



Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

November 29, 2022

7:00pm

AGENDA

Note:

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

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

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

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

I. Call to Order, Pledge of Allegiance, Roll Call, and County Staff Introductions

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

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

- III. Approval of Minutes for November 8, 2022. (For possible action)
- IV. Approval of the Agenda for November 29, 2022 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning
 - 1. **DR-22-0582-CAPSTONE CHRISTIAN ACADEMY:**
DESIGN 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/hw/syp (For possible action) **PC 12/6/22**
 - 2. **UC-22-0574-CHARSHAFIAN, RICHARD & HENSLEY, HANNAH:**
USE PERMIT for architectural compatibility for a detached accessory structure.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; **2)** reduce separation; and **3)** increase accessory structure height in conjunction with a single family residence on 0.2 acres in an R-1 (Single Family Residential) Zone. Generally located on the north side of Roxford Drive, 290 feet west of Mohigan Way within Paradise. TS/lm/syp (For possible action) **PC 12/20/22**
 - 3. **UC-22-0600-BRE/HC LAS VEGAS PPTY HOLDING:**
USE PERMIT for an on-premises consumption of alcohol establishment (supper club) on 1.6 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone and an H-1 (Limited Resort and Apartment) Zone. Generally located 190 feet east of Howard Hughes Parkway, 125 feet north of Flamingo Road within Paradise. JG/md/syp (For possible action) **PC 12/20/22**
 - 4. **WC-22-400119 (ZC-0710-97)-JIANG LIJIA:**
WAIVER OF CONDITIONS of a zone change requiring the following: **1)** rear parking areas to be gated and locked during non-office hours; **2)** combine driveways to construct a common shared curb return driveway between parcels 162-26-615-066 and 162-26-615-067; **3)** close most northerly driveway on parcel 162-26-615-007; and **4)** reconstruct with full off-sites in conjunction with a day spa on 0.2 acres in a C-P (Office and Professional) Zone. Generally located on the west side of Eastern Avenue, 380 feet south of Florence Avenue within Paradise. JG/lm/syp (For possible action) **BCC 12/21/22**

5. **UC-22-0590-JIANG LIJIA:**
USE PERMIT for a day spa with accessory massage.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking; 2) waive bicycle parking; 3) reduce drive aisle width; 4) waive parking lot landscaping; 5) waive street landscaping; 6) landscaping adjacent to less intensive use; 7) screen mechanical equipment; and 8) commercial driveways.
DESIGN REVIEW for a day spa on 0.2 acres in a C-P (Office and Professional) Zone. Generally located on the west side of Eastern Avenue, 380 feet south of Florence Avenue within Paradise. JG/lm/syp (For possible action) **BCC 12/21/22**

6. **WS-22-0602-CV FLAMINGO LLC:**
USE PERMIT to modify pedestrian realm.
WAIVER OF DEVELOPMENT STANDARDS to allow for drive-thru talk boxes to face a residential development.
DESIGN REVIEW for a restaurant with a drive-thru on a portion of 2.5 acres in a C-2 (General Commercial) (AE-65) Zone within the Midtown Maryland Parkway District. Generally located on the north side of Flamingo Road, approximately 183 feet east of University Center Drive within Paradise. TS/sd/syp (For possible action) **BCC 12/21/22**

VII. General Business (For possible action)

VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: December 13, 2022.

X. Adjournment.

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

Paradise Community Center- 4775 McLeod Dr.

<https://notice.nv.gov>

BOARD OF COUNTY COMMISSIONERS
MARILYN KIRKPATRICK, Chair – JAMES B. GIBSON, Vice-Chair
JUSTIN C. JONES – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT – TICK SEGERBLOM
YOLANDA KING, County Manager



Paradise Town Advisory Board

November 8, 2022

MINUTES

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

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

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

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

Brady Bernhart, Planning; Blanca Vazquez, Community Liaison

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

II. Public Comment:
None

III. Approval of October 25, 2022 Minutes

Moved by: Haywood

Action: Approve as submitted

Vote: 5-0 Unanimous

Approval of Agenda for November 8, 2022

Moved by: Wardlaw

Action: Approve as submitted

Vote: 5 -0 Unanimous

IV. Informational Items (For Discussion only)

Applications are available until November 15, 2022 for appointments by the Clark County Board of County Commissioners to serve on the (Paradise TAB) for a two-year (2-year) term beginning January 2023.

V. Planning & Zoning

1. **AR-22-400111 (UC-21-0518)-SUHADOLNIK FAMILY TRUST:**
USE PERMITS FIRST APPLICATION FOR REVIEW of the following: 1) temporary commercial events (Tailgate Zone); 2) allow live entertainment after daytime hours; 3) allow elimination of parking for temporary commercial events; 4) reduced setbacks; and 5) allow more than 1 temporary commercial event in a month and more than 12 events in a year on 0.4 acres in a M-1 (Light Manufacturing) (AE-65) Zone. Generally located on the north side of Dewey Drive, 387 feet west of Polaris Avenue within Paradise. MN/sd/syp (For possible action) **PC 11/15/22**

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

2. **WC-22-400117 (UC-1766-98)-CAPSTONE CHRISTIAN ACADEMY:**
WAIVER OF CONDITIONS of a use permit requiring A-2 landscaping on the western and southern property lines in conjunction with a 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/hw/syp (For possible action) **PC 12/6/22**

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

3. **DR-22-0582-CAPSTONE CHRISTIAN ACADEMY:**
DESIGN 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/hw/syp (For possible action) **PC 12/6/22**

Held per applicant return to the Paradise November 29, 2022 TAB meeting. Applicant to meet with Commissioner Naft regarding required school zone flashers, pay mitigation fees due to Public Works, and meet with Public Works on off-site plan review comments

4. **SC-22-0548-GIPSY, LLC:**
STREET NUMBER CHANGE to change the address for a proposed tavern/nightclub that is inconsistent with Street Naming and Address Assignment Policy on 0.9 acres within a C-2 (General Commercial) Zone. Generally located on the north side of Naples Drive and the west side of Paradise Road within Paradise. TS/dm/syp (For possible action) **PC 12/6/22**

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

5. **UC-22-0563-DBJM LAS VEGAS BLVD 5.46, LLC:**
USE PERMIT for temporary construction activities on 5.5 acres in an H-1 (Limited Resort and Apartment) (AE-65 & AE-70) Zone. Generally located on the south side of Russell Road (alignment) and the east side of Las Vegas Boulevard South within Paradise. JB/jud/syp (For possible action) **PC 12/6/22**

MOVED BY- Williams

APPROVE-Subject to staff conditions
VOTE: 5-0 Unanimous

6. **UC-22-0573-PA INVESTMENTS, LLC:**
USE PERMIT for an on-premises consumption of alcohol (tavern).
WAIVER OF DEVELOPMENT STANDARDS to establish an alternative parking requirement.
DESIGN REVIEW for an adult cabaret on 1.2 acres in an M-1 (Light Manufacturing) Zone. Generally located on the east side of Wynn Road, 150 feet south of Naples Drive within Paradise. MN/lm/syp (For possible action) **PC 12/6/22**

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

7. **ZC-22-0570-LAS VEGAS VALLEY WATER DISTRICT:**
ZONE CHANGE to reclassify 5.0 acres from an R-E (Rural Estates Residential) Zone to an M-D (Design Manufacturing) Zone. Generally located on the north side of Reno Avenue, approximately 300 feet west of Valley View Boulevard within Paradise (description on file). MN/sd/syp (For possible action) **BCC 12/7/22**

MOVED BY- Wardlaw
APPROVE-Subject to staff conditions
VOTE: 4-0 Unanimous
Haywood abstained from comment and vote

- VI. General Business (for possible action)
None
- VII. Public Comment
None
- VIII. Next Meeting Date
The next regular meeting will be November 29, 2022
- IX. Adjournment
The meeting was adjourned at 7:40 p.m.

SCHOOL
(TITLE 30)

PARADISE RD/SERENE AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
DR-22-0582-CAPSTONE CHRISTIAN ACADEMY:

DESIGN 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/hw/syp (For possible action)

RELATED INFORMATION:

APN:
177-22-702-005

LAND USE PLAN:
WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:
Project Description
General Summary

- Site Address: 985 E. Serene Avenue
- Site Acreage: 2
- Project Type: Addition to existing school
- Number of Stories: 1
- Building Height: 18 feet, 2 inches
- Square Feet: 1,596 (proposed expansion)/13,918 (existing facility)
- Parking Required/Provided: 19/48

Site Plan

The plan depicts an existing 13,918 square foot school and daycare facility centrally located on a 2 acre lot at the corner of Serene Avenue and Paradise Road. The site has access through a standard driveway along Serene Avenue. Parking for the site is in the northern portion of the site in front of the school building and will provide 48 parking spaces, where 19 parking spaces are required. The eastern, western, and southern portions of the site are primarily play areas for the school children. These areas contain several shade structures and play equipment. The play area is contained by a 6 foot CMU wall along the side and rear property lines.

The school addition is in the south, central portion of the site attached to the southern wall of the existing building. The plan indicates the addition is approximately 1,596 square feet and will replace an existing patio and will be surrounded by a sidewalk. The addition is set back 47 feet 4 inches from the rear property line (which meets the height/setback ratio as defined in Figure 30.56-10) and 84.5 feet from the eastern side property line.

Landscaping

Except for the rear/southern property line, the existing landscaping on the property will remain as is. The northern and eastern property lines appear to have a 5 foot landscaping strip consisting of a variety of shrubs and large trees. The western property line contains minimal landscaping with some small trees due to a drainage culvert on that side of the property. Parking lot landscaping will remain as is and consists of landscaping strips and islands with small to medium trees with shrubs dispersed between the trees.

The southern/rear property line will have updated landscaping. The new landscaping will comply with Figure 30.64-11 for a landscaping buffer adjacent to a less intensive use. The landscape plan depicts 15 Eldarica Pine (*Pinus Eldarica*) trees (24 inch box Evergreens) spaced 20 feet off center in 5.5 foot planters.

Elevations

The elevations depict the existing school/daycare facility building as a 29 foot structure with a pinkish-beige painted stucco exterior and reddish-orange tile gabled roof. Commercial shaker windows are shown on all sides of the building. The front of the existing school is all glass with a commercial door and protected by a porte-cochère with matching exterior elements.

The addition to the building is shown facing the south. The plans depict the addition with a reddish-orange gabled tile roof and a pinkish-beige painted stucco exterior to match the existing structure. The plan also depicts the peak height of the roof gable at 18 feet and 1 and three-eighths inch. Commercial shaker windows are provided on the south elevation of the structure only and 2 glass paneled doors are provided on the south frontage for access to the play area.

Floor Plans

The plans provided show the existing school/daycare facility with 9 classroom areas that range in size from 565 square feet up to 923 square feet. The classrooms are supported by a lunchroom, activity room, restrooms, and offices. The proposed addition is shown in the southeast corner of the building. The 1,596 square foot addition will provide 2 additional classroom spaces of 723 square feet and 732 square feet along with a storage room. The addition will be accessed through the existing activity room by a repurposed existing door and a newly installed door with 2 currently existing windows in-filled. The exterior of the building will be accessed by 2 doors at the south central end of the addition. The addition will replace an existing 16 foot patio and expand an additional 16 feet from the existing patio.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that they are requesting the subject design review to complete a proposed addition to their existing school/daycare facility to allow an increase in capacity to the school by adding 2 new classrooms. The school is already an established use, and the addition will match the existing structure, while also providing an additional landscape buffer along the southern property line to help mitigate any increased noise or other potential nuisances.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-20-0599	School in conjunction with an existing daycare facility	Approved by PC	February 2021
UC-0798-07	Communications tower in conjunction with an existing daycare facility.	Approved by BCC	September 2007
UC-1766-98	Daycare facility	Approved by PC	November 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential
East & South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-E	Single family residential

Related Applications

Application Number	Request
WC-22-400117 (UC-1766-98)	A waiver to a condition requiring A-2 landscaping on the west property line is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Staff finds that the proposed expansion will meet all setbacks and parking requirements required by Title 30 and further finds that the proposed expansion will be architecturally compatible to the current structure and should not greatly impact the neighboring area regarding the visual appeal of the structure. In addition, the existing school facility does not appear to have any prior violations regarding noise or other disruptive behavior, so staff does not anticipate that the expansion will cause any increase or additional burden on the surrounding property owners. Staff also finds that addition of the buffering landscaping in the rear will also help mitigate any increased noise or nuisances that may arise. Based on these reasons, staff could support this

design review; however, due to the inability of Public Works to support the design review, staff is also unable to support this request.

Public Works - Development Review

The school was allowed to open prior to the completion of conditions with an understanding that the conditions would be completed within 1 year. The applicant has not paid the Traffic Mitigation fees, which were established in April 2021. Additionally, the applicant has not responded to the off-site plan review comments that were provided in July 2021. Since the applicant has made no effort to satisfy Public Works requirements, staff cannot support this request.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

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

Public Works - Development Review

- Traffic study and compliance.

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: CAPSTONE CHRISTIAN ACADEMY
CONTACT: KGA ARCHITECTURE, 9075 W. DIABLO DR., SUITE 300, LAS VEGAS, NV
89148

DRAFT

RV CARPORT
(TITLE 30)

ROXFORD DR/MOHIGAN WY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0574-CHARSHAFIAN, RICHARD & HENSLEY, HANNAH:

USE PERMIT for architectural compatibility for a detached accessory structure.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) reduce separation; and 3) increase accessory structure height in conjunction with a single family residence on 0.2 acres in an R-1 (Single Family Residential) Zone.

Generally located on the north side of Roxford Drive, 290 feet west of Mohigan Way within Paradise. TS/lm/syp (For possible action)

RELATED INFORMATION:

APN:

162-14-810-022

USE PERMIT:

Allow a detached accessory structure not architecturally compatible with the principal building (residence) where required per Table 30.44-1.

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce accessory structure rear setback to 2 feet where 5 feet is required per Table 30.40-2 (a 60% decrease).
- b. Reduce accessory structure side setback to 1 foot where 5 feet is required per Table 30.40-2 (an 80% decrease).
2. Reduce accessory structure separation to 3 feet to another building (residence) where 6 feet is required per Table 30.40-2 (a 50% decrease).
3. Increase accessory structure height to 14.5 feet where 14 feet is allowed per Table 30.40-2 (a 3.6% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 1878 Roxford Drive
- Site Acreage: 0.2

- Project Type: RV carport
- Number of Stories: 1
- Building Height (feet): 14.5
- Square Feet: 630

Site Plans

The plans depict an existing single family residence with a proposed detached RV carport constructed at the northwest corner of the lot. Access to the site is from 2 separate driveways on Roxford Drive. The RV carport is accessed from the western most driveway. The proposed detached RV carport is set back 1 foot from the west property line, 2 feet from the north property line, and separated by 3 feet from the residence.

Landscaping

The front and rear yard consists of existing mature landscaping and there are no proposed or required changes.

Elevations

The RV cover consists of painted grey metal with an overall height of 14.5 feet and wall height of 12 feet. The west elevation includes a wall that is a continuation of the roofing. The existing residence consists of painted stucco and wood trim exterior.

Floor Plan

The open structure consists of 630 square feet.

Applicant's Justification

The applicant indicates that they would like to place an RV cover at the northwest corner of the property within the walled and gated rear yard. Additionally, the RV is too large to maneuver deeper into the rear yard on the north side of the residence due to an existing deck, and they wanted to save the large pine tree at the southeast corner of the property in the front yard. The applicant also indicates that there are several similar existing RV carports on the street and the surrounding neighborhood.

Surrounding Land Use

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

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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.

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.

Appropriate architectural features, setbacks, and separations help reduce negative visual impacts by creating a buffer space that can be used for landscaping to screen uses. By reducing setbacks, the apparent mass and bulk of structure can become more apparent from adjacent properties. The applicant has provided 2 letters of support from the neighbors to the immediate north and west. Typically, staff does not support reduction to setbacks without mitigation such as screening or softening the visual impact with landscaping or painting to match the residence.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

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

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS: 2 letters

PROTESTS:

APPLICANT: RICHARD J. CHARSHAFIAN

CONTACT: RICHARD CHARSHAFIAN, 1878 ROXFORD DRIVE, LAS VEGAS, NV
89119

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF	APP. NUMBER: <u>UCWS-22-0574</u> DATE FILED: <u>10/17/2022</u> PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>11/29/2022</u> PC MEETING DATE: <u>12/20/2022</u> BCC MEETING DATE: _____ FEE: <u>\$1150.00</u>
	PROPERTY OWNER	NAME: <u>Richard J Charshafian & Hannah R Henslev</u> ADDRESS: <u>1878 Roxford Dr.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>(702) 556-7230</u> CELL: <u>(702) 556-7230</u> E-MAIL: <u>CHARSHAFIAN@GMAIL.COM</u>
	APPLICANT	NAME: <u>Richard J Charshafian</u> ADDRESS: <u>1878 Roxford Dr.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>(702) 556-7230</u> CELL: <u>(702) 556-7230</u> E-MAIL: <u>charshafian@gmail</u> .REF CONTACT ID #: _____
	CORRESPONDENT	NAME: <u>Richard J Charshafian</u> ADDRESS: <u>1878 Roxford Dr.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>(702) 556-7230</u> CELL: <u>(702) 556-7230</u> E-MAIL: <u>charshafian@gmail</u> .REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-14-810-022
 PROPERTY ADDRESS and/or CROSS STREETS: 1878 Roxford Dr. Las Vegas NV 89119
 PROJECT DESCRIPTION: Proposed rv carport

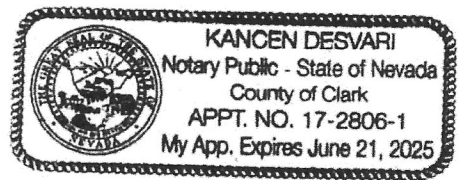
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Richard J Charshafian
 Property Owner (Signature)* Richard J Charshafian
 Property Owner (Print)

STATE OF NV
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 5/23/22 (DATE)

By Richard J. Charshafian
 NOTARY PUBLIC: _____



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

2

PLANNER
COPY

Richard Charshafian
Hannah R. Hensley
1878 Roxford Dr.
Las Vegas NV 89119

Aug 11, 2022

JUSTIFICATION LETTER (revised)

Clark County Nevada
Department Of Comprehensive Planning

Dear Planning Department Personnel,

We requesting a Use Permit (UC) and Waiver of Development Standards (WS) to add a prefabricated carport provided by Versa Tube Building Systems. We are trying to protect our fifth wheel RV from the effects of the brutal Las Vegas Sun

The overall dimensions are 18' x 35' x 14.6" with the Structural frame being 2" x 3" galvanized tube with the Roof and west facing wall being 36" wide 29-gauge sheet metal with light grey baked on paint finish. The location of the carport is to be placed in the Northwest corner of the rear yard. The reason this location has been chosen is:

- #1 it will be in our walled and gated rear yard.
- #2 the fifth wheel RV is too large to maneuver deeper into the interior of the rear yard.
- #3 we want to save the large pine tree at the southeast corner of the property.

There will be no proposed or required changes to the existing landscaping.

The proposed use permit and waivers are consistent and compatible with the character of the community per title 30.16.240.a.13, as there are several similar existing RV carports located on this street and surrounding neighborhood.

Please accept this request for Special use permit to allow a detached accessory structure to not be architecturally compatible with the principal building per table 30.44-1.

Please accept this request for waiver of development standards to reduce the rear setback to 2 feet where 5 feet is required per table 30.4-2

Please accept this request for waiver of development standards to reduce the side setback to 1 foot where 5 feet is required per table 30.4-2

Please accept this request for waiver of development standards to reduce the maximum height to 14 foot 6 inches where 14 foot 0 inches is required per table 30.4-2

Please accept this request for waiver of development standards to reduce accessory structure separation to 3 feet where 6 feet is required per table 30.4-2

Thank You For your consideration,

Rick Charshafian & Hannah Hensley

ON-PREMISES CONSUMPTION
OF ALCOHOL
(TITLE 30)

HOWARD HUGHES PKWY/FLAMINGO RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0600-BRE/HC LAS VEGAS PPTY HOLDING:

USE PERMIT for an on-premises consumption of alcohol establishment (supper club) on 1.6 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone and an H-1 (Limited Resort and Apartment) Zone.

Generally located 190 feet east of Howard Hughes Parkway, 125 feet north of Flamingo Road within Paradise. JG/md/syp (For possible action)

RELATED INFORMATION:

APN:

162-16-811-012

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 335 Hughes Center Drive
- Site Acreage: 1.6
- Project Type: Supper club
- Number of Stories: 2
- Building Height (feet): 24
- Square Feet: 9,906 (supper club)/786 (outside dining)
- Parking Required/Provided: 103/106

Site Plans

The plans depict an existing restaurant located on the east side of a 1.6 acre parcel within the Howard Hughes Center. The applicant is proposing to re-establish the supper club previously approved via UC-2126-97 by the Planning Commission in January 1998. The existing building is set back as follows: 1) 275 feet from the west property line; 2) 15 feet from the east property line; 3) 21 feet from the north property line; and 4) 10 feet from the south property line. Access to the site is granted via an existing commercial driveway located adjacent to Flamingo Road.

The supper club requires 103 parking spaces where 106 parking spaces are provided. No site or exterior modifications to the building are proposed with this application.

Landscaping

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

Elevations

The plans depict an existing 24 foot high building with exterior wood siding, stone veneer accents, vinyl cladding windows, and a slate tile roof.

Floor Plans

The plans depict an existing restaurant measuring 9,906 square feet consisting of 2 stories.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates the site was previously approved for a restaurant use with a special use permit allowing for on-premises consumption of alcohol. Furthermore, the site is located within a large mixed-use center which includes multiple family residential, offices, and other restaurants with on-premises consumption of alcohol and outside dining, drinking, and cooking, and is near the Las Vegas Boulevard Resort Corridor.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-2126-97	Restaurant with an outside dining area	Approved by PC	January 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Hotel
South, East, & West	Entertainment Mixed-Use	H-1	Commercial development

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Staff finds that the proposed land use complies with the Master Plan which encourages land uses that are complementary and of similar scale and intensity. Furthermore, a supper club was previously approved within the same building in January 1998; however, that use has expired. The proposed use is consistent with the existing and adjacent uses and the supper club should not negatively impact the surrounding area. The supper club will place no additional demands on the site in terms of required parking, landscaping, or design features; therefore, staff can support this request.

Staff Recommendation
Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license, or approval; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of 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: FIREFLY ON FLAMINGO

CONTACT: 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

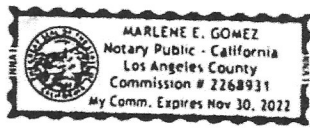
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (Nzc) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>UL-22-0600</u> DATE FILED: <u>10/24/22</u> PLANNER ASSIGNED: <u>MNO</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>11/29/22</u> PC MEETING DATE: <u>12/20/22 @ 7:00 P.M.</u> @ 7:00 P.M. BCC MEETING DATE: <u>—</u> FEE: <u>\$675.00</u>
	PROPERTY OWNER NAME: <u>BRE/HC Las Vegas Property Holdings, LLC</u> ADDRESS: <u>P O Box A-3879</u> CITY: <u>Chicago</u> STATE: <u>IL</u> ZIP: <u>60690</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u>
	APPLICANT NAME: <u>Firefly on Flamingo, LLC</u> ADDRESS: <u>2952 Brighton Creek Ct.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>
	CORRESPONDENT NAME: <u>Jennifer Lazovich - Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Dr. #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>702-792-7048</u> E-MAIL: <u>apierce@kcnvlaw.com</u> REF CONTACT ID #: <u>164674</u>

ASSESSOR'S PARCEL NUMBER(S): 162-16-811-012
 PROPERTY ADDRESS and/or CROSS STREETS: 335 Hughes Center Drive
 PROJECT DESCRIPTION: Supperclub restaurant

(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.

Umberto Nely Charlie Hobey
 Property Owner (Signature)* Property Owner (Print)

STATE OF California
 COUNTY OF Los Angeles
 SUBSCRIBED AND SWORN BEFORE ME ON September 21, 2022 (DATE)
 BY Charles Hobey
 NOTARY PUBLIC: Marlene E. Gomez



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

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

JENNIFER LAZOVICH
jlazovich@kcnvlaw.com
702.792.7050

UC-22 0600

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

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

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

October 24, 2022

VIA UPLOAD

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

**Re: Revised Justification Letter – Special Use Permits to Allow (1) On-Premises
Consumption of Alcohol (Supper Club) and (2) Outside
Dining/Drinking/Cooking
Firefly-Howard Hughes Site
APNs: 162-16-811-012**

**PLANNER
COPY**

To Whom It May Concern:

Please be advised our office represents the Firefly (the “Applicant”) in the above-referenced matter. The Applicant is proposing a restaurant with on-premises consumption of alcohol (Supper Club) and outside dining/drinking/cooking on property located in the Howard Hughes Center off of Hughes Center Drive, more particularly described as APN: 162-16-811-012 (the “Site”). The Site was formerly the location of the McCormick & Schmidt restaurant, which is approximately 10,700 square feet, and was previously approved allowing for on-premises consumption of alcohol and outside dining/drinking/cooking. However, the special use permits have expired on the Site.

The Applicant is seeking to re-establish the restaurant use along with the special use permits allowing for on-premises consumption of alcohol. Re-establishing the special use permits is appropriate and compatible for the following reasons:

- The Site was previously approved for a restaurant use with a special use permit allowing for on-premises consumption of alcohol.
- The Site is zoned H-1, one of the most intense zoning districts;
- The Site is located within a large mixed-use center which includes multi-family, offices, and other restaurants with on-premises consumption of alcohol and outside dining/drinking/cooking
- The Site is near the Las Vegas Boulevard Resort Corridor

The Applicant will also be providing outside dining/drinking/cooking on the Site and complies with the following Title 30 conditions:

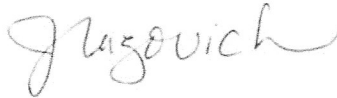
- Must have a minimum separation of 200 feet from any residential use unless separated by a collector or arterial street or buffered from the residential use by a building.
- Except for mixed use pedestrian realms (minimum 15 feet), a protective barrier shall be constructed between the outside dining and any sidewalk and parking areas (may include gates and/or be a 6 foot decorative fence.)
- A minimum 48 inch wide pedestrian access shall be maintained around the perimeter of the outside dining area.
- Must be in conjunction with a supper club, tourist club, mixed use development, or restaurant.
- On-premises consumption of alcohol (outside) shall require primary means of access through the interior of the supper club, tourist club, mixed use development, or restaurant. Secondary gated access is permitted.

Additionally, per Jason Allswang with the Public Works department, since the building and infrastructure exist and the Site is part of a larger mixed-use area, public works is not requiring the applicant to provide cross sections or seek any additional applications with respect to throat depth, departure, and approach distances.

Thank you for your consideration of this request. Please let me know if you have any questions.

Sincerely,

KAEMPFER CROWELL



Jennifer Lazovich

JJL/amp

DAY SPA
(TITLE 30)

EASTERN AVE/FLORENCE AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WC-22-400119 (ZC-0710-97)-JIANG LIJIA:

WAIVER OF CONDITIONS of a zone change requiring the following: 1) rear parking areas to be gated and locked during non-office hours; 2) combine driveways to construct a common shared curb return driveway between parcels 162-26-615-066 and 162-26-615-067; 3) close most northerly driveway on parcel 162-26-615-007; and 4) reconstruct with full off-sites in conjunction with a day spa on 0.2 acres in a C-P (Office and Professional) Zone.

Generally located on the west side of Eastern Avenue, 380 feet south of Florence Avenue within Paradise. JG/lm/syp (For possible action)

RELATED INFORMATION:

APN:
162-26-615-067

LAND USE PLAN:
WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:
Project Description
General Summary

- Site Address: 5221 Eastern Avenue
- Site Acreage: 0.2
- Project Type: Day spa with accessory massage
- Number of Stories: 1
- Square Feet: 2,136
- Parking Required/Provided: 6/9

History & Request

The subject parcel and the parcel to the south (APN 162-26-615-066) were initially reclassified to C-P zoning (ZC-0710-97) with subsequent waivers of condition and variances over the years. The parcel to the south was developed as an office and has converted the site and building per standards approved at that time. A day spa is being proposed on the subject parcel and it was discovered that conditions of approval for prior land use applications conditions have not been met. This application and its companion item are to establish the use and necessary site design standards to meet current Code.

Site Plans

The plans depict an existing single family residence to be converted into a commercial building for a day spa with massage. The property has 2 access points along Eastern Avenue. The northerly driveway consists of the original residential pan driveway with access to an accessible parking space and a 16 foot wide 1-way driveway. The southerly driveway consists of the original residential pan driveway with access to a 16 foot wide shared driveway with the C-P zoned property to the south. The rear parking area consists of 6 parking spaces and a 21.5 foot wide drive aisle. The original residential wall that was between properties was removed with the development of the southerly parcel and the access between the buildings is open.

Landscaping

The plan depicts a proposed 4 foot wide by 5 foot wide street landscaping area that contains groundcover and an existing sign. Additionally, there is an existing tree within a landscape area adjacent to the proposed accessible parking space next to the building entrance.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-0710-97:

- Subject to residential character to be maintained
- No lighting to shine on neighboring properties
- Rear parking areas to be gated and locked during non-office hours
- Monument signage only (maximum of 70 square feet, 7 feet x 10 feet with a maximum height of 7 feet)
- Screen any roof mounted mechanical equipment
- Converted residence shall be constructed to Clark County Building Code commercial standards
- Trash enclosures per code
- Wall between the two property lines to be removed
- Record reciprocal perpetual cross access and parking easements
- Parking per code
- Both properties to be converted to commercial uses at the same time
- Combine driveways to construct a common shared curb return driveway between parcels 066 and 067
- Close most northerly driveway on parcel 067 and close most southerly driveway on parcel 066
- Reconstruct with full off-sites.
- Applicant is advised that if the parking and driveway standards are not met, a design review will be required.

Applicant's Justification

The applicant indicates that when the property was purchased in 2017 the prior business at the site had been in place for many years along with the property to the south. They would like to waive the conditions that were approved for the property to the south and the others that had not been put in place as it has not been an issue with the use of the property over the years.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0392-11	Training facility (music) and retail sales - expired	Approved by PC	October 2011
ZC-0710-97 (ET-0179-01)	Second extension of time to reclassify 0.4 acres to convert 2 single family residences	Approved by BCC	June 2001
VC-0495-99 (ET-0135-01)	Second extension of time to waive the wall, enclosed trash, enclosed trash area, reduced parking requirements, and reduced drive aisle width	Approved by PC	May 2001
VC-0495-99 (ET-0148-00)	First extension of time to waive the wall, enclosed trash, enclosed trash area, reduced parking requirements, and reduced drive aisle width	Approved by PC	June 2000
VC-0495-99	Waived the wall, enclosed trash, enclosed trash area on both parcels, reduced parking requirements to 5 spaces on the southerly parcel, and reduced drive aisle width on both parcels	Approved by PC	May 1999
ZC-0710-97 (WC-0129-99)	Waived parking per code for parcel 162-26-615-066 (site to the south) with both properties to be converted to commercial uses at the same time	Approved by BCC	May 1999
ZC-0710-97 (ET-0128-99)	First extension of time to reclassify 0.4 acres to convert 2 single family residences	Approved by BCC	May 1999
VC-0211-98	Waived trash enclosure on parcel 162-26-615-066 (site to the south) - expired	Approved by PC	March 1998
ZC-0710-97 (WC-0029-98)	Waived the screening of roof mounted mechanical equipment and trash enclosures on the property	Approved by BCC	March 1998
ZC-0710-97	Reclassified 0.4 acres to C-P zoning to convert 2 single family residences	Approved by BCC	June 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	R-1	Single family residential
South	Neighborhood Commercial	C-P	Office
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Undeveloped
West	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential

Related Applications

Application Number	Request
UC-22-0590	Day spa with waivers for parking, drive aisle width, landscaping, equipment screening, and driveways is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waiver of condition #1

The required gated access between buildings is typically required in transition areas where residential properties are adjacent to converted commercial properties. There are no known issues with the ungated rear parking area, therefore staff can support the request.

Public Works - Development Review

Waivers of Conditions #2, #3, & #4

Staff cannot support the request to waive the conditions to not combine the 2 residential pan driveways and construct a common curb return driveway and to not close the northerly driveway and reconstruct it with full off-site improvements. The conditions were imposed for the safety of the public, not only for the drivers on Eastern Avenue, but also the customers entering and exiting the site. Having 3 driveways so close together creates conflicts with vehicles entering and exiting the site, and increases the potential for collisions.

Staff Recommendation

Approval of waiver of condition #1, denial of waivers of conditions #2, #3, & #4.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the condition(s) 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:

Fire Prevention Bureau

If approved:

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: DON MCGEE

CONTACT: DON MCGEE, 5221 S. EASTERN AVE, LAS VEGAS, NV 89119



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) ZC-710-97 (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WC-22-400119</u> DATE FILED: <u>10/20/2022</u> PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>11/29/2022</u> PC MEETING DATE: <u> </u> BCC MEETING DATE: <u>12/21/2022</u> FEE: <u>\$300.00</u>
	PROPERTY OWNER NAME: <u>Lijia Jiang</u> ADDRESS: <u>9083 Pembridge Dr</u> CITY: <u>Elk Grove</u> STATE: <u>Ca</u> ZIP: <u>95624</u> TELEPHONE: <u>916-289-0243</u> CELL: <u> </u> E-MAIL: <u>usmglisa@yahoo.com</u>
	APPLICANT NAME: <u>Lijia Jiang</u> ADDRESS: <u>1544 Silandro</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: <u>725-502-6025</u> CELL: <u> </u> E-MAIL: <u>usmglisa@yahoo.com</u> REF CONTACT ID #: <u> </u>
	CORRESPONDENT NAME: <u>Don McGee</u> ADDRESS: <u>9083 Pembridge Dr</u> CITY: <u>Elk Grove</u> STATE: <u>Ca</u> ZIP: <u>95624</u> TELEPHONE: <u>916-541-7299</u> CELL: <u> </u> E-MAIL: <u>dmcgee70@yahoo.com</u> REF CONTACT ID #: <u> </u>

ASSESSOR'S PARCEL NUMBER(S): APN162-26-615-067

PROPERTY ADDRESS and/or CROSS STREETS: 5721 S Eastern Ave

PROJECT DESCRIPTION: Day Spa -Cosmetology and Massage

(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.

Lijia Jiang
 Property Owner (Signature)* Lijia Jiang
 Property Owner (Print)

STATE OF _____
COUNTY OF _____

SUBSCRIBED AND SWORN BEFORE ME ON _____ (DATE)

By _____
NOTARY PUBLIC: _____

See Attached
Notarial Certificate

*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.

WC - 22 - 400119

Justification Letter
APR22-100130
APN 162-26-615-067

To whom it may concern
I would like to open a Day Spa at 5221 S Eastern Ave. Zonig is C-P and I need a Special use Permit and Design review to open. The building is 2136 sq. feet public floor area 1375, 320 for massage and 1054 used for cosmetology. Service provided is Cosmetology which consist of pedicure, facial, manicures, eyelash, and waxing with accessory massage. The hours of operation 9am-9pm Monday-Sunday.

Waiver of Development Standards to allow pan driveways where commercial driveway is required .This would require us to combine two properties driveways and making it one . The doctor's office next door has been in business a long time and will not help with that expense.

Waiver Development Standards to reduce throat depth to zero feet. This was a residential property that got approval to be zoned C -P .The 25 feet distance would make it nearly impossible to locate a HCP parking in front of building.

Waiver of conditions; Waive condition of ZC0-710-97 requiring 1) combine driveways to construct a common shared curb return driveway between parcels 066&067; 2) close most northerly driveway on parcel 067; 3) reconstruct [closed driveway] with full off-sites. The plans from 1997 should have been complied with 25 years ago. The letter written May 14 1999 a Notice of final Action was filed with Clark County Clerk ,and Commission Division. It stated they were required to comply with the conditions prior to issuance of building permit or business license. When I purchased the property in 2017, title search did not show open permits. I purchased the property from Bern's Music Studio who had a business for 20 years. The other property in question is a Doctor's office for 25 years. Business licenses were granted. I would like to waiver conditions that were not complied with 25 years ago.

Waiver of Development Standards to reduce parking to 6 spaces where 9 spaces is required remove storage shed in back for parking.

Waiver of Development Standards to waive parking lot landscaping where figure 30.64.14 required, property compatible to the landscaping in the area, water shortage .

Waiver of Development Standards to allow alterative street landscaping where figure 30.64.17 is required along collector street (Eastern Ave) a existing tree is there.

Waiver of Development Standards to allow reduce in drive aisle width to 21.6 feet where 24 feet is required (for west parking area) the drive aisle is capable to handle two way traffic where the north drive will be gated off.

Waiver of Development Standards to remove required landscaping adjacent to a less intensive use where figure 30.64-11 is required (north and west property lines) property is compatible with building in the area, a water shortage is in affect in the city

Waiver of Development Standards remove bicycle parking where required per table 30.64-2

Waiver of Development Standards to screening mechanical equipment per table 30.56.2, the HVAC units were installed 25 years ago and should have been complied with then. The units are not visible from the street

Waiver of Development Standards to allow reduce north drive aisle to 14.5 feet where 24 feet required(for parking area) a one way design
The proposed design is compatible with the community and safe for visitors. The waivers should have been complied with 25 years ago its has been used for business with no problems.
Driveways, parking , landscaping is consistent with the area The employees which will be 3 will work by appointment only and will park on E Casey Dr

Thank You Lijia Jiang

Lijia Jiang
By
Von M. See

DAY SPA
(TITLE 30)

EASTERN AVE/FLORENCE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0590-JIANG LIJIA:

USE PERMIT for a day spa with accessory massage.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking; 2) waive bicycle parking; 3) reduce drive aisle width; 4) waive parking lot landscaping; 5) waive street landscaping; 6) landscaping adjacent to less intensive use; 7) screen mechanical equipment; and 8) commercial driveways.

DESIGN REVIEW for a day spa on 0.2 acres in a C-P (Office and Professional) Zone.

Generally located on the west side of Eastern Avenue, 380 feet south of Florence Avenue within Paradise. JG/lm/syp (For possible action)

RELATED INFORMATION:

APN:

162-26-615-067

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce parking to 6 spaces where 9 spaces are required per Table 30.64-1 (a 33.3% reduction).
2. Waive bicycle parking where required per Table 30.64-2 (a 100% reduction).
3. Reduce 2-way drive aisle width to 21.5 feet where 24 feet is required (for west parking area) (a 10% reduction).
4. Waive parking lot landscaping where required per Figure 30.64-14 (a 100% reduction).
5. Waive street landscaping where 15 feet of landscaping adjacent to an attached sidewalk is required per Section 30.64.030 (a 100% reduction).
6. Waive required landscaping adjacent to a less intensive use where landscaping per Figure 30.64-11 is required (a 100% reduction).
7. Waive mechanical equipment screening where screening is required per Table 30.56-2 (a 100% reduction).
8.
 - a. Allow pan driveway where commercial driveway is required per Uniform Standard Drawing 222.1
 - b. Reduce throat depth to zero feet where 25 feet is required per Uniform Standard Drawing 2221 (a 100% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 5221 Eastern Avenue
- Site Acreage: 0.2
- Project Type: Day spa with accessory massage
- Number of Stories: 1
- Square Feet: 2,136
- Parking Required/Provided: 6/9

History & Request

The subject parcel and the parcel to the south (APN 162-26-615-066) were initially reclassified to C-P zoning (ZC-0710-97) with subsequent waivers of conditions and variances over the years. The parcel to the south was developed as an office and has converted the site and building per standards approved at that time. Although a previous business was licensed at the subject parcel (the business is no longer in operation), the previous conditions of approval have not been met. It was discovered that conditions of approval for the prior land use applications have not been met when the current business requested a license for a Day Spa with accessory massage (Golden Thai Spa). In addition, the building has not been converted to a commercial use (per Building Department records). This application and its companion item are to establish the use and necessary site design standards to meet current Code.

Site Plans

The plans depict an existing single family residence to be converted into a commercial building for a day spa. The property has 2 access points along Eastern Avenue. The northerly driveway consists of the original residential pan driveway with access to an accessible parking space and a 16 foot wide, one-way driveway which continues to the south. The southerly driveway consists of the original residential pan driveway with access to a 16 foot wide shared driveway with the C-P zoned property to the south. The rear parking area consists of 6 parking spaces and a 21.5 foot wide drive aisle. The original residential wall that was between properties was removed with the development of the southerly parcel and the access between the buildings is open.

Landscaping

The plan depicts a proposed 4 foot wide by 5 foot wide street landscaping area that contains groundcover and an existing sign. Additionally, there is an existing tree within a landscape area adjacent to the proposed accessible parking space next to the building entrance.

Elevations

There are no changes proposed to the exterior of the existing building which consists of a single story building that will maintain its residential character with painted stucco exterior and shingle tile roofing. There is no lighting shown or proposed on the rear of the building.

Floor Plans

The plans depict a 2,136 square foot building consisting of a lobby and waiting room, with pedicure and manicure space, 2 rooms for eyelashes, 2 rooms for waxing, 2 rooms for massage, an office/breakroom, and restrooms. The massage area does not exceed 25% of the spa floor area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed day spa establishment will offer services such as pedicure, facial, manicures, eyelash, and waxing with accessory massage. Per the applicant, tenant improvements are required for the building and no changes will be made to the exterior of the building. Additionally, they have been unsuccessful in coordinating with the southerly neighbor to reconstruct access for a commercial driveway. The prior approvals allowed the zoning with conditions for a commercial driveway to be developed and certain existing site standards for this property and the office to the south to remain. There was a business license allowed for many years when the property was purchased. The existing shed in the rear yard will be removed to allow for more parking. The applicant also indicates that the proposed landscaping is compatible with the surrounding commercial properties and the existing tree in the front yard will remain. The drive aisle widths have been adequate on the site for prior users and with the adjoining office to the south. Lastly, there will be 3 employees who will work by appointment only with the hours of operation from 9:00 a.m. to 9:00 p.m., Monday through Sunday.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0392-11	Training facility (music) and retail sales - expired	Approved by PC	October 2011
ZC-0710-97 (ET-0179-01)	Second extension of time to reclassify 0.4 acres to convert 2 single family residences on parcels 162-26-615-066 & 067	Approved by BCC	June 2001
VC-0495-99 (ET-0135-01)	Second extension of time to waive the wall, enclosed trash, enclosed trash area, reduced parking requirements, and reduced drive aisle width	Approved by PC	May 2001
VC-0495-99 (ET-0148-00)	First extension of time to waive the wall, enclosed trash, enclosed trash area, reduced parking requirements, and reduced drive aisle width	Approved by PC	June 2000
VC-0495-99	Waived the wall, enclosed trash, enclosed trash area on both parcels, reduced parking requirements to 5 spaces on the southerly parcel, and reduced drive aisle width on both parcels	Approved by PC	May 1999
ZC-0710-97 (WC-0129-99)	Waive parking per code for parcel 162-26-615-066 (site to the south) with both properties to be converted to commercial uses at the same time	Approved by BCC	May 1999

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0710-97 (ET-0128-99)	First extension of time to reclassify 0.4 acres to convert 2 single family residences on parcels 162-26-615-066 & 067	Approved by BCC	May 1999
VC-0211-98	Waived trash enclosure on parcel 162-26-615-066 (site to the south) - expired	Approved by PC	March 1998
ZC-0710-97 (WC-0029-98)	Waived the screening of roof mounted mechanical equipment and trash enclosures on the property	Approved by BCC	March 1998
ZC-0710-97	Reclassified 0.4 acres to C-P zoning to convert 2 single family residences on parcels 162-26-615-006 & 067	Approved by BCC	June 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	R-1	Single family residential
South	Neighborhood Commercial	C-P	Office
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Undeveloped
West	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential

Related Applications

Application Number	Request
WC-22-400119 (ZC-0710-97)	A request to waive conditions for driveway design and location is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis
Current Planning
Use Permit

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

Staff finds the request for the day spa with the proposed cosmetology uses and the accessory massage compatible with the surrounding uses. The applicant is proposing to serve the clients on an appointment basis, which will limit the traffic and be similar to an office use. In addition, the proposed massage area is 15% of the public floor area, which is in compliance with Title 30.

However, staff recommends a review period to ensure that no issues arise during the operation of business. Staff is in support of this request.

Waivers of Development Standards #1 through #6

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.

While staff does not typically support such reductions in parking and landscaping, the proposed layout is similar to the adjoining office to the south. Staff can support the request with the closing of the northerly driveway with a raised planter to block accessing the parking area (similar concrete curb design of the property to the south), along with providing groundcover in all landscaping areas, and adjusting the accessible parking space to a north/south orientation (similar to the property to the south).

Waivers of Development Standards #7

Staff is unable to support the request to remove screening from around the roof mounted mechanical equipment. It is a typical improvement standard for conversion of residential properties to provide a more aesthetically pleasing street frontage and where adjacent to residential properties.

Design Review

While staff can support the requested use at this location, due to other design standards not being supported by staff, staff recommends denial of this portion of the request.

Public Works - Development Review

Waiver of Development Standards #8a

Commercial curb return driveways help mitigate traffic by allowing a smooth transition from the road into the commercial site, whereas pan driveways require vehicles to nearly come to a stop to negotiate a turn into a site. As such, pan driveways are not an acceptable standard for any driveways other than emergency access driveways only. The site was previously required to close 1 pan driveway and install a shared commercial curb return driveway with the parcel to the south, which was never done; therefore, staff cannot support this request.

Waiver of Development Standards #8b

The reduction in throat depth combined with the request in Waiver #8a further reduces the safety of vehicles entering and exiting the site. The reduced throat depth will compound the impact of the pan driveway, creating a dangerous situation for the public. Therefore, staff cannot support this request.

Staff Recommendation

Approval of the use permit and waivers of development standards #1 through #6; denial of waivers of development standards #7, #8, and the design review.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- 2 years to commence and review;
- Groundcover provided in all landscaping areas;
- Clients shall be limited to appointment only with no walk-in customers;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- Provide evidence that the building has been converted to a commercial occupancy prior to business licensing approval.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; parking lot striping will need to be updated; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

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: DON MCGEE

CONTACT: DON MCGEE, 5221 S. EASTERN AVE, LAS VEGAS, NV 89119

Justification Letter
APR22-100130
APN 162-26-615-067

UC-22-0590

To whom it may concern

I would like to open a Day Spa at 5221 S Eastern Ave. Zonig is C-P and I need a Special use Permit and Design review to open. The building is 2136 sq. feet public floor area 1375, 320 for massage and 1054 used for cosmetology. Service provided is Cosmetology which consist of pedicure, facial, manicures, eyelash, and waxing with accessory massage. The hours of operation 9am-9pm Monday-Sunday.

Waiver of Development Standards to allow pan driveways where commercial driveway is required .This would require us to combine two properties driveways and making it one . The doctor's office next door has been in business a long time and will not help with that expense.

Waiver Development Standards to reduce throat depth to zero feet. This was a residential property that got approval to be zoned C -P .The 25 feet distance would make it nearly impossible to locate a HCP parking in front of building.

Waiver of conditions; Waive condition of ZC0-710-97 requiring 1) combine driveways to construct a common shared curb return driveway between parcels 066&067; 2) close most northerly driveway on parcel 067; 3) reconstruct [closed driveway] with full off-sites. The plans from 1997 should have been complied with 25 years ago. The letter written May 14 1999 a Notice of final Action was filed with Clark County Clerk ,and Commission Division. It stated they were required to comply with the conditions prior to issuance of building permit or business license. When I purchased the property in 2017, title search did not show open permits. I purchased the property from Bern's Music Studio who had a business for 20 years. The other property in question is a Doctor's office for 25 years. Business licenses were granted. I would like to waiver conditions that were not complied with 25 years ago.

Waiver of Development Standards to reduce parking to 6 spaces where 9 spaces is required remove storage shed in back for parking.

Waiver of Development Standards to waive parking lot landscaping where figure 30.64.14 required, property compatible to the landscaping in the area, water shortage .

Waiver of Development Standards to allow alterative street landscaping where figure 30.64.17 is required along collector street (Eastern Ave) a existing tree is there.

Waiver of Development Standards to allow reduce in drive aisle width to 21.6 feet where 24 feet is required (for west parking area) the drive aisle is capable to handle two way traffic where the north drive will be gated off.

Waiver of Development Standards to remove required landscaping adjacent to a less intensive use where figure 30.64-11 is required (north and west property lines) property is compatible with building in the area, a water shortage is in affect in the city

Waiver of Development Standards remove bicycle parking where required per table 30.64-2

5

Waiver of Development Standards to screening mechanical equipment per table 30.56.2, the HVAC units were installed 25 years ago and should have been complied with then. The units are not visible from the street

Waiver of Development Standards to allow reduce north drive aisle to 14.5 feet where 24 feet required (for parking area) a one way design
The proposed design is compatible with the community and safe for visitors. The waivers should have been complied with 25 years ago its has been used for business with no problems.
Driveways, parking, landscaping is consistent with the area The employees which will be 3 will work by appointment only and will park on E Casey Dr

Thank You Lijia Jiang

Lijia Jiang
By
Don Miller

12/21/22 BCC AGENDA SHEET

RESTAURANT
(TITLE 30)

FLAMINGO RD/UNIVERSITY CENTER DR

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-22-0602-CV FLAMINGO LLC:

USE PERMIT to modify pedestrian realm.

WAIVER OF DEVELOPMENT STANDARDS to allow for drive-thru talk boxes to face a residential development.

DESIGN REVIEW for a restaurant with a drive-thru on a portion of 2.5 acres in a C-2 (General Commercial) (AE-65) Zone within the Midtown Maryland Parkway District.

Generally located on the north side of Flamingo Road, approximately 183 feet east of University Center Drive within Paradise. TS/sd/syp (For possible action)

RELATED INFORMATION:

APN:

162-15-803-006 ptn

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

USE PERMIT

Modify pedestrian realm requirements for the Midtown Maryland Parkway District where required per Section 30.48.1840.

WAIVER OF DEVELOPMENT STANDARDS:

Allow drive-thru talk boxes to face residential where talk boxes shall be set back behind the building or face to minimize noise, per Table 30.56-2.

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.5 (portion)
- Project Type: Restaurant with drive-thru
- Building Height (feet): 23
- Square Feet: 2,900
- Parking Required/Provided: 29/39

Site Plans

The plans depict a proposed restaurant with drive-thru lanes on a portion of an existing commercial parcel. The plans show the proposed restaurant located in the eastern portion of the parcel and is adjacent to an existing drainage channel and south of existing multiple family residential development. To the immediate west is an undeveloped portion of the subject parcel, and farther west is a convenience store and gasoline station. The drive-thru will be located along the northern section of the restaurant and will be adjacent to the north property line. Per Table 30.56-2, where drive-thru windows are adjacent to residential development, the talk boxes shall be set back behind the building or face to minimize noise away from adjacent homes. The plans depict the talk boxes facing towards the existing residential uses to the north and requires a waiver of development standards to allow for their location. Access to the property is from Flamingo Road with parking shown along the interior and perimeter of the property.

Landscaping

The plans depict landscaping throughout the interior of the parking lot and along the perimeter of the property. Although the pedestrian realm standards are not in compliance with the Midtown Maryland Parkway District, a 15 foot landscape area is shown along Flamingo Road adjacent to an existing attached sidewalk (total 20 foot width), rather than the required detached sidewalk. A 25 foot wide landscape area along the north property line adjacent to the proposed drive-thru lanes is also provided as well as interior landscaping with landscape islands every 6 spaces and pedestrian walkways.

Elevations

The plans depict a proposed commercial restaurant building with a drive-thru at 22 feet in height with a metal awning, metal frame, stucco finish and storefront glazed windows. The proposed paint includes white and turquoise colors and a dark grey stucco color.

Floor Plans

The plans depict a 2,900 square foot restaurant with kitchen, seating area, dining and lounge, restrooms, and utility rooms. Outside dining is provided, which is part of the required open space per the Midtown Maryland Parkway District.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the proposed development includes the 2,900 square foot restaurant, outdoor dining space, associated parking, and landscape improvements to the undeveloped property. Approximately 1.0 acre of the parcel will be developed with this project, and about 0.76 acres will remain undeveloped at this time and left for future development. A portion of the parcel is used for access to the residential development to the north. No new access locations onto Flamingo Road will be proposed with this project as there is an existing shared access with the convenience store and gasoline station to the west of the parcel.

A waiver of development standards is requested in relation to the order boards facing north towards a residential area. The mitigation measures proposed are dense Yew Pine trees along the

entire north property line, as shown on the landscape plan, and an existing 8 foot high CMU wall that extends across a portion of the north property line. With these measures, any potential negative impacts of the order boards facing residential areas are mitigated to the maximum extent.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-1065-99	Convenience store with gasoline sales	Approved by PC	September 1999
ZC-1472-97	Reclassified from an R-1 to a C-2 zoning for a retail center	Approved by BCC	February 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	R-5	Multiple Family Residential
South	Public Use	P-F	UNLV
East	Public Use	C-2	Electric substation
West	Entertainment Mixed-Use	C-2	Convenience store

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the 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 can support the applicant's request to modify the required pedestrian realm as outlined under the requirement of the Midtown Maryland Parkway District. Along Flamingo Road in this section there are no detached sidewalks or space to create a pedestrian realm without major alterations to the street and site. To include this would break-up the consistency of the existing streetscape along this area. Per the plans submitted the applicant is providing for a 15 foot wide landscape area behind the existing attached sidewalk as mitigation measures. Due to constraints along Flamingo Road with existing conditions for this immediate area staff can support this request.

Waiver of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to

modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Staff finds the request to place order talk boxes facing residential uses will have minimal impacts with this waiver request. First, the applicant is aware of the potential conflicts and has added additional mitigation measures, including a dense landscape area with Yew Pine trees all along the property line and will utilize an existing 8 foot high concrete block wall. Second, the area of which the order boxes are facing the residential use to the north includes those areas considered recreational. Review of the plans and aerial photographs show this area of the residential development includes mainly tennis courts. Staff finds the proposed location of the talk boxes are located directly away from the multiple family residential living units and directly towards those areas for recreation, including existing tennis courts. Staff can support the location considering queuing and stacking for the drive-thru for the proposed development design is to minimize impacts.

Design Review

Review of the plans shows proper placement on the parcel with drive aisles directing internal circulation patterns, interior landscaping, materials, and height. The project provides appropriate buffers, building height, and queuing lanes for the drive-thru. The proposed landscaping and building materials comply with Title 30 standards and are appropriate for the area. Staff can support the design review.

Department of Aviation

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has

been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

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

Department of Aviation

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

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and that Fire access lanes must be a minimum of 24 feet.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LARA DOTY

CONTACT: CAL JOHNSON, LEGEND ENGINEERING LLC, 52 WEST 100 NORTH, HEBER CITY, UT 84032



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF	APP. NUMBER: <u>WS 22-01002</u> DATE FILED: <u>10/25/22</u> PLANNER ASSIGNED: <u>SWJ</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>11/29/22</u> PC MEETING DATE: <u>12/20/22</u> BCC MEETING DATE: _____ FEE: <u>\$ 1,150</u>
	PROPERTY OWNER	NAME: <u>CV Flamingo LLC</u> ADDRESS: <u>2000 McKinney Avenue, Suite 1000</u> CITY: <u>Dallas</u> STATE: <u>TX</u> ZIP: <u>75201</u> TELEPHONE: <u>214-740-3482</u> CELL: _____ E-MAIL: <u>MGallo@LPC.com</u>
	APPLICANT	NAME: <u>Lara Doty</u> ADDRESS: <u>2000 McKinney Avenue, Suite 1000</u> CITY: <u>Dallas</u> STATE: <u>TX</u> ZIP: <u>75201</u> TELEPHONE: <u>214-740-3558</u> CELL: _____ E-MAIL: <u>ldoty@lpc.com</u> REF CONTACT ID #: _____
	CORRESPONDENT	NAME: <u>Cal Johnson</u> ADDRESS: <u>52 West 100 North</u> CITY: <u>Heber City</u> STATE: <u>UT</u> ZIP: <u>84032</u> TELEPHONE: <u>435-654-4828 ext. 705</u> CELL: <u>435-760-6284</u> E-MAIL: <u>cal@legendengineering.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-15-803-006

PROPERTY ADDRESS and/or CROSS STREETS: 850 East Flamingo Road

PROJECT DESCRIPTION: Proposal to develop approximately one acre with Costa Vida drive-thru restaurant.

(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)* Property Owner (Print)

STATE OF Texas
 COUNTY OF Dallas

SUBSCRIBED AND SWORN BEFORE ME ON July 29, 2022 (DATE)
 By Matthew Gallo
 NOTARY PUBLIC: Jenny Kvapil

***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



October 18, 2022

Clark County Nevada
Department of Comprehensive Planning
Land Use Application

Justification Letter

Lincoln Property Company proposes to construct a Costa Vida restaurant with a drive-thru at approximately 850 East Flamingo Road. This proposal is a permitted use in the C-2 General Commercial zone.

The proposed development includes the 2,900 square foot restaurant, outdoor dining space, associated parking, and landscape improvements to the undeveloped property. The entire parcel is 2.42 acres with a portion of the parcel being the access for the adjacent apartment complex to the north. Approximately 0.98 acres of the parcel will be developed with this project. About 0.76 acres will remain undeveloped at this time and left for future development.

No new access locations onto Flamingo Road will be proposed with this project as there is an existing shared access on the parcel that is shared with the gas station to the west of the parcel.

New utility services will be required for this project with sewer service coming from the existing 18" sewer main in Flamingo Road and water service coming from the existing 24" water main in Flamingo Road. Storm drainage will be discharged to the adjacent concrete drainage channel as it crosses under Flamingo Road. No adverse effects on public facilities and services is anticipated with this proposal and the capacity of the public infrastructure in the area.

A waiver of development standards is requested in relation to the order boards facing north towards a residential area. The mitigation measures proposed are dense Yew Pine trees along the entire north property line, as shown on the Landscape Plan, and an existing 8' CMU wall that extends across a portion of the north property line. With these measures, any potential negative impacts of the order boards facing residential areas are mitigated to the maximum extent.

Thank you for receiving and considering this application. We look forward to working with Clark County on this development.

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