



Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

December 12, 2023

7:00pm

Note:

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

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

Secretary: Maureen Helm, 702-606-0747, mhelmtab@gmail.com
 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 28, 2023. (For possible action)
- IV. Approval of the Agenda for December 12, 2023 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items (for discussion only)

VI. Planning and Zoning

- 1. **ET-23-400133 (VS-21-0452)-CAMPUS VILLAGE GROUP, LLC:**
VACATE AND ABANDON FIRST EXTENSION OF TIME for a portion of right-of-way being Maryland Parkway located between University Avenue and Harmon Avenue within Paradise (description on file). TS/dd/syp (For possible action) **BCC 12/6/23**

- 2. **UC-23-0751-PATRON INVESTMENTS, LLC:**
USE PERMIT to allow accessory structures (shade structures) not architecturally compatible.
WAIVER OF DEVELOPMENT STANDARDS to reduce the setback for proposed accessory structures (shade structures).
DESIGN REVIEW for accessory structures (shade structures) in conjunction with an existing restaurant on 0.9 acres in an M-1 (Light Manufacturing) (AE-70) Zone. Generally located on the north side of Sunset Road and the east side of Windy Road within Paradise. MN/sd/syp (For possible action) **PC 1/4/24**

- 3. **VS-23-0762-TROPICANA HEALTH CENTER, INC.:**
VACATE AND ABANDON easements of interest to Clark County located between Tropicana Avenue and Bell Drive, and between Decatur Boulevard and Cameron Street; and a portion of right-of-way being Tropicana Avenue located between Decatur Boulevard and Cameron Street within Paradise (description on file). MN/rr/syp (For possible action) **BCC 1/3/24**

- 4. **UC-23-0761-TROPICANA HEALTH CENTER, INC.:**
USE PERMITS for the following: 1) office; and 2) pharmacy.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow modified driveway standards; and 2) allow reduced landscaping and attached sidewalk.
DESIGN REVIEWS for the following: 1) office building with pharmacy; 2) alternative parking lot landscaping; and 3) finished grade on 10.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the south side of Tropicana Avenue and the west side of Cameron Street within Paradise. MN/rr/syp (For possible action) **BCC 1/3/24**

5. **ZC-23-0754-3526 PATRICK LANE, LLC:**
ZONE CHANGE to reclassify 0.5 acres from an RS20 (Residential Single Family 20) (AE-60) Zone to a CG (Commercial General) (AE-60) Zone. Generally located on the north side of Patrick Lane, 570 feet east of Pecos Road within Paradise (description on file). JG/md (For possible action) **BCC 1/3/24**

6. **WS-23-0755-3526 PATRICK LANE, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) buffering and screening standards; 3) increase fence height; 4) allow modified driveway design standards; and 5) allow commercial pan driveways where commercial curb return driveways are required.
DESIGN REVIEWS for the following: 1) alternative landscape plan; 2) alternative trash enclosure design; 3) allow an accessory structure (storage/shipping container) not architecturally compatible with the principle building; and 4) plant nursery on 0.5 acres in a CG (Commercial General) (AE-60) Zone. Generally located on the north side of Patrick Lane, 570 feet east of Pecos Road within Paradise. JG/md/syp (For possible action) **BCC 1/3/24**

VII. General Business (For possible action)

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

IX. Next Meeting Date: January 9, 2024.

X. Adjournment.

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



Paradise Town Advisory Board

November 28, 2023

MINUTES

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

Richard Ruggles; Planning, Blanca Vazquez; Community Liaison

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

II. Public Comment:
None

III. Approval of November 14, 2023 Minutes

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

Approval of Agenda for November 28, 2023

Moved by: Williams
Action: Approve with changes
Vote: 4-0 Unanimous

V. Informational Items (For Discussion only)
None

VI. Planning & Zoning

1. **TM-23-500156-2151 SUNSET LLC:**
TENTATIVE MAP consisting of a 1 lot commercial subdivision on 2.4 acres in an M-D (Designed Manufacturing) (AE-70) Zone. Generally located on the southeast corner of Sunset Road and Surrey Street within Paradise. JG/lm/syp (For possible action) **PC 12/5/23**

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

2. **ET-23-400133 (VS-21-0452)-CAMPUS VILLAGE GROUP, LLC:**
VACATE AND ABANDON FIRST EXTENSION OF TIME for a portion of a right-of-way being Maryland Parkway located between University Avenue and Harmon Avenue within Paradise (description on file). TS/dd/syp (For possible action) **BCC 12/6/23**

Held per applicant. Return to the Paradise December 12, 2023 TAB meeting

3. **ET-23-400141 (WS-21-0501)-LAS VEGAS 2760, LLC:**
WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME to increase wall height in conjunction with a single family residence on 0.6 acres in an R-E (Rural Estates Residential) Zone. Generally located on the northeast side of Oakleigh Willow Way, 475 feet east of Topaz Street within Paradise. JG/nai/syp (For possible action) **PC 12/19/23**

MOVED BY-Philipp
APPROVE-Subject to staff conditions

- 6 months to complete permit and inspection process

VOTE: 4-0 Unanimous

4. **PA-23-700023-AUTOZONE INC:**
HOLDOVER PLAN AMENDMENT to redesignate the existing land use category from Neighborhood Commercial (NC) to Business Employment (BE) on 2.0 acres. Generally located on the southwest corner of Desert Inn Road and Mojave Road within Paradise. TS/gc (For possible action) **PC 12/19/23**

Held per applicant. Return to the January 9, 2024 Paradise TAB meeting

5. **ZC-23-0522-AUTOZONE, INC.:**
HOLDOVER ZONE CHANGE to reclassify 2.0 acres from a C-1 (Local Business) Zone to an M-D (Designed Manufacturing) Zone.
USE PERMIT to allow retail sales.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative street landscaping; 2) landscaping; 3) increase retaining wall height; and 4) driveway geometrics.
DESIGN REVIEW for a warehouse/storage building addition in conjunction with an existing retail building. Generally located on the southwest corner of Desert Inn Road and Mojave Road within Paradise (description on file). TS/jor/syp (For possible action) **PC 12/19/23**

Held per applicant. Return to the January 9, 2024 Paradise TAB meeting

6. **VS-23-0523-AUTOZONE, INC.:**
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Desert Inn Road and Sego Drive and between Pecos-Mcleod Interconnect and Mojave Road within Paradise (description on file). TS/jor/syp (For possible action) PC 12/19/23

Held per applicant. Return to the January 9, 2024 Paradise TAB meeting

7. **UC-23-0748-2640 E TROPICANA, LLC:**
USE PERMITS for the following: 1) tire sales and installation facility; 2) reduce separation to residential use; and 3) allow accessory structures (shipping containers) not architecturally compatible with the existing building.
DESIGN REVIEWS for a tire sales and installation facility on 0.9 acres in a C-2 (General Commercial) Zone. Generally located on the northeast corner of Tropicana Avenue and Topaz Street within Paradise. JG/lm/syp (For possible action) PC 12/19/23

MOVED BY-Williams

APPROVE-Subject to staff conditions 6months to complete, 6 months review as public hearing

VOTE: 4-0 Unanimous

8. **WS-23-0702-LOPEZ RODOLFO:**
WAIVER OF DEVELOPMENT STANDARDS to reduce the setback for a proposed single family residence on 0.2 acres in an R-1 (Single-Family Residential) Zone. Generally located on the north side of San Sebastian Avenue, 285 feet east of El Oro Street within Paradise. TS/rp/syp (For possible action) PC 12/19/23

MOVED BY-Cunningham

APPROVE-Subject to staff conditions

Added condition

- **Rear yard to be landscaped to County guidelines**

VOTE: 4-0 Unanimous

9. **WS-23-0727-HIGHLAND ASSOCIATES, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate landscaping; 2) reduce the gate setback; 3) eliminate pedestrian walkways; and 4) alternative driveway geometrics.
DESIGN REVIEW for a parking lot expansion in conjunction with an existing office/warehouse complex on a portion of 12.0 acres in an M-1 (Light Manufacturing) Zone. Generally located on the west side of Highland Drive and the south side of Capella Avenue (alignment) within Winchester. TS/bb/syp (For possible action) PC 12/19/23

MOVED BY-Philipp

APPROVE-Subject to IF approved staff conditions

VOTE: 4-0 Unanimous

10. **WS-23-0732-SALDIVAR LETICIA C:**
WAIVER OF DEVELOPMENT STANDARDS to reduce the setback in conjunction with an existing single family residence on 0.2 acres in an R-2 (Medium Density Residential) Zone. Generally located on the west side of Gabilan Court, approximately 175 feet south of Thornewood Place within Paradise. MN/dd/syp (For possible action) PC 12/19/23

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

11. **WS-23-0752-SG VEGAS OWNER, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; **2)** increase the area of directional signs; **3)** increase the area of freestanding signs; **4)** increase the area of wall signs; and **5)** alternative location for freestanding signs.
DESIGN REVIEWS for the following: **1)** comprehensive sign plan; **2)** increase area of projecting signs; **3)** increase area of hanging signs; and **4)** increase area of animated signs in conjunction with a shopping center on 9.5 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas Boulevard South, 330 feet south of Harmon Avenue within Paradise. JG/jud/syp (For possible action) **BCC 12/20/23**

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

- VI. General Business (for possible action)
None
- VII. Public Comment
None
- VIII. Next Meeting Date
The next regular meeting will be December 12, 2023
- IX. Adjournment
The meeting was adjourned at 8:15 p.m.

RIGHT-OF-WAY
(TITLE 30)

MARYLAND PKWY/HARMON AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-23-400133 (VS-21-0452)-CAMPUS VILLAGE GROUP, LLC:

VACATE AND ABANDON FIRST EXTENSION OF TIME for a portion of right-of-way being Maryland Parkway located between University Avenue and Harmon Avenue within Paradise (description on file). TS/dd/syp (For possible action)

RELATED INFORMATION:

APN:

162-23-204-001; 162-23-204-003 through 162-23-204-004

LAND USE PLAN:

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

The original plans depicted the vacation and abandonment of portions of right-of-way. The right-of-way to be vacated included an 8 foot wide portion of University Avenue along the north side of the site, a 6 foot wide portion of Harmon Avenue along the south side of the site, and a 6 foot wide portion of Maryland Parkway along the west side of the site.

With the recent approval of UC-23-0267, the project has been altered to have attached sidewalks on University Avenue and Harmon Avenue. This deviates from the original approval of VS-21-0452, in which the vacation of portions of the right-of-way were approved to accommodate for detached sidewalks along all 3 street frontages. UC-23-0267 was approved with detached sidewalks only along the Maryland Parkway frontage.

Previous Conditions of Approval

Listed below are the approved conditions for VS-21-0452:

Current Planning

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

recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Right-of-way dedication to include a 54 foot property line radius at the southwest corner of the site;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code.

Applicant's Justification

The applicant is requesting an extension of time in order to meet all of the conditions of approval for UC-23-0267, which altered the original approval for VS-21-0452. The applicant also states that they have been working with Public Works on other aspects of this project, stating that they have two approved drainage studies, an approved tentative map application, an active traffic study, and more.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-23-0267	UNLV campus village	Approved by BCC	June 2023
VS-21-0452	Vacated and abandoned right-of-way	Approved by BCC	October 2021
ZC-21-0451	Reclassified for a commercial development - expunged	Approved by BCC	October 2021
FM-21-500134	UNLV campus village	Approved by BCC	October 2021
ZC-027-75	Reclassified the northern and the eastern parcels to C-2 zoning for a shopping center	Approved by BCC	May 1975
ZC-0189-63	Reclassified the southwestern parcel to C-1 zoning for a service station	Approved by BCC	January 1964

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Use	R-1	Place of worship
South	Corridor Mixed-Use	C-1	UNLV owned shopping center
East	Urban Neighborhood (greater than 18 du/ac)	R-4	Multiple family residential
West	Public Use	P-F	UNLV campus

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

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

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Until October 20, 2025 to record.
- Applicant is advised that the County has adopted a rewrite to Title 30, effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified, and that re-approval by the utility companies is required.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: CAMPUS VILLAGE GROUP, LLC

CONTACT: CLARK HILL, 1700 S. PAVILION CENTER DRIVE, SUITE 500, LAS VEGAS, NV 89135

DRAFT

01/02/24 PC AGENDA SHEET

RESTAURANT
(TITLE 30)

SUNSET RD/WINDY RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-23-0751-PATRON INVESTMENTS, LLC:

USE PERMIT to allow accessory structures (shade structures) not architecturally compatible.
WAIVER OF DEVELOPMENT STANDARDS to reduce the setback for proposed accessory structures (shade structures).

DESIGN REVIEW for accessory structures (shade structures) in conjunction with an existing restaurant on 0.9 acres in an M-1 (Light Manufacturing) (AE-70) Zone.

Generally located on the north side of Sunset Road and the east side of Windy Road within Paradise. MN/sd/syp (For possible action)

RELATED INFORMATION:

APN:
162-32-802-042

USE PERMIT:
Allow accessory structures (shade structures) not architecturally compatible with the principal building where required per Table 30.36-2.

WAIVER OF DEVELOPMENT STANDARDS:
Reduce the front setback to 8 feet where 20 feet is required per Table 30.40-5 (a 60% reduction).

LAND USE PLAN:
WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:
Project Description
General Summary

- Site Address: 2550 W. Sunset Road
- Site Acreage: 0.9
- Project Type: Restaurant with outside dining
- Number of Stories: 1
- Building Height (feet): 28 (restaurant)/11 (shade structure)
- Square Feet: 7,497 (restaurant)/645 (shade structure)
- Parking Required/Provided: 75/67

Site Plans

The plans depict an existing 1 story, 7,497 square foot fast food restaurant (Tacos El Gordo). The building faces south toward Sunset Road with parking shown on the north, east, and west sides of the building. There is no drive-thru associated with this restaurant. Access to the site is from a driveway on Sunset Road and another on Windy Road. The plans also show 2 existing outside dining patios located on the south side of the restaurant, which the applicant has submitted plans with proposed shade structures for those patrons using the outside dining area. The new shade structures are 13 feet 8 inches from the street and 8 feet 8 inches from the back of curb, which necessitates a waiver of development standards to reduce the front setback.

Landscaping

Street landscaping exists along Sunset Road consisting of a 15 foot wide landscape area with a proposed detached sidewalk. A 10 foot wide landscape area behind an attached sidewalk exists along Windy Road. Internal to the site, landscaping is distributed throughout the parking lot and around the building footprint. Landscaping adjacent to the existing wall that separates the outdoor dining area from the sidewalk will remain. No other landscaping changes are proposed throughout the property.

Elevations

The photos depict a 1 story, 28 foot high restaurant building with a flat roof and parapet walls at varying heights. Building materials consist of stucco finished walls, ledgestone veneer accents, metal awnings, winged roof overhangs, and aluminum storefront systems.

The proposed shade structures will be up to 11 feet in height with a steel frame structure with flame resistant fabric in a crimson red color. The shade structures are open on all sides and is affixed to the steel column. The applicant has applied for a use permit to waive the architectural compatibility of the shade structures with the principal buildings along Sunset Road.

Floor Plans

The plans show a 7,497 square foot existing restaurant building consisting of dining room, service counter, restrooms, and kitchen. The plans also show 2, approximately 490 square foot and 630 square foot existing outside dining areas respectively, located on the south side of the restaurant facing Sunset Road.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the need for these shade structures is to provide shade to the outdoor patio seating area and customers. As they will not meet the setback requirement the applicant is requesting a waiver of development standard to 8 feet. The applicant believes this use will not have a negative impact to the surrounding area.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-22-0109	Waived standards for increased sign height, increased freestanding sign area, and reduced parking, with a design review for signage in conjunction with a restaurant	Approved by PC	April 2022
UC-20-0045	Restaurant building and outside dining, with waivers for reduce parking, reduced driveway departure distance and modified driveway standards	Approved by PC	May 2020

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-1	Warehouse complex
South	Entertainment Mixed-Use	H-1	Town Square shopping center
East & West	Business Employment	M-1	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Use Permit

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

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.

Use Permit, Waiver of Development Standards & Design Review

The location for the accessory structures (shade structures) will be within the existing outdoor dining patio and do not impede pedestrian traffic along Sunset Road. Outdoor dining with shade protection or shade structure provides an amenity often associated with restaurants within Las Vegas. Overall, the proposed design of the shade structures is appealing and are also an amenity that is found with numerous outdoor dining patios and provides a visually aesthetically amenity with the colors to the property along Sunset Road. However, due to the intent of the Code with

design standards set forth in Table 30.56-2, the proposed shade structures do not meet or do not consist of, or give the appearance of, the materials to that of the main building (restaurant), which has a stucco finish. Likewise, the encroachment into the street setback is not in harmony with the intent of Code and can be visually distracting or obstruct the pedestrian right-of-way. Staff cannot support these requests.

Department of Aviation

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

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

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

Public Works - Development Review

- No comment.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the

Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code; Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LUIS FLORES

CONTACT: LUIS FLORES PAZ, 10438 SKY GATE STREET, LAS VEGAS, NV 89178

DRAFT

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0762-TROPICANA HEALTH CENTER, INC.:

VACATE AND ABANDON easements of interest to Clark County located between Tropicana Avenue and Bell Drive, and between Decatur Boulevard and Cameron Street; and a portion of right-of-way being Tropicana Avenue located between Decatur Boulevard and Cameron Street within Paradise (description on file). MN/rr/syp (For possible action)

RELATED INFORMATION:

APN:

162-30-101-011

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

The applicant is requesting to vacate an existing driveway easement along the south property line of APN 162-30-101-011 along Bell Drive. A new driveway is proposed to be located to the east and the easement is no longer needed. The applicant states that all new driveways will have pedestrian access easements granted as per current Clark County Public Works requirements. The applicant is also requesting to vacate 5 feet of a portion of the existing right-of-way on Tropicana Avenue along the north property line. The vacation is necessary to accommodate a detached sidewalk. A pedestrian easement for the sidewalk and a traffic control device/streetlight easement for roadway infrastructure will be provided in its place.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0211-17	Multiple family development, increased building height, and waivers of certain conditions of UC-0965-05 - expired	Approved by BCC	May 2017
ADR-0894-11	Conversion of east face of off-premises sign (billboard) to a digital face	Approved by ZA	October 2011
ADR-0033-11	Conversion of west face of off-premises sign (billboard) to a digital face	Approved by ZA	January 2011
WS-1327-07	Reduced the setback for a temporary sign (banner) in conjunction with a mixed-use project	Approved by PC	December 2007

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-1675-04 (ET-0366-07)	First extension of time for a zone change to reclassify to H-1 zoning - approved subject to removing the time limit for the zone change and expunging the use permits and design review	Approved by BCC	November 2007
UC-0965-05 (ET-0271-07)	First extension of time of mixed-use project and use subject to removing the time limit	Approved by BCC	September 2007
VS-0017-06	Vacated and abandoned easements of interest	Approved by PC	February 2006
UC-0965-05	Mixed-use project consisting of residential condominiums, resort condominiums, on-premises alcohol consumption, restaurants, retail, offices, and associated accessory buildings and uses	Approved by BCC	August 2005
NZC-1675-04	Reclassified the entire property to H-1 zoning	Approved by BCC	February 2005
ZC-0813-00	Reclassified a portion of the property to M-D zoning	Approved by BCC	July 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	C-2 & M-1	Retail uses
South & East	Entertainment Mixed-Use	M-1	Manufacturing/warehouse
West	Entertainment Mixed-Use	C-1 & M-D	Retail uses

Related Applications

Application Number	Request
UC-23-0761	A use permit, waivers of development standards and design reviews for an office building with pharmacy is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Staff has no objection to the vacation of a driveway easement that is not needed and right-of-way for detached sidewalks.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Tropicana Avenue improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CARPENTER SELLERS DEL GATTO ARCHITECTS

CONTACT: CHASE WHEELER, 8882 SPANISH RIDGE AVENUE, LAS VEGAS, NV 89148



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE

- VACATION & ABANDONMENT (vs)
 - EASEMENT(S)
 - RIGHT(S)-OF-WAY
- EXTENSION OF TIME (ET)
(ORIGINAL APPLICATION #): _____

DEPARTMENT USE

APP. NUMBER: VS-23-0762 DATE FILED: 11-1-23
 PLANNER ASSIGNED: _____
 TAB/CAC: PARADISE TAB/CAC DATE: 12-12-23
 PC MEETING DATE: 1-2-24
 BCC MEETING DATE: _____
 FEE: \$875.00

PROPERTY OWNER

NAME: Tropicana Health Center Inc.
 ADDRESS: 3201 Enterprise Parkway, Suite 150
 CITY: Beachwood STATE: OH ZIP: 44122
 TELEPHONE: (216) 360-0262 CELL: (216) 299-2716
 E-MAIL: cdecker@orgpm.com

APPLICANT

NAME: Tropicana Health Center Inc.
 ADDRESS: 3201 Enterprise Parkway, Suite 150
 CITY: Beachwood STATE: OH ZIP: 44122
 TELEPHONE: (216) 360-0262 CELL: (216) 299-2716
 E-MAIL: cdecker@orgpm.com REF CONTACT ID #: _____

CORRESPONDENT

NAME: Carpenter Sellers Del Gatto Architects - Chase Wheeler
 ADDRESS: 8882 Spanish Ridge Ave.
 CITY: Las Vegas STATE: NV ZIP: 89148
 TELEPHONE: 702.251.8896 CELL: _____
 E-MAIL: cwheeler@csdarchitecture.com REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-30-101-011
162-30-101-011

PROPERTY ADDRESS and/or CROSS STREETS: SWC of W. Tropicana Ave and Cameron St.
SWC of W. Tropicana Ave and Cameron St.

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.



 Property Owner (Signature)

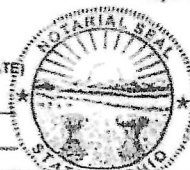
Edmunds Schmitt

 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF _____

SUBSCRIBED AND SWORN BEFORE ME ON _____ (DATE)

By _____
 NOTARY PUBLIC: _____



THORSTEN ERIKSEN
 Notary Public, State of Ohio
 My Commission Expires:
 October 13, 2026

PLANNER COPY

*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.

VS-23-0762



PRINCIPALS

W. RICK SELLERS, AIA

MICHAEL A. DEL GATTO, AIA, LEED AP

MICHELE K. BRIGIDA, AIA, LEED AP BD+C

PRINCIPAL EMERITUS

STEVEN R. CARPENTER, AIA, RETIRED

08.24.2023

Clark County Planning
Clark County Comprehensive Planning
500 S Grand Central Pkwy #1
Las Vegas, NV 89155

RE: Vacations Justification Letter
Project Name: Tropicana Health Center

Dear Clark County Planning,

The Tropicana Health Center is a 98,905 SF Medical office building on a 9.96-acre lot. The medical office building is similar to the now open and operating Durango Health Center project. The site is planned to accommodate a future 70,000 SF mixed-use building and 88,000 SF parking garage.

We would like to request **vacations** of an existing driveway easement on Bell Drive and for 5 feet of right of way along Tropicana Avenue. The existing driveway easement on Bell Drive for the site is no longer needed. A driveway shall be constructed in a different location for the site that is better for site circulation. All new driveways will have pedestrian access easements granted as per current CCPW requirements. As per current CCPW requirements, roadways with detached sidewalks are required to vacate 5 feet so that the right of way is at the back of curb. This project is proposing a detached sidewalk along Tropicana Avenue and vacation is required to meet CCPW requirements. A pedestrian easement for the sidewalk and a traffic control device/streetlight easement for roadway infrastructure will be provided in its place.

Sincerely,

Chase Wheeler
Project Manager

CIVIL
ENGINEERING

CC: File 22021 / 3302

8882 Spanish Ridge Avenue Las Vegas, NV 89148 • (702) 251-8896 • FAX (702) 251-8876
mail@csdarchitecture.com www.csdarchitecture.com

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0761-TROPICANA HEALTH CENTER, INC:

USE PERMITS for the following: 1) office; and 2) pharmacy.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow modified driveway standards; and 2) allow reduced landscaping and attached sidewalk.

DESIGN REVIEWS for the following: 1) office building with pharmacy; 2) alternative parking lot landscaping; and 3) finished grade on 10.0 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the south side of Tropicana Avenue and the west side of Cameron Street within Paradise. MN/rr/syp (For possible action)

RELATED INFORMATION:

APN:

162-30-101-011

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce throat depth for a driveway on Tropicana Avenue to 56 feet where 150 feet is required per Uniform Standard Drawing 222.1 (a 62.7% reduction).
- b. Reduce throat depth for a driveway on Cameron Street to 62 feet where 150 feet is required per Uniform Standard Drawing 222.1 (a 58.7% reduction).
- c. Reduce throat depth for a driveway on Bell Drive to 32 feet 6 inches where 150 feet is required per Uniform Standard Drawing 222.1 (a 78.3% reduction).
2. Allow reduced street landscaping and attached sidewalk along a portion of Bell Drive where a detached sidewalk and landscaping per Figure 30.64-17 is required.

DESIGN REVIEWS:

1. Office building with pharmacy.
2. Alternative parking lot landscaping to allow diamond-shaped planters where landscape finger islands per Figure 30.64-14 are required.
3. Increased finished grade to 56 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 55.6% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4631 W. Tropicana Avenue

- Site Acreage: 10
- Project Type: Office building with pharmacy
- Number of Stories: 2
- Building Height (feet): 42
- Square Feet: 98,905
- Parking Required/Provided: 396/540 (Phase I), 676/719 (Phase II)

Site Plan

The plan depicts a new health center office building in the center of the property surrounded by parking areas on all sides. Access to the site will be via 3 driveways from the surrounding streets including Tropicana Avenue, Cameron Street, and Bell Drive. A porte-cochere is located at the building entrance on the northeast side of the building with 2 driveway lanes. Two drive-thru lanes for the pharmacy are located along the east side of the building. A future 70,000 square foot office building is proposed near the western edge of the property with a future parking garage at the southwestern corner. There is an existing billboard sign near the northeast corner of the property which will remain in place. The initial phase of development will have 540 parking spaces. A portion of the parking lot is proposed to be replaced with a parking garage with 300 parking spaces at the southwest corner of the site when the office building is constructed in a future phase for a total of 719 parking spaces.

Landscaping

The plan depicts landscape around the perimeter of the property, within the parking areas and around the proposed building. The applicant is proposing the use of diamond-shaped planters within the parking areas in lieu of providing some of the landscape finger islands. This is the subject of a design review for alternative parking lot landscaping. The plan also includes the use of palm trees primarily at the driveway entrances. However, the palms are not located within the parking lot itself and are not counted toward the required number of parking lot trees. Landscape materials include 24 inch box sized trees including 172 large trees, 11 medium trees, and 28 small trees, as well as various shrubs and groundcovers. Detached sidewalks and landscaping are proposed along the property frontage on Tropicana Avenue. Existing attached sidewalks with 15 feet of landscaping are proposed along Cameron Street and the east half of Bell Drive. The attached sidewalk is proposed to be extended for the remainder of the frontage on Bell Drive, with 15 feet of landscaping, except where it is adjacent to a trash enclosure it will be 10 feet in width. This is the subject of a waiver request for reduced street landscaping and attached sidewalks. The north, south, and east perimeter of the site will be surrounded by a 3 foot 6 inch high decorative metal fence. Each driveway will have a 3 foot 6 inch metal security gate which will remain open during business hours. A 4 foot high retaining wall is located near the western property boundary. Also, a 16 foot 8 inch high wall is shown screening ground-level mechanical equipment located along the south side of the building from Bell Drive.

Elevations

The plans depict a 2 story building up to 42 feet in height. The building has a modern façade that includes CMU block, texture cladding panels, grey tinted glass windows, and a smooth EIFS finish. Color schemes for the stucco will be carried throughout all 4 sides of the building. The roof is flat and includes several cantilevered overhangs with variations in the parapet height.

Floor Plans

The plans depict a 2 story building with a lobby, reception, and check-in area, and pharmacy on the first floor. Located on the first and second floors are exam rooms, elevators, and restrooms. The second floor also includes a gym for physical therapy, multi-purpose spaces, staff training rooms, administrative offices, and a board room.

Applicant's Justification

The applicant states the proposed health center will provide much needed medical care for members of the sole tenant, the Culinary Health Fund, whose membership is comprised of bartenders, food preparers, wait staff, and housekeepers. The applicant further states that the proposed uses will improve the neighborhood. The project site has been unoccupied for many years. The site tends to attract the homeless and illegal semi-truck parking. Development of the site will help improve the safety of the area.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0211-17	Multiple family development, increased building height, and waivers of certain conditions of UC-0965-05 - expired	Approved by BCC	May 2017
ADR-0894-11	Conversion of east face of off-premises sign (billboard) to a digital face	Approved by ZA	October 2011
ADR-0033-11	Conversion of west face of off-premises sign (billboard) to a digital face	Approved by ZA	January 2011
WS-1327-07	Reduced the setback for a temporary sign (banner) in conjunction with a mixed-use project	Approved by PC	December 2007
NZC-1675-04 (ET-0366-07)	First extension of time for a zone change to reclassify to H-1 zoning - approved subject to removing the time limit for the zone change and expunging the use permits and design review	Approved by BCC	November 2007
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VS-0017-06	Vacated and abandoned easements of interest	Approved by PC	February 2006
UC-0965-05	Mixed-use project consisting of residential condominiums, resort condominiums, on-premises alcohol consumption, restaurants, retail, offices, and associated accessory buildings and uses	Approved by BCC	August 2005
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Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	C-2 & M-1	Retail uses
South & East	Entertainment Mixed-Use	M-1	Manufacturing/warehouse
West	Entertainment Mixed-Use	C-1 & M-D	Retail uses

Related Applications

Application Number	Request
VS-23-0762	A vacation and abandonment of patent easements and right-of-way is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Use Permits

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

The request is for a medical office building with an integrated pharmacy in the H-1 zone. Offices, including medical offices, in the H-1 zone are allowed as accessory uses for administrative purposes, otherwise a use permit is required. Pharmacies also require a use permit in H-1 zoning. According to the applicant, the proposed medical offices will be a private outpatient facility for exclusive use of its members, rather than the public, and is not intended for emergency care. No surgical procedures will be performed and there will be no overnight admittance. The pharmacy will also not provide services to non-member insurance carriers. The area surrounding the property is a mixture of industrial and commercial retail uses. Classrooms and other multi-purpose rooms are only for the use of employees for training purposes. It does not appear that the proposed use will have any adverse effects on the surrounding properties nor impose an undue burden on the existing infrastructure. Therefore, staff can support these requests.

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the

immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #2

The applicant requests that they be permitted to construct attached sidewalks for the western half of the property abutting Bell Drive where no sidewalk currently exists. There is an existing attached sidewalk along the eastern half of the property abutting Bell Drive. An extension of the attached sidewalk along Bell Drive will match the existing properties in the area. Also, a 15 foot wide landscape buffer will be provided along the street behind the sidewalk, except for a small portion adjacent to a trash enclosure, where it will be 10 feet in width. Since a significant majority of the attached sidewalk is already in existence and the proposed extended landscape area and attached sidewalk are consistent with the existing condition, staff can support this request.

Design Reviews

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Design Review #1

The architecture design of the proposed health center as well as the design of the site is generally in accordance with the requirements of Title 30. The design includes variations in building height, colors, and materials which serves to break-up the mass of these commercial buildings. Therefore, staff can support this request.

Design Review #2

The parking lot landscape design includes diamond-shaped planters within the parking rows in between landscape finger islands at the ends of each row. A total of 19 planters are provided throughout the parking lot in lieu of landscape finger islands as required per Figure 30.64-14. The planters are 8 foot by 8 foot which is slightly larger than the minimum size of 7 foot by 7 foot. Each planter has a 10 foot wide parking space adjacent to the planters as required for the alternative design. The applicant is requesting to allow the diamond-shaped planters instead of the landscape finger islands to accommodate the future parking needs as well as the desire for their client to have additional parking beyond what is required by Code. The applicant has provided large trees along the western property boundary that exceed the number of large trees that would normally be required within the landscape islands, but cannot be accommodated within the smaller planters. Therefore, staff can support this request.

Public Works - Development Review

Waiver of Development Standards #1

Staff has no objection to the reduction in throat depth for the Tropicana Avenue, Cameron Street, and Bell Drive commercial driveways. The applicant provided additional landscape buffers adjacent to the entrances into the site. The buffers improve the visibility of traffic trying to access

the site, allowing vehicles to safely exit the right-of-way. Additionally, the 3 driveways should see equal use, further mitigating potential impacts from the reduced throat depths.

Design Review #3

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

Department of Aviation

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

Staff Recommendation Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- A design review is required for future phases of development;
- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW23-17444;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Tropicana Avenue improvement project.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Department of Aviation

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0169-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: CARPENTER SELLERS DEL GATTO ARCHITECTS
CONTACT: CHASE WHEELER, 8882 SPANISH RIDGE AVENUE, LAS VEGAS, NV 89148



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 (ZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>UC-23-0761</u> DATE FILED: <u>11-1-23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>12-12-23</u> PC MEETING DATE: <u>1-2-24</u> BCC MEETING DATE: _____ FEE: <u>\$1825.00</u>
	PROPERTY OWNER NAME: <u>Tropicana Health Center Inc.</u> ADDRESS: <u>3201 Enterprise Parkway, Suite 150</u> CITY: <u>Beachwood</u> STATE: <u>OH</u> ZIP: <u>44122</u> TELEPHONE: <u>(216) 360-0262</u> CELL: <u>(216) 299-2716</u> E-MAIL: <u>cdecker@orgpm.com</u>
	APPLICANT NAME: <u>Tropicana Health Center Inc.</u> ADDRESS: <u>3201 Enterprise Parkway, Suite 150</u> CITY: <u>Beachwood</u> STATE: <u>OH</u> ZIP: <u>44122</u> TELEPHONE: <u>(216) 360-0262</u> CELL: <u>(216) 299-2716</u> E-MAIL: <u>cdecker@orgpm.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Carpenter Sellers Del Gatto Architects - Chase Wheeler</u> ADDRESS: <u>8882 Spanish Ridge Ave.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89014</u> TELEPHONE: <u>702-251-8896</u> CELL: _____ E-MAIL: <u>cwheeler@csdarchitecture.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-30-101-011

PROPERTY ADDRESS and/or CROSS STREETS: SWC of W. Tropicana Ave and Cameron St.

PROJECT DESCRIPTION: Tropicana Health Center (Outpatient medical office, Pharmacy, Primary Care, Physical Therapy, Dental and Admin. Space) along with Future Office Building and Parking Garage.

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

Property Owner (Signature)* [Signature] Property Owner (Print) EDWARD SCHWARTZ

STATE OF OHIO
 COUNTY OF CUYAHOGA

SUBSCRIBED AND SWORN BEFORE ME ON 8/22/2023 (DATE)
 By [Signature]
 NOTARY PUBLIC: Thorsen Eriksen

PLANNER COPY
 THORSEN ERIKSEN
 Notary Public, State of Ohio
 My Commission Expires:
 October 13, 2026

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

UC-23-0761



PRINCIPALS

W. RICK SELLERS, AIA

MICHAEL A. DEL GATTO, AIA, LEED AP

MICHELE K. BRIGIDA, AIA, LEED AP BD+C

PRINCIPAL EMERITUS

STEVEN R. CARPENTER, AIA, RETIRED

08.24.2023

Clark County Planning
Clark County Comprehensive Planning
500 S Grand Central Pkwy #1
Las Vegas, NV 89155

RE: Justification Letter
Project Name: Tropicana Health Center

Dear Clark County Planning,

The Tropicana Health Center is a 98,905 SF Medical office building on a 9.96-acre lot. The medical office building is similar to the now open and operating Durango Health Center project. The site is as planned to accommodate a future 70,000 SF office building and 88,000 SF parking garage.

The development of the Tropicana Health Center will serve a much-needed purpose in the Southern Nevada community. The facility will provide exceptional medical care for the members of the sole tenant, Culinary Health Fund, whose membership is comprised of bartenders, food preparers, wait staff, housekeepers, etc. This population is the life's blood of the hospitality and gaming industry of the greater Las Vegas region. This outpatient facility will be private to its members and not open to the public. The first-floor program will include the main lobby, reception, primary care, and pharmacy. The second-floor program will include dental, physical therapy, office and multi-purpose spaces. It is important to note that this facility will not include urgent care, there will be no surgical procedures performed, and no overnight admittance will be permitted. This is not an emergency care facility but rather a mixture of basic medical office clinics located in one building. Services will not be offered to non-member insurance carriers. The project will be located at the Southwest Corner of W Tropicana Ave and Cameron ST. The proposed medical office building will be developed by Tropicana Health Center, Inc. and ORG Portfolio Management.

PLANNER COPY

The project site is 9.96 acres, parcel APN # 162-30-101-011. The proposed land uses are B (Medical Office Clinic) and B (Pharmacy). The current land use is H-1 (Limited Resort and Apartment) and will require **special use permits** for Office and Pharmacy. We believe the proposed business uses for this area will improve the neighborhood greatly. The pharmacy will not provide services to non-member insurance carriers. The project site has been unoccupied for many years and development will help improve the safety of this area. This site tends to attract the homeless and illegal semi-truck parking quite frequently. We believe the proposed use for this project is appropriate for the site and will improve the area.

We would like to request a **design review** to increase the **finish grade** more than 36" as required by section 30.32.040.a.9.b. We are requesting a max fill of 4.6-feet and a max cut of 3.6-feet. The percentage of site that will be filled over 36" will be small in comparison to the large 9.96 acre lot.

We would like to request a **waiver** to allow for a reduction of the required **throat depths** entering the project site at Tropicana Ave, Cameron St and Bell Dr. The required throat depth based on CCAUSD 222.1 is 150 feet at each driveway. At Tropicana, we will be providing a right turn lane and would like to request a waiver for a throat depth of 56'-0" on the east and 66' 3 1/2" on the west. Entry into the site from Tropicana is limited to right turn movements only, which reduces the number of conflicts at the driveway intersection location. At Cameron we would like to request a waiver for a throat depth of 62'-0" on the north and 72'-1" on the south. Due to the type of development, medical office and general office, the trip characteristics are such that the peak hours are weighted toward one movement. The AM peak hour is predominately entering traffic and the PM peak hour is predominately exiting traffic. Due to this trip pattern, the conflicts at internal intersections are anticipated to be lower than a more commercial type of use during peak time periods. At Bell Dr we would like to request a waiver for a throat depth of 32'-6" on the east and 118'-7" on the west. The driveway on Bell Drive is anticipated to serve as a secondary entry into the development mainly utilized by employees and deliveries. As such it is not anticipated that the volumes would result in a high level of internal conflicts near the driveway location.

We will be providing a detached sidewalk along Tropicana Ave but would like to request a **waiver** to leave the existing **attached sidewalks** along Cameron St. and approximately half of the Bell Dr. We are also requesting the remainder of the Bell Dr. right-of-way match the existing portion of Bell Dr. attached sidewalk. The attached sidewalk matches the adjacent properties along these right of ways. On Cameron St. and Bell Dr. adjacent to the existing attached sidewalk we will be providing a 15'-0" landscape buffer.

We would like to request a **waiver** to allow a **retaining wall height increase** to 4'-0" high maximum where 3'-0" high maximum is allowed per 30.64.050.B. The retaining walls are located near the west property lines where there is significant grade change between our parcel and the neighboring properties.



We would like to request a **design review for diamond shaped landscape planters** in the parking lot areas per figure 30.64-14M. The alternate landscaping method allows the site to maintain the required parking to support the Tropicana Health Center as well as future Office building and Parking Garage on this site.

The Tenant for this project requires we exceed the county standards for parking stalls required for the Tropicana Health Center Building Development. The client goal is a 5:1000 parking ratio and the project is currently providing a 5.45:1000 parking ratio with the reduction of throat depths at Tropicana, Cameron and Bell. The future parking ratio with Office Building and Parking Garage will still exceed the county standards by providing a 4.25:1000 parking ratio. The expected trip generation for this project will be 7,419 which is 2,374 more than the existing masterplan max allowed of 5,045.

The property will have a 3'-6" high decorative perimeter fence and manually operated 3'-6" vehicle access gates to help with property security. The manually operated vehicle access gates will be closed during non-business hours. The property will also have 24-hour security.

There is an existing billboard sign on this property. The billboard sign will remain operational on this site with the development of the proposed Tropicana Health Center.

The proposed medical office building and pharmacy will be two-stories, 37'-6" high and will total 98,905 square feet. The construction type will be IIB. A porte-cochere will provide significant coverage to members upon entry and will also create a distinct front entrance. A two-lane drive-thru on the eastern portion of the building will provide convenient access to the pharmacy and provide plenty of stacking for more than 13 cars. The size of the building will require a mechanical yard, but this area will be appropriately screened with a concrete masonry unit (CMU) wall. The medical office building will include a loading zone for facilities and a designated ambulance pick-up area will also be incorporated. Open-air employee break areas will be provided on the ground level. There will be no covered parking on the site. A trash enclosure will be provided along the south side of the property near the Bell Drive entry. A second future trash enclosure will be located at the west side of the property to service the future Office building.

The Tropicana Health Center is composed of a large rectangular two-story mass and a smaller single-story mass, tilted slightly off axis at its intersection. At the intersection of the two masses, a wedge-shaped volume emerges and becomes a clear and natural main entry to the building. The inspiring canopy with openings for filtered light will link the masses together with a simplistic gesture, creating a meaningful entry point.

The lower level mass will be full of texture, solid, and protected from the elements, while the upper level will take advantage of the views and will be shielded by the grand canopy. The juxtaposition of this solid and void will create a visual dialog, and while the second-floor views will be abundant, the lower



level mass will reveal more deliberate openings in vertical and horizontal moments to provide inspiring daylight and framed views at meaningful interior spaces.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chase Wheeler', with a long horizontal flourish extending to the right.

Chase Wheeler
Project Manager

CC: File 22021 / 3302

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0754-3526 PATRICK LANE, LLC:

ZONE CHANGE to reclassify 0.5 acres from an RS20 (Residential Single Family 20) (AE-60) Zone to a CG (Commercial General) (AE-60) Zone.

Generally located on the north side of Patrick Lane, 570 feet east of Pecos Road within Paradise (description on file). JG/md (For possible action)

RELATED INFORMATION:

APN:

161-31-203-013

LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 3526 E. Patrick Lane
- Site Acreage: 0.5
- Existing Land Use: Single family residence

Applicant's Justification

The applicant indicates the site fronts onto Patrick Lane, a heavily travelled 80 foot wide right-of-way. While the site is adjacent to other residential homes, directly across Patrick Lane to the south, are large warehousing and distribution centers consisting of hundreds of acres of industrial zoned property. Additionally, approximately 235 feet west of the site is the Pecos-Russell Animal Hospital, zoned Commercial General. Immediately adjacent to the west of the animal hospital is another commercial use, zoned Commercial General. Farther west, on both the northwest and southwest corners of Pecos Road and Patrick Lane are Commercial General zoned commercial uses. Five parcels east of the site is a residential home that was rezoned to allow for an office space and a lawn and landscaping business.

The proposed Commercial General zoning designation is an appropriate transition from the industrial warehouse uses to the south and will not impact the adjacent existing residential to the north. The site will be used as an office space for the plant nursery and as storage for tools and materials for the business. While the majority of customers will not come on-site for business, there is the option for customers to visit the site to view and purchase materials. Consequently, there will be little to no change in current traffic conditions as a result of this request as on-site

traffic will be minimal. Additionally, the applicant has obtained letters of support from all 4 neighbors that are immediately adjacent to the site.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single family residential
South	Business Employment	IP	Warehouses
East & West	Neighborhood Commercial	RS20	Single family residential

Related Applications

Application Number	Request
WS-23-0755	Waivers of development standards for a plant nursery for residential adjacency, reduced trash enclosure and accessory structure setbacks, and alternative driveway geometrics is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

The intent of the Neighborhood Commercial planned land use designation is to provide for a primary mix of land uses that include retail, restaurants, offices, service commercial, and other professional services. The Commercial General zoning district is established to accommodate traditional, auto-oriented commercial uses while allowing for the transition over time to a mix of retail, commercial, and mixed-use development. Immediately to the south of the subject property, across Patrick Lane, are existing warehouse and distribution developments zoned Industrial Park. Approximately 235 feet to west of the project site are 2 parcels developed with commercial buildings with Commercial General zoning. Approximately 465 feet to the east of the site is a parcel zoned Commercial Professional that features a converted single family residence that now serves as an office building. The northwest and southwest corners of the Patrick Lane and Pecos Road intersection consist of commercial development such as retail, restaurant, and gas station uses. Staff finds the subject property is no longer appropriate for single family residential development, given its location to the abutting and surrounding commercial and industrial development, in addition to being adjacent to a collector street, Patrick Lane. Furthermore, the applicant has demonstrated the proposed zoning district, Commercial General, is compatible with the surrounding area. For these reasons, staff finds the request for the Commercial General Zone appropriate for this location.

Staff Recommendation

Approval.

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

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: PATRICIA YIN
CONTACT: LINDSAY KAEMPFER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA
DRIVE, SUITE 650, LAS VEGAS, NV 89135

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 checked="" type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input 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>ZC-23-0784</u> DATE FILED: <u>10/26/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>12/12/23</u> PC MEETING DATE: <u>11/2/24</u> BCC MEETING DATE: <u>2/7/24</u> FEE: <u>\$1000</u>
	PROPERTY OWNER NAME: <u>3526 Patrick Lane, LLC</u> ADDRESS: <u>7927 Bechstein Way, Las Vegas, NV 89145</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89145</u> TELEPHONE: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u>
	APPLICANT NAME: <u>Patricia Yin</u> ADDRESS: <u>7927 Bechstein Way, Las Vegas, NV 89145</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89145</u> TELEPHONE: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>
	CORRESPONDENT NAME: <u>Liz Olson - Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Dr. Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-693-4282</u> CELL: <u>n/a</u> E-MAIL: <u>psieck@kcnvlaw.com</u> REF CONTACT ID #: <u>n/a</u>

ASSESSOR'S PARCEL NUMBER(S): 161-31-203-013
 PROPERTY ADDRESS and/or CROSS STREETS: 3526 E PATRICK LN
 PROJECT DESCRIPTION: Zone change and design review to allow for nursery

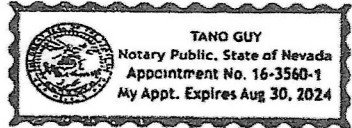
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Patricia Cruz Yin Patricia Cruz Yin
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON April 7, 2023 (DATE)
 By Patricia Cruz Yin

NOTARY PUBLIC: Tano Guy



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

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

KAEMPFER

CROWELL

LEXA D. GREEN
lgreen@kcnvlaw.com
D: 702.792.7000

October 17, 2023

VIA ONLINE SUBMITTAL

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

CIVIL
ENGINEERING
20-23-0754

**Re: *Justification Letter – Zone Change, Design Review, Special Use Permit and
Waivers of Development Standards
Patricia Yin
APN: 161-31-203-013***

To Whom It May Concern:

This Firm represents Patricia Yin (the “Applicant”) in the above referenced matter. The property is located on approximately 0.49 acres north of East Patrick Lane, in between South Pearl Street and South Pecos Road (the “Site”). The Site is more particularly described as Assessor’s Parcel Number 161-31-203-013. The Site is located along East Patrick Lane and is zoned Rural Estates Residential (R-E), with an underlying master plan designation of Neighborhood Commercial (NC). The Applicant is requesting a zone change from Rural Estates Residential (R-E) to Commercial General (CG), special use permit, waiver of development standards and a design review to allow for a plant nursery. The Applicant opts to use the standards within the newly adopted Title 30 Development Code rewrite.

A. Zone Change

Plant nurseries are permitted within the CG zoning designation. CG is a conforming zoning district under the NC master plan designation. Although immediately adjacent to residential uses to the north, east, and west, this requested zone change is appropriate for the Site and compatible with the surrounding area based on the overall layout of the Site and operations of the business.

The Site fronts onto East Patrick Lane, a heavily travelled 80-foot right of way. While the Site is adjacent to other residential homes, directly across Patrick Lane to the south, are large warehousing and distribution centers consisting of hundreds of acres of industrial zoned property. Additionally, approximately 235 feet west of the Site is the Pecos-Russell Animal Hospital, zoned CN. Immediately adjacent to the west of the animal hospital is another commercial use, zoned CG. Farther west, on both the northwest and southwest corners of South Pecos Road and East Patrick Lane are CN and CG zoned commercial uses. Five (5) parcels east of the Site is a residential home that was rezoned to allow for an office space and a lawn and landscaping business.

The proposed CG zoning designation is an appropriate transition from the industrial warehouse uses to the south and will not impact the adjacent to the existing residential to the north. The Site will be used as an office space for the plant nursery and as storage for tools and materials for the business. While the majority of customers will not come on Site for business, there is the option for customers to visit the site to view and purchase materials. Consequently, there will be little to no change in current traffic conditions as a result of this request as on-site traffic will be minimal. Additionally, the Applicant has obtained letters of support from all four neighbors that are immediately adjacent to the Site. Therefore, we respectfully request your consideration of the zone change to CG.

B. Design Review for Plant Nursery

The Applicant proposes to use the existing 1,344 square-foot building as an office space for the plant nursery. The height of the building is 15-feet, where 50-feet is permitted within a CG zone. The Site will provide nine (9) parking spaces where eight (8) parking spaces are required. The Applicant is proposing to pave the southern portion of the Site with asphalt paving, which will consist of four parking spaces, with the remaining five (5) parking spaces located at the rear of the Site. Access to the Site is from a single driveway on the west side of the parcel with an exit only driveway on the east side. Both driveways will be one-way. The driveway near the southeastern corner of the Site will be 20-feet wide, per the request of Clark County Fire. The Applicant proposes to add landscaping along the southern property line, in compliance with Chapter 30.04.02.

In the side and rear yards of the building, the Applicant proposes outdoor storage and display as permitted as a conditional use in the CG zone. The Applicant is meeting the follow required conditions:

- 1) All storage and display is screened form the right of way by the building and perimeter landscaping.
- 2) No items will be stacked higher than the wall.
- 3) The storage and display are accessory to the use and located behind the building.

The Applicant is proposing to use alternative asphalt for the side yard and a portion of the rear yard of the building. The remaining 5,000 square-feet of the rear yard, from approximately the existing well to the northern property line, will consist of gravel, per the Applicant's discussions with the Clark County Division of Air Quality. The proposed gravel in the remaining 5,000 square-foot portion of the rear yard will adequately control dust. A special use permit, as discussed below, is requested to allow for outside storage in the CG zone.

The Applicant will have two sets of gates, setback more than 18-feet from the property line and open during business hours per Chapter 30.04.03.E.3. Chain link fencing is permitted pursuant to Chapter 30.04.03.B.2.

C. Design Review for Alternative Landscaping

The Applicant also requests a design review to allow for alternative parking lot landscaping permitted in Chapter 30.04.01.E. Due to the small size of the Site and the location of the existing building, the Applicant is unable to provide the required parking spaces while also providing the required landscaping fingers. The Applicant is still providing the total number or required trees and shrubs along the perimeter of the Site, which will provide the needed shade a visual relief on the Site.

D. Special Use Permits

The Applicant is requesting a special use permit to allow for outdoor storage along with the outdoor display located in the rear of the Site and behind the building. The Applicant has worked with Air Quality to provide appropriate gravel to ensure dust is not an issue, and has received signatures of support from each adjacent neighbor. The storage of goods is minor, located at the back of the Site, and compliments the overall plant nursery use. The proposed outdoor storage will not create a negative impact to the surrounding uses.

The Applicant is also requesting a special use permit to allow for the outdoor storage and display area to exceed the size of the indoor office use of the existing building. While the outdoor storage and display area exceeds the size of the indoor use, the number of customers visiting the display area will be minimal, the area is located behind the building, and the surrounding neighbors adjacent to the Site have submitted their support of the project. Therefore, the request will not impact the neighborhood and will allow for the small business to successfully operate.

E. Waiver of Development Standards

The Applicant requests a waiver to reduce the required throat depth to 12-feet 3-inches where 25-feet is required. Due to the size of the land located south of the existing building, the applicant is unable to meet the requirements for the throat depth measurements and parking lot landscaping, while maximizing the use of the space to prioritize parking. The western driveway is an existing driveway and has been used without issue for decades. There will only be one to two employees on site at any given time with very few customer on-site. With that, the amount of traffic coming and going from the Site will be comparable to the previous residential use. Therefore, the request to reduce the required throat depth will not negatively impact the Site, surrounding uses or traffic on the right-of-way. Additionally, a second driveway will be added in the southeast corner of the Site. Both driveways will be one-way only. Therefore, the Site is not expected to experience high traffic volumes. Both driveways will be constructed in accordance with USD 224.

The Applicant is also requesting a waiver to allow for the trash dumpster to be located 6-foot 11-inches from a residential property line where 50-feet is required. Pursuant to Chapter 30.04.06.K, a trash enclosure may be located within the 50-foot setback if there is no other feasible option and impacts to adjacent properties are mitigated. Here, based on the size of the Site, there is no other location to place the trash dumpster and meet the 50-foot requirement. The Applicant,

21-23-0754

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is, however, providing landscape buffering around the perimeter of the Site and has obtained signatures of support from the neighbors directly adjacent to where the trash dumpster is located.

The Applicant requests a waiver to reduce the landscaping along the north, east, and west to 6-feet 2-inches where 15-feet and an 8-foot wall is required per Section 30.04.02. Additionally, the Applicant is requesting to waiver the 15-foot landscape buffer with double row of evergreen trees and a berm or wall adjacent to the parking spaces along the northern property line per Section 30.04.06.L.2. The Applicant is providing large trees around the Site and has obtained support letters from each of its adjacent neighbors. The overall use is quiet and will not create a negative impact to the surrounding neighbors as there are very few customers that come on Site.

The Applicant also requests to permit a maximum 6-foot high fence within the front setback where a maximum of 3-feet is required pursuant to Section 30.04.03. The fence acts as a shared fence between the Site and the property to the east. The fence will not create any negative impact to the surrounding uses and is needed to appropriately buffer and separate the two parcels.

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

Sincerely,

KAEMPFER CROWELL



Lexa D. Green

01/03/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0755-3526 PATRICK LANE, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) buffering and screening standards; 3) increase fence height; 4) allow modified driveway design standards; and 5) allow commercial pan driveways where commercial curb return driveways are required.

DESIGN REVIEWS for the following: 1) alternative landscape plan; 2) alternative trash enclosure design; 3) allow an accessory structure (storage/shipping container) not architecturally compatible with the principle building; and 4) plant nursery on 0.5 acres in a CG (Commercial General) (AE-60) Zone.

Generally located on the north side of Patrick Lane, 570 feet east of Pecos Road within Paradise. JG/md/syp (For possible action)

RELATED INFORMATION:

APN:

161-31-203-013

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce the front setback for a non-decorative chain-link fence to zero feet where 10 feet is required per Section 30.02.14 (a 100% reduction).
 - b. Reduce the side interior setback for an accessory structure (storage/shipping container) to 6 feet where 10 feet is required per Section 30.02.14 (a 40% reduction).
 - c. Reduce the side interior setback for an accessory structure (trash dumpster) to 6 feet where 10 feet is required per Section 30.02.14 (a 40% reduction).
 - d. Reduce the setback for a trash dumpster to 6 feet where areas containing outdoor garbage or recycling containers shall not be within 50 feet of a residential district per Section 30.04.06 (an 88% reduction).
2.
 - a. Reduce landscape buffer to 6 feet where 15 feet is required for a commercial district adjacent to a residential district per Section 30.04.02 and 30.04.06 (a 60% reduction).
 - b. Allow an existing non-decorative 6 foot high block wall and wood fence where an 8 foot high decorative screen wall is required for a commercial district adjacent to a residential district per Section 30.04.02 and 30.04.06.
 - c. Allow a single row of Evergreen and semi-Evergreen trees where trees shall be Evergreen and buffers require a double row of Evergreen trees with each row planted off-set from one another where required per Section 30.04.02 and 30.04.06.

3. Increase the height of a non-decorative fence (chain-link) to 6 feet where a maximum fence height of 3 feet is permitted with the front setback in commercial and industrial districts per Section 30.04.03 (a 100% increase).
4. Reduce throat depth to 12 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 52% reduction).
5. Allow commercial pan driveways per Uniform Standard Drawing 224 where commercial curb return driveways per Uniform Standard Drawing 222.1 are required.

DESIGN REVIEWS:

1. Alternative landscape plan per Section 30.04.01.
2. Alternative trash enclosure design (unenclosed trash dumpster) where trash areas and enclosures are required per Section 30.04.05.
3. Allow an accessory structure (storage/shipping container) within the side and rear yard visible from any street or residential development to not have complementary exterior colors and building materials not compatible with the primary building where complementary exterior colors and building materials are required per Section 30.04.05.
4. Plant nursery.

LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 3526 E. Patrick Lane
- Site Acreage: 0.5
- Project Type: Plant nursery
- Number of Stories: 1
- Building Height (feet): 15 (office building)/8 (storage/shipping container)
- Square Feet: 1,344 (office building)/320 (storage/shipping container)
- Parking Required/Provided: 8/9

Site Plans

The plans depict a proposed plant nursery situated on a 0.5 acre site featuring an existing single story manufactured home that will be converted to an administrative office building. The office building is centrally located within the boundaries of the site and has the following setbacks: 1) 49.5 feet from the south property line adjacent to Patrick Lane; 2) 31.5 feet from the west property line; 3) 28 feet from the east property line; and 4) 92 feet from the north property line. The east, west, and north property lines are all adjacent to single family residences. Immediately to the north of the administrative office is an outdoor area and parking lot featuring 5 standard parking spaces and 5 non-standard parking spaces designated for trucks with equipment trailers. Access to this area is controlled by 6 foot high chain-link security gates, located along the east and west sides of the building, that are set back 65 feet. A storage/shipping container is located at the northwest corner of the site and is set back 6 feet from the north and west property lines. An unenclosed trash dumpster is located at the northeast corner of the site and is set back 6 feet from the north and east property lines. Waivers of development standards are required to reduce

the setbacks for these structures and to allow the trash dumpster to locate within 50 feet of an adjacent residential district. Four angled parking spaces are located immediately in front (south) of the building. Eight parking spaces are required for the plant nursery where 9 parking spaces are provided. Access to the property is granted via a proposed one-way circular driveway with ingress to the plant nursery granted from the driveway at the southwest corner of the site and egress granted from the southeast corner of the site. A waiver of development standards is required to reduce the throat depth for the commercial driveways, in addition to allow the construction of commercial pan driveways along Patrick Lane. A design review is required to allow an alternative trash enclosure design, more specifically an unenclosed trash dumpster, where trash receptacles are required to be enclosed by a structure.

Landscaping

The plans depict a street landscape area, measuring 12 feet in width, located behind an existing 5 foot wide attached sidewalk along Patrick Lane. The street landscape area consists of trees, shrubs, and groundcover. A perimeter landscape area measuring 6 feet in width is provided along the north, east, and west property lines adjacent to single family residences, necessitating a waiver of development standards to reduce the landscape buffer. The 6 foot wide perimeter landscape buffer consists of a single row of Evergreen and semi-Evergreen trees planted 20 feet on center, also requiring a waiver of development standards. A design review for an alternative landscape plan is requested in lieu of providing the required parking landscape islands within the interior of the site. Two additional trees and shrubs have been added to the perimeter landscaping. A 6 foot high non-decorative block wall is located along the west and north property lines and a 6 foot high non-decorative wood fence is located along the east property line, requiring a waiver of development standards. A 6 foot non-decorative chain-link fence is located at the southeast corner of the property, also necessitating a waiver request.

Elevations

The plans (photographs) depict an existing 15 foot high manufactured home that will be converted to an administrative office building. The building consists of a slightly pitched, shingled roof, with exterior vinyl siding. A covered outdoor patio is also located on the front (south) elevation of the building. The exterior vinyl consists of a cream, off-white color. The plans also depict an 8 foot high corrugated metal storage/shipping container.

Floor Plans

The plans depict an existing manufactured home measuring 1,344 square feet in area that will be converted into an administrative office building. The building will include 2 offices, restroom facilities, storage closets, a breakroom and kitchen, and a conference and reception area. The plans also depict a storage/shipping container measuring 320 square feet in area.

Applicant's Justification

Due to the size of the land located south of the existing building, the applicant is unable to meet the requirements for the throat depth measurements and parking lot landscaping, while maximizing the use of the space to prioritize parking. The western driveway is an existing driveway and has been used without issue for decades. There will only be 1 to 2 employees on-site at any given time with very few customers on-site. With that, the amount of traffic coming and going from the site will be comparable to the previous residential use. Therefore, the request

to reduce the required throat depth will not negatively impact the site, surrounding uses or traffic on the right-of-way. Additionally, a second driveway will be added in the southeast corner of the site. Both driveways will be one-way only. Therefore, the site is not expected to experience high traffic volumes. Both driveways will be constructed as commercial pan driveways. The current driveways are pan driveways and have not been upgraded since installation several decades ago. The proposed driveways will still provide the safety measures sought with commercial curb return driveways; therefore, meeting the overall intent of the County requirement. Based on the size of the site, there is no other location to place the trash dumpster and meet the 50 foot requirement. The applicant, is, however, providing landscape buffering around the perimeter of the site and has obtained signatures of support from the neighbors directly adjacent to where the trash dumpster is located. The applicant has obtained signature of support from each neighbor and is providing perimeter landscaping to screen the site. The applicant is providing large trees around the site and has obtained support letters from each of its adjacent neighbors. The overall use is quiet and will not create a negative impact to the surrounding neighbors as there are very few customers that come on-site. The 6 foot high chain-link fence acts as a shared fence between the site and the property to the east. The fence will not create any negative impact to the surrounding uses and is needed to appropriately buffer and separate the 2 parcels. An alternative landscape plan for the site is requested as the applicant is unable to provide the required parking spaces while also providing the required landscaping fingers. The applicant is still providing the total number or required trees and shrubs along the perimeter of the site, which will provide the needed shade a visual relief on the site. An alternative design for the trash enclosure is requested as the dumpster is at the back of the site and will not impact the overall aesthetics of the site or surrounding area. The site is across the street from large industrial buildings and the adjacent residential is appropriately screened with landscaping. Additionally, the applicant is requesting an accessory structure not architecturally compatible with the primary building. While the shipping container is not the same color or material of the office building, the applicant has obtained signatures of support from each adjacent neighbor. The site is also screened with perimeter landscaping adjacent to the residential to ensure they are not impacted.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single family residential
South	Business Employment	IP	Warehouses
East & West	Neighborhood Commercial	RS20	Single family residential

Related Applications

Application Number	Request
ZC-23-0754	A request to reclassify the subject property from an RS20 to CG zoning is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Design Reviews

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Waivers of Development Standards #1 & #2 & Design Reviews #1 through #3

The purpose of the residential adjacency standards is to promote compatible transitions between land use areas of differing intensities and to reduce potential negative impacts that may occur when higher-intensity development is located near residential zoning districts and manufactured home parks. Furthermore, the implementation of these standards ensures appropriate buffers and setbacks are provided between non-residential development and adjacent residential developments. Policy 1.4.5 of the Master Plan encourages standardized requirements for buffers and development transitions to mitigate the impacts of higher intensity uses proposed adjacent to existing or planned residential neighborhoods. The request to reduce the front setback for a non-decorative fence is a self-imposed burden. Staff finds the reduced landscape buffer between the parking lot and single family residences to the north, east, and west, in conjunction with the reduced setbacks for the trash dumpster and storage/shipping container, contradict the intent of the residential adjacency standards and Master Plan. Reducing the landscape buffer and setbacks between the plant nursery and adjacent single family residences may potentially have a negative impact on the less intensive uses. Furthermore, the design criteria for trash areas and enclosures are established to ensure proper screening and to mitigate such nuisances as odor and vermin. Staff cannot support the location and lack of enclosure area for the trash dumpster.

The purpose of an alternative landscape plan is to provide an opportunity for innovative landscape alternatives that meet and/or exceed the quality and/or quantity of the Code required landscaping. Furthermore, an alternative landscape plan may be approved when the proposed landscape design does not meet Code requirements, but proposed innovate, high-quality alternatives that enhance the physical environment of the suite and the surrounding area to a greater extent than could otherwise be achieved by Code. Per the proposed landscape plan, 2

additional large canopy trees and shrubs have been added to the perimeter of the site. Staff finds the proposed alternative landscape plan does not provide an innovative, high-quality alternative plan and does not meet the expectations or intent of the Development Code. For the reasons stated above, staff cannot support the waivers of development standards and design reviews.

Waiver of Development Standards #3

The intent of limiting the height of fences and walls within the front setback in commercial and industrial districts is to ensure a uniform fence and wall height along the streetscape. The request to increase the height of the non-decorative fence is inconsistent and incompatible with the fences and walls within the surrounding area; therefore, recommends denial.

Design Reviews #4

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Staff is concerned the proposed development is designed to function more as a contractor's yard than a plant nursery. The site plan lacks a defined area for the outside display of plant and landscape materials. Staff finds the applicant has not satisfactorily addressed the criteria for the design review portions of this request. Furthermore, staff cannot support the design of the plant nursery due to the totality of the waivers of development standards requests; therefore, recommends denial.

Public Works - Development Review

Waiver of Development Standards #4

With the proposed zoning going from residential to commercial combined with the waiver of development standards #5, the site will see an increase in traffic. Patrick Lane is a collector street with a high volume of traffic so it is important for vehicles to exit the right-of-way to prevent stacking and avoid a safety hazard.

Waiver of Development Standards #5

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. Pan driveways are not an acceptable standard for any driveways other than emergency access only. Therefore, staff cannot support this request.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Storage/shipping container painted to match administrative office building;
- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised that outdoor storage and display is not permitted as a principal use within the Commercial General zone; approval of this application does not constitute or imply approval of any other County issued permit, license, or approval; application must comply with Air Quality regulations including required dust control measures and obtain any necessary permits; that within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvements.

TAB/CAC:

APPROVALS: 4 letters

PROTESTS:

APPLICANT: PATRICIA YIN

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