  
Allow a loading bay with roll-up/overhead doors and visible from the public right-of-way to be located within the front of the complex of an industrial building where not permitted per Section 30.60.070.

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

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

- Site Address: 1910 E. Maule Avenue
- Site Acreage: 1.1
- Project Type: Food (salmon) processing facility
- Number of Stories: 2
- Building Height (feet): 27.4
- Square Feet: 16,291
- Parking Required/Provided: 25/31

### Site Plans

The plan depicts an existing 16,291 square foot office/warehouse building located on the north side of Maule Avenue, approximately 325 feet east of Spencer Street. The plans show the office/warehouse building is in the central portion of the site, set back 86 feet from Maule Avenue, approximately 64 feet from the rear of the property, and between 25 feet to 28 feet from the interior sides. The plans show that an existing 7 foot to 8 foot CMU block wall is located along the interior and rear property lines to screen the property. Parking is mainly located in the southern portion of the building with additional spaces located in the rear of the building. There are 15 parking spaces located in the front of the building, with an additional 16 parking spaces located in the rear for a total of 31 parking spaces provided where 25 parking spaces are required. The 2 lots are connected through two, 25 foot to 28 foot drive aisles on either side of the building. An existing 7.5 foot tall chain-link fence secures these drive aisles. Access to the site is provided by 2 commercial driveways that access Maule Avenue spaced 75 feet apart. The plan also shows that a 48 foot by 10 foot loading dock with ramp and guardrails will be provided in the front of the building directly adjacent to the eastern drive aisle, which is recessed approximately 23.5 feet into the building. The loading dock ramp is set back approximately 61 feet from Maule Avenue.

### Landscaping

The plans indicate that there will only be minor changes to the existing landscaping on-site. Along the street are 3 existing 15 foot landscape islands behind an attached sidewalk. The islands are on all sides of the provided commercial driveways. The plants provided within these landscape strips include several palm trees and shrub palms along with 2 other tree species. Within the front parking lot, landscaping is provided per Figure 30.64-14, with 2 existing landscaping terminal islands and the 15 foot street landscaping strip located adjacent to a strip of 7 parking spaces on the south side of the parking lot. In the northern portion of the southern parking lot, 2 new landscaping terminal islands have been provided each with a Red Ironbark (Eucalyptus Sideroxylon) tree. No additional landscaping is being provided within the northern parking area and no perimeter landscaping is being provided.

### Elevations

The plans depict a 27.5 foot tall office/warehouse building. The exterior of the building will mainly consist of clay colored CMU block. Along the front, varying strips of light and dark CMU blocks will be provided to articulate the front façade. There are several access points into the building. Along the front/south façade of the building a commercial window door system is provided on the west side of the façade with a roll-up door with a ramp located on the eastern side of the façade. Along the rear/northern façade of the building, 2 metal doors are located on both the eastern and western portions of the façade. On the side facades, there are no additional access points. Four windows are provided on the second story of the front façade to line up with the interior office area and pack lights are provided at regular intervals between the first and second stories.

### Floor Plans

The plans show that there will be 2 floors within the interior of the building. The first floor will primarily be a reception and processing area. A large portion of the interior space is dedicated to the freezing and refrigeration of the salmon received on-site with a 5,314 square foot freezer

room located in the northeast portion of the building, and 2 refrigerated dock areas totaling 3,232 square feet. Along the northwestern and western portions of the building are the processing areas that include a cutting room, smoker room, cleaning room, refinement room, salting area, and packaging space. In the southern and southwestern portion of the building is an office and showroom area, with an 883 square foot showroom, dock office, restrooms, and a breakroom. On the second floor, there is a 1,219 square foot office space which includes an open office area, break area, restrooms, and conference room.

**Signage**

Signage is not a part of this request.

**Applicant's Justification**

The applicant indicates the office/warehouse building will be used for the processing of salmon for sale to local businesses for final consumption. They state that the receiving, smoking, slicing, and packaging of the salmon will occur on-site. The applicant also states that the exterior of the building will remain mostly as is, except for the addition of a front facing loading dock. They state that deliveries will only occur once a week with semi-trucks that will back into the recessed loading dock that limits visibility. The applicant states that similar loading docks are provided in the area and that most changes to the building are interior.

**Prior Land Use Requests**

| Application Number | Request   | Action          | Date          |
|--------------------|---|-----------------|---------------|
| WS-0010-02         | Waived the landscaping buffer adjacent to a residential use   | Approved by PC  | February 2002 |
| ZC-1973-99         | Reclassified the site from R-E to M-D zoning for an office/warehouse building   | Approved by BCC | March 2000    |
| ZC-0673-98         | Reclassified the site from R-E to M-D zoning for a 5 building office/warehouse complex with reduced side yard setbacks- denied for APN 177-02-603-022 | Approved by BCC | June 1998     |

**Surrounding Land Use**

|                            | Planned Land Use Category | Zoning District | Existing Land Use |
|----------------------------|---------------------------|-----------------|-------------------|
| North, East, South, & West | Business Employment       | M-D             | Office/warehouse  |

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive 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.

In general, the purpose of requiring loading docks to be placed in the rear, screened, and recessed is to limit visibility that may cause distraction and visual disturbances to the neighboring area. Staff finds that there are similar loading docks in the area, particularly to the east of the site. In addition, the area in which the site is located other office/warehouse buildings are immediately surrounding the site, which is on a local street with limited traffic. With that said, staff finds that the location of the loading dock itself is problematic as the ramp is directly adjacent to the driveway, which limits screening opportunities and may cause trucks to enter Maule Avenue to back into the ramp. This would result in possible issues with traffic in front of the site and the viewing of the loading ramp by residences that are just beyond the adjacent industrial properties. Lastly, since the site is an existing office/warehouse building and there is an existing loading area at the rear of the site that could be modified, staff finds this request is a self-imposed hardship. For these reasons, staff cannot support this request.

#### Design Review

Overall, staff finds that the siting of a food (salmon) processing facility within an existing office/warehouse building is well placed given the industrial nature of the surrounding buildings. In addition, staff finds that the exterior of the building will minimally change with the building being similar in architecture to the nearby industrial buildings. The site also has nearby access to rail, air, and interstate connections. With that said, staff is greatly concerned with the siting of the loading dock in the front of the building due to nearby residences and the lack of sufficient screening landscaping within the front of the property. In addition, staff has additional concerns regarding the possible odors that may emanate from the site due to the processing and smoking of fish products, which is not a similar use to the surrounding industrial area. Therefore, staff cannot support this request.

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

##### Design Review

Staff cannot support this application with the loading dock opposite the easternmost driveway. Trucks will have to back into the dock from the right-of-way causing stacking of vehicle and increasing 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:**

**Comprehensive Planning**

If approved:

- Provide an intense landscaping buffer per Figure 30.64-12 along Maule Avenue to screen the loading bay from the street;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised approval of this application does not constitute or imply approval of any other County issued permit, license or approval; the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

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

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

**APPLICANT:** MARC LEMOINE

**CONTACT:** MARC LEMOINE, 9081 W. SAHARA AVENUE, SUITE 210, LAS VEGAS,  
NV 89117

PLAN AMENDMENT  
(TITLE 30)

PECOS RD/OQUENDO RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**PA-23-700030-KAVISON HOMES LLC:**

**PLAN AMENDMENT** to redesignate the existing land use category from Neighborhood Commercial (NC) to Compact Neighborhood (CN) on 0.8 acres.

Generally located on the southwest corner of Pecos Road and Oquendo Road within Paradise. JG/gc (For possible action)

---

**RELATED INFORMATION:**

**APN:**

162-36-601-006

**LAND USE PLAN:**

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 0.8

**Applicant's Justification**

The applicant states that Compact Neighborhood (CN) is appropriate for the site since the area has transitioned from low density residential to higher density residential uses and commercial uses. Directly east across Pecos Road, a property that is master planned Neighborhood Commercial (NC) was recently rezoned to R-3 per NZC-22-0005. Also, on the east side of Pecos Road, there is an existing 10.3 acre, R-3 zoned apartment complex. Commercial uses also exist farther north and south along Pecos Road. CN on the subject site would allow for a more appropriate transition between the C-2 zoned Home Depot to the south and the existing R-D zoned residential subdivision to the north. If commercial uses were to be developed on the site as planned, it would negatively impact the adjacent and abutting residential uses to the west and north. The proposed amendment will not result in any additional impacts on surrounding infrastructure not already contemplated in the area.

**Surrounding Land Use**

|       | <b>Planned Land Use Category</b>                                | <b>Zoning District</b> | <b>Existing Land Use</b>                                  |
|-------|---|------------------------|---|
| North | Mid-Intensity Suburban Neighborhood (up to 8 du/ac)             | R-D                    | Single family residential                                 |
| South | Neighborhood Commercial & Corridor Mixed-Use                    | R-E & C-2              | Access driveway to a single family residence & Home Depot |
| East  | Neighborhood Commercial & Compact Neighborhood (up to 18 du/ac) | R-3                    | Undeveloped & multiple family residential                 |
| West  | Neighborhood Commercial   | R-E                    | Undeveloped & single family residential                   |

**Related Applications**

| <b>Application Number</b> | <b>Request</b>  |
|---------------------------|---|
| ZC-23-0649                | A zone change to reclassify the site from R-E to R-3 zoning with waivers of development standards and a design review for a multiple family residential condominium is a companion item on this agenda. |
| TM-23-500131              | A tentative map for an 8 unit residential condominium complex is a companion item on this agenda.   |

**STANDARDS FOR ADOPTION:**

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

**Analysis**

**Comprehensive Planning**

The applicant requests a change from Neighborhood Commercial (NC) to Compact Neighborhood (CN) (up to 18 du/ac). Intended primary land uses in the proposed CN land use designation include single family attached and detached homes, duplexes, triplexes, fourplexes, and townhomes. Supporting land uses include accessory dwelling units, multiple family dwellings, and neighborhood serving public facilities such as parks, trails, open space, places of assembly, schools, libraries, and other complementary uses.

Staff finds the request for the Compact Neighborhood (CN) land use designation appropriate for this location. A property directly to the east across Pecos Road and planned for Neighborhood Commercial (NC) was rezoned last year to R-3 zoning per NZC-22-0005, which is conforming to the CN land use category. A 10.3 acre, R-3 zoned apartment complex also exists directly to the east across Pecos Road. Therefore, the proposed CN land use designation on the subject site is compatible with other developments in the area. Furthermore, CN would be an appropriate transition between the C-2 zoned home improvement store to the south and the R-D zoned single family residential subdivision to the north and across Oquendo Road. The request complies with Policy 1.1.1 of the Master Plan which encourages the provision of diverse housing types at varied densities and in numerous locations; in particular, seek opportunities to expand "middle" housing options that are less prevalent such as duplexes, townhomes, triplexes, fourplexes, and smaller multiple family complexes. Additionally, the request complies with Policy 1.4.4 which

encourages in-fill development in established neighborhoods that is compatible with the scale and intensity of the surrounding area.

**Staff Recommendation**

Adopt and direct the Chair to sign a resolution adopting the amendment. This item will be forwarded to the Board of County Commissioners' meeting for final action on December 6, 2023, at 9:00 a.m., unless otherwise announced.

If this request is adopted, 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.

**STAFF ADVISORIES:**

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

- No comment.

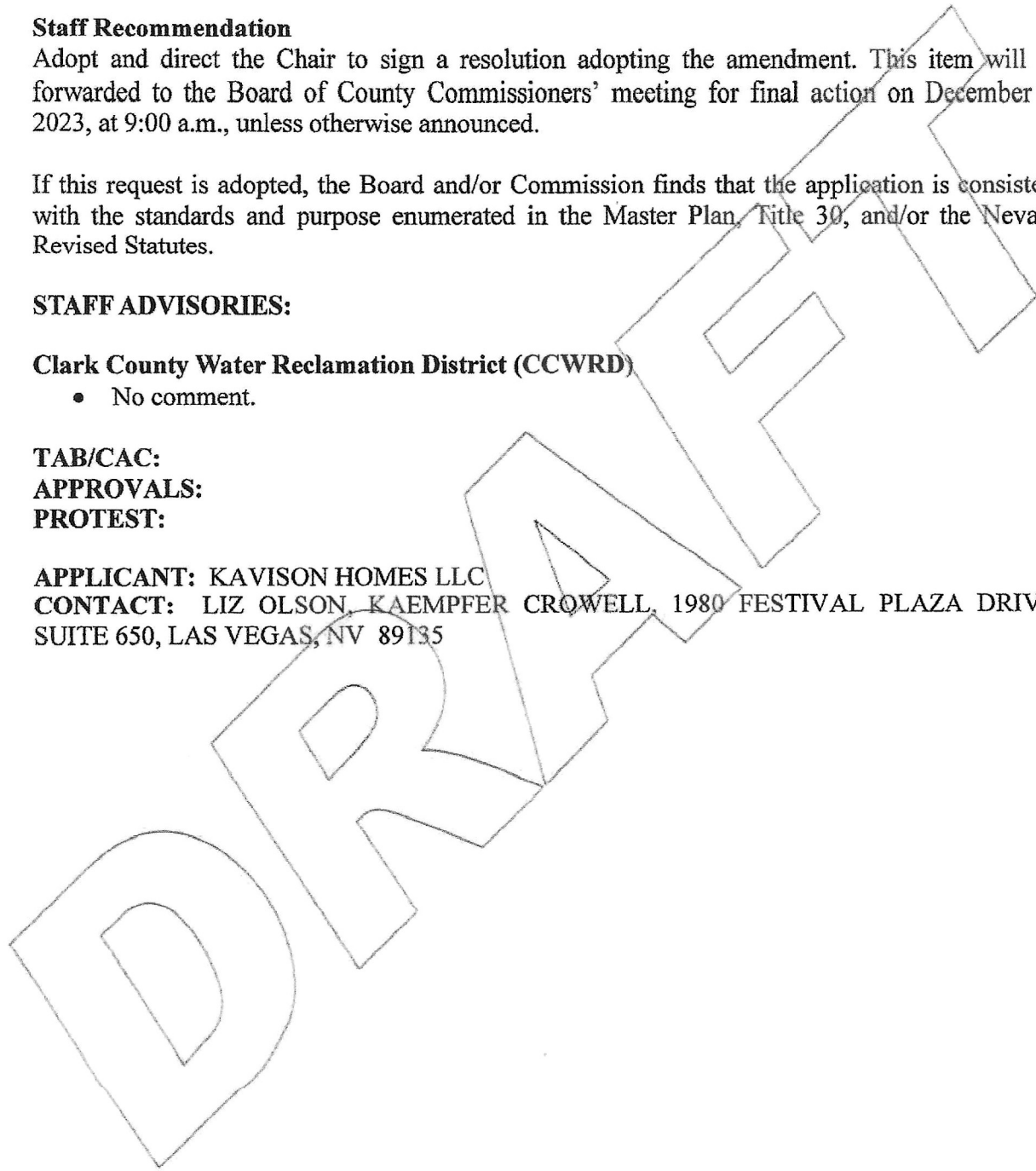
**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

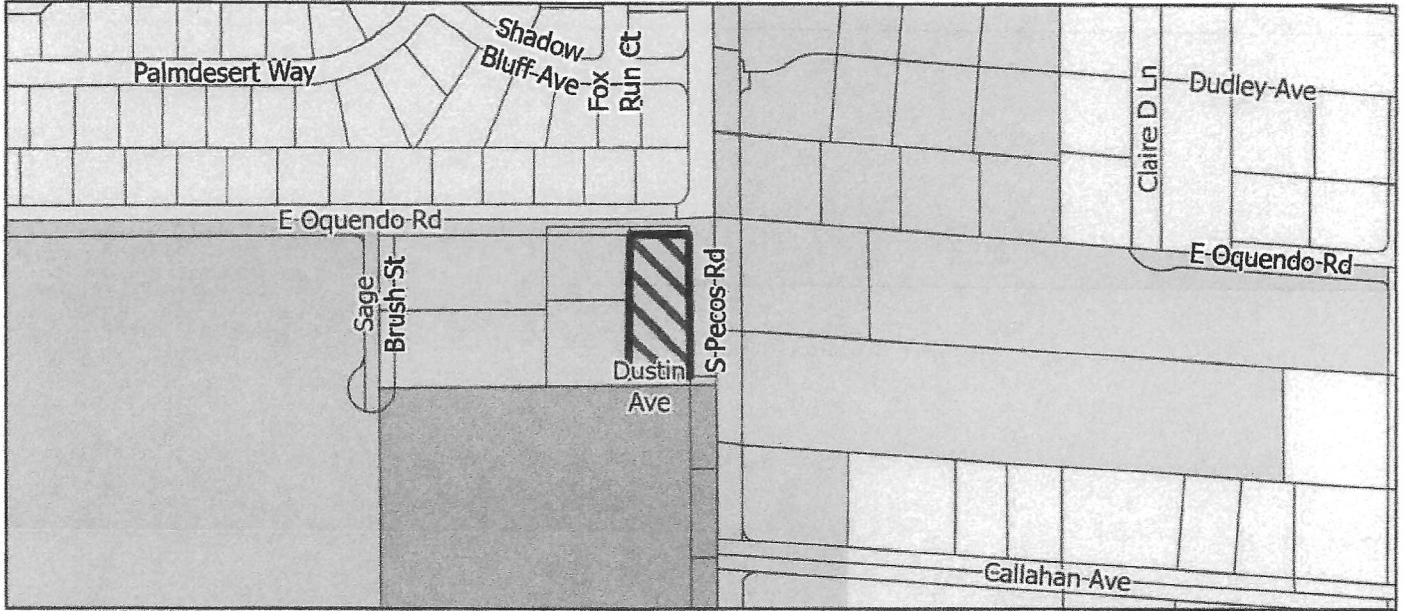
**APPLICANT:** KAVISON HOMES LLC

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





# Planned Land Use Amendment PA-23-700030



**Current**



**Requested**

**Neighborhoods**

- Outlying Neighborhood (ON)
- Edge Neighborhood (EN)
- Ranch Estate Neighborhood (RN)
- Low-Intensity Suburban Neighborhood (LN)
- Mid-Intensity Suburban Neighborhood (MN)
- Compact Neighborhood (CN)
- Urban Neighborhood (UN)

**Employment**

- Business Employment (BE)
- Industrial Employment (IE)

**Commercial and Mixed Use**

- Neighborhood Commercial (NC)
- Corridor Mixed-Use (CM)
- Entertainment Mixed-Use (EM)

**Other**

- Agriculture (AG)
- Open Lands (OL)
- Public Use (PU)
- Major Projects (MP)

Requested Area To Change

Planning Areas

## DRAFT Winchester Paradise Clark County, Nevada

*Note: Categories denoted in the legend may not apply to the presented area.*



# MASTER PLAN AMENDMENT APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

PROCESS AND SUBMITTAL REQUIREMENTS INCLUDED

|  |                                  |  |
|--|----------------------------------|--|
| <b>APPLICATION TYPE</b>  | APP. NUMBER: <u>PA-23-700030</u> | DATE FILED: <u>9-13-23</u>   |
| <input checked="" type="checkbox"/> MASTER PLAN AMENDMENT (PA)<br><input checked="" type="checkbox"/> MAP<br><input type="checkbox"/> TEXT | PLANNER ASSIGNED: <u>GRC</u>     | TAB/CAC MTG DATE: <u>10-10-23</u><br><br>TRAILS? Yes <input type="checkbox"/> No <input type="checkbox"/><br>FEE: <u>\$2,700</u> |
|  | TAB/CAC: <u>Paradise</u>         |  |
|  | PC MEETING DATE: <u>11-7-23</u>  |  |
|  | BCC MEETING DATE: <u>12-6-23</u> |  |
|  | STAFF                            |  |

|                       |  |
|-----------------------|--|
| <b>PROPERTY OWNER</b> | NAME: <u>KAVISON HOMES LLC</u>   |
|                       | ADDRESS: <u>3095 S. Patrick, Suite 6</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> |
|                       | TELEPHONE: <u>n/a</u> CELL: <u>n/a</u>   |
|                       | E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>  |

|                  |  |
|------------------|--|
| <b>APPLICANT</b> | NAME: <u>KAVISON HOMES LLC</u>   |
|                  | ADDRESS: <u>3095 S. Patrick, Suite 6</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> |
|                  | TELEPHONE: <u>n/a</u> CELL: <u>n/a</u>   |
|                  | E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>  |

|                      |   |
|----------------------|---|
| <b>CORRESPONDENT</b> | NAME: <u>Kaempfer Crowell - Liz Olson</u>   |
|                      | ADDRESS: <u>1980 Festival Plaza Dr, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> |
|                      | TELEPHONE: <u>702-693-4262</u> CELL: <u>702-792-7000</u>  |
|                      | E-MAIL: <u>psieck@kcnvlaw.com</u> REF CONTACT ID #: <u>n/a</u>  |

ASSESSOR'S PARCEL NUMBER(S): 162-36-601-006

CURRENT LAND USE PLAN DESIGNATION: Neighborhood Commercial (NC)

REQUESTED LAND USE PLAN DESIGNATION: Compact Neighborhood (CN)

PROPERTY ADDRESS and/or CROSS STREETS: SWC Pecos/Oquendo

(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.

Raymond T. Stratton  
 Property Owner (Signature)\*

Raymond T. Stratton  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON August 2, 2023 (DATE)  
 By Raymond T. Stratton  
 NOTARY PUBLIC: Sonia Macias



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

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

KAEMPFER

CROWELL

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

August 2, 2023

**VIA ONLINE SUBMITTAL**

PA-23-700030

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

**Re: *Justification Letter – Master Plan Amendment  
Kavison Homes  
APN: 162-36-601-006***

To Whom It May Concern:

Please be advised this office represents Kavison Homes (the “Applicant”) in the above-referenced matter. The proposed project is located on approximately 0.76 acres and is generally located on the southwest corner of South Pecos Road and East Oquendo Road. The property is more particularly described as APN: 162-36-601-006 (the “Site”). The Applicant is proposing an 8 unit residential condominium development. As such, the Applicant is requesting a master plan amendment from Neighborhood Commercial (NC) to Compact Neighborhood (CN). A corresponding application for a zone change to R-3 has also been submitted.

**Master Plan Amendment:**

The Site is currently planned NC and zoned R-E. This request for a zone change to R-3 and a master plan amendment to CN is appropriate for the Site and consistent with the overall intent of the Master Plan. The Site is located along Pecos Road, which is a heavily travelled 100-foot right-of-way. CN is appropriate as the area has undergone a change in trend from what was once a low density residential area, to higher density residential uses and commercial uses.

Immediately adjacent to the south is an existing Home Depot retail store, with a zoning of C-2. A 1.26 acre parcel (APN: 161-31-201-001), located on the southeast corner of Pecos Road and East Oquendo Road is master planned NC, and was recently approved for a rezoning from R-E to R-3 via application NZC-22-0005. Immediately east of South Pecos Road is a 10.25 acre site that consists of the Los Pecos Senior Apartments. That 10.25 acre Site was approved for a zone change from R-E to R-3 in June of 2002. Additionally, along Pecos Road to both the north and south are more commercial, office and higher density residential uses, along with industrial uses south of East Patrick Lane. This demonstrates the transition that the area has undergone over the past few decades.

CN is an appropriate transition from the existing Home Depot to the south and will provide a more appropriate use adjacent to the existing residential. The proposed 8 condominiums will be significantly less impactful to the adjacent residential than if the Site were to develop as commercial under the existing NC land use designation. Moreover, the need for additional housing throughout Clark County continues to increase. Therefore, we respectfully request your consideration of the amendment to the master plan, along with the corresponding request to amend the zoning to R-3.

A change of the land use plan to CN satisfies the requirements set forth in Table 30.12-3(h):

**1. The proposed amendment is consistent with the overall intent of the Master Plan:**

The Site is planned for NC which generally supports a mix of retail, restaurants, offices, service commercial, and other professional services. Whereas the Applicant is requesting an amendment to CN, which supports a wide-range of housing types, up to a density of 18 du/ac. As discussed above, the proposed amendment is appropriate for the Site and consistent with the overall intent of the Master Plan. Specifically, this proposed amendment meets the following Master Plan Goal for Paradise, where the Site is located:

- Policy WP-1.1: Transit-Supportive Development – “Encourage a diversity of land uses along major corridors at densities that support pedestrian activity and transit use. Discourage the proliferation of low-intensity, auto-oriented development in areas where high-frequency transit exists or is planned, particularly within a quarter-mile of fixed transit stations.

The Site is located along Pecos Road, a heavily travelled 100-foot right-of-way and serves as a major bus route for the valley. The proposed master plan amendment to CN meets the Master Plan Goal in that it encourages a diversity of land uses along a major corridor, and at a density that supports pedestrian activity and transit use of future residents. Along Pecos Road, between Tropicana Avenue and Sunset Road are numerous shopping and restaurant options for residents. The location of this proposed development will allow future residents to easily access these services using public transit and by foot. Additionally, there is a bus stop located in front of the Site, on Pecos Road.

**2. The proposed amendment is required based on changed conditions or further studies:**

The proposed master plan amendment to CN meets the newly adopted Transform Clark County Master Plan Countywide Goals and Policies.

There is a change in trend occurring in the area, from what was once a low density residential area, to higher density residential uses and commercial uses. With the Site fronting Pecos Road, a low density residential use is no longer practical for the Site. Moreover, a

commercial use on the Site would be far more impactful to the existing residential adjacent to the west and north. Therefore, the proposed amendment is in keeping with this consideration as identified in the Master Plan.

**3. The proposed amendment is compatible with the surrounding area:**

Due to the location along Pecos Road and adjacent uses, the Site is ideal for an infill condominium development. As previously mentioned, Pecos Road, between Tropicana Avenue and Sunset Road, has undergone a significant transition from what was once a low density residential area, to higher density residential uses and commercial uses. Additional commercial on this Site would create higher traffic, light and noise, negatively impacting the adjacent residential. The proposed CN designation will provide an appropriate transition and buffer from the Home Depot to the south and Pecos Road to the east. Additionally, the proposed project will assist with addressing the valley-wide housing crisis by providing alternative housing options for the area.

**4. Strict adherence to the current goals and policies of the Master Plan would result in a situation neither intended by nor in keeping with the other core values, goals and policies:**

The Winchester/Paradise areas contain some of the most urbanized and developed areas in the Las Vegas Valley. This planning area is notable for the high concentration of multi-family residential near the Las Vegas Strip, between Paradise Road and Maryland Parkway, and along other major roadways in the planning area. Pecos Road is a major roadway that has undergone a significant transition to more commercial and higher density residential uses over the past couple decades. Considering the location and size (.76 acres) of parcel, the proposed CN designation makes for an appropriate infill project. It is compatible with surrounding and recently approved uses, and will provide a different housing option to the area.

**5. The proposed amendment will not have a negative effect on the adjacent properties or on transportation services and facilities:**

The proposed master plan amendment to CN will not have a negative effect on adjacent properties, transportation, or facilities. The surrounding area is largely commercial and higher density residential uses along Pecos Road. The Site is currently master planned NC, which generally supports a mix of retail, restaurants, offices, service commercial, and other professional services. The proposed master plan amendment to CN will allow for a less intensive residential use, which will result in less traffic than the current NC master plan. Additionally, approval will be conditioned upon a traffic study and compliance with the study. Therefore, the proposed amendment and zone change will not have a negative effect on adjacent properties or on transportation services and facilities.

**6. The proposed amendment will have a minimal effect on service provisions or is compatible with existing and planned service provisions and further development of the area:**

The proposed plan amendment will not result in any additional impacts on surrounding infrastructure not already contemplated in the area. The Site is currently planned for commercial uses. Therefore, the CN will be less intense overall and will not create a negative impact to service in the area.

**7. The proposed amendment will not cause a detriment to the public health, safety, and general welfare of the people of Clark County:**

The proposed amendment will not cause any detriment to public health, safety or general welfare to the people of Clark County. There is a serious need for additional housing opportunities. This project will be a benefit, not a detriment, to the community. Fire services and police services similarly will not be substantially affected by the development of the Site.

Based on the above information, a master plan amendment to CN is appropriate, and the Applicant has satisfied the standard for approval. Thank you for your consideration of this request. Please let me know if you have any questions.

Sincerely,

KAEMPFER CROWELL



Elisabeth E. Olson

11/07/23 PC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL  
(TITLE 30)

PECOS RD/OQUENDO RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
ZC-23-0649-KAVISON HOMES, LLC:

**ZONE CHANGE** to reclassify 0.8 acres from an R-E (Rural Estates Residential) Zone to an R-3 (Multiple Family Residential) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce garage openings onto a drive aisle; 2) reduce street landscaping; 3) reduce setbacks; 4) increase building height; 5) reduce the height/setback ratio requirement adjacent to a single family residential use; and 6) allow modified street standards.

**DESIGN REVIEW** for a multiple family (condominium) development.

Generally located on the south side of Oquendo Road and the west side of Pecos Road within Paradise (description on file). JG/md/syp (For possible action)

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RELATED INFORMATION:

**APN:**

162-36-601-006

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the setback for a garage opening onto a drive aisle to 3 feet where a minimum of 8 feet is required per Section 30.56.040 (a 62.5% reduction).
2. Allow reduced street landscaping along Oquendo Road where 15 feet of landscaping is required behind an existing attached sidewalk per Section 30.64.030.
3.
  - a. Reduce the front setback for a decorative fence to 1 foot where 20 feet is required per Table 30.40-3 (a 95% reduction).
  - b. Reduce the side street (corner) setback for a decorative fence to 1 foot where 20 feet is required per Table 30.40-3 (a 95% reduction).
  - c. Reduce the setback from the right-of-way (Oquendo Road and Pecos Road) for a decorative fence to 1 foot where 10 feet is required per Section 30.56.040 (a 90% reduction).
4. Increase building height to 37 feet where a maximum building height of 35 feet is permitted per Table 30.40-3 (a 5.8% increase).
5. Reduce the height/setback ratio requirement adjacent to a single family residential use to 56 feet where 93 feet is required per Section 30.56.070 and Figure 30.56-10 (a 43.1% reduction).
6. Reduce the departure distance from the intersection of Pecos Road and Oquendo Road to a driveway to 68 feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1 (a 64.2% reduction).

**PROPOSED LAND USE PLAN:  
WINCHESTER/PARADISE - COMPACT NEIGHBORHOOD**

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 0.76
- Number of Units: 8
- Density (du/ac): 10.6
- Project Type: Multiple family (condominium) development
- Number of Stories: 3
- Building Height (feet): 37 (multiple family buildings)/10.5 (shade structure)
- Square Feet: 1,745 (each dwelling unit)
- Open Space Required/Provided: 1,600/2,436
- Parking Required/Provided: 22/29

Request

The applicant is requesting a zone boundary amendment to reclassify 0.8 acres from an R-E to an R-3 zoning district for a proposed multiple family (condominium) development consisting of two, 3-story buildings each featuring 4 dwelling units. Application PA-23-700030 is the corresponding plan amendment for the subject property requesting to change the planned land use from Neighborhood Commercial (NC) to Compact Neighborhood (CN).

Site Plans

The plans depict a proposed multiple family (condominium) development consisting of 2 buildings featuring a total of 8 dwelling units with a density of 10.6 dwelling units per acre. The buildings are located on the east portion of the site, along Pecos Road, and are oriented in a north/south direction. The multiple family building located on the north half of the site is designed with the following setbacks: 1) 19 feet from the north property line along Oquendo Road, requiring a waiver of development standards to reduce the setback; 2) 20 feet from the east property line adjacent to Pecos Road; 3) 176 feet from the south property line; and 4) 53 feet from the west property line. The multiple family building located on the south half of the site features the following setbacks: 1) 175 feet from the north property line along Oquendo Road; 2) 20 feet from the east property line adjacent to Pecos Road; 3) 56 feet from the west property line; and 4) 20 feet from the south property line. A waiver to reduce the height setback for the south building is required as the adjacent property to the west is developed with a single family residence. Access to the multiple family development is granted via a single driveway located along Pecos Road. A waiver of development standards is required to reduce the departure distance from the intersection of Oquendo Road and Pecos Road to the driveway serving the development. An "emergency access only" gate is located at the north portion of the site, adjacent to Oquendo Road. The multiple family development requires 22 parking spaces where 29 parking spaces are provided. An additional waiver is required to reduce the setback from a garage opening onto a drive aisle to 3 feet for both multiple family buildings. The garage doors are located along the west side of the buildings oriented towards the interior of the site. The finished grade for the development will not exceed 36 inches.



### Landscaping

The plans depict a landscape area measuring between 3.5 feet to 9 feet in width along Oquendo Road, located behind an existing 5 foot wide attached sidewalk. A street landscape area measuring 15 feet in width is located behind an existing 5 foot wide attached sidewalk adjacent to Pecos Road. The street landscape areas consist of trees, shrubs, and groundcover. A waiver of development standards is required to reduce the width of the street landscape area. A 6 foot high decorative fence is located within the street landscape area along Oquendo Road and Pecos Road. A 10 foot wide landscape area, with medium and large Evergreen trees, is located along the west property line adjacent to the undeveloped parcel and the single family residence. The majority of the landscape area behind the decorative fence measures 10 feet in width and consists of trees, shrubs, and groundcover. The proposed development requires 1,600 square feet of open space where 2,436 square feet of open space is provided. An open space area, consisting of a shade structure, trees and shrubs, is centrally located within the site along the west property line. The shade structure is set back a minimum of 10 feet from the west property line.

### Elevations

The plans depict two, 3 story multiple family (condominium) buildings measuring 37 feet in height. The buildings are designed with a flat parapet roof and feature a stucco exterior with cultured stone veneer accents and decorative metal canopies above the entrances to the units. A second floor balcony is located on the west building elevations, facing towards the adjacent undeveloped parcel and the single family residence. The shade structure within the open space area measures 10.5 feet in height and features a decorative metal roof.

### Floor Plans

The plans depict 8 dwelling units, each with 3 floors, with a total living area of 1,745 square feet. The first floor living area consists of 301 square feet and includes the main entrance, a single bedroom, bathroom, and closet. The first floor also includes a 2 car garage measuring 411 square feet in area. The second floor consists of 722 square feet and features a living room, kitchen, dining room (optional), bathroom, and an outdoor patio/balcony. The third floor living area also measures 722 square feet and includes 2 bedrooms, closets, and 2 bathrooms.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The site is currently planned Neighborhood Commercial (NC) and zoned R-E. This request for a zone change to R-3 is appropriate for the site and compatible with the surrounding area. The site is located along Pecos Road, which is a planned 100 foot right-of-way. R-3 is appropriate as the area has undergone a change in trend from what was once a low density residential area, to higher density residential uses and commercial uses. Immediately adjacent to the south is an existing Home Depot retail store, with a zoning of C-2. A 1.3 acre parcel (APN: 161-31-201-001), located on the southeast corner of Pecos Road and Oquendo Road is master planned NC, and was recently approved for a rezoning from R-E to R-3 via application NZC-22-0005. Immediately east of Pecos Road is a 10.3 acre site that consists of the Los Pecos Senior Apartments. That 10.3 acre site was approved for a zone change from R-E to R-3 in June of 2002. Additionally, along Pecos Road to both the north and south are more commercial, office

and higher density residential uses, along with industrial uses south of Patrick Lane. This demonstrates the transition that the area has undergone over the past few decades. The condominium development is an appropriate transition from the existing Home Depot to the south and will provide a more appropriate use adjacent to the existing residential. The proposed 8 condominiums will be significantly less impactful to the adjacent residential than if the site were to develop as commercial under the existing NC land use designation. Moreover, the need for additional housing throughout Clark County continues to increase.

The setback reduction for the garage opening onto the drive aisle is internal to the site and will therefore have no impact on the surrounding area or traffic driving by the site on Pecos Road. While the applicant is only providing 10 feet of landscaping behind the sidewalk, there is additional landscaping for the common element, totaling a minimum of 15 feet. Therefore, the overall intent of the landscaping requirement is met. Based on the small size of the in-fill property, the applicant is requesting a reduced setback for the wall along the perimeter of the site. Since the setback will be reduced, the applicant is proposing a wall which will include only 3 feet of CMU with 3 feet of wrought iron on the top. This will provide for better site visibility and overall design while still allowing the site to be developed with a high quality residential use. The applicant originally placed the ingress/egress point on Oquendo Road. However, based on feedback from the neighbors, the layout was revised with the driveway on Pecos Road. Based on the overall size of the site, it would be difficult to develop and still meet the required departure distance. Additionally, residents of the condominium project will likely not be travelling from Oquendo Road. Rather, they will be coming from Pecos Road. Therefore, the applicant does not believe the departure distance will create a safety concern for the project. The applicant states the increase in building height by 2 feet will not create a negative impact as the Home Depot directly to the south is higher than the requested 37 feet. Additionally, the previously approved multiple family development to the east was approved for a building height of 40.5 feet. The applicant is providing a minimum 10 foot wide landscape buffer along the west property line to appropriately mitigate the request to reduce the height setback and buffer the multiple family development from the single family residence.

**Surrounding Land Use**

|       | <b>Planned Land Use Category</b>                                | <b>Zoning District</b> | <b>Existing Land Use</b>                                  |
|-------|---|------------------------|---|
| North | Mid-Intensity Suburban Neighborhood (up to 8 du/ac)             | R-D                    | Single family residential                                 |
| South | Neighborhood Commercial & Corridor Mixed-Use                    | R-E & C-2              | Access driveway to a single family residence & Home Depot |
| East  | Neighborhood Commercial & Compact Neighborhood (up to 18 du/ac) | R-3                    | Undeveloped & multiple family residential                 |
| West  | Neighborhood Commercial   | R-E                    | Undeveloped & single family residential                   |

### Related Applications

| Application Number | Request   |
|--------------------|---|
| PA-23-700030       | A plan Amendment to re-designate the land use category from Neighborhood Commercial (NC) to Compact Neighborhood (CN) is a companion item on this agenda. |
| TM-23-500131       | A tentative map request for an 8 unit residential condominium complex is a companion item on this agenda.   |

### STANDARDS FOR APPROVAL:

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

### Analysis

#### Comprehensive Planning

##### Zone Change

The intent of the R-3 zoning district is to provide for the development of high-density residential use, including apartments, and to prohibit the development of incompatible uses that are detrimental to the high-density residential use. The proposed R-3 zoning is compatible with the density and intensity of the existing and planned land uses in the area, and with the R-3 zoning immediately to the east of the project site, across Pecos Road. Staff finds the proposed R-3 zoning complies with Goal 1.1 of the Master Plan which aims to provide opportunities for diverse housing options to meet the needs of residents of all ages, income levels, and abilities. Due to an increase in demand for multiple family housing options within unincorporated Clark County, including Paradise, staff finds the proposed zone boundary amendment appropriate and recommends approval.

##### Waivers of Development Standards

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

##### Waiver of Development Standards #1

Staff cannot support the request to reduce the setback for a garage opening onto a vehicle drive aisle. The intent of the minimum setback of 8 feet from the garage to the drive aisle is to ensure there is adequate distance for a vehicle to safely back-out from an enclosed structure to the primary driveway. Eliminating the setback distance between the garage opening and drive aisle may create conflict between vehicles exiting the garage and automobiles utilizing the primary driveway. Eliminating the setback distance between the garage and drive aisle is a self-imposed burden and may also create an unsafe situation for motorists; therefore, staff recommends denial.

#### Waiver of Development Standards #2

The intent of street landscaping is to enhance the perimeter of the project site, improve the aesthetics of the site along public rights-of-way, and to provide a buffer between parking areas and the adjacent streets. Pecos Road is a major thoroughfare, designated as an arterial street within the Master Plan. The cumulative width of the street landscape area, located in front and behind the decorative fence measures 15 feet in width. However, the configuration and design of the street landscape area is a self-imposed hardship; therefore, staff cannot support this request.

#### Waiver of Development Standards #3

The decorative fence will provide security and an aesthetic enhancement to the development; however, this structure encroaches into the building and right-of-way setbacks required per Code. Furthermore, the decorative fence encroaches into the required street landscape area along Oquendo Road and Pecos Road, which are required to be a minimum width of 15 feet. Therefore, staff cannot support this request.

#### Waiver of Development Standards #4

Staff finds the increase in building height is negligible and should have minimal to no impact on the surrounding land uses and properties. However, since staff is not supporting the waivers of development standards with this project, staff recommends denial of this request.

#### Waiver of Development Standards #5

The intent of the height setback ratio is to ensure there is a sufficient setback distance from non-residential and multiple family development to a single family residential use. The reduced height setback ratio occurs between the southernmost multiple family building and the existing single family residence to the west. While the height setback reduction is significant, a landscape area measuring 10 feet in width consisting of a double row of Evergreen trees is provided along the west property line, where a minimum landscape area of 5.5 feet is required. The additional landscaping and trees provide some mitigation towards the reduced height setback, and staff finds this request should have minimal impact on the existing single family residence. However, since staff is not supporting the waivers of development standards associated with this project, staff recommends denial of this request.

#### Design Review

Staff finds the proposed multiple family residential development complies with several goals and policies within the Master Plan. Policy 6.2.1 encourages the design and intensity of new development to be compatible with established neighborhoods and uses in terms of its height, scale, and overall mix of uses. The proposed multiple family building setbacks should provide an appropriate buffer between the existing single family residence to the west and the single family residential development to the north, across Oquendo Road. The proposed development is consistent and compatible with the multiple family development to the east, across Pecos Road. Policy 6.2.2 encourages the use of sustainable site design and development practices in new construction projects. Although Staff does not support certain design elements of the landscape plan, the plan does incorporate multiple species of recommended trees, shrubs, and groundcover from the Southern Nevada Water Authority Regional Plant List. However, since staff is not supporting the waivers of development standards associated with this project, which cannot function independently from the design review, staff cannot support this request.

**Public Works - Development Review**

Waiver of Development Standards #6

Staff cannot support the reduction in departure distance for the commercial driveway. The driveway does not line up with the approved commercial driveway across the street and will result in left turn conflicts. The site has room to allow for more departure distance to help vehicles access the site and safely exit the right-of-way.

**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 the zone change; denial of the waivers of development standards and design reviews. This item will be forwarded to the Board of County Commissioners' meeting for final action on December 6, 2023 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:**

**Comprehensive Planning**

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 4 years of approval date or it will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Install a median from Oquendo Road south to the property line;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a bus turnout including passenger loading/shelter areas on Pecos Road in accordance with RTC standards.
- Applicant is advised that off-site improvement permits may be required.

**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 at [landuse@lasairport.com](mailto:landuse@lasairport.com) 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.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0484-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

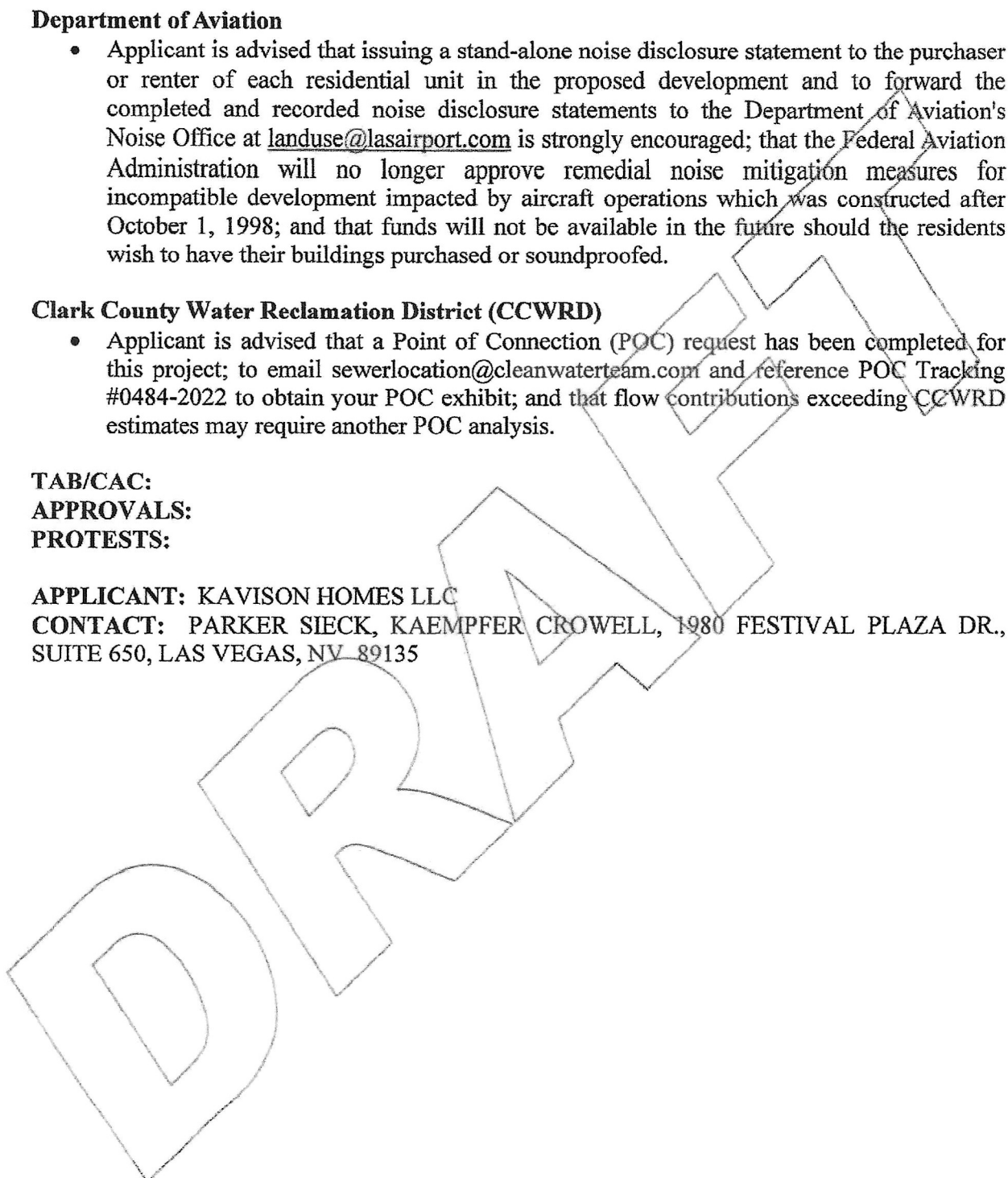
**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** KAVISON HOMES LLC

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





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

|  |   |
|--|---|
| <b>APPLICATION TYPE</b><br><br><input type="checkbox"/> TEXT AMENDMENT (TA)<br><input checked="" type="checkbox"/> ZONE CHANGE (ZC)<br><input type="checkbox"/> USE PERMIT (UC)<br><input type="checkbox"/> VARIANCE (VC)<br><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)<br><input checked="" type="checkbox"/> DESIGN REVIEW (DR)<br><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)<br><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)<br><input type="checkbox"/> WAIVER OF CONDITIONS (WC)<br><br>(ORIGINAL APPLICATION #)<br><br><input type="checkbox"/> ANNEXATION REQUEST (ANX)<br><br><input type="checkbox"/> EXTENSION OF TIME (ET)<br><br>(ORIGINAL APPLICATION #)<br><br><input type="checkbox"/> APPLICATION REVIEW (AR)<br><br>(ORIGINAL APPLICATION #) | <b>STAFF</b><br><br>APP. NUMBER: <u>2C-23-0649</u> DATE FILED: <u>9/13/23</u><br>PLANNER ASSIGNED: <u>MNO</u><br>TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>10/10/23</u><br>PC MEETING DATE: <u>11/7/23 @ 7:00 P.M.</u> @ 7:00 P.M.<br>BCC MEETING DATE: <u>12/6/23 @ 9:00 A.M.</u><br>FEE: <u>\$2200</u>              |
|  | <b>PROPERTY OWNER</b><br><br>NAME: <u>KAVISON HOMES LLC</u><br>ADDRESS: <u>3095 S. Patrick, Suite 6</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u><br>TELEPHONE: <u>n/a</u> CELL: <u>n/a</u><br>E-MAIL: <u>n/a</u>  |
|  | <b>APPLICANT</b><br><br>NAME: <u>KAVISON HOMES LLC</u><br>ADDRESS: <u>3095 S. Patrick, Suite 6</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u><br>TELEPHONE: <u>n/a</u> CELL: <u>n/a</u><br>E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>  |
|  | <b>CORRESPONDENT</b><br><br>NAME: <u>Kaempfer Crowell - Liz Olson</u><br>ADDRESS: <u>1980 Festival Plaza Dr. Suite 650</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u><br>TELEPHONE: <u>702-693-4262</u> CELL: <u>702-792-7000</u><br>E-MAIL: <u>psieck@kcnvlaw.com</u> REF CONTACT ID #: <u>n/a</u> |

ASSESSOR'S PARCEL NUMBER(S): 162-36-601-006

PROPERTY ADDRESS and/or CROSS STREETS: SWC Pecos/Oquendo

PROJECT DESCRIPTION: Condominium Development

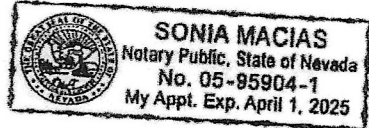
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON August 2, 2023 (DATE)  
 By Raymond T Stratton

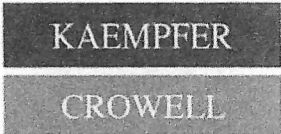
NOTARY PUBLIC: Sm. Ulan



\*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

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



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

August 2, 2023

PLANNER  
COPY

VIA ONLINE SUBMITTAL

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

*Re: Justification Letter – Zone Change, Design Review, Waivers and Tentative Map  
Kavison Homes – Condominium Development  
APN: 162-36-601-006*

To Whom It May Concern:

Please be advised this office represents Kavison Homes (the “Applicant”) in the above-referenced matter. The proposed project is located on approximately 0.76 acres and is generally located on the southwest corner of South Pecos Road and East Oquendo Road. The property is more particularly described as APN: 162-36-601-006 (the “Site”). The Applicant is proposing an 8-unit residential condominium development. As such, the Applicant is requesting a zone change from R-E to R-3 and corresponding design review and tentative map.

Zone Change

The Site is currently planned Neighborhood Commercial (NC) and zoned R-E. This request for a zone change to R-3 is appropriate for the Site and compatible with the surrounding area. The Site is located along South Pecos Road, which is a planned 100-foot right-of-way. R-3 is appropriate as the area has undergone a change in trend from what was once a low density residential area, to higher density residential uses and commercial uses. Immediately adjacent to the south is an existing Home Depot retail store, with a zoning of C-2. A 1.26 acre parcel (APN: 161-31-201-001), located on the southeast corner of South Pecos Road and East Oquendo Road is master planned NC, and was recently approved for a rezoning from R-E to R-3 via application NZC-22-0005. Immediately east of South Pecos Road is a 10.25 acre site that consists of the Los Pecos Senior Apartments. That 10.25 acre Site was approved for a zone change from R-E to R-3 in June of 2002. Additionally, along South Pecos Road to both the north and south are more commercial, office and higher density residential uses, along with industrial uses south of East Patrick Lane. This demonstrates the transition that the area has undergone over the past few decades.



The condominium development is an appropriate transition from the existing Home Depot to the south and will provide a more appropriate use adjacent to the existing residential. The proposed 8 condominiums will be significantly less impactful to the adjacent residential than if the Site were to develop as commercial under the existing NC land use designation. Moreover, the need for additional housing throughout Clark County continues to increase. Therefore, we respectfully request your consideration of the zone change to R-3, along with the corresponding request to amend the master plan to Compact Neighborhood (CN).

### Design Review

The Applicant proposes to develop an 8-unit condominium development, comprising of two 4-plex buildings with a proposed density of 10.5 units/acre. The maximum height of the proposed residential buildings is 34-foot 6-inches, where 35 feet is permitted within an R-3 zone. The Site will provide 31 parking spaces where 18 parking spaces are required. The Applicant is proposing 12,860 square feet of open space where only 2,778 square feet is required significantly exceeding the minimum requirement. The primary access point will be from South Pecos Road, located on the eastern property line. A secondary access point (emergency access only) is located along the northern property line along Oquendo Road. This design was specifically done to address comments from the neighbors to the north to restrict access onto Oquendo.

Along the western property line, the Applicant is proposing a 3-foot CMU wall with 3 feet of wrought iron along the top. East of the wall is a 9-foot 4-inch landscape strip containing 5 gallon Japanese Mock Orange shrubs and Indian Hawthorn shrubs. Adjacent to this portion of the wall, to the west, is an undeveloped parcel, zoned R-E, that is currently used for out outdoor storage. On the southern portion of the western property line will be a 27-foot landscaping area, consisting of four (4) 24-inch Mondell Pines, along with 5 gallon Dwarf-Heavenly Bamboo Gulfstream shrubs and 5 gallon Autumn Sage shrubs. Adjacent to this portion of the wall, to the west, is an existing single-family home, zoned R-E. The proposed landscaping, coupled with the 53-feet of separation between the western property line and the condominiums, allows for a sufficient buffer between the two uses.

The Applicant has held a total of three (3) neighborhood meetings and has made significant changes to the original proposal based on neighborhood feedback. First, the Applicant has reduced the total number of units from 12 to 8. Second, the Applicant relocated the access point to Pecos when it was originally shown on Oquendo. The roof top decks have also been removed from the buildings per the request of the neighbors. With these changes, the Applicant believes the proposed project is compatible with the surrounding uses in the area and respectfully requests consideration of the project.

### Waivers of Development Standards

The Applicant is requesting the following waivers for the project:

1. Reduce the setback for a trash enclosure to a residential use to 10-feet where 50-feet is required.

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- a. The Applicant has revised its plan to shift the trash enclosure farther north to ensure it was setback from the parcel without a residential home. The parcel adjacent to the 10-foot setback of the trash enclosure is currently being operated as a car storage lot and will therefore not be impacted by reduced setback. Additionally, the Applicant is providing 10-feet of landscaping and 6-foot high decorative wall along the western property line to add additional buffering.
2. Reduce the setback for garages from the vehicle drive aisle to 3-feet where 8-feet is required.
  - a. This waiver request is typical and routinely approved for townhome and condominium developments. That being said, the waiver is internal to the Site and will therefore have no impact on the surrounding area or traffic driving by the Site on Pecos.
3. Reduce the street landscape area along Oquendo Road to 10-feet where 15-feet is required behind the existing attached sidewalk.
  - a. While the Applicant is only providing 10-feet of landscaping behind the sidewalk, there is additional landscaping for the common element, totaling a minimum of 15-feet. Therefore, the overall intent of the landscaping requirement is met.
4. Reduce the setback for a 6-foot high decorative fence along Oquendo Road to 1-foot, 11-inches and along Pecos Road to 1-foot, 7-inches where 15-feet is required.
  - a. Based on the small size of the infill property, the Applicant is requesting a reduced setback for the wall along the perimeter of the Site. Because the setback will be reduced, the Applicant is proposing a wall which will include only 3-feet of CMU with 3-feet of wrought iron on the top. This will provide for better site visibility and overall design while still allowing the Site to be developed with a high quality residential use.
5. Reduce the departure distance along Pecos Road to 68-feet, 5-inches where 190-feet is required.
  - a. The Applicant originally placed the ingress/egress point on Oquendo. However, based on feedback from the neighbors, the layout was revised with the driveway on Pecos. Based on the overall size of the Site, it would be difficult to develop and still meet the required departure distance. Additionally, residents of the condominium project will likely not be travelling from Oquendo. Rather, they will be coming from Pecos. Therefore, we do not believe the departure distance will create a safety concern for the project.

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August 2, 2023

Page 4

KAEMPFER

CROWELL

**Tentative Map**

Finally, the Applicant has submitted a corresponding tentative map for the proposed development. Thank you in advance for your consideration. Please do not hesitate to let me know if you have any questions or concerns.

Sincerely,

KAEMPFER CROWELL



Elisabeth E. Olson

**PLANNER  
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PECOS/OQUENDO II  
(TITLE 30)

PECOS RD/OQUENDO RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-23-500131-KAVISON HOMES LLC:**

**TENTATIVE MAP** consisting of 8 condominium units and common lots on 0.8 acres in an R-3 (Multiple Family Residential) Zone.

Generally located on the south side of Oquendo Road and the west side of Pecos Road within Paradise. JG/md/syp (For possible action)

---

RELATED INFORMATION:

APN:  
162-36-601-006

**PROPOSED LAND USE PLAN:**  
WINCHESTER/PARADISE - COMPACT NEIGHBORHOOD

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

General Summary

- Site Address: N/A
- Site Acreage: 0.76
- Number of Units: 8
- Density (du/ac): 10.6
- Project Type: Multiple family (condominium) development

The plans depict a proposed multiple family (condominium) development consisting of 2 buildings featuring a total of 8 dwelling units with a density of 10.6 dwelling units per acre. The buildings are located on the east portion of the site, along Pecos Road, and are oriented in a north/south direction. Access to the multiple family development is granted via a single driveway located along Pecos Road.

Landscaping

The plans depict a landscape area measuring between 3.5 feet to 9 feet along Oquendo Road, located behind an existing 5 foot wide attached sidewalk. A street landscape area measuring between 15 feet in width is located behind an existing 5 foot wide attached sidewalk adjacent to Pecos Road. The street landscape areas consist of trees, shrubs, and groundcover. A waiver of development standards is required to reduce the width of the street landscape area. A 6 foot high decorative fence is located within the street landscape area along Oquendo Road and Pecos Road. A 10 foot wide landscape area, with medium and large evergreen trees, is located along the west property line adjacent to the undeveloped parcel and the single family residence. The majority of the landscape area behind the decorative fence measures 10 feet in width and consists

of trees, shrubs, and groundcover. The proposed development requires 1,600 square feet of open space where 2,436 square feet of open space is provided. An open space area, consisting of a shade structure, trees and shrubs, is centrally located within the site along the west property line.

**Surrounding Land Use**

|       | <b>Planned Land Use Category</b>                                | <b>Zoning District</b> | <b>Existing Land Use</b>                                  |
|-------|---|------------------------|---|
| North | Mid-Intensity Suburban Neighborhood (up to 8 du/ac)             | R-D                    | Single family residential                                 |
| South | Neighborhood Commercial & Corridor Mixed-Use                    | R-E & C-2              | Access driveway to a single family residence & Home Depot |
| East  | Neighborhood Commercial & Compact Neighborhood (up to 18 du/ac) | R-3                    | Undeveloped & multiple family residential                 |
| West  | Neighborhood Commercial   | R-E                    | Undeveloped & single family residential                   |

**Related Applications**

| <b>Application Number</b> | <b>Request</b>  |
|---------------------------|---|
| PA-23-700030              | A plan Amendment to re-designate the land use category from Neighborhood Commercial (NC) to Compact Neighborhood (CN) is a companion item on this agenda.   |
| ZC-23-0649                | A zone change to reclassify the site from R-E to R-3 zoning with waivers of development standards and a design review for a multiple family residential condominium is a companion item on this agenda. |

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

This request meets the tentative map requirements as outlined in Title 30. Approval of this request is contingent upon approval of ZC-23-0649 which staff is not supporting; therefore, staff cannot support this request.

**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**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on December 6, 2023, 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, and/or the Nevada Revised Statutes.

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

##### **Comprehensive Planning**

If approved:

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

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

- Drainage study and compliance;
- Install a median from Oquendo Road south to the property line;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a bus turnout including passenger loading/shelter areas on Pecos Road in accordance with RTC standards.
- Applicant is advised that off-site improvement permits may be required.

##### **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 at [landuse@lasairport.com](mailto:landuse@lasairport.com) 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.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0484-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** KAVISON HOMES LLC

**CONTACT:** PARKER SIECK, LAS VEGAS, 1980 FESTIVAL PLAZA DR., SUITE 650,  
LAS VEGAS, NV 89135



# TENTATIVE MAP APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

|  |                       |  |
|--|-----------------------|--|
| <b>APPLICATION TYPE</b>                                | <b>DEPARTMENT USE</b> | APP. NUMBER: <u>TM-23-500131</u> DATE FILED: <u>9/13/23</u>  |
| <input checked="" type="checkbox"/> TENTATIVE MAP (TM) |                       | PLANNER ASSIGNED: <u>AMG</u><br>TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>10/10/23</u><br>PC MEETING DATE: <u>11/7/23 @ 7:00 P.M.</u> @ 7:00 P.M.<br>BCC MEETING DATE: <u>12/6/23 @ 9:00 A.M.</u><br>FEE: <u>\$750.<sup>00</sup></u> |

|                       |   |
|-----------------------|---|
| <b>PROPERTY OWNER</b> | NAME: <u>KAVISON HOMES LLC</u>                            |
|                       | ADDRESS: <u>3095 S. Patrick, Suite 6</u>                  |
|                       | CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> |
|                       | TELEPHONE: <u>n/a</u> CELL: <u>n/a</u>                    |
|                       | E-MAIL: <u>n/a</u>  |

|                  |   |
|------------------|---|
| <b>APPLICANT</b> | NAME: <u>KAVISON HOMES LLC</u>                            |
|                  | ADDRESS: <u>3095 S. Patrick, Suite 6</u>                  |
|                  | CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> |
|                  | TELEPHONE: <u>n/a</u> CELL: <u>n/a</u>                    |
|                  | E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>           |

|                      |  |
|----------------------|--|
| <b>CORRESPONDENT</b> | NAME: <u>Kaempfer Crowell - Liz Olson</u>                      |
|                      | ADDRESS: <u>1980 Festival Plaza Dr. Suite 650</u>              |
|                      | CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>      |
|                      | TELEPHONE: <u>702-693-4262</u> CELL: <u>702-792-7000</u>       |
|                      | E-MAIL: <u>psieck@kcnvlaw.com</u> REF CONTACT ID #: <u>n/a</u> |

ASSESSOR'S PARCEL NUMBER(S): 162-36-601-006

PROPERTY ADDRESS and/or CROSS STREETS: SWC Pecos/Oquendo

TENTATIVE MAP NAME: Kavison Homes - Pecos/Oquendo

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.

\_\_\_\_\_      Raymond T Stratton  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF CLARK  
 SUBSCRIBED AND SWORN BEFORE ME ON AUGUST 2, 2023 (DATE)  
 By Raymond T. Stratton  
 NOTARY PUBLIC: Sonia Macias



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

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

KAEMPFER

CROWELL

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

September 13, 2023

**VIA HAND DELIVERY**

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

1-4-23-500131

**Re: *Justification Letter – Request to Hold Tentative Map Application  
Kavison Homes – Condominium Development  
APN: 162-36-601-006***

To Whom It May Concern:

Please be advised this office represents Kavison Homes (the “Applicant”) in the above-referenced matter. The proposed project is located on approximately 0.76 acres and is generally located on the southwest corner of South Pecos Road and East Oquendo Road. The property is more particularly described as APN: 162-36-601-006 (the “Site”). The Applicant has submitted applications for a tentative map, master plan amendment, zone change, design review, and a waivers of development standards for an 8-unit residential condominium development.

The Applicant is requesting the tentative map portion of the project be held to the same Board of County Commissioners meeting as the master plan amendment, zone change, corresponding design review, and waiver applications.

Thank you in advance for your consideration. If you have any questions or need anything further, please do not hesitate to contact me.

**PLANNER  
COPY**

Sincerely,

KAEMPFER CROWELL



Elisabeth E. Olson



SUPPER CLUB  
(TITLE 30)

WARM SPRINGS RD/EASTERN AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-23-0613-E-BEVERLY HOLDINGS, LLC:**

**USE PERMIT** to reduce the separation from a proposed on-premises consumption of alcohol establishment (supper club) to a residential use, in conjunction with an existing shopping center on 6.3 acres in a C-2 (General Commercial) Zone.

Generally located on the south side of Warm Springs Road and the east side of Eastern Avenue within Paradise. JG/jor/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**  
177-12-110-002

**USE PERMIT:**  
Reduce the separation from a proposed on-premises consumption of alcohol establishment (supper club) to a residential use to 148 feet where 200 feet is the standard per Table 30.44-1 (a 26% reduction).

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

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

**General Summary**

- Site Address: 7380 S. Eastern Avenue, Suite 118
- Site Acreage: 6.3
- Project Type: Supper club for Vito's Tacos
- Number of Stories: 1
- Building Height (feet): 32 (maximum)
- Square Feet: 2,330 (overall lease space)
- Parking Required/Provided: 288/364

**Site Plan**

The site plan depicts an existing shopping center that was constructed in 1990. The semi- "J" shaped building was constructed along the south and east property lines of the parcel, with 2 additional buildings on the northwest corner of the site. The northwestern convenience store and gasoline station is not a part of this complex, and cross access between these 2 areas is not

provided. Per the submitted parking analysis, 288 parking spaces are required where 364 is provided. Access to the shopping center is provided via existing driveways along the west property line (adjacent to Eastern Avenue) and along the north property line (adjacent to Warm Springs Road).

The applicant is requesting to reduce the separation between a proposed supper club (in conjunction with an existing restaurant – Vito’s Tacos) to a residential use to the south. The lease space for this existing restaurant (Suite 118) is located on the southwest corner of the shopping center building. The request is to reduce the separation to 148 feet where 200 is required per Code.

Landscaping

There is existing landscaping and minimal parking lot landscaping; however, landscaping is neither required or a part of this request.

Elevations

The existing shopping center building has an overall height of 32 feet. The exterior finishes and architectural elements include stucco walls, a parapet roof, storefront awning with a shingle tile roof, and round stucco finished columns. Aluminum storefront and window systems are also a part of the exterior of the building.

Floor Plans

The floor plan has an overall area of 2,330 square feet (lease space). The existing restaurant includes the dining area, kitchen area, restrooms, and other back of house areas. The floor plan depicts a new bar area, office, additional restrooms, and storage rooms.

Applicant’s Justification

Vito’s Tacos is an existing restaurant. Per the applicant, adding a supper club would allow the business to expand and provide an area to serve alcohol within the lease space. There are existing building permits via BD23-22915 for tenant improvements to the restaurant. The hours of operation are from 10:30 a.m. to midnight, 7 days a week. The request to reduce the separation between a proposed supper club from a residential use is appropriate since there is an existing drainage channel separating the proposed supper club from the condominium complex to the south.

Prior Land Use Requests

| Application Number | Request  | Action         | Date          |
|--------------------|--|----------------|---------------|
| ADR-21-900315      | Building expansion for Advance Auto Parts within an existing retail building along the north property line of this shopping center - expired | Approved by ZA | July 2021     |
| ADR-18-900736      | Restaurant with a drive-thru only (Scooter’s Coffee) located along the west property line of this shopping center                            | Approved by ZA | November 2018 |
| UC-0313-17         | Allowed a kennel with an outdoor dog run   | Approved by PC | June 2017     |

**Prior Land Use Requests**

| Application Number | Request  | Action         | Date          |
|--------------------|--|----------------|---------------|
| ADR-900453-16      | Allowed a water vending kiosk                        | Approved by ZA | June 2016     |
| UC-0579-15         | Allowed a supper club via Suite 110                  | Approved by PC | October 2015  |
| VC-1764-99         | Reduce parking to 381 spaces where 417 were required | Approved by PC | December 1999 |

\*Additional land use applications have approved within this shopping center for a myriad of uses but are not a part of this application.

**Surrounding Land Use**

|       | Planned Land Use Category                          | Zoning District | Existing Land Use                            |
|-------|--|-----------------|--|
| North | Public Use   | P-F             | Sunset Park (Dog Park) & softball fields     |
| South | Public Use & Compact Neighborhood (up to 18 du/ac) | C-2 & R-3       | Drainage channel & Condominiums at Southpark |
| East  | Neighborhood Commercial (up to 8 du/ac)            | R-2             | Single family residences                     |
| West  | Corridor mixed-use                                 | C-1 & C-2       | Commercial uses and a shopping center        |

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties. The proposed supper club is self-contained within the existing shopping center. The existing condominium complex to the south is buffered from the proposed supper club via an existing 100 foot wide drainage channel. Staff finds that this drainage channel provides an adequate physical barrier, and the proposed supper club should not pose a negative impact to the residential use to the south. Staff supports the applicant's request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

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

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

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MCKEE DEVELOPMENT, LLC

**CONTACT:** JIMMI MCKEE, MCKEE DEVELOPMENT LLC, 7495 W. AZURE DR., SUITE 110, LAS VEGAS, NV 89130



# LAND USE APPLICATION

## PLANNER COPY

### DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

|   |  |
|---|--|
| <b>APPLICATION TYPE</b><br><br><input type="checkbox"/> TEXT AMENDMENT (TA)<br><input type="checkbox"/> ZONE CHANGE (ZC)<br><input checked="" type="checkbox"/> USE PERMIT (UC)<br><input type="checkbox"/> VARIANCE (VC)<br><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)<br><input type="checkbox"/> DESIGN REVIEW (DR)<br><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)<br><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)<br><input type="checkbox"/> WAIVER OF CONDITIONS (WC)<br>_____<br>(ORIGINAL APPLICATION #)<br><input type="checkbox"/> ANNEXATION REQUEST (ANX)<br><input type="checkbox"/> EXTENSION OF TIME (ET)<br>_____<br>(ORIGINAL APPLICATION #)<br><input type="checkbox"/> APPLICATION REVIEW (AR)<br>_____<br>(ORIGINAL APPLICATION #) | <b>STAFF</b><br>APP. NUMBER: <u>UC-23-0813</u> DATE FILED: <u>9-5-23</u><br>PLANNER ASSIGNED: _____<br>TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>10-10-23</u><br>PC MEETING DATE: <u>11-7-23</u><br>BCC MEETING DATE: <u>N/A</u><br>FEE: <u>\$875</u>                              |
|   | <b>PROPERTY OWNER</b><br>NAME: <u>E- Beverly LLC Holdings</u><br>ADDRESS: <u>6140 Brent Thurman Way Suite 140</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u><br>TELEPHONE: <u>702-968-7331</u> CELL: _____<br>E-MAIL: <u>julied@sunpm.net</u>                    |
|   | <b>APPLICANT</b><br>NAME: <u>Vito's Tacos</u><br>ADDRESS: <u>7380 S. Eastern # 118</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89123</u><br>TELEPHONE: <u>(702)268-8009</u> CELL: <u>(702)587-3533</u><br>E-MAIL: <u>contact@vitostacos.com</u> REF CONTACT ID #: _____ |
| <b>CORRESPONDENT</b><br>NAME: <u>Jimmi Mckee (Mckee Development LLC)</u><br>ADDRESS: <u>7495 W. Azure dr. #110</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89130</u><br>TELEPHONE: <u>(702)969-4389</u> CELL: <u>Same</u><br>E-MAIL: <u>jimmi@mckeedevelopment.com</u> REF CONTACT ID #: _____   |  |

ASSESSOR'S PARCEL NUMBER(S): 177-12-110-002

PROPERTY ADDRESS and/or CROSS STREETS: Eastern & Warm Springs

PROJECT DESCRIPTION: Expansion into suite 117 adding a bar

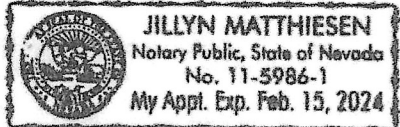
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Property Owner (Signature)\* [Signature]      Property Owner (Print) As agent for EBeverly Holdings, LLC

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON August 6, 2023 (DATE)

By [Signature]  
 NOTARY PUBLIC: [Signature]



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

## LAND USE APPLICATION SUBMITTAL REQUIREMENTS

|   | Application <sup>C</sup> | Disclosure Form <sup>C</sup> | Assessor's Map <sup>D,E</sup> | Deed <sup>F</sup> | Legal Description <sup>H</sup> | Justification Letter | Site Plans and applicable checklist <sup>G,I,J,Y</sup> | Site Plans – Floor Plans <sup>I</sup> | Site Plans – Elevations <sup>I</sup> | Landscape Plan <sup>I</sup> | Parking Analysis <sup>K</sup> | Cross Section <sup>L,L</sup> | Fees <sup>BB</sup> | Grading Plans <sup>L,V</sup> | List & Quantities of Hazardous Materials <sup>P</sup> | DOA and/or FAA Submittal <sup>H,O</sup> | Record of Survey <sup>W</sup> | Residential Impact Statement <sup>X</sup> | Certified Evidence of Separation <sup>AA</sup> | RISE Reports <sup>C,S</sup> | Concurrence from a Member of the Board |     |     |
|---|--------------------------|------------------------------|-------------------------------|-------------------|--------------------------------|----------------------|--|---------------------------------------|--------------------------------------|-----------------------------|-------------------------------|------------------------------|--------------------|------------------------------|---|---|-------------------------------|---|--|-----------------------------|--|-----|-----|
| <b>SUBMITTAL REQUIREMENTS</b>   |                          |                              |                               |                   |                                |                      |  |                                       |                                      |                             |                               |                              |                    |                              |   |   |                               |   |  |                             |  |     |     |
| • These are the official submittal requirements; additional requirements may apply.   |                          |                              |                               |                   |                                |                      |  |                                       |                                      |                             |                               |                              |                    |                              |   |   |                               |   |  |                             |  |     |     |
| • Refer to 30.16.240 for general descriptions of requirements.  |                          |                              |                               |                   |                                |                      |  |                                       |                                      |                             |                               |                              |                    |                              |   |   |                               |   |  |                             |  |     |     |
| • All documents must be accurate and legible.   |                          |                              |                               |                   |                                |                      |  |                                       |                                      |                             |                               |                              |                    |                              |   |   |                               |   |  |                             |  |     |     |
| • For electronic submittals, PDF indicates document is only required in PDF format and numbers represent the required quantity of hard copies. For all hard copy submittals, add 1 copy for each required document. |                          |                              |                               |                   |                                |                      |  |                                       |                                      |                             |                               |                              |                    |                              |   |   |                               |   |  |                             |  |     |     |
| • Incomplete applications will not be authorized to submit.   |                          |                              |                               |                   |                                |                      |  |                                       |                                      |                             |                               |                              |                    |                              |   |   |                               |   |  |                             |  |     |     |
| • Once fees are paid, an application will be considered "Submitted".  |                          |                              |                               |                   |                                |                      |  |                                       |                                      |                             |                               |                              |                    |                              |   |   |                               |   |  |                             |  |     |     |
| Text Amendment <sup>B</sup>   | 1                        | 1                            |                               |                   |                                | 2                    |  |                                       |                                      |                             |                               |                              | ✓                  |                              |   |   |                               |   |  |                             |  |     | PDF |
| Zone Boundary Amendment <sup>A</sup>  | 1                        | 1                            | PDF                           | PDF               | PDF                            | 2                    |  |                                       |                                      |                             |                               |                              | ✓                  |                              |   | PDF                                     | PDF                           | PDF                                       |  |                             |  |     | PDF |
| Use Permit <sup>A,T,U,DD</sup>  | 1                        | 1                            | PDF                           | PDF               | PDF                            | 2                    | 2  | 2                                     | 2                                    | 2                           | 1                             |                              | ✓                  | 2                            | PDF   | PDF                                     | PDF                           | PDF                                       | PDF  | PDF                         | PDF                                    |     |     |
| Variance <sup>A</sup>   | 1                        | 1                            | PDF                           | PDF               | PDF                            | 2                    | 2  | 2                                     | 2                                    | 2                           | 1                             |                              | ✓                  | 2                            |   | PDF                                     | PDF                           | PDF                                       |  |                             |  |     |     |
| Waiver of Development Standards <sup>A,CC,DD</sup>  | 1                        | 1                            | PDF                           | PDF               | PDF                            | 2                    | 2  | 2                                     | 2                                    | 2                           | 1                             |                              | ✓                  | 2                            |   | PDF                                     | PDF                           | PDF                                       |  |                             |  |     |     |
| Design Review <sup>A,X,Z</sup>  | 1                        | 1                            | PDF                           | PDF               | PDF                            | 2                    | 2  | 2                                     | 2                                    | 2                           | 1                             | 2                            | ✓                  | 2                            |   | PDF                                     | PDF                           | PDF                                       |  |                             |  |     | PDF |
| Administrative Design Review <sup>A,X,Z</sup>   | 1                        | 1 <sup>R</sup>               | PDF                           | PDF               | PDF                            | 2                    | 2  | 2                                     | 2                                    | 2                           | 1                             | 2                            | ✓                  |                              |   |   |                               |   |  |                             |  | PDF |     |
| Street Name or Numbering System Change <sup>A,U</sup>   | 1                        | 1                            | PDF <sup>E</sup>              |                   |                                | 2                    |  |                                       |                                      |                             |                               |                              | ✓                  |                              |   |   |                               |   |  |                             |  |     |     |
| Waiver of Conditions <sup>B</sup>   | 1                        | 1                            |                               |                   | PDF                            | 2                    |  |                                       |                                      |                             |                               |                              | ✓                  |                              |   | PDF                                     | PDF                           |   |  |                             |  |     |     |
| Annexation Requests <sup>B,O</sup>  | 1                        | 1                            | PDF                           | PDF               |                                | 2                    | 2  |                                       |                                      |                             |                               |                              | ✓                  |                              |   |   |                               |   |  |                             |  |     |     |
| Extension of Time <sup>B</sup>  | 1                        | 1                            |                               | PDF <sup>G</sup>  |                                | 2                    |  |                                       |                                      |                             |                               |                              | ✓                  |                              | PDF   |   | PDF                           |   |  |                             |  |     |     |
| Application Review <sup>B</sup>   | 1                        | 1                            |                               | PDF               |                                | 2                    |  |                                       |                                      |                             |                               |                              | ✓                  |                              | PDF   |   | PDF                           |   |  |                             |  |     |     |
| Revised Plans <sup>EE</sup>   |                          |                              |                               |                   |                                | 2                    | 2  | 2                                     | 2                                    | 2                           | 1                             | 2                            | ✓                  | 2                            |   |   |                               |   |  |                             |  |     | PDF |

Footnotes on next page



8/25/2023

Re: Vitos Taco Shop Bar Use Permit Request.  
7380 S. Eastern Ave # 117 & 118  
Las Vegas, NV 89123  
(702) 587-3533

To Whom this May Concern:

Vitos Taco is here by requesting a special use permit in order to add a bar serving alcohol to the expansion of the business. The plans are currently in the Clark County Building department for review BD23-22915 (APN # 17712110002).

This is an intricate part of the taco shop "growing their business". The current liquor license being sought is a full license serving beer, wine and mixed drinks. The hours of operation will be from 10:30 am to 12 am Seven days a week.

The Zoning department with CCBD has put forth the following issue: It appears the proposed bar addition is within 200' of a residential use. Per the use table for On-premise Consumption of Alcohol: For other than a service bar, must have a minimum separation of 200 feet from any residential use unless separated by a collector or arterial street or buffered from the residential use by a building, or as determined by the Commission or Board with the approval of a special use permit.

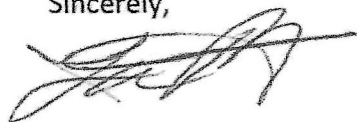
The property currently has a large wash behind it which should be construed as a "Buffer ZONE".

In the past there has been other use permits for this particular plaza, issued including Dotty's Gaming & Spirit (current) and others, like Mickey's Cue and Brew which now appears to be closed. There have been other Special use permits for this plaza as well, but none have been for the plaza as a whole but instead for individual venues.

In a time where small business is going "out of Business" Vito's taco is trying to "Grow" their business and thereby would be taking on additional employees as such.

Please consider and approve this application for a "special Use Permit" in order for Vito's to be able to continue on with their expansion, building plans examination and all the other obstacles they are having to endeavor on their journey to open and continue on with their dream as business owners. We are thankful for the opportunity to present our case and look forward with anticipation to your response.

Sincerely,



Jimmi Mckee  
Managing Member, Mckee Development LLC



PERSONAL SERVICES  
(TITLE 30)

DECATUR BLVD/TECO AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-23-0617-VANDREY PROPERTIES, LLC:**

**USE PERMIT** to allow a personal services (barbershop) establishment within an existing commercial center on 1.0 acres in a C-2 (General Commercial) (AE-65) Zone and an M-D (Designed Manufacturing) (AE-65) Zone.

Generally located on the east side of Decatur Boulevard and the south side of Teco Avenue within Paradise. MN/rp/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**  
162-31-401-047

**USE PERMIT:**  
Allow a personal services (barbershop) establishment within an M-D zone where a use permit is required per Table 30.44-1.

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

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

- Site Address: 6430 S. Decatur Boulevard
- Site Acreage: 1
- Project Type: Personal services (barbershop)
- Number of Stories: 1
- Building Height (feet): 28.9
- Square Feet: 8,459 (entire building)/931 (lease space)
- Parking Required/Provided: 45/50

Site Plan

The site plan depicts an existing commercial center located east of Decatur Boulevard and south of Teco Avenue. Access to the site is located on the northwest corner of the property along Decatur Boulevard, and the southeast corner of the site along Teco Avenue. The plans depict an existing building located on the eastern portion of the site with a drive-thru aisle located on the



east and north sides of the building. The site has split zoning with the eastern 37 feet of the parcel in an M-D zone and the majority of the site being in a C-2 zone. The building crosses the zone boundary line that traverses the site causing all the tenants to have split zones. The existing Retail building was previously approved through UC-19-0456, which allowed restaurant and retail as principal use in M-D zone portion. The applicant is proposing a barbershop within a lease space which has split zone.

Landscaping

Additional landscaping is not required nor a part of this request.

Elevations

The plans depict a single story building with a flat roof and parapet walls ranging in height from 22 feet to 28 feet, 9 inches. The façades on the west and north elevations facing street consist of stucco finish, wood panels, storefront glazing, and awnings with a drive-thru window located on the north elevation. The remaining elevations consist of stucco finish.

Floor Plans

The existing retail and restaurant building has an overall area of 8,459 square feet, and the applicant's lease space is 931 square feet. The lease space will include an entry area, seating space, barber stations, restroom, and break room.

Signage

Signage is not a part of this request.

Applicant's Justification

Elite 51 barbershop consist of 3 staff members and the targeted clientele is primarily male. Per the submitted justification letter, the applicant's proposed barbershop will provide shampoo, haircuts, and beard trims. The proposed establishment will not produce the same amount of high customer traffic as a regular barbershop since the customers of the Elite 51 barbershop are mostly by appointment.

Prior Land Use Requests

| Application Number | Request   | Action          | Date          |
|--------------------|---|-----------------|---------------|
| VS-20-0250         | Vacated and abandoned easement of interest of Clark County located between Teco Avenue and Sunset Road and between Cameron Street and Decatur Boulevard.  | Approved by PC  | August 2020   |
| UC-19-0456         | Retail sales as a principal use and restaurants, waived alternative Landscaping, cross access, reduced driveway separation, and allow modified driveway design standards with a design review for commercial center and alternative parking lot landscaping | Approved by PC  | August 2019   |
| ZC-1552-05         | Reclassified from R-E and M-1 to M-D zoning for an office/warehouse complex   | Approved by BCC | November 2005 |

**Prior Land Use Requests**

| Application Number | Request   | Action          | Date          |
|--------------------|---|-----------------|---------------|
| ZC-1458-03         | Reclassified from M-1 and R-E to M-1 zoning for an office/warehouse complex                       | Approved by BCC | December 2003 |
| ZC-1846-97         | Reclassified the western portion of the site to C-2 zoning for a convenience store and restaurant | Approved by BCC | January 1998  |

**Surrounding Land Use**

|       | Planned Land Use Category | Zoning District | Existing Land Use            |
|-------|---------------------------|-----------------|------------------------------|
| North | Business Employment       | R-E & M-1       | Undeveloped                  |
| South | Business Employment       | C-2             | Shopping center              |
| East  | Business Employment       | M-D             | Office/warehouse facility    |
| West  | Business Employment       | C-2             | Restaurant & retail building |

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties. The existing uses on the subject property co-exist harmoniously with no reported problems. The proposed barbershop is consistent with the existing uses and is a beneficial addition to the surrounding area. Staff finds that no negative impacts are anticipated with the applicant's request. Therefore, staff can support this application.

**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:**

**Comprehensive Planning**

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; 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.

**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:** ALEJANDRA GUEVARA-DOMINGUEZ

**CONTACT:** ALEJANDRA GUEVARA-DOMINGUEZ, ELITE 51 BARBER SHOP LLC,  
6430 S. DECATUR BLVD, SUITE 300, LAS VEGAS, NV 89118

Elite 51 barbershop LLC  
6430 S Decatur Blvd. suite300  
Las Vegas NV 89118

Clark County  
Comprehensive  
Planning Department  
500 S Grand Central Pkwy  
#1 Las Vegas Nevada 89155

UC-23-0617

RE: Case number **2010707.081-171**

To whom it may concern,

This is a request for a special use permit regarding parcel#**162-31401-047**. This parcel is split between **C-2** and **M-D** zone in which a special use permit is required for personal services, specifically for a barbershop.

Elite 51 barbershop LLC. consists of seven cutting stations. Our targeted clientele is primarily male. The services that we will be providing are shampoo, haircuts, and beard trims. We are expecting to have three employees to start off, myself included. The hours of operation will be from Monday through Sunday from 8:00am till 6:00pm. and we are going to be by appointment only.

Thank you

Alejandra Guevara Dominguez  
Elite 51 barbershop LLC  
Elite51barbershop@gmail.com

9

11/07/23 PC AGENDA SHEET

RESTAURANT  
(TITLE 30)

WARM SPRINGS RD/PARADISE BAY DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0624-GIBSON CAPITAL MANAGEMENT LLC:**

**USE PERMIT** to reduce the separation from outside dining to a residential use.

**DESIGN REVIEW** for a restaurant with drive thru and outside dining area on 0.7 acres in a C-1 (Local Business) Zone.

Generally located on the north side Warm Springs Road, 168 feet east of Paradise Bay Drive within Paradise. MN/jud/syp (For possible action)

---

RELATED INFORMATION:

**APN:**

177-02-816-009, 177-02-816-012 & 013

**USE PERMIT:**

Reduce the separation from an outside dining area to a residential use to the north to 170 feet where a minimum of 200 feet is required per Table 30.44-1 (a 15% reduction).

**DESIGN REVIEW:**

Restaurant with drive-thru and outside dining area.

**LAND USE PLAN:**

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 2080 E. Warm Springs Road
- Site Acreage: 0.7
- Project Type: Restaurant with drive-thru and outside dining area
- Number of Stories: 1
- Building Height (feet): 20 feet 10 inches
- Square Feet: 2,300
- Parking Required/Provided: 25/25

### Site Plans

The plans depict a proposed 2,300 square foot restaurant located on the north side of Warm Spring Road, where a car wash is currently existing and is set to be demolished. The drive-thru aisle is located on the east and north sides of the building, and traffic will circulate around the building. A single drive-thru lane provides pick up service only, ordering is done on-line, and no call box will be on the site. Parking is provided on the south, west, and northern portions of the site with cross access to the adjacent north and west properties. There is 1 main access point shown along Warm Springs Road where an existing attached sidewalk with landscaping is located on the southern side of the proposed building. An additional access point on the western property line is shared with an adjacent development.

The 330 square foot outside dining area is located to the southeast of the building and is located 6 feet from the drive-thru lane. The outside dining area is surrounded by required protective fence and is located at a higher grade than the parking area. The outside dining area, which is 170 feet from the existing residential development to the north, is partially buffered from the residential development to the north by the proposed building.

The building is set back 115 feet, six inches from the south property line. A total of 23 parking spaces and 2 ADA accessible parking spaces are required. A total of 20 parking spaces are provided on the site; the additional 5 parking spaces are provided on the adjacent parcel to the north. Four bicycle parking spaces are provided as required per Code. The trash enclosure is located 18 feet from the north property line, and the loading space as required is located east of the building with a 5 foot wide sidewalk between the loading space and the building.

### Landscaping

An existing 5 foot wide attached sidewalk with a 15 foot wide landscape area is provided along Warm Springs Road. A 3 foot wide landscape area is provided along the east and north property lines. A 6 foot landscape strip is provided along the west property line.

### Elevations

The proposed restaurant is up to 20 feet 10 inches high at the top of the parapet. The architecture of the restaurant is of modern contemporary design with painted E.I.F.S. and dual glazing storefront system. The color palette consists of a range of gray shades.

### Floor Plans

The plans depict a 2,300 square foot building for the proposed restaurant. The outside dining area is 330 square feet in area.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant states the proposed reduction in separation for the outside dining/drinking area from the residential use to the north is mitigated by the adjacent parcel to the north which buffers the residential development to the north. An existing block wall and 10 feet of landscaping are provided on the adjacent property line adjoining the residential property line. The proposed

restaurant at this location is unique because the business model does not include a call box as this is a pre-order/call ahead with inside and outside dining options. A landscape strip is provided to the north as well as a parking lot to buffer the vehicle noise to the residential neighbors. The proposed reduction will not impact the residential development to the north.

The use is appropriate and compatible for the area and a redevelopment of the site. The existing vehicle car wash is underutilized and the proposed development will provide security and safety in the area. This redevelopment of the subject parcel will not impact the overall commercial complex. The cross access to the west provides additional access to mitigate the impact of the stacking along Warm Springs Road. The queuing lane for the restaurant is located on the east side of the parcel to provide adequate circulation throughout the site.

**Prior Land Use Requests**

| Application Number | Request                                       | Action          | Date           |
|--------------------|---|-----------------|----------------|
| ZC-212-90          | Reclassified 7.5 acres from R-E to C-1 zoning | Approved by BCC | September 1990 |
| UC-247-90          | Constructed and maintained a shopping center  | Approved by BCC | September 1990 |

**Surrounding Land Use**

|                     | Planned Land Use Category           | Zoning District | Existing Land Use         |
|---------------------|-------------------------------------|-----------------|---------------------------|
| North, East, & West | Corridor Mixed-Use                  | C-1             | Commercial developments   |
| South               | Mid-Intensity Suburban Neighborhood | R-2             | Single family residential |

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning Use Permit**

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

The proposed use is in harmony with the purpose, goals, objectives, and standards of the planned land use and Title 30 when considering the outdoor dining area. In addition, this project will not impose undue burden on the residential uses to the north and south since there is a buffer consisting of landscaping and parking stalls on the north side of the property line and Warm Springs Road on the south side of the property. Therefore, staff can support this request.

Design Review

The project provides appropriate buffers, building height, and queuing lane for the drive-thru. The proposed drive thru lane will serve pick up orders only and no call box will be installed on this site. The landscaping and building materials comply with Title 30 standards and are appropriate for the area. Consequently, staff can support this request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- Comply with approved drainage study PW23-15852;
- Traffic study and compliance.

**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 #0182-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: JOSEPH KENNEDY**

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



11/07/23 PC AGENDA SHEET

SOLAR CARPORT/SETBACKS  
(TITLE 30)

RAWHIDE ST/CALIENTE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0622-ISLAMIC INFORMATION CENTER LIVING TRUST:

WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks.

DESIGN REVIEW for carports with solar panels in conjunction with an existing place of worship on 1.7 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the southwest corner of Rawhide Street and Caliente Street within Paradise. JG/jud/syp (For possible action)

---

RELATED INFORMATION:

**APN:**

162-26-402-004

**WAIVER OF DEVELOPMENT STANDARDS:**

1. a. Reduce the side setback to 2 feet where 5 feet is required per Table 30.40-1 (a 60% reduction).
- b. Reduce the front setback to 19 feet where 40 feet is required per Table 30.40-1 (a 53% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 1610 E. Russell Road
- Site Acreage: 1.7
- Project Type: Accessory building (solar carport)
- Number of Stories: 1
- Building Height (feet): 11
- Parking Required/Provided: 75/100

Site Plans

The plans depict a 7,482 square foot existing place of worship building with 100 on site parking spaces located along the north, south, east, and west sides of the property. The proposed 3 carports with solar panels will be installed on the western side of the subject site. No parking

spaces will be removed due to this installation. The carports will intrude into the side and front setbacks by 3 feet and 21 feet respectively.

Landscaping

The landscaping will remain as existing, and no perimeter or parking lot landscaping will be removed due to the installation of the carports.

Elevations

The plan shows carports which are a minimum of 9 feet, extending up to 11 feet for tilted panels. All covers will be of galvanized steel. The carports range from 44.6 feet to 78.2 feet in length.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the need for the proposed carports is to install solar panels to help mitigate high energy costs and the environment. The roof top of the place of worship building cannot accommodate the needed number of panels. Therefore, the only option is to install carports which can accommodate approximately 150 solar panels. It is recommended that the carports be located on the west side of the site for maximum benefit.

**Prior Land Use Requests**

| <b>Application Number</b>   | <b>Request</b>   | <b>Action</b>   | <b>Date</b>   |
|-----------------------------|--|-----------------|---------------|
| DR-0254-13<br>(ET-0058-14)  | First extension of time for a redesign of an approved place of worship   | Approved by BCC | June 2014     |
| UC-0442-11<br>(ET-0057-14)  | First extension of time for place of worship and increase the building height of a place of worship for an architectural feature (minaret)                                       | Approved by BCC | June 2014     |
| NZC-2188-04<br>(ET-0056-14) | Third extension of time to reclassify 1.7 acres from R-E to C-P zoning   | Approved by BCC | June 2014     |
| DR-0254-13                  | Redesign of an approved place of worship   | Approved by BCC | June 2013     |
| UC-0442-11                  | Place of worship with waiver until May 18, 2014 to commence to coincide with NZC-2188-04   | Approved by BCC | February 2012 |
| NZC-2188-04<br>(ET-0028-11) | Second extension of time to reclassify 1.7 acres from R-E to C-P zoning, the adjacent parcel to the west was not included with this extension of time - May 18, 2014 to complete | Approved by BCC | February 2012 |
| UC-0061-07<br>(ET-0076-09)  | First extension of time for a place of worship - expired   | Approved by BCC | April 2009    |
| NZC-2188-04<br>(ET-0140-08) | First extension of time to reclassify 1.7 acres from R-E to C-P zoning, the adjacent parcel to the west was not included with this extension of time                             | Approved by BCC | June 2008     |

### Prior Land Use Requests

| Application Number | Request   | Action          | Date       |
|--------------------|---|-----------------|------------|
| UC-0235-08         | Convert an existing residence into a place of worship and allow a tent to be used as a place of worship - expired | Approved by BCC | May 2008   |
| UC-0061-07         | Place of worship with an 80 foot high architectural feature - expired   | Approved by BCC | March 2007 |
| NZC-2188-04        | Reclassify this site and adjacent parcel to the west to C-P zoning  | Approved by BCC | May 2005   |

### Surrounding Land Use

|       | Planned Land Use Category   | Zoning District | Existing Land Use                |
|-------|---|-----------------|----------------------------------|
| North | Mid-intensity Suburban Neighborhood (up to 8 du/ac) & Ranch Estate Neighborhood (up to 2 du/ac) | R-1 & R-E       | Single family residential        |
| South | Public Use  | P-F             | Harry Reid International Airport |
| East  | Urban Neighborhood  | R-4             | Multiple family residential      |
| West  | Neighborhood Commercial   | C-P             | Undeveloped                      |

### STANDARDS FOR APPROVAL:

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

### Analysis

#### Comprehensive 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.

The reduction on the side and front setbacks will not negatively impact adjacent properties. The existing landscaping along the street frontage will not be affected by the proposed carpports. Additionally, there is no access to the site via Rawhide Street, hence no sight zone will be affected by the proposed carpports. The property to the west is zoned for commercial uses and an office complex was recently approved for that site. Therefore, staff can support the request for setback reduction.

#### Design Review

Staff finds the request to be in harmony with the Master Plan which supports sustainable developments that promotes energy efficiency and conservation. The installation of the proposed carpports will not result in the removal of existing landscaping from the site. Furthermore, the

installation of solar panels on the carport will contribute to alternative energy resources; therefore, staff can support the proposed design review.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MOHAMMED AKBER

**CONTACT:** MOHAMMED AKBER, ISLAMIC INFORMATION CENTER, 7434 BARRANCA PEAK CT, LAS VEGAS, NV 89139



# LAND USE APPLICATION

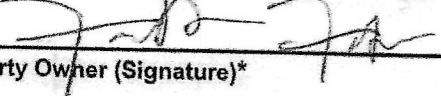
## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

|  |   |
|--|---|
| <b>APPLICATION TYPE</b><br><br><input type="checkbox"/> TEXT AMENDMENT (TA)<br><input type="checkbox"/> ZONE CHANGE (ZC)<br><input type="checkbox"/> USE PERMIT (UC)<br><input type="checkbox"/> VARIANCE (VC)<br><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)<br><input checked="" type="checkbox"/> DESIGN REVIEW (DR)<br><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)<br><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)<br><input type="checkbox"/> WAIVER OF CONDITIONS (WC)<br>_____<br>(ORIGINAL APPLICATION #)<br><input type="checkbox"/> ANNEXATION REQUEST (ANX)<br><input type="checkbox"/> EXTENSION OF TIME (ET)<br>_____<br>(ORIGINAL APPLICATION #)<br><input type="checkbox"/> APPLICATION REVIEW (AR)<br>_____<br>(ORIGINAL APPLICATION #) | <b>STAFF</b><br><br>APP. NUMBER: <u>WS-23-0622</u> DATE FILED: <u>09/11/2023</u><br>PLANNER ASSIGNED: <u>JUD</u><br>TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>10/10/2023</u><br>PC MEETING DATE: <u>NOV 7, 2023</u><br>BCC MEETING DATE: _____<br>FEE: <u>\$1150<sup>00</sup></u>   |
|  | <b>PROPERTY OWNER</b><br><br>NAME: <u>ISLAMIC INFORMATION CENTER LIVING TRUST</u><br>ADDRESS: <u>1610 EAST RUSSELL ROAD</u><br>CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89119</u><br>TELEPHONE: _____      CELL: <u>909-289-0365</u><br>E-MAIL: <u>Faraz.akber@gmail.com</u> |
|  | <b>APPLICANT</b><br><br>NAME: <u>SAME AS ABOVE</u><br>ADDRESS: _____<br>CITY: _____      STATE: _____      ZIP: _____<br>TELEPHONE: _____      CELL: _____<br>E-MAIL: _____      REF CONTACT ID #: _____  |
|  | <b>CORRESPONDENT</b><br><br>NAME: <u>SAME AS ABOVE</u><br>ADDRESS: _____<br>CITY: _____      STATE: _____      ZIP: _____<br>TELEPHONE: _____      CELL: _____<br>E-MAIL: _____      REF CONTACT ID #: _____  |

ASSESSOR'S PARCEL NUMBER(S): 162-26-402-004  
 PROPERTY ADDRESS and/or CROSS STREETS: 1610 EAST RUSSELL ROAD LAS VEGAS NV 89119  
 PROJECT DESCRIPTION: SOLAR CARPORT

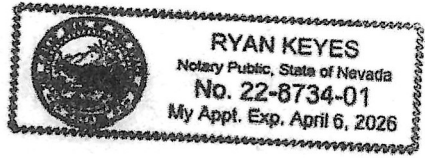
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON August 8<sup>th</sup>, 2023 (DATE)  
 By MUHAMMAD FARAZ AKBER

NOTARY PUBLIC: Ryan A. Keyes



\*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.

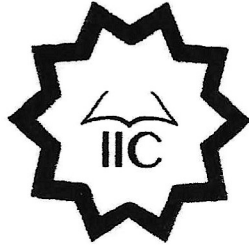
# LAND USE APPLICATION SUBMITTAL REQUIREMENTS

**SUBMITTAL REQUIREMENTS**

- These are the official submittal requirements; additional requirements may apply.
- Fees are \$30.00 to \$240 for general descriptions of requirements.
- All documents must be accurate and legible.
- For electronic submittals, PDF indicates document is only required in PDF format and numbers represent the required quantity of hard copies.
- For all hard copy submittals, add 1 copy for each required document.
- Incomplete applications will not be authorized to submit.
- Once fees are paid, an application will be considered "Submitted".

| Application  | Disclosure Form <sup>C</sup> | Assessor's Map <sup>D</sup> | Deed <sup>F</sup> | Legal Description <sup>H</sup> | Justification Letter <sup>G</sup> | Site Plans and applicable checklist <sup>G, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z</sup> | Site Plans - Floor Plans <sup>I</sup> | Site Plans - Elevations <sup>J</sup> | Landscape Plan <sup>K</sup> | Parking Analysis <sup>K</sup> | Cross Section <sup>L</sup> | Fees <sup>BB</sup> | Grading Plans <sup>L, V</sup> | List & Quantities of Hazardous Materials <sup>P</sup> | DOA and/or FAA Submittal <sup>N, O</sup> | Record of Survey <sup>W</sup> | Residential Impact Statement <sup>X</sup> | Certified Evidence of Separation <sup>AA</sup> | RISE Reports <sup>C, S</sup> | Concurrence from a Member of the Board |
|--|------------------------------|-----------------------------|-------------------|--------------------------------|-----------------------------------|--|---------------------------------------|--------------------------------------|-----------------------------|-------------------------------|----------------------------|--------------------|-------------------------------|---|--|-------------------------------|---|--|------------------------------|--|
| Text Amendment <sup>B</sup>                            | 1                            | 1                           |                   |                                | 2                                 |  |                                       |                                      |                             |                               |                            | ✓                  |                               |   |  |                               |   |  |                              |  |
| Zone Boundary Amendment <sup>A</sup>                   | 1                            | 1                           | PDF               | PDF                            | 2                                 |  |                                       |                                      |                             |                               |                            | ✓                  |                               |   | PDF                                      | PDF                           | PDF                                       | PDF  | PDF                          | PDF                                    |
| Use Permit <sup>A, T, U, DD</sup>                      | 1                            | 1                           | PDF               | PDF                            | 2                                 | 2  | 2                                     | 2                                    | 2                           | 1                             |                            | ✓                  | 2                             | PDF   | PDF                                      | PDF                           | PDF                                       | PDF  | PDF                          | PDF                                    |
| Variance <sup>A</sup>                                  | 1                            | 1                           | PDF               | PDF                            | 2                                 | 2  | 2                                     | 2                                    | 2                           | 1                             |                            | ✓                  | 2                             |   | PDF                                      | PDF                           | PDF                                       | PDF  | PDF                          | PDF                                    |
| Waiver of Development Standards <sup>A, CC, DD</sup>   | 1                            | 1                           | PDF               | PDF                            | 2                                 | 2  | 2                                     | 2                                    | 2                           | 1                             |                            | ✓                  | 2                             |   | PDF                                      | PDF                           | PDF                                       | PDF  | PDF                          | PDF                                    |
| Design Review <sup>A, X, Z</sup>                       | 1                            | 1                           | PDF               | PDF                            | 2                                 | 2  | 2                                     | 2                                    | 2                           | 1                             |                            | ✓                  | 2                             |   | PDF                                      | PDF                           | PDF                                       | PDF  | PDF                          | PDF                                    |
| Administrative Design Review <sup>A, X, Z</sup>        | 1                            | 1 <sup>R</sup>              | PDF               | PDF                            | 2                                 | 2  | 2                                     | 2                                    | 2                           | 1                             |                            | ✓                  | 2                             |   | PDF                                      | PDF                           | PDF                                       | PDF  | PDF                          | PDF                                    |
| Street Name or Numbering System Change <sup>A, M</sup> | 1                            | 1                           | PDF <sup>EE</sup> |                                | 2                                 |  |                                       |                                      |                             |                               |                            | ✓                  |                               |   |  |                               |   | PDF  |                              |  |
| Waiver of Conditions <sup>B</sup>                      | 1                            | 1                           |                   |                                | 2                                 |  |                                       |                                      |                             |                               |                            | ✓                  |                               |   | PDF                                      | PDF                           |   |  |                              |  |
| Annexation Requests <sup>B, Q</sup>                    | 1                            | 1                           | PDF               | PDF                            | 2                                 | 2  |                                       |                                      |                             |                               |                            | ✓                  |                               |   |  |                               |   |  |                              |  |
| Extension of Time <sup>B</sup>                         | 1                            | 1                           | PDF <sup>G</sup>  |                                | 2                                 |  |                                       |                                      |                             |                               |                            | ✓                  |                               | PDF   |  | PDF                           |   |  |                              |  |
| Application Review <sup>B</sup>                        | 1                            | 1                           | PDF               | PDF                            | 2                                 |  |                                       |                                      |                             |                               |                            | ✓                  |                               | PDF   |  | PDF                           |   |  |                              |  |
| Revised Plans <sup>EE</sup>                            | 1                            | 1                           |                   |                                | 2                                 | 2  | 2                                     | 2                                    | 2                           | 1                             |                            | ✓                  | 2                             |   |  |                               |   |  |                              | PDF                                    |

Footnotes on next page



WS-23-0622

Date: 2023-08-02

Project: Solar Carport @ Islamic Information Center  
1610 E Russell Road  
Las Vegas Nevada – 89119  
APN: 162-26-402-004

Owner: ISLAMIC INFORMATION CENTER LIVING TRUST  
C/o: Muhammad Faraz Akber  
7434 Barranca Peak Ct  
Las Vegas, Nevada – 89139

**Subject: Record # 23-100999 - Justification Letter - Design Review for the Carports in addition to the Waiver of Development Standards**

This is to inform you due to high energy cost and help the environment we have decided install solar system but the roof top of the building can not accommodate the needed number of solar panels so the only option we have to install a carport which can accommodate approximately 150 solar panels. After discussing with experts the we learned that west side parking lot will be the best location to install the carport.

I would appreciate if the application is considered and process at the earliest so we can install the proposed solar carport and solar system and make use of it to produce green energy which reduce the overall energy cost.

Here I am requesting for Design Review for the addition of the carport in addition to the Waiver of development standards to reduce side and front setbacks by 2feet and 19 feet respectively. Here is a detailed description of the proposed structure (i.e.: Color Scheme: No Color , Columns and Beams Material: Galvanized Steel, Decking material: solar panels, Height: 11 Feet maximum from deck to finish floor, Depth: approx 18 feet, Length: 3 arrays total approx 201 Feet). No parking spaces are being eliminated and the existing landscaping (perimeter and parking lot landscaping) will remain as it is. We have 100 Parking spaces and all 100 Parking spaces will remain.

Thank you,

Muhammad Faraz Akber  
Member of Board of Trustee  
Islamic Information Center  
**Cell#909-289-0365**

11

SIGNAGE  
(TITLE 30)

LAS VEGAS BLVD S/SANDS AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**DR-23-0630-VENETIAN PROPCO, LLC:**

**DESIGN REVIEWS** for the following: 1) wall sign area; 2) animated sign area; 3) animated sign number; and 4) modifications to an approved sign package in conjunction with an existing resort hotel (Venetian/Palazzo) on 63.2 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the east side of Las Vegas Boulevard South and the south side of Sands Avenue within Paradise. TS/hw/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-16-213-002 through 162-16-213-004; 162-16-213-048; 162-16-213-049; 162-16-301-011; 162-16-311-002 through 162-16-311-006; 162-16-311-009; 162-16-311-011

**DESIGN REVIEWS:**

1. Increase the area of wall signs on the Venetian/Palazzo site to 259,312 square feet where 44,030 square feet is permitted per Table 30.72-1 and where 253,969 square feet was previously permitted.
2. Increase the area of animated signs on the Venetian/Palazzo site to 21,847 square feet where 450 square feet is permitted per Table 30.72-1 and where 13,248 square feet was previously permitted.
3. Increase the number of animated signs on the Venetian/Palazzo site to 23 where 4 are permitted per Table 30.72-1 and where 15 were previously permitted.
4. Modifications to a comprehensive sign package to include the removal and replacement of wall signs, freestanding signs, and projecting signs with animation for the Venetian/Palazzo Resort Hotel.

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3325 Las Vegas Boulevard South
- Site Acreage: 63.2
- Project Type: Signage (wall, projecting, and freestanding)
- Building Height (feet): 54 (sign)/167 (maximum overall)



- Square Feet: 286,296 (total)/2,690 (increase)

#### Site Plan & Request

The site plan depicts the existing Venetian and Palazzo Resort Hotel sites located at the southeast corner of Las Vegas Boulevard South and Sands Avenue. The plans indicate that the applicant is requesting to remove an existing freestanding sign located in the western portion of the property adjacent to the replica Venetian clock tower façade. In addition, the applicant is also asking to remove 2 wall signs on the clock tower facade and replace them with an animated wall sign that will wrap around the same building northward up to the pedestrian bridge that connects to the western side of Las Vegas Boulevard South. The plans show that this sign will be set back at least 7 feet from Las Vegas Boulevard South. Additionally, the applicant wishes to completely remove, with no replacement, the signage on a small accessory structure (Customs House replica) to the west of the lagoon area. The plans also show that the Palazzo freestanding sign located in the northwest portion of the site, will be upgraded with animated signs that will replace existing static signs on a mostly one-for-one basis. Additionally, the plans show that 9 existing static projecting signs will be replaced one-for-one with new animated projecting signs along the eastern side of the building. These projecting signs are shown to be set back between 16 feet and 22 feet with each separated between 30 feet and 36.5 feet.

#### Signage

The elevation plans indicate that an existing 175 foot tall, 2,653 square foot freestanding sign will be completely removed from the western portion of the site along with two, 22 foot by 28 foot animated displays totaling 1,243 square feet. The elevations also show that an existing 16 foot by 9.5 foot animated display along the roof of an existing accessory structure (Customs House) will be removed for a total of 471 square feet removed. These signs will ultimately be replaced by a 7,057 square foot wrap around animated sign. This sign is shown to be 43 feet to 54 feet tall with the width varying between 22 feet and 81 feet wide depending on the elevation. The sign takes up the upper half of the stylized pedestrian bridge vestibule (Venetian clock tower replica) on the far western side of the resort building. This wall sign reaches an approximate height of 67 feet.

The proposed revisions to the projecting signs along the eastern side of the building show the signs run approximately halfway up the side of the lower portion of the resort building. The elevations show that the signs will be animated with an overall height of 36 feet tall and will be 6 feet wide with the signs projecting a total of 8 feet from the building. With 9 signs being retrofitted for a total of 1,944 square feet of projecting sign will be provided.

The elevations show that the existing 113.5 foot tall freestanding sign for the Palazzo will essentially remain the same except for the replacement of signage on the pylon sign being replaced with animated signage and the enlarging of the central and side structure signage. The elevations show that the 2 existing, animated LED signs that total 1,122 square feet each will be increased in size up to 1,545 square feet each with the video board dimensions becoming 34.8 feet tall and 44.3 feet wide up from 34.5 feet wide and 30.5 feet tall. The static sign areas on the upper sides of the freestanding sign will also be increased from 283 square feet up to 540 square feet with the dimensions of the side signs increasing to 9 feet wide by 31.8 feet tall. These side signs will also be animated. A sign along the sign support will remain the same size at 252

square feet (13.1 feet wide and 19.3 feet tall) but will become animated. Overall, there will be a total increase in the area of signage on the freestanding sign from 1,656 square feet up to 2,335 square feet with animated area increase from 1,122 square feet up to 2,335 square feet.

Tables summarizing the signage are provided below:

| Type of Sign  | Existing (sq. ft.) | Proposed (sq. ft.) | Total (sq. ft.) | Percent Increase | Allowed per Title 30 (sq. ft.) | # of Existing Signs | # of Proposed Signs | Total # of Signs |
|---------------|--------------------|--------------------|-----------------|------------------|--------------------------------|---------------------|---------------------|------------------|
| Freestanding  | 27,345             | -2,653             | 24,692          | -9.7             | 22,015                         | 9                   | -1                  | 8                |
| Wall/Awning   | 253,969            | 5,343              | 259,312         | 2.1              | 44,030                         | 188                 | -2                  | 186              |
| Hanging       | 10                 | 0                  | 10              | n/a              | 32                             | 2                   | 0                   | 2                |
| Projecting    | 2,282              | 0                  | 2,282           | n/a              | 32                             | 12                  | 0                   | 12               |
| Overall total | 283,606            | 2,690              | 286,296         | 1.0              | 66,109                         | 211                 | -3                  | 208              |

The details for the animated signs included in the signs above are listed below.

| Type of Sign | Existing (sq. ft.) | Proposed (sq. ft.) | Total (sq. ft.) | Percent Increase | Allowed per Title 30 (sq. ft.) | # of Existing Signs | # of Proposed Signs | Total # of Signs |
|--------------|--------------------|--------------------|-----------------|------------------|--------------------------------|---------------------|---------------------|------------------|
| Animated     | 13,248             | 8,599              | 21,847          | 65               | 450                            | 15                  | 8                   | 23               |

Applicant's Justification

The applicant states they are requesting the increase in signage to modernize their signage and bring it in line with similar sign packages found along the Las Vegas Strip and Resort Corridor. They also state approval for similar increases in sign area have previously been approved at the site. The applicant indicates that that the retrofits are needed to switch to more modern LED screens and increase the visibility of the signs so that mature landscaping can remain.

Prior Land Use Requests\*

| Application Number | Request   | Action          | Date          |
|--------------------|---|-----------------|---------------|
| DR-19-0937         | Modifications to the north entrance of the Venetian/Palazzo with an increase in wall/animated sign area | Approved by BCC | January 2020  |
| WS-1095-17         | Pedestrian bridge between Venetian/Palazzo and the Sphere   | Approved by BCC | February 2018 |
| DR-0760-13         | Modifications to Venetian/Palazzo sign package for additional wall signage                              | Approved by BCC | January 2014  |
| DR-0307-13         | Modifications to the sign package for a larger freestanding sign and additional wall signs              | Approved by BCC | July 2013     |
| DR-0165-13         | Modifications to Venetian/Palazzo sign package for animated and wall signs                              | Approved by BCC | May 2013      |
| DR-0231-12         | Modified the existing sign package to allow animated walls signs for the Sands Expo Center              | Approved by BCC | July 2012     |
| UC-0052-12         | Allowed animated wall signs with a projector and speakers   | Approved by BCC | March 2012    |
| DR-0140-11         | Modifications to the exterior of the clock tower portion of the façade                                  | Approved by BCC | May 2011      |

**Prior Land Use Requests\***

| Application Number | Request  | Action          | Date          |
|--------------------|--|-----------------|---------------|
| DR-0562-10         | Modifications to existing animated, wall, and awning signs   | Approved by BCC | January 2011  |
| WS-0017-09         | Modifications to a freestanding sign in conjunction with the Palazzo portion of the site                               | Approved by BCC | February 2009 |
| UC-0794-08         | Modifications to the Palazzo portion of the sign package to add monument, roof, freestanding, animated, and wall signs | Approved by BCC | October 2008  |
| UC-0717-07         | Addition of Palazzo signs to sign package  | Approved by BCC | August 2007   |
| DR-1459-06         | Animated freestanding sign addition with modifications to Venetian sign package  | Approved by BCC | November 2006 |

\* There are several applications at this site. The most recent and relevant are provided in the table.

**Surrounding Land Use**

|       | Planned Land Use Category            | Zoning District | Existing Land Use                      |
|-------|--------------------------------------|-----------------|--|
| North | Entertainment Mixed-Use & Public Use | H-1             | Wynn Resort Hotel                      |
| South | Entertainment Mixed-Use              | H-1             | Harrah's Resort Hotel                  |
| East  | Entertainment Mixed-Use              | H-1             | Sphere at the Venetian Resort          |
| West  | Entertainment Mixed-Use              | H-1             | Mirage & Treasure Island Resort Hotels |

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

Design Reviews

Overall, staff finds that the proposed changes to comprehensive sign package are compatible with the existing developments in the surrounding Las Vegas Boulevard South Corridor and with the other signage within the Venetian and Palazzo development. The modifications to the already existing comprehensive sign package comply with Policy 6.2.1 of the Master Plan which states that all new development should be compatible with the established neighborhood in terms of building styles on-site, and with surrounding developments. Policy 5.1.3 of the Master Plan also states that tourism is one of the bases of the local economy and should continue to be enhanced where possible. Given that Las Vegas Boulevard South and its surrounding area are designated as a National Scenic Byway, to which signage contributes, staff finds that the proposed signage and modifications to the approved sign package would positively contribute to the existing slate of signage in the Byway.

Additionally, the proposed signage is appropriate and compatible with the surrounding uses and should not create any additional negative effects on surrounding neighboring uses given the



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

|  |   |
|--|---|
| <b>APPLICATION TYPE</b><br><br><input type="checkbox"/> TEXT AMENDMENT (TA)<br><input type="checkbox"/> ZONE CHANGE (ZC)<br><input type="checkbox"/> USE PERMIT (UC)<br><input type="checkbox"/> VARIANCE (VC)<br><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)<br><input checked="" type="checkbox"/> DESIGN REVIEW (DR)<br><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)<br><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)<br><input type="checkbox"/> WAIVER OF CONDITIONS (WC)<br>(ORIGINAL APPLICATION #)<br><input type="checkbox"/> ANNEXATION REQUEST (ANX)<br><input type="checkbox"/> EXTENSION OF TIME (ET)<br>(ORIGINAL APPLICATION #)<br><input type="checkbox"/> APPLICATION REVIEW (AR)<br>(ORIGINAL APPLICATION #) | <b>STAFF</b><br><br>APP. NUMBER: <u>DR-23-0630</u> DATE FILED: <u>9-11-23</u><br>PLANNER ASSIGNED: _____<br>TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>10-10-23</u><br>PC MEETING DATE: _____<br>BCC MEETING DATE: <u>11-8-23</u><br>FEE: <u>\$675.00</u>  |
|  | <b>PROPERTY OWNER</b><br><br>NAME: <u>Venetian Las Vegas Gaming, LLC</u><br>ADDRESS: <u>3355 Las Vegas Boulevard, So.</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u><br>TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u><br>E-MAIL: <u>n/a</u>  |
|  | <b>APPLICANT</b><br><br>NAME: <u>Venetian Las Vegas Gaming, LLC</u><br>ADDRESS: <u>3355 Las Vegas Boulevard, So.</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u><br>TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u><br>E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>                              |
|  | <b>CORRESPONDENT</b><br><br>NAME: <u>Kaempfer Crowell -- Jennifer Lazovich</u><br>ADDRESS: <u>1980 Festival Plaza Dr. #650</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u><br>TELEPHONE: <u>702-792-7000</u> CELL: <u>702-792-7048</u><br>E-MAIL: <u>apierce@kcnvlaw.com</u> REF CONTACT ID #: <u>164674</u> |

ASSESSOR'S PARCEL NUMBER(S): 162-16-311-009

PROPERTY ADDRESS and/or CROSS STREETS: 3355 Las Vegas Boulevard, So.

PROJECT DESCRIPTION: Master Sign Plan

(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 instate 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.

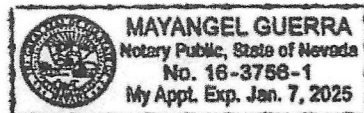
Robert J. Brimmer Jr.  
Property Owner (Signature)\*

ROBERT J. BRIMMER JR.  
Property Owner (Print)

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON July 24<sup>th</sup>, 2023 (DATE)  
By Robert J. Brimmer Jr.

NOTARY PUBLIC: [Signature]



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

signage and lighting are already present on the site and the almost one-for-one nature of the proposed changes. For these reasons, staff can support this request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Applicant is advised approval of this application does not constitute or imply approval of any other County issued permit, license or approval; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: YESCO**

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

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

DR-23-0630

KAEMPFER

CROWELL

JENNIFER LAZOVICH  
jlazovich@kcnvlaw.com  
D: 702.792.7050

September 7, 2023

**VIA ELECTRONIC UPLOAD**

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

*Re: Justification Letter – Design Review for Master Sign Plan  
APN: 162-16-311-009*

To Whom It May Concern:

Please be advised this office represents Venetian Las Vegas Gaming, LLC (the “Applicant”) in the above-referenced matter. The project is located on the corner of South Las Vegas Boulevard and Sands Avenue. The property is more particularly described as APN: 162-16-311-009 (the “Site”). The Site is zoned H-1 and master planned EM on approximately 43.59 acres. The Applicant is requesting revisions to the master sign plan, to include a decrease in the amount of freestanding signage; an increase in wall signage; and an increase in animated signage.

**REVISIONS TO MASTER SIGN PLAN**

The Applicant is proposing updates to on-site signage. The Applicant is proposing to remove signage (shown in blue on the submitted site plans), retrofitting existing signage, and proposing new signage. The Applicant proposes the following:

- To remove 2,653 square feet of freestanding signage, for a total of 25,234 square feet;
- To remove 1,714 square feet and add 5,343 square feet of wall/awning signage, for a total of 255,265 square feet;
- To remove 3,858 square feet and add 8,599 square feet of animated signage, for a total of 21,847 square feet; and
- Overall, to add 2,690 total square feet of signage, for a total of 282,791 square feet of signage.
- No changes are proposed to hanging or projecting signage.

Discussed below, the Applicant is requesting to allow increased square footage for certain sign types. The proposed signage revisions will modernize the signage on Site, bringing it in line with similar signage seen in the Resort Corridor. For these reasons, the Applicant respectfully requests favorable consideration of this request.

PLANNER COPY

**DESIGN REVIEW**

*Wall Signage from 249,922sf to 255,265sf where 44,030sf is allowed*

In prior applications, including DR-19-0937, the Applicant was approved for increased square footage that is substantially similar to what is proposed here. The Applicant's request here is to remove and add wall/awning signage, for a total increase of 5,343 square feet. This brings the total wall/awning signage from 249,922 square feet (current) to 255,265 square feet (proposed), where 44,030 square feet is allowed.

*Animated Signage from 13,248sf to 21,847sf where 450sf is allowed*

The Applicant is proposing to remove a total of 3,858 square feet of animated signage from the Site, and proposing to add 8,599 square feet. This request is inclusive of the signage categories as discussed above (ie: freestanding and wall/awning). Overall, this brings the total animated signage from 13,248 square feet (current) to 21,847 square feet (proposed), where 450 square feet is allowed. Part of this request relates to the proposed retrofit of existing signage that will be upgraded to LED signage, as well as adding new signage along Las Vegas Boulevard, as shown on the submitted site plans. The Applicant will be converting the existing static signs along Sands Avenue to LED signs. In addition to this conversion, the Applicant will move certain signs to be above the existing tree line so that the signs can be seen and the mature landscaping can remain.

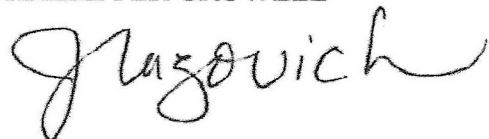
*Overall Total Square Footage from 280,101 to 282,791 where 66,109sf is allowed*

Overall, the Applicant is proposing to add 2,690 square feet of signage, a .96 percent increase. The Applicant is requesting a total increase from 280,101 square feet (current) to 282,791 square feet (proposed). With the proposed signage to be removed, and the proposed signage to be retrofitted and added to the Site, the Applicant aims to upgrade the Site's signage in a cohesive manner with other similar resorts along Las Vegas Boulevard.

Thank you in advance for your consideration of this application. Please do not hesitate to contact this office with any questions.

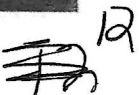
Sincerely,

KAEMPFER CROWELL



Jennifer Lazovich

JL/mlt



**Ann Pierce**

---

**From:** Clark County <Clarkcounty-accela@clarkcountynv.gov>  
**Sent:** Tuesday, August 15, 2023 5:28 PM  
**To:** Ann Pierce  
**Cc:** pwlanduse@clarkcountynv.gov  
**Subject:** APR-23-100976 - APN 162-16-311-009 - Public Works ok

Good afternoon,  
Public Works has no comments on this Application Pre-Review (APR). Please contact Comprehensive Planning at 702-455-4314 or [zoning@ClarkCountyNV.gov](mailto:zoning@ClarkCountyNV.gov) for information on how to proceed.

Thank you  
Jason Allswang

**Important information:**

Please note that although Public Works has no comments on this APR, it does not mean that we will recommend approval.



RESORT HOTEL  
(TITLE 30)

LAS VEGAS BLVD S/FLAMINGO RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**DR-23-0636-FLAMINGO LV OPERATING CO, LLC:**

**DESIGN REVIEWS** for the following: **1)** facade remodel; **2)** addition; and **3)** modification to an approved comprehensive sign plan in conjunction with a restaurant within a resort hotel (Flamingo) on a portion of 19.4 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the east side of Las Vegas Boulevard South, 200 feet north of Flamingo Road within Paradise. TS/sd/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-16-410-051; 162-16-412-004; 162-16-413-001; 162-16-312-002; 162-16-411-005; 162-16-411-002; 162-16-401-008; 162-16-412-008; 162-16-401-006; 162-16-401-004 ptn

**DESIGN REVIEWS:**

1. Exterior façade remodel.
2. Addition to a resort hotel (Flamingo) for a restaurant.
3. a. Modification to an approved comprehensive sign plan.  
b. Roof sign.

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3555 Las Vegas Boulevard South
- Site Acreage: 19.4 (portion)
- Project Type: Exterior remodel, addition and modification to an approved comprehensive sign plan for a restaurant within a resort hotel (Flamingo)
- Parking Required/Provided: 7,718/7,968 (based on UC-18-0323)

**Site Plans**

The plans depict an existing resort hotel (Flamingo Las Vegas Hotel) with existing amenities, including restaurants. The applicant has applied for a façade update and remodel of a restaurant and bar. The restaurant is located along Las Vegas Boulevard South with plans to enclose the outdoor patio area, remove an existing entrance near the southwest corner of the property,

convert an existing patio access from the exterior of the resort hotel to a new exterior entrance to the restaurant space, and remove and modify signage and landscaping. The existing restaurant was previously for outside dining with access from the exterior of the resort hotel. The proposed addition will extend outward to the base of the vertical wall and casino entrance. The remodel will convert this entrance to an entrance through the newly enclosed patio.

Landscaping

Landscaping is not a part of this application. Landscaping is shown along the street entrance and within the patio area. The applicant has stated landscaping will be removed along the current patio perimeter to allow for the patio enclosure.

Elevations

The proposed project will enclose the existing outdoor patio and consist of a glass and metal storefront with patina green finish color with decorative metal. The plans depict the enclosed patio area at 15 feet, 6 inches in height with tinted glass and brass finish.

Floor Plans

The plans depict a restaurant with outside dining to be enclosed at 833 square feet with a lounge area, bar, dining area, kitchen, and an entrance area to the casino.

Signage

Existing signage at the property will be removed in connection with the proposed changes. A total of 13 wall signs and animated signage will be removed. A total of 550 square feet of wall and animated signage will be removed and replaced by a new internally illuminated roof sign and will add 182 square feet.

The following table is an updated summary for signage:

| Type of sign  | Existing (sq. ft.) | Proposed (sq. ft.) | Signage removed (sq. ft.) | Total (sq. ft.) | Allowed per Title 30 (sq. ft.) | # of Existing Signs | # of Proposed Signs | Total # of Signs |
|---------------|--------------------|--------------------|---------------------------|-----------------|--------------------------------|---------------------|---------------------|------------------|
| Freestanding  | 297                | 0                  | 0                         | 297             | 7,590                          | 5                   | 0                   | 5                |
| Wall*         | 81,622             | 0                  | -511<br>(13 signs)        | 81,111          | 12,550                         | 58                  | 0                   | 45               |
| Roof          | 0                  | 182                | 0                         | 182             | 0                              | 0                   | 1                   | 1                |
| Overall Total | 81,919             | 182                | -511                      | 81,590          | 20,140                         | 63                  | 1                   | 51               |

\*The wall signs also contain animation.

The details for animated signs are listed below:

| Type of sign | Existing (sq. ft.) | Proposed (sq. ft.) | Signage Removed (sq. ft.) | Total (sq. ft.) | Allowed per Title 30 (sq. ft.) | # of Existing Signs | # of Proposed Signs | Total # of Signs |
|--------------|--------------------|--------------------|---------------------------|-----------------|--------------------------------|---------------------|---------------------|------------------|
| Animated     | 18,700             | 0                  | -39 (1 sign)              | 18,661          | 300                            | 5                   | 0                   | 4                |

Applicant's Justification

The applicant is requesting approval of a design review for a façade update and remodel of an existing restaurant and bar. The remodel will enclose the existing outdoor patio area, remove an existing entrance near the southwest corner of the property, convert an existing patio access from the exterior of a resort hotel to a new exterior entrance to the restaurant, remove and modify existing signage, and modify existing landscaping. The exterior façade will consist of a glass and metal storefront with a patina green finish color and decorative metal columns. One new internally illuminated wall sign will be added at the restaurant at approximately 182 square feet.

**Prior Land Use Requests**

| Application Number      | Request  | Action          | Date           |
|-------------------------|--|-----------------|----------------|
| DR-21-0477              | Exterior remodel, modify existing comprehensive sign plan, increase wall sign, increase number of animated signs, increase area for animated signs   | Approved by BCC | October 2021   |
| VS-20-0508              | Vacated and abandoned easements (pedestrian access)  | Approved by PC  | January 2021   |
| DR-0021-17              | Modification to an approved comprehensive sign plan (Margaritaville and various wall wraps)  | Approved by BCC | March 2017     |
| UC-0153-12              | Signage, reduced setbacks, and design review for modifications to a previously approved comprehensive sign package in conjunction with existing resort hotels (Flamingo, The LINQ, and Harrah's) | Approved by BCC | July 2012      |
| DR-0336-10 (ET-0074-12) | First extension of time for a comprehensive sign package for 4 contiguous resort hotels - expired  | Approved by BCC | July 2012      |
| DR-0336-10              | Comprehensive sign package for 4 contiguous resort hotels (Imperial Palace, Flamingo, O'Sheas, & Bills Gamblin' Hall) - expired  | Approved by BCC | September 2010 |
| UC-1548-00              | Outside dining with a restaurant fronting Las Vegas Boulevard South and various deviations   | Approved by BCC | November 2000  |

Applications listed pertain to this portion of the property. Various other applications have been approved on the site and are available in department records.

**Surrounding Land Use**

|       | Planned Land Use Category | Zoning District | Existing Land Use  |
|-------|---------------------------|-----------------|--|
| North | Entertainment Mixed-Use   | H-1             | LINQ Promenade & LINQ Resort Hotel                                     |
| South | Entertainment Mixed-Use   | H-1             | Cromwell Resort Hotel  |
| East  | Entertainment Mixed-Use   | H-1             | Hilton Grand Vacation Timeshare, LINQ parking lot, & commercial center |
| West  | Commercial Tourist        | H-1             | Caesars Palace Resort Hotel  |

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

Design Reviews

Staff finds that the proposed exterior remodel and sign package modifications are compatible with the existing developments along Las Vegas Boulevard South. The proposed remodel and façade changes are consistent with the design of the overall resort hotel and will complement the existing façade of the resort and restaurant. Outside dining is a common amenity for resorts along Las Vegas Boulevard South.

Code allows alternative sign standards within the Resort Corridor that can be approved if the signs result in the development having a visual character which is compatible with the adjacent development. The proposed signs are compatible with other signs in the area and are in harmony with the unique nature of signage along Las Vegas Boulevard South and within the Resort Corridor. Other requests to increase the area of wall signs for a resort hotel property have also been approved. Therefore, staff finds that the proposed signage modifications are compatible with the existing developments and resort hotels in the area; therefore, staff can support these requests.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

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

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

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** FLAMINGO LAS VEGAS OPERATING COMPANY, LLC

**CONTACT:** REBECCA MILTENBERGER, BROWNSTEIN, HYATT, FARBER, AND SCHREC, 100 N. CITY PARKWAY, SUITE 1600, LAS VEGAS, NV 89106

DRAFT



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

|   |   |
|---|---|
| <b>APPLICATION TYPE</b><br><br><input type="checkbox"/> TEXT AMENDMENT (TA)<br><input type="checkbox"/> ZONE CHANGE (ZC)<br><input type="checkbox"/> USE PERMIT (UC)<br><input type="checkbox"/> VARIANCE (VC)<br><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)<br><input type="checkbox"/> DESIGN REVIEW (DR)<br><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)<br><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)<br><input type="checkbox"/> WAIVER OF CONDITIONS (WC)<br><br>(ORIGINAL APPLICATION #)<br><input type="checkbox"/> ANNEXATION REQUEST (ANX)<br><input type="checkbox"/> EXTENSION OF TIME (ET)<br><br>(ORIGINAL APPLICATION #)<br><input type="checkbox"/> APPLICATION REVIEW (AR)<br><br>(ORIGINAL APPLICATION #) | <b>STAFF</b><br><br>APP. NUMBER: <u>02-23-0636</u> DATE FILED: <u>9/12/23</u><br>PLANNER ASSIGNED: <u>SWD</u><br>TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>10/10/23</u><br>PC MEETING DATE: _____<br>BCC MEETING DATE: <u>11/8/23</u><br>FEE: <u>\$ 675</u>   |
|   | <b>PROPERTY OWNER</b><br><br>NAME: <u>Flamingo Las Vegas Operating Company, LLC</u><br>ADDRESS: <u>3555 S Las Vegas Boulevard</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u><br>TELEPHONE: <u>N/A</u> CELL: <u>N/A</u><br>E-MAIL: <u>N/A</u>  |
|   | <b>APPLICANT</b><br><br>NAME: <u>Flamingo Las Vegas Operating Company, LLC</u><br>ADDRESS: <u>3555 S Las Vegas Boulevard</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u><br>TELEPHONE: <u>N/A</u> CELL: <u>N/A</u><br>E-MAIL: <u>N/A</u> REF CONTACT ID #: <u>N/A</u>  |
|   | <b>CORRESPONDENT</b><br><br>NAME: <u>Rebecca Miltenberger - Brownstein Hyatt Farber Schreck, LLP</u><br>ADDRESS: <u>100 North City Parkway, Suite 1600</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u><br>TELEPHONE: <u>702-464-7058</u> CELL: <u>N/A</u><br>E-MAIL: <u>Rmiltenberger@bhfs.com</u> REF CONTACT ID #: <u>176001</u> |

ASSESSOR'S PARCEL NUMBER(S): 162-16-412-004 & 162-16-410-051

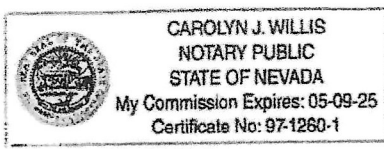
PROPERTY ADDRESS and/or CROSS STREETS: 3555 S. Las Vegas Boulevard

PROJECT DESCRIPTION: Facade update & remodel of existing tenant space

(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)\*      Marc Paquette, Authorized Signatory  
 \_\_\_\_\_  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON June 30, 2023 (DATE)  
 By Marc Paquette  
 NOTARY PUBLIC: [Signature]



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

August 28, 2023

Rebecca L. Miltenberger  
Attorney at Law  
702.464.7052 direct  
rmiltenberger@bhfs.com

## VIA ELECTRONIC DELIVERY

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

RE: Justification Letter – Flamingo Las Vegas Hotel & Casino Remodel and Façade Update  
APNs: 162-16-412-004 & 162-16-410-051

To Whom It May Concern:

We represent Flamingo Las Vegas Operating Company, LLC, a Nevada limited liability company (the "Applicant"), owner and operator of the Flamingo Las Vegas Hotel & Casino, located at 3555 S. Las Vegas Boulevard, Las Vegas, Nevada 89109, bearing Clark County Assessor Parcel Numbers ("APNs") 162-16-412-004 & 162-16-410-051 (the "Property"), in connection with the land use application review enclosed herewith.

The Applicant is requesting approval of an administrative design review for a façade update and remodel of an existing restaurant and bar located at the Property (the "Restaurant"). The remodel will (1) enclose the existing outdoor patio area, (2) remove an existing entrance near the Southwest corner of the Property, (3) convert an existing patio access from the exterior of a resort hotel to a new exterior entrance to the Restaurant space, (4) remove and modify existing signage, and (6) modify existing landscaping, as more particularly shown on the enclosed plans included herewith (the "Project").

The proposed Project will enclose the existing outdoor patio, which is approximately 833 sq. ft.. The exterior façade will consist of a glass and metal storefront with a patina green finish color and decorative metal columns as show on the enclosed plans. The Restaurant was previously approved for outside dining with access from the exterior of a resort hotel per UC-00-1548. The remodel will convert this entrance to an entrance through the newly enclosed patio. The new exterior façade improvements will be setback approximately 62' 11" from the property line.

Existing signage at the Property will be removed in connection with the Project as summarized in the chart provided below. One (1) new internally illuminated wall sign will be added at the Property, approximately 10' 3" x 7' 9" and 182 square feet. As a result, the proposed Project will remove (a) 13 wall signs and approximately 511 square feet of wall sign area and (b) 1 animated sign and 39 square feet of animated sign area. . Enclosed herewith is an updated comprehensive sign chart reflecting the modifications.

| DR-17-0021 (Flamingo Signage) |   |           |           |
|-------------------------------|---|-----------|-----------|
| Identification                | Quantity                                      | Type      | Sq. Ft.   |
| Signs # 5 & # 6               | Updated per DR-21-0477 (Purple Zebra Remodel) |           |           |
| Sign # 7                      | 1   | Wall Sign | 47.56 SF  |
| Sign # 8                      | 1   | Wall Sign | 196.67 SF |
| Sign # 9                      | 1   | Wall Sign | 6 SF      |
| Sign # 11                     | 1   | Wall Sign | 6 SF      |
| Sign # 12                     | 1   | Wall Sign | 64.08 SF  |

|  |           |                   |               |
|--|-----------|-------------------|---------------|
| Sign # 13                                | 1         | Wall Sign         | 6 SF          |
| <b>DR-21-0477 (Purple Zebra Remodel)</b> |           |                   |               |
| Vinyl Wraps                              | 7         | Wall Signs        | 184 SF        |
| LED Panel                                | 1         | Animated          | 39 SF         |
| <b>TOTAL REMOVED</b>                     | <b>13</b> | <b>Wall Signs</b> | <b>511 SF</b> |
| <b>TOTAL REMOVED</b>                     | <b>1</b>  | <b>Animated</b>   | <b>39 SF</b>  |

The proposed Project will complement the Property's existing design. Similarly, the materials selected for the proposed Project will complement the existing façade at the Property and the surrounding areas. The proposed sign area was previously approved and will be relocated, as shown on the enclosed plans, which is also consistent with other signage along Las Vegas Boulevard, and is compatible and harmonious with other existing resorts in the Resort District.

Thank you in advance for your consideration of this application. Please contact me should you have any questions or require additional information.

Sincerely,



Rebecca L. Miltenberger  
Enclosures



**FLAMINGO HOTEL CASINO  
Comprehensive Sign Chart**

| Type of Sign  | Approved Sq Ft<br>DR-17-0021 | Margaritaville<br>Approved Sq Ft<br>UC-19-0388 | Purple Zebra<br>Signage Sq.<br>Ft.<br>DR-21-0477 | Additional<br>Signage<br>Removed<br>Sq Ft | Proposed<br>Remodel<br>Signage Sq<br>Ft | Total Sq Ft   | Allowed<br>per Title<br>30 | Proposed<br>Reduction<br>Sq Ft | # of Existing<br>Signs<br>DR-17-0021 | # of<br>Margaritaville<br>Approved Signs<br>UC-19-0388 | # of Purple<br>Zebra<br>Approved<br>Signs<br>DR-21-0477 | # Proposed<br>Signs<br>Removed | # Proposed<br>Signs | Total # Of<br>Signs |
|---------------|------------------------------|--|--|---|---|---------------|----------------------------|--------------------------------|--------------------------------------|--|---|--------------------------------|---------------------|---------------------|
| Wall*         | 81,589                       | 23   | 10   | -511                                      | 182                                     | 81,293        | 12,550                     | -0.36%                         | 59                                   | 1  | -2  | -13                            | 1                   | 46                  |
| Freestanding  | 297                          | 0  | 0  | 0   | 0                                       | 297           | 7,590                      | 0.00%                          | 5                                    | 0  | 0   | 0                              | 0                   | 5                   |
| Directional   | 0                            | 0  | 0  | 0   | 0                                       | 0             | 32                         | 0.00%                          | 0                                    | 0  | 0   | 0                              | 0                   | 0                   |
| Roof          | 0                            | 0  | 0  | 0   | 0                                       | 0             | 0                          | 0.00%                          | 0                                    | 0  | 0   | 0                              | 0                   | 0                   |
| Projecting    | 0                            | 0  | 0  | 0   | 0                                       | 0             | 32 per<br>tenant           | 0.00%                          | 0                                    | 0  | 0   | 0                              | 0                   | 0                   |
| <b>Totals</b> | <b>81,886</b>                | <b>23</b>                                      | <b>10</b>  | <b>-511</b>                               | <b>182</b>                              | <b>81,590</b> | <b>20,204</b>              | <b>N/A</b>                     | <b>64</b>                            | <b>1</b>   | <b>-2</b>   | <b>-13</b>                     | <b>1</b>            | <b>51</b>           |
| Animation     | 18,700                       | 0  | 39   | -39                                       | 0                                       | 18,700        | 300                        | -0.21%                         | 4                                    | 0  | 1   | -1                             | 0                   | 4                   |

\* Wall signs also contain animation.

Includes Approved Applications:  
DR-17-0021 (Flamingo Signage)  
UC-19-0388 (Margaritaville)  
DR-21-0477 (Purple Zebra)

revised 7/14/23

11/08/23 BCC AGENDA SHEET

MONORAIL  
(TITLE 30)

LAS VEGAS BLVD S/SAHARA AVE/BLUE DIAMOND RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0631-BUDGET RENT A CAR SOUTHERN CA:**

**USE PERMIT** for a monorail on approximately 11.2 acres in an M-1 (Light Manufacturing) Zone and a C-2 (General Commercial) (AE-70, AE-65, & AE-60) Zone.

Generally located between Desert Inn Road and Warm Springs Road, and between Maryland Parkway and Valley View Boulevard within Paradise and Enterprise. MN/JG/JJ/bb/syp (For possible action)

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RELATED INFORMATION:

**APN:**

162-17-101-001; 162-17-101-002; 162-17-101-006; 162-22-402-001; 177-04-401-028; 162-29-301-001; 162-29-301-002

**LAND USE PLAN:**

ENTERPRISE - ENTERTAINMENT MIXED-USE

PARADISE - ENTERTAINMENT MIXED-USE

PARADISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 11.2
- Project Type: Monorail (underground people mover system)

History & Request

Previous land use applications were approved to allow previous alignments of a monorail (underground people mover system). DR-19-0429 was approved for 6 aboveground entrances to the underground stations which connect the Las Vegas Convention Center (LVCC) parking lots and exhibition halls. DR-20-0261 was approved for a single point to point connection between the West Hall expansion of the LVCC to Resorts World. The underground tunnel connecting the LVCC and Wynn Resort Hotel was approved via DR-20-0262. In addition, UC-20-0546 is a Project of Regional Significance which expands the monorail within the Resort Corridor from Russell Road along Las Vegas Boulevard South heading north towards Sahara Avenue. Furthermore, UC-20-0547 was a figure 8 route alignment (Caesar's Loop) which connects existing resorts south of Sands Avenue, north of Harmon Avenue, west of Koval Lane, and East

of Las Vegas Boulevard South. DR-22-0412 was subsequently approved and added 4613 Las Vegas Boulevard South as a new station to the Vegas Loop. UC-23-0126 approved additional alignments for the monorail, with individual stations to be reviewed in the future.

This application adds 4 new station locations to the Vegas Loop alignment map.

Site Plan

The submitted map indicates 4 new station markers to be added to the overall monorail and Vegas Loop station map.

|  |
|--|
| <b>Proposed stations with this application:</b>                          |
| 3310 S. Valley View Blvd. 162-17-101-001, 162-17-101-002, 162-17-101-006 |
| Tahiti Village 177-04-401-028  |
| 4744 Paradise Road 162-22-402-001  |
| 3755 W. Hacienda Ave. 162-29-301-001, 162-29-301-002                     |

Landscaping

Landscaping is not a part of this application.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is proposing to add 4 additional stations to the Vegas Loop Monorail map outlined in existing use permits UC-20-0546 and UC-23-0126. Station designs will be submitted for administrative design review at a later date. As a transportation facility, the proposed Vegas Loop expansion is consistent with the existing land use and zoning of the properties listed.

**Prior Land Use Requests**

| <b>Application Number</b> | <b>Request</b>   | <b>Action</b>   | <b>Date</b>    |
|---------------------------|--|-----------------|----------------|
| UC-23-0126                | Monorail station alignment map updates   | Approved by BCC | May 2023       |
| DR-22-0412                | Station addition located at 4613 Las Vegas Boulevard South   | Approved by BCC | September 2022 |
| UC-20-0547                | Monorail (underground people mover system) in a figure 8 loop which connects the Cromwell Resort Hotel, Flamingo Resort Hotel, the High Roller, Harrah's Resort Hotel, the Linq Resort Hotel, Caesar's Palace Resort Hotel, and Bally's Resort Hotel | Approved by BCC | October 2021   |
| UC-20-0546                | Monorail (underground people mover system) which extends from Sahara Avenue along Las Vegas Boulevard S (Resort Corridor) to Russell Road  | Approved by BCC | October 2021   |

**Prior Land Use Requests**

| Application Number | Request  | Action          | Date          |
|--------------------|--|-----------------|---------------|
| ADR-20-900564      | Modifications to the alignment of the underground people mover system connecting the Las Vegas Convention Center to Encore Resort Hotel and changes to the station location at the Las Vegas Convention Center | Approved by ZA  | December 2020 |
| DR-20-0262         | Underground people mover system connecting the Las Vegas Convention Center to Encore Resort Hotel  | Approved by BCC | August 2020   |
| DR-20-0261         | Underground people mover system connecting the Las Vegas Convention Center to Resorts World Resort Hotel   | Approved by BCC | August 2020   |
| ADR-19-900879      | Modifications to the previously approved underground people mover system at the Las Vegas Convention Center, which included moving stations and changing the entrance structures for stations                  | Approved by ZA  | January 2020  |
| DR-19-0429         | Underground people mover system at the Las Vegas Convention Center with both below grade and surface level stations  | Approved by BCC | July 2019     |

Numerous prior land use applications are associated with all the project parcels; however, these applications are related to the monorail.

**Surrounding Land Use**

|       | Planned Land Use Category | Zoning District | Existing Land Use                         |
|-------|---------------------------|-----------------|---|
| North | Entertainment Mixed-Use   | M-1             | Industrial, warehouses, City of Las Vegas |
| South | Entertainment Mixed-Use   | C-2             | Tahiti Village & Undeveloped              |
| East  | Corridor Mixed-Use        | C-2 & P-F       | UNLV campus                               |
| West  | Entertainment Mixed-Use   | M-1             | Industrial warehouses                     |

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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

Staff finds that this request will establish 4 additional stations located on extensions of the previously approved monorail line, and therefore, will increase connectivity and convenience to

visitors within the Resort Corridor and surrounding establishments. In addition, the project will create economic, transportation, and environmental benefits. The proposed stations, along with the previously approved monorail alignments, comply with Policy 3.1.2 of the Master Plan which encourages pursuing a variety of strategies to reduce reliance on private automobile travel, with the goal of reducing fossil fuel consumption and associated pollutant emissions from vehicles, including efforts to encourage the use of electric vehicles. Lastly, this project complies with Urban Specific Policy 28 which encourages unique transportation opportunities and Policy 1 which encourages growth patterns that reduce automobile dependence, support alternative modes of transportation, and reduce air pollution. Staff supports these requests.

### **Department of Aviation**

Department of Aviation is aware that applicant has proposed the use of cranes for parcel 162-22-402-001, as reflected in Aeronautical Study Numbers (ASN) 2023-AWP-12953-OE, 2023-AWP-13005(thru 13007)-OE that will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

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

Parcel 162-22-402-001 lies within the AE-70 (70 - 75 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:**

#### **Comprehensive Planning**

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a

substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; 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**

- 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 for the use of cranes and potentially, future proposed structures (including temporary structures) and temporary construction equipment on parcel 162-22-402-001;
- 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 for the use of cranes and potentially, future proposed structures (including temporary structures) and temporary construction equipment on parcel 162-22-402-001; Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA for the use of cranes and potentially, future proposed structures (including temporary structures) and temporary construction equipment on parcel 162-22-402-001;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; the FAA 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.

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

- Applicant is advised that the CCWRD has existing sanitary sewer infrastructure within the project boundaries; continue coordination efforts as project progresses; the CCWRD requires submittal of civil improvement plans for review and approval by the CCWRD (Plan Review Requirements noted below); if a POC is required, find instructions for submitting a Point of Connection (POC) request on the CCWRD's website and a signed Sump Connection Agreement will be required; during plan review, all CCWRD public

sanitary sewer facilities that are found to need relocation or abandonment to

accommodate the Developer's project shall be done solely at the Developer's expense; any new relocation of sewers, along with the granting of any needed sanitary sewer easements, shall be constructed and flows diverted into the new relocated facilities prior to the old sanitary sewers being removed; to protect the integrity of CCWRD sewers, PRE and POST construction televising of CCWRD sewers is required for sewers in close proximity of the Developer's project. Tunnels are required to be at least 40 feet deep at major streets.

- Plan Review Requirements:
- Regardless of discharge location:
  - 1. Show connection location on these plans of where the drainage system for the tunnels, tunnel side structures, stations, and any other structure will discharge.
  - 2. Reference the BD Permit numbers on these plans for all proposed structures (such as Foundation, Structural and/or Build-Out).
  - 3. Tunnels are required to be at least 40 feet deep at major streets or as determined by the Agency.
  - 4. It is assumed that every underground structure is going to have perforated pipe around it. Show otherwise or show where this pipe is discharging to. No groundwater is allowed to discharge to sewer.
- If discharging into Storm Drain:
  - 1. Upload supplemental plans approved by the Building Department (CCBD) and/or Public Works (CCPW) to the PIPES Portal for CCWRD review.
- If discharging into Sanitary Sewer:
  - Ensure the following is addressed on these plans:
    - 1. A Sand/oil interceptor is required before connecting to Sewer. Any pressurized flows need to discharge to a gravity MH first before going through the interceptor.
    - 2. A Rain Diversion Structure (i.e. Trench Drain) is required at every ramp entrance.
    - 3. Have an approved POC # and proposed average flow (in MGD or number of ERUs) listed on the General Notes sheet.
    - 4. Have an Executed Sump Connection Agreement between CCWRD and The Boring Company (TBC) for each project.

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

**APPLICANT:** TYLER FAIRBANKS

**CONTACT:** TYLER FAIRBANKS, VEGAS LOOP, 3395 CAMBRIDGE STREET, LAS VEGAS, NV 89169

11/08/23 BCC AGENDA SHEET

PUMPING STATION & ELECTRIC SUBSTATION MONTHILL AVE/HAZELCREST DR  
(TITLE 30)

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0637-LAS VEGAS VALLEY WATER DISTRICT:**

**USE PERMIT** for public utility structures consisting of a pumping station, electric substation, fences and walls.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) waive off-site improvements (sidewalk); 2) reduce throat depth; 3) increase driveway width; and 4) allow pan driveways.

**DESIGN REVIEWS** for the following: 1) public utility and structures (pumping station and electric substation); and 2) increase fill on a 5.9 acre portion of 18.2 acres in a Public Facility (P-F) Zone.

Generally located on the north side of Monthill Avenue, 105 feet east of Hazelcrest Drive within Paradise. TS/jba/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

161-19-502-001 ptn

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Waive off-site improvements (sidewalk) where required per Chapter 30.52.
2. Reduce throat depth to 2.5 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 90% reduction).
3. Increase driveway width to 145 feet where a maximum of 40 feet is allowed per Uniform Standard Drawing 222.1 (a 263% increase).
4. Allow pan driveways where commercial curb return driveways are required per Uniform Standard Drawings 222.1 and 225.

**DESIGN REVIEW:**

1. Public utility and structures (pumping station and electric substation).
2. Allow 10 feet of fill where a maximum of 3 feet is permitted per Section 30.32.040 (a 234% increase).

**LAND USE PLAN:**

WINCHESTER/PARADISE - PUBLIC USE



**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 4095 E. Flamingo Road
- Site Acreage: 5.9 (portion)/18.2 (overall site)
- Project Type: Water pump station and electrical substation
- Building Height (feet): 46 (pumping station)
- Square Feet: 18,870 (pumping station)

Site Plan

The subject site is an 18.2 acre parcel that contains an existing pumping station, electric substation, and reservoir for the Las Vegas Valley Water District. Records indicate that the facility was constructed in the 1960's. The proposed development is on a 5.9 acre portion of the site located on the south side of the site adjacent to Monthill Avenue. The plans depict a new building for an additional pumping station, an additional electric substation, a rate of flow control station, and a fenced area for maintenance vehicles. Access to the 5.9 acre portion of the site will primarily be from 2 proposed driveways on Monthill Avenue, with additional access provided from the north via the existing driveway on Flamingo Road. The western driveway will be used by staff arriving in passenger vehicles while the eastern driveway will be used for maintenance vehicles. Both driveways are access controlled by security gates.

Landscaping

Landscaping is proposed along the Monthill Avenue frontage with landscape planters ranging in width from 6 feet to 10 feet. Acacia trees and complementary shrubs will be provided. An 11 foot, 4 inch high decorative block wall is proposed behind the landscape planters to provide extra security for the facility.

Elevations

The pumping station will vary in height from 39 feet to 46 feet. Materials consist of desert tone brick and stone. Although the roof is mostly flat, a 3:12 pitched roof is shown on the east and west sides of the building.

Applicant's Justification

The applicant states the proposed development will provide a reliable back-up for conveying treated water to the Las Vegas Valley. The increased fill is needed due to the steep slope on the eastern portion of the site. The waiver request for the wide driveway is to allow crews to service the facility with larger maintenance vehicles. If a sidewalk needs to be provided on Monthill Avenue, the usable ground for the grading needed to maintain the integrity of the perimeter wall and drainage would be compromised. The throat depth waiver is being requested due to limited available space.

**Surrounding Land Use**

|              | <b>Planned Land Use Category</b> | <b>Zoning District</b> | <b>Existing Land Use</b> |
|--------------|----------------------------------|------------------------|--------------------------|
| North & East | N/A                              | N/A                    | US-95 right-of-way       |

**Surrounding Land Use**

|              | Planned Land Use Category                  |          | Zoning District | Existing Land Use         |
|--------------|--|----------|-----------------|---------------------------|
| South & West | Mid-Intensity Neighborhood (up to 8 du/ac) | Suburban | 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**

**Comprehensive Planning**

Use Permit

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

The site has been used as a public facility since the 1960's. Due to the nature of the facility, there will be minimal traffic, so there should be no adverse impacts on the surrounding properties. However, the approval of the use permit is dependent on the approval of the waivers of development standards, which Public Works is not supporting. Therefore, staff cannot support the use permit.

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.

Design Review #1

The design of the building, fencing and walls, and landscaping are complementary to the surrounding residences. The pumping station building has articulation and contrasting colors and materials to create an aesthetically pleasing environment. However, the approval of the design review is dependent on the approval of the waivers of development standards, which Public Works is not supporting. Therefore, staff cannot support this request.

**Public Works - Development Review**

Waiver of Development Standards #1

Staff cannot support the request to not install sidewalks on Monthill Avenue. Sidewalks on public streets provide a safe pathway which helps prevent pedestrians from walking on the asphalt pavement on the roadway. Therefore, staff cannot support this request.

Waivers of Development Standards #2 & #3

Staff finds that the reduced throat depth and increase commercial driveway width for the easternmost commercial driveway may result in conflicts with trucks trying to access the site. The increased driveway width may cause confusion leading to vehicles stacking within the right-of-way. The applicant has not provided sufficient justification to indicate why a standard commercial driveway will not work for truck traffic.

Waiver of Development Standards #4

Commercial curb return driveways help mitigate traffic by allowing a smooth transition from the road into the commercial site, whereas pan driveways require vehicles to nearly come to a stop to negotiate a turn into a site. With the redevelopment of the on-site portions of the site, staff finds that it is imperative to improve the driveways as public safety is more important than the on-site redevelopment.

Design Review #2

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

**Staff Recommendation**

Denial.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

If approved:

- 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 has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- Drainage study and compliance.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0453-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: YVONNE HAND**

**CONTACT: YVONNE HAND, SNWA, 1001 S. VALLEY VIEW BLVD., LAS VEGAS, NV 89153**

DRAFT



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

|  |   |
|--|---|
| <b>APPLICATION TYPE</b><br><br><input type="checkbox"/> TEXT AMENDMENT (TA)<br><input type="checkbox"/> ZONE CHANGE (ZC)<br><input checked="" type="checkbox"/> USE PERMIT (UC)<br><input type="checkbox"/> VARIANCE (VC)<br><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)<br><input checked="" type="checkbox"/> DESIGN REVIEW (DR)<br><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)<br><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)<br><input type="checkbox"/> WAIVER OF CONDITIONS (WC)<br><br>(ORIGINAL APPLICATION #)<br><input type="checkbox"/> ANNEXATION REQUEST (ANX)<br><input type="checkbox"/> EXTENSION OF TIME (ET)<br><br>(ORIGINAL APPLICATION #)<br><input type="checkbox"/> APPLICATION REVIEW (AR)<br><br>(ORIGINAL APPLICATION #) | <b>STAFF</b><br><br>APP. NUMBER: <u>UC-23-0637</u> DATE FILED: <u>9-12-23</u><br>PLANNER ASSIGNED: _____<br>TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>10-16-23</u><br>PC MEETING DATE: <u>11-7-23</u><br>BCC MEETING DATE: _____<br>FEE: <u>NO FEE REQUIRED.</u>                    |
|  | <b>PROPERTY OWNER</b><br><br>NAME: <u>Southern Nevada Water Authority</u><br>ADDRESS: <u>1001 South Valley View Blvd.</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89153</u><br>TELEPHONE: <u>702-822-8587</u> CELL: _____<br>E-MAIL: _____                               |
|  | <b>APPLICANT</b><br><br>NAME: <u>Ryan Pearson, P.E.</u><br>ADDRESS: <u>1001 South Valley View Blvd.</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89153</u><br>TELEPHONE: <u>702-875-7064</u> CELL: _____<br>E-MAIL: <u>ryan.pearson@lvvwd.com</u> REF CONTACT ID #: _____ |
|  | <b>CORRESPONDENT</b><br><br>NAME: <u>Yvonne Hand</u><br>ADDRESS: <u>1001 South Valley View Blvd.</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89153</u><br>TELEPHONE: <u>702-822-8587</u> CELL: _____<br>E-MAIL: <u>yvonne.hand@snwa.com</u> REF CONTACT ID #: _____      |

ASSESSOR'S PARCEL NUMBER(S): APN 161-19-502-001

PROPERTY ADDRESS and/or CROSS STREETS: Flamingo Road/ US 93/95/515/Monthill Avenue

PROJECT DESCRIPTION: Monthill Pump Station, Forebay, ROFCS and Substation

(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.

John J. Entsminger  
Property Owner (Signature)\*

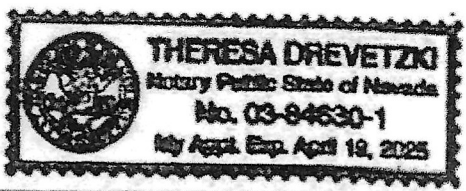
John J. Entsminger  
Property Owner (Print)

PLANNER COPY

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON May 10, 2023 (DATE)  
By John J. Entsminger

NOTARY PUBLIC: Theresa Drevetzki



\*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.



## SOUTHERN NEVADA WATER AUTHORITY

1001 South Valley View Boulevard • Las Vegas, NV 89153  
(702) 258-3939 • snwa.com

August 31, 2023

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

Attention: Current Planning Division

SUBJECT: CONTRACT NO. 3147S – STAGE II RELIABILITY UPGRADES - MONTHILL PUMPING STATION, FOREBAY, ROFCS & ELECTRICAL SUBSTATION, DESIGN REVIEW, WAIVERS OF DEVELOPMENT STANDARDS (JUSTIFICATION), AND SPECIAL USE PERMIT REQUEST

The Southern Nevada Water Authority (Authority) respectfully requests a Design Review, Waivers of Development Standards, and a Special Use Permit for the subject project. The Authority is in the process of designing the Stage II Reliability Upgrades (S2RU) Project. The S2RU Project includes the Monthill Pumping Station, forebay, rate of flow control station (ROFCS) and a 69 kV substation to be located near the southwest corner of Flamingo Road and the US-93/ I-515 intersection (APN 161-19-502-001). The S2RU Project will provide a reliable back up to aging water facilities for conveying treated water to the Las Vegas Valley.

The Monthill Pumping Station (Project) site is approximately 5.6 acres on the south portion of the existing Las Vegas Valley Water District's Campbell Pumping Station & Reservoir adjacent to Monthill Avenue. The Monthill Pumping Station will consist of a 90 million gallon per day (MGD) pump station, a partially buried 4 million-gallon forebay, below grade ROFCS and a 69 kV substation.

An 11-foot 4-inch split face CMU block wall with a smooth band detail will be constructed along Monthill Avenue. The wall will be a light earth tone and the band will be a darker earth tone. The perimeter wall setback varies from 6 feet to 50 feet from back of the right of way. Native trees and shrubs will be planted in accordance with Title 30 along Monthill Avenue adjacent to the Project site. The Project includes the installation of two driveways and access gates along Monthill Avenue. The western most driveway will serve as the daily entrance and will have a 26-foot electric slide gate. This entrance will typically have about two trips per day by pickup truck type vehicles. The eastern most driveway provides dedicated access for maintenance crews to service the pumping station. This driveway is vital to operating the facility because it will allow access to larger maintenance vehicles.

The maximum fill requirement cannot be met due to the steep elevation change on the eastern portion of the Project site. A 10-foot maximum fill is proposed. The finish grade of most of the Project site will be

PLANNER COPY

lower than the current grade. However, the substation elevation must be built up (with fill material) to meet overhead clearance and future maintenance requirements. The finish grade elevation of the substation cannot drop below existing design grade to be level with the pumping station. The increase in finish grade will be 120-inches.

The 69 kV substation will be surrounded by a split face CMU block wall in a light earth tone color that will match the new perimeter wall. The wall will have a max height of 14-feet 8-inches for security purposes due to the proximity to the US-95 Freeway. The substation will feature four (4) 8-foot lighting rods atop 40-foot lightning protection poles. A 450 sq. ft. unmanned enclosure will be constructed to house controls. In addition, switch operated LED lights will be installed to support intermittent maintenance activities. The Authority respectfully requests a Special Use Permit for a Public Utility Structure, Electrical Substation.

The Project site faces some constructability challenges due to limited available space and the elevation changes of the site. Therefore, the Authority respectfully requests Waivers of Development Standards for the following:

- **Detached Sidewalk Requirement** - Chapter 30.62 of Clark County code requires a detached sidewalk to be installed. The Authority would like to preserve as much space as possible for landscaping. Adding a sidewalk would require a larger setback and decrease usable ground for grading needed to maintain the integrity of the perimeter CMU block wall and support site drainage. Currently, there is not a sidewalk on the northern side of Monthill Avenue, however there is pedestrian access on the south side. The Authority respectfully requests a Waiver of Development Standards for Offsite Improvements.
- **Sidewalk Requirement** - Chapter 30.52 of Clark County code requires sidewalks to be installed. A new decorative perimeter wall will replace the existing wall in the same location. Adding a sidewalk would require a larger setback and decrease usable ground for grading needed to maintain the integrity of the perimeter CMU block wall and support site drainage. Currently, there is not a sidewalk on the northern side of Monthill Avenue, however there is pedestrian access on the south side. The Authority respectfully requests a Waiver of Development Standards for Offsite Improvements.
- **Driveway Throat Depth** - Chapter 30.52/Uniform Standard Drawing 222.1 requires the minimum throat depth of 25 feet. The west driveway has a throat depth of 11.5 feet and the east driveway has a throat depth of 2.5 feet. The throat depths of the drives cannot meet the minimum depth due to the limited available space. The Authority respectfully requests a Waiver of Development Standards for Offsite Improvements.
- **Driveway Width** - Chapter 30.52/Uniform Standard Drawing 222.1 requires a maximum driveway width of 40 feet. The eastern drive is 145 feet wide to accommodate larger maintenance vehicles to pull off the street while the gate opens. The Authority respectfully requests a Waiver of Development Standards for Offsite Improvements.

The Project is scheduled to begin construction in June 2024 with an anticipated completion date of February 2027.

The Authority respectfully requests approval of the application for the subject Project. If you have questions or concerns about this matter, please contact me at (702) 875-7064.

Sincerely,

*Ryan Pearson*

Ryan Pearson, P.E.  
Engineering Division Manager  
Engineering Design Division



11/08/23 BCC AGENDA SHEET

SIGNAGE  
(TITLE 30)

MANDALAY BAY RD/LAS VEGAS BLVD S

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WC-23-400131 (DR-19-0906)-MANDALAY PROPCO, LLC;**

**WAIVER OF CONDITIONS** of a design review requiring full animation allowed only when Mandalay Bay Road is closed to vehicle traffic, with animation at other times to consist of static images that are displayed for a minimum of 1 hour before transitioning to the next static image in conjunction with an existing Resort Hotel (Mandalay Bay) on 124.1 acres in an H-1 (Limited Resort and Apartment) Zone and an H-1 (Limited Resort and Apartment) (AE-60 & AE-65) Zone.

Generally located on the north and south sides of Mandalay Bay Road and the west side of Las Vegas Boulevard South within Paradise. MN/mh/syp (For possible action)

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RELATED INFORMATION:

**APN:**

162-29-610-002; 162-29-710-002

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3930 & 3950 Las Vegas Boulevard South
- Site Acreage: 124.1
- Project Type: Amended comprehensive sign plan

**Site Plan & Request**

The property is the site of the Mandalay Bay Resort Hotel and the Mandalay Place Shopping Center. The Mandalay Place Shopping Center connects the Luxor Resort Hotel with the Mandalay Bay Resort Hotel. The existing resort hotel is located on the northwest corner of Russell Road and Las Vegas Boulevard South with additional frontage along Frank Sinatra Drive and Mandalay Bay Road. Access to the site is provided from all of these adjacent streets. A portion of the Mandalay Place Shopping Center crosses over Mandalay Bay Road. The airspace from 18.5 feet to 100 feet above Mandalay Bay Road was vacated to allow the building to cross over the right-of-way (VS-0387-11). The original request (DR-19-0906) was to amend the approved comprehensive sign plan for the resort hotel and shopping center which includes removing a total of 8 existing non-animated wall signs and replacing them with 2 animated (LED

video units) signs. The approved plans featured proposed signs located on the east and west sides of the building, over the portion of the shopping center that crosses over Mandalay Bay Road. A condition of approval restricted full animation to be allowed only when Mandalay Bay Road is closed to vehicle traffic, with animation at other times to consist of static images that are displayed for a minimum of 1 hour before transitioning to the next static image. This request is to waive that condition and remove the restriction.

Previous Conditions of Approval

Listed below are the approved conditions for DR-19-0906:

**Current Planning:**

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

**Public Works – Development Review**

- Full animation allowed only when Mandalay Bay Road is closed to vehicle traffic, with animation at other times to consist of static images that are displayed for a minimum of 1 hour before transitioning to the next static image;
- The static image display interval is to be reviewed in 1 year;
- Signs shall be as high up on the building as possible to ensure that the signs do not present a background to the sightlines of vehicles in relation to traffic signals and signage, to be approved by Public Works;
- Provide photometric drawings showing the impact of the signage on the drivers with brightness, to be approved by Public Works;
- Install back plates on all east facing traffic signals on westbound Mandalay Bay Road and on all west facing traffic signals on eastbound Mandalay Bay Road, to be approved by Public Works.

Applicant’s Justification

The applicant indicates all conditions of approval from the original application have been satisfied and the signs have not resulted in any detrimental occurrences. The applicant adds that electronic displays are similar to other electronic displays along the Resort Corridor that do not have static image restrictions.

**Prior Land Use Requests**

| Application Number           | Request  | Action          | Date           |
|------------------------------|--|-----------------|----------------|
| AR-23-400106<br>(UC-20-0104) | Second application for review for a use permit to waive conditions for temporary outdoor events (tailgating) | Approved by BCC | September 2023 |
| AR-21-400040<br>(UC-20-0104) | First application for review for a use permit to waive conditions for temporary outdoor events (tailgating)  | Approved by BCC | May 2021       |

**Prior Land Use Requests**

| <b>Application Number</b> | <b>Request</b>   | <b>Action</b>   | <b>Date</b>   |
|---------------------------|--|-----------------|---------------|
| UC-20-0546                | Monorail with waiver to not provide a franchise agreement concurrent with a special use permit for a monorail                                      | Approved by BCC | April 2021    |
| DR-20-0448                | Amended a comprehensive sign plan for Mandalay Bay Resort Hotel with increased wall sign area  | Approved by BCC | December 2020 |
| DR-20-0272                | Amended a comprehensive sign plan for Mandalay Bay Resort Hotel with increased wall sign area  | Approved by BCC | August 2020   |
| WC-20-400020 (VS-0387-11) | Waived condition requiring advertising visible from the public right-of-way and not be permitted within the vacated area                           | Approved by BCC | May 2020      |
| DR-19-0906                | Amended a comprehensive sign plan for the Mandalay Bay Resort Hotel with increased sign area and increased animated sign area                      | Approved by BCC | May 2020      |
| UC-20-0104                | Waived conditions for temporary outdoor events (tailgating)  | Approved by ZA  | April 2020    |
| DR-20-0061                | Amended a comprehensive sign plan for the Mandalay Bay Resort Hotel with increased overall animated sign area                                      | Approved by BCC | April 2020    |
| DR-18-0081                | Extension of private monorail system consisting of fixed guideway structures and columns, a station/terminal, and associated accessory structures  | Approved by BCC | March 2018    |
| UC-0617-16                | Extension of private monorail system consisting of fixed guideway structures, a station/terminal, and associated accessory structures              | Approved by BCC | November 2017 |
| UC-0273-16                | Temporary outdoor events longer than 10 days with deviations to development standards  | Approved by BCC | June 2016     |
| UC-0041-16                | Proposed parking garage in conjunction with a resort hotel, with increased height, reduced height setback, and deviations to development standards | Approved by BCC | April 2016    |
| UC-0574-14 (WC-0023-16)   | Waived a condition requiring landscaping for approved expansion to existing convention facilities for the Mandalay Bay Resort Hotel                | Approved by BCC | April 2016    |
| DR-0765-15                | Amended comprehensive sign plan for the Mandalay Bay Resort Hotel  | Approved by BCC | January 2016  |
| UC-0574-14                | Expansion to existing convention facilities for the Mandalay Bay Resort Hotel  | Approved by BCC | August 2014   |
| DR-0209-13                | Comprehensive sign plan for the Mandalay Bay Resort Hotel  | Approved by BCC | June 2013     |

**Prior Land Use Requests**

| Application Number                | Request   | Action          | Date           |
|-----------------------------------|---|-----------------|----------------|
| UC-0691-12                        | Secondhand sales (Four Seasons Hotel)   | Approved by PC  | January 2013   |
| UC-0544-12                        | Pool area remodeled with exterior access point (Mandalay Bay)                               | Approved by PC  | November 2012  |
| VS-0387-11                        | Vacated airspace above Mandalay Bay Road  | Approved by PC  | October 2011   |
| UC-0740-02                        | 1,126 guestroom hotel tower with incidental hotel uses (The Hotel)                          | Approved by BCC | August 2002    |
| WS-1301-01                        | Revisions to a retail center (Mandalay Place)   | Approved by PC  | November 2001  |
| UC-2067-98                        | Freestanding signs (Mandalay Bay)   | Approved by PC  | January 1999   |
| UC-1322-98                        | Timeshare hotel tower with accessory uses in conjunction with a resort hotel (Mandalay Bay) | Approved by PC  | September 1998 |
| UC-0697-98                        | Modification to an approved resort hotel (Mandalay Bay)                                     | Approved by BCC | June 1998      |
| Agenda Item #68 June 16, 1998 BCC | Amended the dedication of Mandalay Bay Road (formerly Hacienda Avenue)                      | Approved by BCC | June 1998      |
| Agenda Item #39 March 3, 1998 BCC | Dedication of Mandalay Bay Road (formerly Hacienda Avenue)                                  | Approved by BCC | March 1998     |
| UC-1546-97                        | Modification to an approved resort hotel (Mandalay Bay)                                     | Approved by BCC | October 1997   |
| UC-0244-97                        | Resort hotel with accessory uses (Project Z)  | Approved by BCC | April 1997     |
| UC-1543-96                        | Resort hotel with accessory uses (Project Y)  | Approved by PC  | October 1996   |

**Surrounding Land Use**

|       | Planned Land Use Category        | Zoning District | Existing Land Use   |
|-------|----------------------------------|-----------------|---|
| North | Entertainment Mixed-Use          | H-1             | Luxor & Excalibur Resort Hotels   |
| South | Business Employment & Public Use | P-F             | Undeveloped, Bali Hai Golf Club, Las Vegas Metro Police Substation, & Clark County Fire Station |
| East  | Entertainment Mixed-Use          | H-1 & P-F       | Motel, convenience store, retail uses, & undeveloped  |
| West  | Entertainment Mixed-Use          | H-1             | I-15 & Allegiant Stadium  |

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

Waiver of Conditions

The intent of the conditions is to ensure that public health, safety, and welfare is not jeopardized by the distraction of commercial signage as vehicular traffic approaches the portion of the roadway under the building. Therefore, staff cannot support the full animated signage that is proposed with this application.

**Staff Recommendation**

Denial.

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

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

**PRELIMINARY STAFF CONDITIONS:**

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

If approved:

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: MANDALAY PLACE**

**CONTACT: GEORGE ROGERS, GMRA, 6325 S. JONES BOULEVARD, SUITE 100, LAS VEGAS, NV 89118**



# LAND USE APPLICATION **PLANNING** COPY

DEPARTMENT OF COMPREHENSIVE PLANNING  
APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

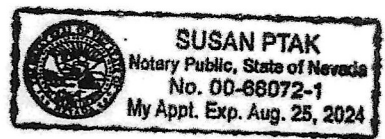
|   |   |
|---|---|
| <b>APPLICATION TYPE</b><br><br><input type="checkbox"/> TEXT AMENDMENT (TA)<br><input type="checkbox"/> ZONE CHANGE<br><input type="checkbox"/> CONFORMING (ZC)<br><input type="checkbox"/> NONCONFORMING (NZC)<br><input type="checkbox"/> USE PERMIT (UC)<br><input type="checkbox"/> VARIANCE (VC)<br><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)<br><input type="checkbox"/> DESIGN REVIEW (DR)<br><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)<br><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)<br><input type="checkbox"/> WAIVER OF CONDITIONS (WC)<br>DR19-0906<br>(OBJECTIVE APPLICATION #)<br><input type="checkbox"/> ANNEXATION REQUEST (ANX)<br><input type="checkbox"/> EXTENSION OF TIME (ET)<br>DR19-0906<br>(OBJECTIVE APPLICATION #)<br><input type="checkbox"/> APPLICATION REVIEW (AR)<br>(OBJECTIVE APPLICATION #) | <b>STAFF</b><br><br>APP. NUMBER: <u>WC-23-400131</u> DATE FILED: <u>8/31/23</u><br>PLANNER ASSIGNED: _____<br>TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>10/10/23</u><br>PC MEETING DATE: <u>N/A</u><br>BCC MEETING DATE: <u>11/16/23</u><br>FEE: <u>5475</u>  |
|   | <b>PROPERTY OWNER</b><br><br>NAME: <u>Mandalay Propco, LLC by Mandalay Place, LLC, Operating Tenant</u><br>ADDRESS: <u>3930 Las Vegas Boulevard South</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u><br>TELEPHONE: _____      CELL: _____<br>E-MAIL: _____                              |
|   | <b>APPLICANT</b><br><br>NAME: <u>Mandalay Place, LLC</u><br>ADDRESS: <u>3930 Las Vegas Boulevard South</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u><br>TELEPHONE: _____      CELL: _____<br>E-MAIL: _____      REF CONTACT ID #: _____  |
|   | <b>CORRESPONDENT</b><br><br>NAME: <u>George Rogers</u><br>ADDRESS: <u>6325 South Jones Boulevard, Suite 100</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u><br>TELEPHONE: <u>702-894-5027</u> CELL: <u>702-376-9782</u><br>E-MAIL: <u>pac@gmralv.com</u> REF CONTACT ID #: <u>168923</u> |

ASSESSOR'S PARCEL NUMBER(S): 162-29-610-002 and 162-29-710-002  
 PROPERTY ADDRESS and/or CROSS STREETS: 3930 Las Vegas Boulevard South and 3950 Las Vegas Boulevard South  
 PROJECT DESCRIPTION: Delete the condition requiring static image display interval.

(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]      Jessica Cunningham, Assistant Secretary  
 Operating Tenant (Signature)\*      Operating Tenant (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON July 14, 2023 (DATE)  
 By Jessica Cunningham  
 NOTARY PUBLIC: Susan Ptak



\*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.



George M. Rogers, Architect  
Architecture ■ Interiors

6325 S. Jones Boulevard, Suite 100  
Las Vegas, Nevada 89118  
(702)894-5027  
fax (702)894-5028  
www.gmrarchitect.com

August 28, 2023

Clark County Current Planning  
500 South Grand Central Parkway  
Las Vegas, NV 89101

re: APN 162-29-610-002 and 162-29-710-002  
3930 and 3950 Las Vegas Boulevard South  
Letter of Justification Mandalay PROPCO LLC  
Waiver of Conditions (DR-19-0906)

To Whom It May Concern,

The following request and justification is provided for your consideration and review:

## Request

### Waiver of Conditions

Waiver of Conditions to OMIT the static image display conditions and allow the signs to display full animation video at any time.

## Project Description

The application was approved on May 20, 2020 with the Comprehensive Planning Department condition to commence within 2 years and the Public Works Department condition to review the static image display interval in 1 year.

The original condition for Application Review was intended to provide an evaluation of the static image display interval, more specifically, that:

“full animation allowed only when Mandalay Bay Road is closed to vehicle traffic, with animation at other times to consist of static images that display for a minimum of 1 hour before transitioning the next static image.”

Our request is to amend the approved conditions and delete the condition that restricts full animation video only during times when Mandalay Bay Road is closed for pedestrian traffic. All other conditions of approval remain the same.

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## Justification

This application is justified for the following reasons:

- 1) All conditions of approval have been satisfied including: mounting height and a photometric study included in the Environmental Impact Report dated July 14, 2021 prepared by The Lighting Design Alliance, Inc., reviewed by Clark County Public Works and noted in the original land use application file DR-19-0906.
- 2) The electronic displays are similar to other electronic displays that do not have static image restrictions and the subject signs should be allowed the display conditions of the other electronic signs displaying full animation.
- 3) The signs have existed in compliance with DR-19-0906 without any detrimental occurrences and it is reasonable to allow these electronic displays the same full animation that other similar electronic displays enjoy along the resort corridor.

We look forward to your review and comments.

Very truly yours,



George M. Rogers, AIA



11/08/23 BCC AGENDA SHEET

RESORT HOTEL  
(TITLE 30)

LAS VEGAS BLVD S/SPRING MOUNTAIN RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-23-0593-MGP LESSOR, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** for reduced driveway throat depth.

**DEVIATION** for existing sidewalk and landscaping.

**DESIGN REVIEW** for an update to a previously approved resort hotel with all associated and accessory uses, structures, and incidental buildings and structures on 69.8 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the west side of Las Vegas Boulevard South, 1,300 feet south of Spring Mountain Road within Paradise. TS/jor/syp (For possible action)

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RELATED INFORMATION:

**APN:**

162-16-214-002; 162-17-711-002

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the existing driveway throat depth along Sammy Davis Jr. Drive to 27 feet where 150 feet is required per Uniform Standard Drawing 222.1 (an 82% reduction).

**DEVIATION:**

Allow an existing attached sidewalk and landscaping to remain along Sammy Davis Jr. Drive where Figure 30.64-17 is required.

**DESIGN REVIEW:**

An update to a previously approved resort hotel with all associated and accessory uses, structures, and incidental buildings and structures.

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3400 Las Vegas Boulevard South
- Site Acreage: 69.8
- Project Type: Resort hotel
- Number of Stories: 43 (including podium)

- Building Height (feet): 542 (top of guitar)/660 (additional architectural features)
- Square Feet: 1,208,301 (approved with UC-23-0031)/ 45,261 (pool surface area)/70,000 (addition live theater)/ 60,000 (ballroom addition)/110,000 (low rise expansion)/ 6,500 (retail addition)/6,300 (north valet remodel)/1,794,654 (total with this application)
- Parking Required/Provided: 5,592/6,166
- Guest Rooms: 3,645

#### History, Site Plan, & Request

UC-23-0031 was previously approved for the new Hard Rock Hotel Casino Las Vegas (rebranding of The Mirage). This application included a new hotel tower and buildings which consists of the new casino area, retail spaces, restaurants with outside dining, a night club, day club, offices, live entertainment, recreation areas, entertainment areas, back of house areas, and other related accessory uses. The new hotel tower and buildings will consist of 1,208,301 square feet of total area.

Today, the proposed plans focus on areas along the south property line, and the valet drop-off area within a private drive located within the northern porte-cochere (in between the self-parking garage and the valet garage). Per the applicant, the proposal is to remove and add structures on the site, and to remodel some existing structures.

The following structures will be removed: the existing animal exhibit and habitat, some existing pool structures which include 16 cabanas, a pool bar, and lanais, existing back of house areas (non-public spaces). The total building square footage to be removed is expected to be 172,938 square feet.

The existing guard station is part of the VIP entrance adjacent to Sammy Davis Jr. Drive, this guard station will be relocated while maintaining the existing driveway. In addition, 6,166 parking spaces are provided, where 5,592 parking spaces are required.

Furthermore, the applicant is requesting to reduce driveway throat depth to 27 feet where 150 feet is required per Uniform Standard Drawing 222.1. This driveway geometric is existing and is adjacent to Sammy Davis Jr. Drive. The existing attached sidewalk and landscaping along Sammy Davis Jr. Drive will remain, hence the deviation request. A design review for the submitted plans depicting an update and new additions to the previously approved resort hotel with all associated and accessory uses, structures, and incidental buildings and structures is also a part of this application.

#### Landscaping

The submitted landscape plan focuses on the southwest corner of the site. Plant types listed on the plans comply with the Southern Nevada Water Authority Plant List. Proposed landscaping primarily face interior to the site adjacent to the pool areas, also within the private drive aisle adjacent to the existing villas (north side). The northeastern valet area and porte-cochere will be remodeled with new landscaping which will still face internally to the site and is not within view of Las Vegas Boulevard South.

Elevations

The proposed elevations are consistent in architectural design with the previously approved application UC-23-0031. South facing elevations for the existing central plant remodel, theater remodel, and low rise expansion have a maximum height of 98 feet. The northern porte-cochere has a maximum height of 25 feet. The ballroom expansion design includes an overall maximum height of 40 feet. Existing hotel tower elevations have an overall height of 429 feet.

Floor Plans

The following areas and structures on the southwest corner of APN 162-17-711-002 will be remodeled and/or added to the site:

- 6,300 square feet of north valet (remodel)
- 45,261 square feet of pool surface area (remodel) - the maximum allowable surface area is 45,261 square feet
- 70,000 square feet of live theater (addition)
- 6,500 square feet of retail (addition)
- 110,000 square feet of low rise (expansion)
- 60,000 square feet of ballroom (addition), which includes a VIP entrance.
- The low-rise expansion design programming has not yet been determined.

Signage

Signage is not a part of this request.

Applicant's Justification

Per the submitted justification letter, the applicant was recently approved for related special use permits, deviations, waivers, and design reviews via UC-23-0031. This application represents the second entitlement application for the existing hotel. The applicant proposes to remodel the existing north valet and resort pool, expand the current low-rise area, and the addition of theater, retail, and ballroom spaces.

Prior Land Use Requests

| Application Number | Request  | Action          | Date          |
|--------------------|--|-----------------|---------------|
| UC-23-0031         | High Impact Project, resort hotel (Hard Rock), with associated uses, deviations, waivers, and design reviews | Approved by BCC | March 2023    |
| DR-21-0443         | Comprehensive sign package   | Approved by BCC | October 2021  |
| ADR-21-900297      | Outdoor patio  | Approved by ZA  | July 2021     |
| UC-19-0859         | Temporary commercial outdoor events  | Approved by BCC | December 2019 |
| DR-18-0647         | Façade changes to existing outdoor sales structure/booth   | Approved by BCC | October 2018  |

**Prior Land Use Requests**

| Application Number           | Request  | Action          | Date          |
|------------------------------|--|-----------------|---------------|
| AR-18-400147<br>(UC-0283-17) | First application for review of an outdoor sales structure/booth subject to removing the time limit                                      | Approved by BCC | July 2018     |
| UC-0283-17                   | Allowed an outdoor sales structure/booth for Mirage and signage subject to a 1 year review after ticket sales begin                      | Approved by BCC | June 2017     |
| UC-0200-17                   | Allowed an outdoor sales structure/booth for Treasure Island and a use permit for deviations to development standards for a resort hotel | Approved by BCC | May 2017      |
| DR-0596-12                   | Comprehensive sign package   | Approved by BCC | November 2012 |
| TM-0221-08                   | 1 lot commercial subdivision   | Approved by PC  | February 2009 |
| UC-2055-04                   | Remodel and expansion of the existing Mirage Resort Hotel including signage  | Approved by PC  | January 2005  |
| DR-1047-03                   | 67 foot high pedestrian bridge connection to a proposed public pedestrian bridge on the north side of the Treasure Island Resort Hotel   | Approved by BCC | August 2003   |
| VC-2030-98                   | Pedestrian bridge to connect the Treasure Island and The Mirage Resort Hotel properties to the Venetian Resort Hotel                     | Approved by BCC | August 1998   |
| VC-894-92                    | 37,000 square feet of signs  | Approved by PC  | December 1992 |

**Surrounding Land Use**

|       | Planned Land Use Category | Zoning District | Existing Land Use   |
|-------|---------------------------|-----------------|---|
| North | Entertainment Mixed-Use   | H-1             | Treasure Island Resort Hotel  |
| South | Entertainment Mixed-Use   | H-1             | Caesars Palace Resort Hotel & Forum Shops                             |
| East  | Entertainment Mixed-Use   | H-1             | Venetian/Palazzo Resort Hotel, Casino Royale, & Harrah's Resort Hotel |
| West  | Business Employment       | M-1             | Office/warehouse buildings & I-15                                     |

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive 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.

#### Deviation

Staff does not oppose the applicant's request to allow the existing attached sidewalk and existing landscaping adjacent to Sammy Davis Jr. Drive to remain. Portions of the resort hotel which face Sammy Davis Jr, adjacent to existing driveways, sidewalks, and mature landscaping are integral to the way non-public areas and VIP entrances are utilized. Staff finds that this request does not pose a negative impact to the site or the proposed remodeled areas of the resort hotel. Staff supports this request.

#### Design Review

Staff finds that the proposed update to the site is compatible with the previously approved application (UC-23-0031). The plans depict a schematic design that is in-line with the resort hotel's contemporary design that is unique and architecturally diverse, which is appropriate for the surrounding area. Staff finds the proposed revisions to the previously approved resort hotel is fitting for the area, is well-suited with the surrounding land uses, and complies with multiple goals and policies from the Master Plan; therefore, staff recommends approval.

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

##### Waiver of Development Standards

Staff has no objection to reducing the throat depth for the existing driveway on Sammy Davis Jr. Drive. The driveway should see significantly less traffic, as it is used for VIP access and not the general public. The minimal traffic will help reduce the potential for vehicle conflicts caused by throat depth. Additionally, the applicant has worked with staff to relocate the gate shack, helping to reduce conflicts.

#### **Department of Aviation**

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

#### **Staff Recommendation**

Approval.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; water features must comply with Chapter 30.64; 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**

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

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0246-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** HR NV, LLC

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

DRAFT

11/08/23 BCC AGENDA SHEET

OFFICE COMPLEX  
(TITLE 30)

WINDMILL LN/SPENCER ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-23-0607-WINDMILL LANE SERIES SIERRA INVESTMENT PROPERTIES:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) architectural compatibility; and 2) reduce throat depth.

**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; and 2) proposed office buildings on 1.1 acres in a CRT (Commercial Residential Transitional) Zone.

Generally located on the south side of Windmill Lane, 660 feet east of Spencer Street within Paradise. MN/lm/syp (For possible action)

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RELATED INFORMATION:

APN:

177-14-501-001

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Waive architectural compatibility standards with surrounding existing residences where required per Table 30.40-4.
2. a. Reduce throat depth for a driveway along Windmill Lane to zero feet on the east side where a minimum of 100 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).  
b. Reduce throat depth for a driveway along Windmill Lane to 25 feet on the west side where a minimum of 100 feet is required per Uniform Standard Drawing 222.1 (a 75% reduction).

**DESIGN REVIEWS:**

1. Allow alternative parking lot landscaping where Figure 30.64-14 is required.
2. Office building complex.

**LAND USE PLAN:**

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 2007 E. Windmill Lane
- Site Acreage: 1.1
- Number of buildings: 2



- Project Type: Office building
- Number of Stories: 1
- Building Height (feet): 19
- Square Feet (total): 7,326.5 (Building 1)/4,838 (Building 2)
- Parking Required/Provided: 49/51

### Request & Site Plan

The site previously had a request for an office building complex (WS-22-0517) that required a redesign of the site due to denial of the design review and some of the requested waivers. The proposed layout is similar to the previous design; however, changes to the proposed commercial development have reduced the number of requested waivers, increased Building 1 setbacks, provided additional landscaping, moved the trash enclosure, and increased the number of provided parking spaces.

The proposed plans depict 2 office buildings on 1.1 acres. Building 2 is proposed to be located on the northeast portion of the site, near the entrance to the site from Windmill Lane. Building 1 is located on the southwest portion of the site and is set back 20 feet from an existing 10 foot high block wall that is abutting single family residences. Building 1 is also set back 10 feet from the west residential properties with an intense landscape buffer. Section 30.56-10 (option 3) allows for buildings less than 35 feet in height to be setback from the zoning district with an intense buffer per Figure 30.64-12. Parking is distributed throughout the site, with 4 parking spaces provided for bicycle parking located at the northwest corner of Building 1. The trash enclosure is located south of Building 2 and is 140 feet from the south property line and over 130 feet from the west property line.

### Landscaping

The plans depict a 15 foot wide landscape strip located between the existing attached sidewalk and Building 2. Parking lot landscaping is dispersed along the boundaries of the property, with several landscape islands provided along the west and southwest sides of Building 2. Previously, parking lot landscaping was only dispersed around the site boundaries. Previously, the site depicted a 6 foot landscape strip with 1 row of trees on the west side of and adjacent to Building 1, which has been redesigned. The current requested design depicts a 10 foot wide intense landscape buffer along the west property line with trees spaced 10 feet apart adjacent to Building 1, and the remaining trees north of the building space from 12.5 feet to 10 feet north of Building 1. There is a single row of trees provided along the east property line, with cross access provided east of Building 1 for the parcel to the east. A 15 foot wide landscape buffer with trees spaced 10 feet apart is provided along the south property line with a 5 foot wide sidewalk located adjacent to the building. The proposed landscape materials include Shoestring Acacia and Carob trees, Red Yucca, Pink Oleander, and Ovina Glauca (shrub). All proposed trees shall be 24 inch box sized large Evergreen trees. The west property line has an existing 8 foot high block wall, and the south property line has an existing 10 foot high block wall.

### Elevations

The plans depict 2 office buildings, both with a maximum height of 19 feet. The proposed buildings are not architecturally consistent with the surrounding neighborhood. They consist of a

stucco exterior, store front windows, and a flat parapet roof. Exterior materials include storefront window and door assemblies, metal wall cladding, and fibercement façade material and cladding.

**Floor Plans**

The plans depict 2 office buildings 7,326.5 square feet (Building 1), and 4,838 square feet (Building 2). The office buildings are proposed to be split into multi-tenant spaces. Building 1 is proposed to be divided into 3 separate spaces. Building 2 is proposed to be divided into 4 separate tenant spaces.

**Signage**

Signage is not a part of this request.

**Applicant's Justification**

The applicant indicates this request is needed to complete the construction of 2 new modern design office buildings with the intention of enhancing the appearance of the area. The building design is accompanied by a landscape that gives body and a modern visual and contributes to the urban environment. The driveway to the site has been designed to work in coordination with on-site traffic controls such as stop signs, in addition to having space for vehicles to maneuver safely on-site. The site parking has been provided to meet standards, and the required trees are provided for the easterly parking areas, with the central parking lot trees distributed throughout the site boundary to assist in buffering the site from the residential properties to the west and south. The applicant believes this development will be a positive addition to the neighborhood with a low intensity of uses.

**Prior Land Use Requests**

| Application Number | Request  | Action          | Date           |
|--------------------|--|-----------------|----------------|
| WS-22-0517         | Office complex (denied design review) with waivers for architectural compatibility (approved), reduced setbacks (denied), reduced trash enclosure setback to residential use (denied), reduced throat depth (approved), parking lot landscaping (approved) | Approved by BCC | December 2022  |
| VS-22-0516         | Vacated and abandoned patent easements   | Approved by BCC | December 2022  |
| ZC-0901-07         | Reclassified 1.1 acres from R-E to CRT zoning  | Approved by BCC | September 2007 |
| ZC-0258-98         | Reclassified 1.1 acres from R-1 to C-P zoning  | Denied by BCC   | March 1998     |
| ZC-0588-97         | Reclassified 1.1 acres from R-E to C-P zoning  | Denied by BCC   | June 1997      |

**Surrounding Land Use**

|       | Planned Land Use Category                 | Zoning District | Existing Land Use         |
|-------|---|-----------------|---------------------------|
| North | Ranch Estate Neighborhood (up to 2 du/ac) | R-E             | Single family residential |

### Surrounding Land Use

|              | Planned Land Use Category                           | Zoning District | Existing Land Use         |
|--------------|---|-----------------|---------------------------|
| South & West | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | R-1             | Single family residential |
| East         | Neighborhood Commercial                             | CRT             | Office                    |

### STANDARDS FOR APPROVAL:

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

#### Analysis

##### Comprehensive Planning

##### Waivers of Development Standards

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

##### Waiver of Development Standards #1

The applicant is proposing to construct 2 office buildings to create an office complex along Windmill Lane. The proposed modern design is similar to office buildings on the parcels to the east that were constructed in 2007. Staff finds that there will not be a significant impact on the surrounding area due to the lack of architectural compatibility with the surrounding neighborhood to the south and west as those properties do not have direct access to Windmill Lane. In addition, this project is aligned with the area specific goals and policies outlined in the Master Plan that encourages a balance of neighborhoods and the revitalization of commercial corridors. Staff has no objections and supports this request.

##### Design Reviews

The proposed development has been modified to address concerns from the prior request. The proposed parking lot landscaping meets the intent of providing an adequate number of trees for the site and locating the trees to benefit from the adjacent residential properties. Additionally, the trash enclosure has been relocated to provide greater distance to the residential properties to the south. Building 1 has been reduced in size and shifted to the north a few feet to provide a 20 foot landscape and sidewalk area adjacent to the south property line, along with a 10 foot setback to the west property line. An intense landscape buffer has been provided in addition to the existing 10 foot and 8 foot block walls along the south and west respective property lines adjacent to Building 1. Staff finds this request to be appropriate as the proposed buildings are consistent with the surrounding area; therefore, staff can support these requests.

**Public Works - Development Review**

Waiver of Development Standards #2

Staff has no objection to the reduction in throat depth for the Windmill Lane commercial driveway. The site design allows vehicles exiting the parking stalls to the east with plenty of room to safely back out and not block traffic entering the site.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Expunge WS-22-0517;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Reconstruct any unused driveways with full off-site improvements.
- Applicant is advised that off-site improvement permits may be required.

**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 #0370-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: JAVIER AVILA**

**CONTACT: EDGAR MONTALVO, 2209 TOSCA STREET #8-101, LAS VEGAS, NV 89128**



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

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| <b>APPLICATION TYPE</b><br><br><input type="checkbox"/> TEXT AMENDMENT (TA)<br><input type="checkbox"/> ZONE CHANGE<br><input type="checkbox"/> CONFORMING (ZC)<br><input type="checkbox"/> NONCONFORMING (NZC)<br><br><input type="checkbox"/> USE PERMIT (UC)<br><br><input type="checkbox"/> VARIANCE (VC)<br><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)<br><input checked="" type="checkbox"/> DESIGN REVIEW (DR)<br><br><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)<br><br><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)<br><br><input type="checkbox"/> WAIVER OF CONDITIONS (WC)<br><br>_____<br>(ORIGINAL APPLICATION #)<br><br><input type="checkbox"/> ANNEXATION REQUEST (ANX)<br><br><input type="checkbox"/> EXTENSION OF TIME (ET)<br><br>_____<br>(ORIGINAL APPLICATION #)<br><br><input type="checkbox"/> APPLICATION REVIEW (AR)<br><br>_____<br>(ORIGINAL APPLICATION #) | <b>STAFF</b><br><br>APP. NUMBER: <u>WS-23-0607</u> DATE FILED: <u>9/7/2023</u><br>PLANNER ASSIGNED: <u>LMN</u><br>TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>10/10/2023</u><br>PC MEETING DATE: _____<br>BCC MEETING DATE: <u>11/8/2023</u><br>FEE: _____                                     |
|   | <b>PROPERTY OWNER</b><br><br>NAME: <u>WINDMILL LANE SERIES SIERRA INVESTMENT PROPERTIES</u><br>ADDRESS: <u>601 SUNSET CLIFF CIR</u><br>CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89123</u><br>TELEPHONE: <u>702.270.3000</u> CELL: _____<br>E-MAIL: <u>developer@sierragrouplv.com</u> |
|   | <b>APPLICANT</b><br><br>NAME: <u>JAVIER AVILA-PENA</u><br>ADDRESS: <u>175 E Warm Springs Rd, Suite A</u><br>CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89119</u><br>TELEPHONE: <u>702.270.3000</u> CELL: _____<br>E-MAIL: <u>developer@sierragrouplv.com</u> REF CONTACT ID #: _____    |
|   | <b>CORRESPONDENT</b><br><br>NAME: <u>JAVIER AVILA-PENA</u><br>ADDRESS: <u>175 E Warm Springs Rd, Suite A</u><br>CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89119</u><br>TELEPHONE: <u>702.270.3000</u> CELL: _____<br>E-MAIL: <u>info@sierragrouplv.com</u> REF CONTACT ID #: _____     |

ASSESSOR'S PARCEL NUMBER(S): 177-14-501-001

PROPERTY ADDRESS and/or CROSS STREETS: 2007 E. WINDMILL LN.

PROJECT DESCRIPTION: A DESIGN REVIEW FOR 2 OFFICE BUILDINGS FOR A TOTAL SQUARE FOOTAGE OF 12,164.50 S.F. NO WAIVERS ARE REQUIRED

(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.

Javier Avila-Pena  
 Property Owner (Signature)\*

JAVIER AVILA-PENA  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 10/1/2023 (DATE)  
 By Javier Avila-Pena

NOTARY PUBLIC: Gemma Vazquez-Zuniga



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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.

Jun 28, 2023

APR 23-100193

TO: Clark County  
Public Works Department

## PROJECT JUSTIFICATION LETTER

RE: WINDMILL PROFESSIONAL CENTER

WS-23-0607

To whom it may concern.

The reason of this letter is to request the approval of a Design Review, for 2 office buildings to be located at the 2007 E. Windmill LN. A.P.N. 177-14-501-001. The project will be tentative divided in spec suites. The building 1 with 7326.50 s.f. with a 3916.50 s.f. suite and 2 tentative specs suites of 1724 and 1686 s.f each. The building 2 with 4838.00 square feet to be possibly divided into 4 spec suites of 1205, 1218, 1221 and 1194 square feet.

There are a total of 49 parking spaces required for the project and 51 parking spaces including 2 ADA stalls to the project to avoid the need for a parking waiver. The property has an existing 8 foot CMU wall at the West and 10 foot at the South side that will not be modified. Landscape has been added in the project in all property lines in compliance with code. The proposed land use of the property is for Offices, Professional and Business Services in a Commercial Residential Transitional (CRT) zoning, which is permitted.

This application is the continuation of the WS-22-0517 application where some waivers were approved and still required. where requested as follows.

### WAIVERS OF DEVELOPMENT STANDARDS:

WS1. Waive architectural compatibility standards where required per Table 30.40-4. -We request a compatibility waiver because the style that we are proposing suggests a more modern style, this is done with the intention of enhancing the appearance of the area, since this architecture will be accompanied by a landscape that gives body and a modern visual and green to the urban environment.

WS2. Reduce throat depth for a driveway along Windmill Lane to zero feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction on the east side and a 50% reduction on the west side). It was proposed to place stop signs at the entrance and exit of the parking lot to control entrances and exits, in addition to having a space of around 27' after the end of the entrance throat, as room to maneuver.

DR1. Design Review to allow alternative parking lot landscaping where Figure 30.64-14 is required. Because placing parking lot fingers in some parking rows is difficult, some were not placed, but around the entire lot we have landscape even on the non-residential side, in addition to having areas within the parking lot with trees and landscape.

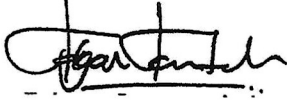
DR2. Design Review for two proposed office buildings. The use of two office buildings is proposed, designed for offices or firms that can occupy the buildings, and encourage work in the area. Thus, raising the index of productive people in the area.

The project presented is compatible with the designated use of the area, in addition to being low intensity, this will not affect the commercial developments adjacent to it, much less the residential ones, since there is no direct access to them and the only access is along windmill street or the main access, in addition to having a landscape around the entire project to help mitigate the impact, likewise, it will contribute to the economy by

generating jobs for residents of the area, as well as the proposed architecture It will increase the added value of the area, as it is a more contemporary.  
We strongly believe that this project will contribute to improve the area and will be a great contribution to the neighborhood.

We have the certainty that you will help us to achieve our goal of making this project reality.

Sincerely

A handwritten signature in black ink, appearing to read "Edgar D. Montalvo". The signature is stylized with a large initial "E" and a long horizontal stroke.

Edgar D. Montalvo