



Spring Valley Town Advisory Board

Desert Breeze Community Center

8275 W. Spring Mountain Rd

Las Vegas, NV 89117

January 30, 2024

6:00pm

AGENDA

Note:

- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Carmen Hayes at (702) 371-7991 or chaves70@yahoo.com.
 - 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/SpringValleyTAB>

Board/Council Members: John Getter, Chair
Dale Devitt
Randal Okamura

Brian A. Morris, Vice Chair
Dr. Juana Leia Jordan

Secretary: Carmen Hayes (702) 371-7991 chaves70@yahoo.com
Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Mike Shannon (702)-455-8338 mds@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, and Roll Call

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.

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

- III. Approval of Minutes for January 9, 2024. (For possible action)
- IV. Approval of the Agenda for January 30, 2024 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
 - 1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
- VI. Planning and Zoning
 - 1. **UC-23-0833-FOSSEN TRACY:**
USE PERMITS for the following: **1)** allow an accessory structure (metal building) to exceed one-half of the footprint of the principal building; **2)** allow an accessory structure not architecturally compatible with the principal building; and **3)** waive design standards for an accessory structure. **WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** waive design standards for an addition; and **2)** reduce the interior side setback on 0.6 acres in an R-E (Rural Estates Residential) Zone. Generally located on the east side of Westwind Road, approximately 330 feet north of Del Rey Avenue within Spring Valley. RM/mh/syp (For possible action) **02/06/24 PC**
 - 2. **PA-23-700052-BROHAWK, LLC, ET AL:**
PLAN AMENDMENT to redesignate the existing land use category from Ranch Estate Neighborhood (RN) to Business Employment (BE) on 6.7 acres. Generally located on the northwest corner of Mohawk Street and Post Road within Spring Valley. MN/gc (For possible action) **02/20/24 PC**
 - 3. **ZC-23-0899-BROHAWK LLC:**
ZONE CHANGE to reclassify 2.3 acres from an R-E (Rural Estates Residential) (AE-65) Zone to an M-D (Designed Manufacturing) (AE-65) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced parking; and **2)** CMA Design Overlay site development, architectural, screening, and landscape standards.
DESIGN REVIEW for an office/warehouse in the CMA Design Overlay District. Generally located on the west side of Mohawk Street, 625 feet north of Post Road within Spring Valley (description on file). MN/rr/syp (For possible action) **02/20/24 PC**
 - 4. **VS-23-0901-BROHAWK LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Patrick Lane and Post Road, and between Lindell Road and Mohawk Street, and a portion of a right-of-way being Mohawk Street located between Patrick Lane and Post Road within Spring Valley (description on file). MN/rr/syp (For possible action) **02/20/24 PC**

5. **UC-23-0858-ADRAS FAMILY TRUST & ADRAS PAUL J & SUSAN A TRS:**
USE PERMITS for the following: 1) to increase the area of a proposed accessory structure; and 2) to allow an accessory structure not architecturally compatible with the principal building.
WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks in conjunction with a single family residential development on 0.47 acres in an R-E (Rural Estates Residential) Zone. Generally located on the north side of Coley Avenue, 110 feet west of Rosanna Street within Spring Valley. JJ/dd/ng (For possible action) **02/20/24 PC**

6. **UC-23-0877-SOFIA PROPERTY, LLC:**
USE PERMIT to reduce the separation from outside dining and drinking to a residential use in conjunction with an existing restaurant within an existing retail center on a portion of 0.9 acres in a C-1 (Local Business) Zone. Generally located on the west side of Buffalo Drive, 420 feet north of Peace Way within Spring Valley. MN/mh/ng (For possible action) **02/20/24 PC**

7. **VC-23-0864-GUILLEM JENNIFER G & SUNGA ELLEN Y:**
VARIANCE to reduce the setback for a room addition within an existing single family residence on 0.1 acres in an R-2 (Medium Density Residential) P-C (Planned Community Overlay) Zone in the Rhodes Ranch Master Planned Community. Generally located on the south side of Wigwam Avenue and the north side of Bead Test Road within Spring Valley. JJ/nai/ng (For possible action) **02/20/24 PC**

8. **WS-23-0854-DRY CREEK PLAZA, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to reduce parking for an approved congregate care facility on 1.8 acres in a C-P (Office and Professional) (AE-60 & AE-65) Zone in the CMA Design Overlay District. Generally located on the north side of Post Road and the east side of Jones Boulevard within Spring Valley. MN/jm/ng (For possible action) **02/20/24 PC**

9. **WS-23-0902-DIGITAL DESERT BP LLC:**
WAIVER OF DEVELOPMENT STANDARDS to reduce the width of a pedestrian walkway in conjunction with a mixed-use development on a portion of a 12.0 acre site within a C-2 (Commercial General) Zone in the CMA Design Overlay District. Generally located on the west side of Buffalo Drive between Patrick Lane and Post Road within Spring Valley. MN/dd/ng (For possible action) **02/20/24 PC**

10. **WC-23-400191 (ZC-0279-03)-SAHBAI MANOUTCHEHR:**
WAIVER OF CONDITIONS of a zone change providing a 15 foot wide landscape buffer with meandering sidewalks along Rainbow Boulevard and Sunset Road with medium trees, 24 inch box size, with shrubs to cover 50% of the landscape area in conjunction with a vehicle (automobile) repair and vehicle (automobile) sales facility on 2.5 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay District. Generally located on the west side of Santa Margarita Street and the north side of Sunset Road within Spring Valley. MN/md/syp (For possible action) **02/21/24 BCC**

11. **UC-23-0882-SAHBAI MANOUTCHEHR:**
USE PERMIT for vehicle (automobile) repair.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative street landscaping; 2) increased wall height; 3) reduced parking; 4) reduced loading spaces; 5) permit access to a local street (Santa Margarita Street); and 6) allow modified CMA Design Overlay District Standards.
DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; 2) vehicle (automobile) repair facility; 3) vehicle (automobile) sales facility; and 4) finished grade on 2.5 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay District. Generally located on the west side of Santa Margarita Street and the north side of Sunset Road within Spring Valley. MN/md/syp (For possible action) **02/21/24 BCC**

12. **VS-23-0883-SAHBAI MANOUTCHEHR:**
VACATE AND ABANDON easements of interest to Clark County located between Santa Margarita Street and Rainbow Boulevard, and between Sunset Road and Post Road within Spring Valley (description on file). MN/md/syp (For possible action) **02/21/24 BCC**

13. **WC-23-400192 (ZC-1549-02)-SUNSET INTERCHANGE, LLC:**
WAIVER OF CONDITIONS of a zone change prohibiting access to local streets in conjunction with a proposed commercial development on 5.0 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Sunset Road and the east side of Dapple Gray Road within Spring Valley. JJ/rr/syp (For possible action) **02/21/24 BCC**

14. **UC-23-0903-SUNSET INTERCHANGE, LLC:**
USE PERMITS for the following: 1) reduce separation from a convenience store to a residential use; 2) reduce setback for a gasoline station from a residential use; and 3) reduce setback for a vehicle wash from a residential use.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce throat depth; and 2) alternative commercial driveway geometrics.
DESIGN REVIEWS for the following: 1) convenience store and gasoline station; 2) vehicle wash; 3) retail/restaurant; and 4) restaurant with outside dining and drive-thru on a 3.9 acre portion of an 8.3 acre site in a C-2 (General Commercial) Zone. Generally located on the south side of Sunset Road and the west side of Quarterhorse Lane within Spring Valley. JJ/rr/syp (For possible action) **02/21/24 BCC**

VII. General Business

1. None.

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: February 13, 2024.

X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
Desert Breeze Community Center, 8275 W. Spring Mountain Rd.
<https://notice.nv.gov>

02/06/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0833-FOSSEN TRACY:

USE PERMITS for the following: 1) allow an accessory structure (metal building) to exceed one-half of the footprint of the principal building; 2) allow an accessory structure not architecturally compatible with the principal building; and 3) waive design standards for an accessory structure.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) waive design standards for an addition; and 2) reduce the interior side setback on 0.6 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the east side of Westwind Road, approximately 330 feet north of Del Rey Avenue within Spring Valley. RM/mh/syp (For possible action)

RELATED INFORMATION:

APN:

163-01-103-011

USE PERMITS:

1. Increase the area of a proposed accessory structure (metal building) to 2,566 square feet where a maximum area of 1,847 square feet (50% of the footprint of the principal structure) is permitted per Table 30.44-1 (a 39% increase).
2. Allow an accessory structure (metal building) not architecturally compatible with the principal building where required per Table 30.44-1.
3. Allow non-decorative metal siding for an accessory structure (metal building) where not permitted per Table 30.56-2A.

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow an addition (attached carport) to not be architecturally compatible with the existing residence where required per Table 30.56-2A.
2. Reduce the interior side setback for a principal structure to 6 feet where a minimum of 10 feet is required per Table 30.40-1 (a 40% reduction).

LAND USE PLAN:

SPRING VALLEY - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 1350 Westwind Road
- Site Acreage: 0.6

- Project Type: Detached accessory structure (metal building) and attached carport
- Number of Stories: 2 (detached accessory structure)
- Building Height (feet): 21 (detached accessory structure)
- Square Feet: 2,566 (metal building)/252 (attached carport)

Site Plans

The plans depict a 2,882 square foot existing residence with an 812 square foot attached garage and a 482 square foot patio cover. There is a 252 square foot existing carport addition that is attached to the south side of the garage, which is not architecturally compatible with the residence. The attached carport is 6 feet from the interior side property line, where Title 30 requires a minimum setback of 10 feet. The plans also show the proposed 2,566 square foot metal garage, which is set back 6 feet, 8 inches from the side property line, and 10 feet, 3 inches from the rear property line. There are 2 lattice patio covers on the north side of the residence, which have a 6 foot separation from the proposed metal garage. There is also a proposed additional driveway that will allow for direct vehicular access to the proposed metal garage.

Landscaping

There are no proposed or required changes to the landscaping associated with this application.

Elevations

The plans depict a 2 story, 21 foot high metal building with a pitched aluminum roof. There is a 13 foot high roll-up door in the front of the building, double doors on the south side of the building, and 1 door on the east side of the building. There are also windows on the first floor of the south side of the building. The aluminum roof will be colored white and the aluminum siding will be colored blue.

Floor Plans

The plans depict a 2 story layout, with the first level featuring 1,274 square feet of RV garage space, 546 square feet of office space, and a 200 square foot bathroom. The second level features a 546 square foot mezzanine to be used for additional storage.

Applicant's Justification

The applicant states that a large portion of the property is not being utilized and that the proposed metal garage has been custom designed to fit the spare space while meeting setback requirements. The applicant adds that the metal will be painted to match the existing residence.

Surrounding Land Use

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

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request 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.

Staff reviews use permit requests to ensure compatibility with the existing and planned development in the area. The proposed metal building is not to scale with the size of the lot and is not common in the surrounding area. Although the metal building will be painted to match the residence and meets setbacks, the applicant has not proposed any mitigation measures to lessen the impact of the metal building on neighboring properties. Staff finds the metal building is not appropriate based on the size and scale of the structure in relation to the surrounding area; therefore, staff cannot support the use permit 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.

Staff finds that the existing carport addition is not architecturally compatible with the residence, which is uncommon in the surrounding area. Setbacks help preserve the appeal of a neighborhood as well as mitigate impacts and possible safety issues for the subject property and adjacent properties. While there are large trees that may partially screen the carport from the adjacent property, the setback reduction is inconsistent with other properties in the neighborhood and the applicant has provided no alternatives to mitigate the potential negative impacts on surrounding properties. For these reasons, staff cannot support the waivers of development standards.

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:

- Paint the accessory structure to match the residence.
- 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

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: TRACY FOSSEN

CONTACT: TRACY FOSSEN, 1350 WESTWIND ROAD, LAS VEGAS, NV 89146

02/20/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

PA-23-700052-BROHAWK, LLC, ET AL:

PLAN AMENDMENT to redesignate the existing land use category from Ranch Estate Neighborhood (RN) to Business Employment (BE) on 6.7 acres.

Generally located on the northwest corner of Mohawk Street and Post Road within Spring Valley. MN/gc (For possible action)

RELATED INFORMATION:

APN:

163-36-701-008; 163-36-701-015; 163-36-701-016; 163-36-701-025 through 163-36-701-028

EXISTING LAND USE PLAN:

SPRING VALLEY - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

PROPOSED LAND USE PLAN:

SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A and 6265, 6275, 6285, & 6295 Mohawk Street
- Site Acreage: 6.7
- Existing Land Use: Undeveloped & single family residential

Applicant's Justification

The applicant states that development of new industrial and warehouse facilities on the east side of Mohawk Street will commence within the year. Redesignating the subject properties to Business Employment (BE) will allow for a homogenous land use plan that will preserve property values for the property owners. With industrial type uses to the east across Mohawk Street, there will not be an opportunity to provide an adequate transition and buffer to the subject properties if the subject properties were to remain planned for residential uses.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0342-05	Reduce the rear setback for a room addition on APN 163-36-701-025	Approved by PC	April 2005

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1141-04	Allow an accessory structure (block wall) prior to the principal use (single family residence) on APN 163-36-701-008 - expired	Approved by PC	August 2004
UC-1289-03	Allow an accessory structure larger than 50 percent of the principal structure on APN 163-36-701-025	Approved by PC	September 2003
VS-0104-96	Vacated and abandoned government patent easements on APN's 163-36-701-025, 026, 027, & 028	Approved by BCC	March 1996

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (AE-65)	Undeveloped
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-1) (AE-65)	Undeveloped
East	Neighborhood Commercial & Business Employment	R-E & M-D (AE-65)	Undeveloped
West	Public Use & Ranch Estate Neighborhood (up to 2 du/ac)	R-E & R-E (RNP-1) (AE-65)	Undeveloped

Related Applications

Application Number	Request
ZC-23-0899	A zone change to reclassify the northernmost parcel from R-E to M-D zoning with waivers and a design review for a proposed warehouse is a companion item on this agenda.
VS-23-0901	A request to vacate and abandon government patent easements and a 5 foot wide portion of right-of-way being Mohawk Street on the northernmost parcel is a companion item on this agenda.

STANDARDS FOR ADOPTION:

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

Analysis

Comprehensive Planning

The applicant shall establish the request is consistent with the overall intent of the Master Plan by demonstrating the proposed amendment 1) is based on changed conditions or further studies; 2) is compatible with the surrounding area; 3) will not have a negative effect on adjacent properties or on transportation services and facilities; 4) will have a minimal effect on service provision or is compatible with existing and planned service provision and future development of

the area; 5) will not cause a detriment to the public health, safety, and general welfare of the people of Clark County; and 6) adherence to the current goals and policies of the Master Plan would result in a situation neither intended by nor in keeping with other core values, goals, and policies.

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

Staff finds that the request for the Business Employment (BE) land use category will not adversely impact the surrounding area. The properties to the east across Mohawk Street have been transitioning to industrial uses with the approval of NZC 21-0606 (APN 163-36-701-009) and ZC-23-0614 (APN 163-36-701-036) to M-D zoning. The properties surrounding the subject site are currently undeveloped. Except for an undeveloped parcel planned as Ranch Estate Neighborhood (RN) directly west of the 4 lot residential subdivision that is part of this application, the adjacent and abutting properties to the west and southwest are planned Public Use (PU), either owned by Clark County Department of Aviation or Clark County Department of Parks and Recreation, and will provide a buffer or transition from the proposed BE planned properties to the RN planned properties west of Kindell Road that are actually developed with existing single family residences. The only existing residentially developed properties that would be adversely impacted by this request is the 4 lot residential subdivision that is part of this request; thus, these property owners have consented to converting to a BE land use category by submittal of this application. The request complies with Policy 5.5.1 of the Master Plan which promotes designating and supporting the development of industrial and employment uses in areas that are proximate to major air, rail, and highway facilities. For these reasons, staff finds the request for the BE land use category is appropriate for this location.

Staff Recommendation

Adopt and direct the Chair to sign a resolution adopting the amendment. This item will be forwarded to the Board of County Commissioners' meeting for final action on March 20, 2024 at 9:00 a.m., unless otherwise announced.

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

STAFF ADVISORIES:

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

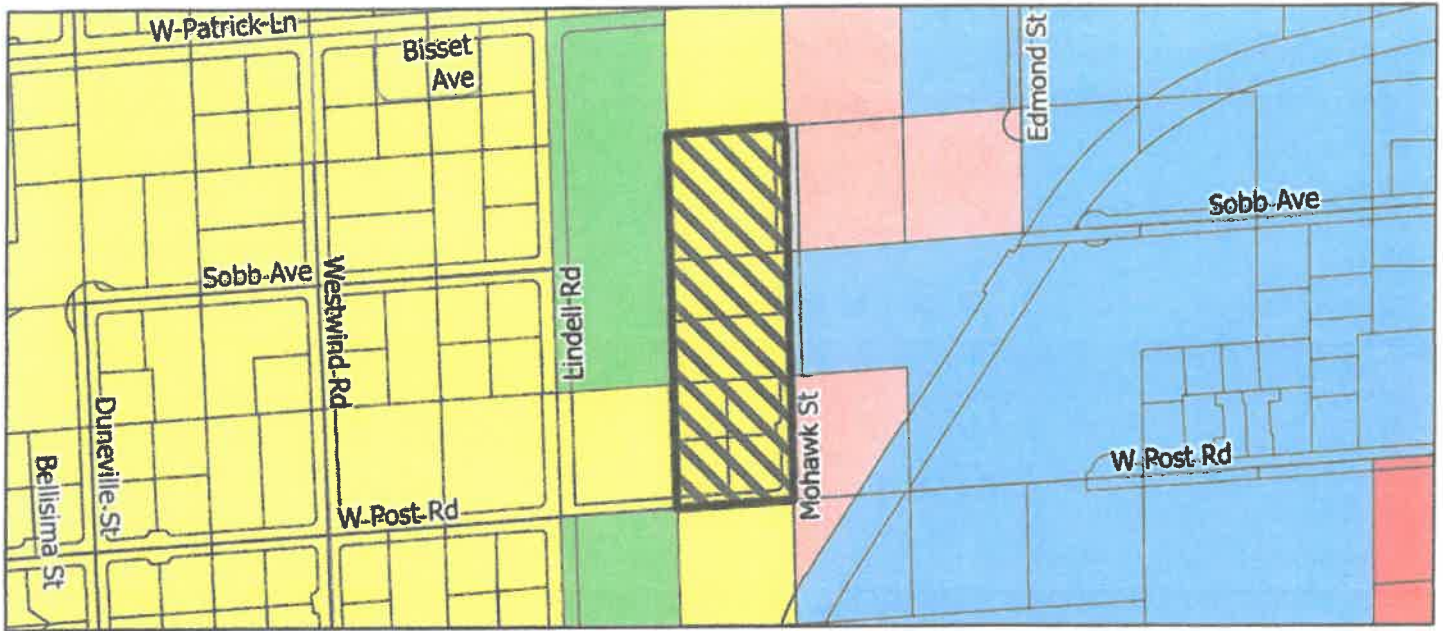
APPLICANT: BROHAWK, LLC

**CONTACT: SAMANTHA RYAN, STORM DEVELOPMENT SERVICES, 9811 W.
CHARLESTON BOULEVARD, SUITE 2, LAS VEGAS, NV 89117**

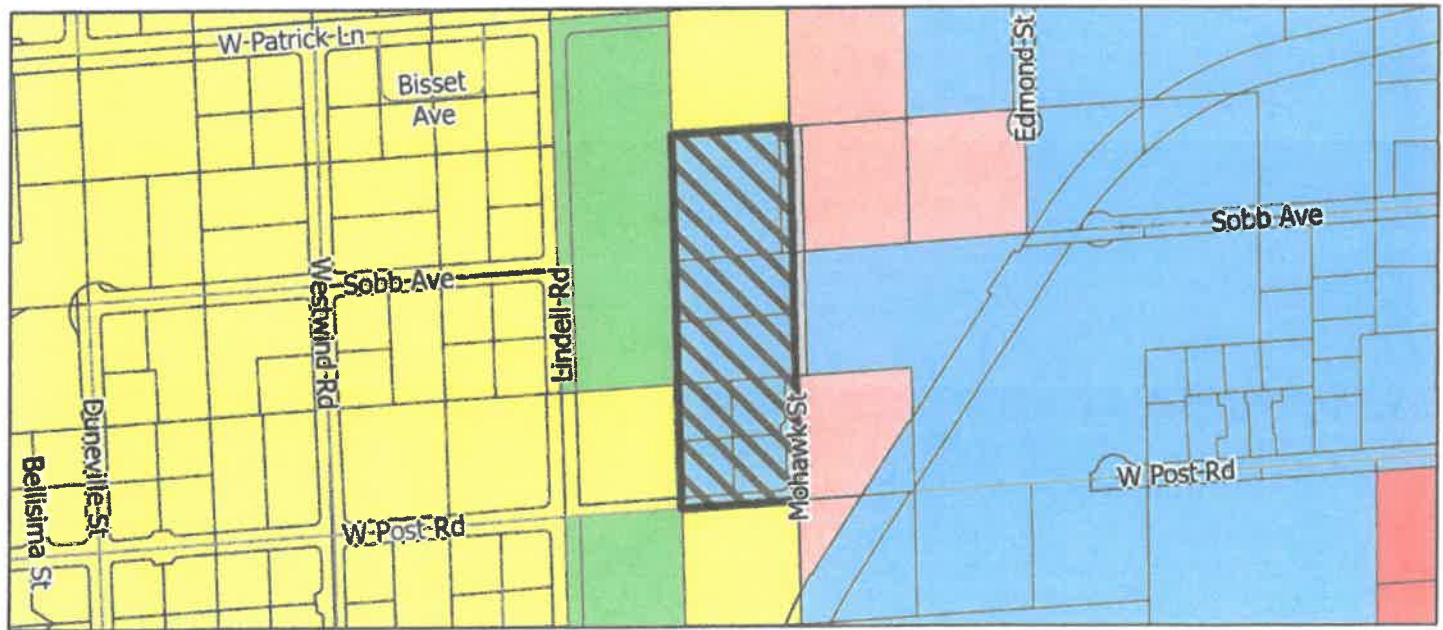
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**Planned Land Use Amendment
PA-23-700052**



Current



Requested

Neighborhoods

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

Employment

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

Commercial and Mixed Use

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

Other

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

Requested Area To Change

Planning Areas

**Spring Valley
Clark County, Nevada**

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



MASTER PLAN AMENDMENT APPLICATION

2

DEPARTMENT OF COMPREHENSIVE PLANNING

PROCESS AND SUBMITTAL REQUIREMENTS INCLUDED

APPLICATION TYPE		APP. NUMBER: <u>PA-23-700052</u>	DATE FILED: <u>12-27-23</u>	
<input checked="" type="checkbox"/> MASTER PLAN AMENDMENT (PA) <input type="checkbox"/> MAP <input type="checkbox"/> TEXT	STAFF	PLANNER ASSIGNED: _____	TAB/CAC: <u>SPRING VALLEY</u>	TAB/CAC MTG DATE: <u>1-30-24</u>
		PC MEETING DATE: <u>2-20-24</u>	BCC MEETING DATE: <u>3-20-24</u>	
		TRAILS? <input type="checkbox"/> YES <input type="checkbox"/> NO		
		FEE: <u>\$2700.00</u>		

PROPERTY OWNER	NAME: <u>Lobrand LLC Series III</u>
	ADDRESS: <u>6275 Mohawk Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____ REF CONTACT ID #: _____

APPLICANT	NAME: <u>Brohawk LLC</u>
	ADDRESS: <u>10789 W Twain Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702-851-3999</u> CELL: <u>702-499-4442</u>
	E-MAIL: <u>Randy@landbaroninv.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Samantha Ryan</u>
	ADDRESS: <u>9811 W Charleston Blvd. Ste. 2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u>
	TELEPHONE: <u>775-399-8158</u> CELL: _____
	E-MAIL: <u>Sam@stormdevelopmentservices.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-36-701-026

CURRENT LAND USE PLAN DESIGNATION: RN - Ranch Estate Neighborhood

REQUESTED LAND USE PLAN DESIGNATION: BE Business Employment

PROPERTY ADDRESS and/or CROSS STREETS: 6275 Mohawk Street

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

[Signature] Shelley R Siroonian
 Property Owner (Signature)* Property Owner (Print)

PLANNER COPY

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON December 11, 2023 (DATE)

By [Signature]
 NOTARY PUBLIC: [Signature]



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



MASTER PLAN AMENDMENT APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

PROCESS AND SUBMITTAL REQUIREMENTS INCLUDED

APPLICATION TYPE	APP. NUMBER: <u>PA-23-700052</u>	DATE FILED: <u>12-27-23</u>
	PLANNER ASSIGNED: _____	TAB/CAC: <u>SPRING 2024</u>
<input checked="" type="checkbox"/> MASTER PLAN AMENDMENT (PA) <input type="checkbox"/> MAP <input type="checkbox"/> TEXT	STAFF	PC MEETING DATE: <u>2-20-24</u>
		BCC MEETING DATE: <u>3-20-24</u>
		TRAILS? <input type="checkbox"/> YES <input type="checkbox"/> NO
		FEE: <u>82700.00</u>

PROPERTY OWNER	NAME: <u>Donald and Kathryn Wovz</u>
	ADDRESS: <u>6295 Mohawk Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____ REF CONTACT ID #: _____

APPLICANT	NAME: <u>Brohawk LLC</u>
	ADDRESS: <u>10789 W Twain Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>(702) 851-3999</u> CELL: <u>(702) 499-4442</u>
	E-MAIL: <u>Randy@landbaroninv.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Samantha Ryan</u>
	ADDRESS: <u>9811 W Charleston Blvd ^{ste 2}</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u>
	TELEPHONE: <u>775-399-8258</u> CELL: _____
	E-MAIL: <u>Samer.stormdevelopment@swires.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-36-701-028

CURRENT LAND USE PLAN DESIGNATION: RN-Ranch Estate Neighborhood

REQUESTED LAND USE PLAN DESIGNATION: BE Business Employment

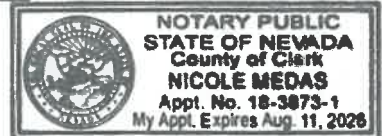
PROPERTY ADDRESS and/or CROSS STREETS: 6295 Mohawk St. Las Vegas NV 89118

(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.

PLANNER COPY

Property Owner (Signature) _____
 STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON October 18, 2023 (DATE)
 By Donald Wovz
 NOTARY PUBLIC: _____

Donald Wovz
 Property Owner (Print)



*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.



MASTER PLAN AMENDMENT APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

PROCESS AND SUBMITTAL REQUIREMENTS INCLUDED

APPLICATION TYPE	APP. NUMBER: <u>PA-23-70052</u>	DATE FILED: <u>12-27-23</u>
<input type="checkbox"/> MASTER PLAN AMENDMENT (PA) <input checked="" type="checkbox"/> MAP <input type="checkbox"/> TEXT	STAFF PLANNER ASSIGNED: _____ TAB/CAC: <u>SPRING VALLEY</u> PC MEETING DATE: <u>2-20-24</u> BCC MEETING DATE: <u>3-20-24</u> TRAILS? <input type="checkbox"/> YES <input type="checkbox"/> NO FEE: <u>82700.00</u>	TAB/CAC MTG DATE: <u>1-30-24</u>

PROPERTY OWNER	NAME: <u>Gino Avella</u> ADDRESS: <u>3901 Kings Way</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89102</u> TELEPHONE: <u>702.876.4564</u> CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____
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APPLICANT	NAME: <u>Brohawk LLC</u> ADDRESS: <u>10789 W. Twain Ave Ste 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702.851.3999</u> CELL: <u>702.499.4442</u> E-MAIL: <u>rblack@landbaroninv.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Storm Development Services LLC (Samantha Ryan)</u> ADDRESS: <u>9811 W. Charleston Blvd Ste. 2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: _____ CELL: <u>775.399.8158</u> E-MAIL: <u>sam@stormdevelopmentservices.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 163-36-701-015 & 163-36-701-016

CURRENT LAND USE PLAN DESIGNATION RN-Ranch Estate Neighborhood

REQUESTED LAND USE PLAN DESIGNATION: BE (Business Employment)

PROPERTY ADDRESS and/or CROSS STREETS: Mohawk Street & Patrick Lane

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (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.

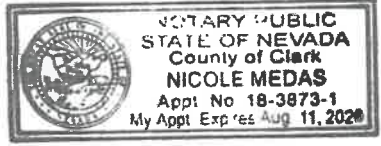
 Property Owner (Signature)*

Gino Avella
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON October 13, 2023 (DATE)

By Gino Avella
 NOTARY PUBLIC: _____



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



MASTER PLAN AMENDMENT APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

PROCESS AND SUBMITTAL REQUIREMENTS INCLUDED

APPLICATION TYPE <input checked="" type="checkbox"/> MASTER PLAN AMENDMENT (PA) <input checked="" type="checkbox"/> MAP <input type="checkbox"/> TEXT	STAFF	APP. NUMBER: <u>PA-23-700052</u> DATE FILED: <u>12-27-23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>SPRING VALLEY</u> TAB/CAC MTG DATE: <u>1-30-24</u> PC MEETING DATE: <u>2-20-24</u> BCC MEETING DATE: <u>3-20-24</u> TRAILS? <input type="checkbox"/> YES <input type="checkbox"/> NO FEE: <u>\$2700.00</u>
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PROPERTY OWNER	NAME: <u>Floyd Gary Pratt and Sharon Deloyce Pratt, Trustees of the Pratt Family Trust</u> ADDRESS: <u>6285 Mohawk Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____
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APPLICANT	NAME: <u>Brohawk LLC</u> ADDRESS: <u>10789 W Twain Ave 2nd Floor</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-851-3999</u> CELL: <u>702-499-4442</u> E-MAIL: <u>Randy@Landbaroniniv.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Samantha Ryan</u> ADDRESS: <u>9811 W Charleston Blvd Ste 2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: <u>775-399-8258</u> CELL: _____ E-MAIL: <u>Sam@stormdevelopmentservices.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 163-36-701-027

CURRENT LAND USE PLAN DESIGNATION: RN - Ranch Estate Neighborhood

REQUESTED LAND USE PLAN DESIGNATION: BE Business Employment

PROPERTY ADDRESS and/or CROSS STREETS: 6285 Mohawk Street

(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.

Floyd Gary Pratt
 Property Owner (Signature)*
 STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON October 18, 2023 (DATE)
 By Floyd Gary Pratt

NOTARY PUBLIC: [Signature]

Floyd Gary Pratt
 Property Owner (Print)

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.



MASTER PLAN AMENDMENT APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

PROCESS AND SUBMITTAL REQUIREMENTS INCLUDED

APPLICATION TYPE	APP. NUMBER: <u>PA-23-70052</u>	DATE FILED: <u>12-27-23</u>
	PLANNER ASSIGNED: _____	TAB/CAC MTG DATE: <u>1-30-24</u>
<input checked="" type="checkbox"/> MASTER PLAN AMENDMENT (PA) <input type="checkbox"/> MAP <input type="checkbox"/> TEXT	TAB/CAC: <u>SPRING VALLEY</u>	
	PC MEETING DATE: <u>2-20-24</u>	
	BCC MEETING DATE: <u>3-20-24</u>	
	TRAILS? <input type="checkbox"/> YES <input type="checkbox"/> NO	
	FEE: <u>\$2700.00</u>	

PROPERTY OWNER	NAME: <u>Brohawk LLC</u>
	ADDRESS: <u>10789 W Twain Ave 2nd Floor</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702-851-399</u> CELL: <u>702-499-4442</u>
	E-MAIL: <u>Randy@landbaroninv.com</u> REF CONTACT ID #: _____

APPLICANT	NAME: <u>Brohawk LLC</u>
	ADDRESS: <u>10789 W Twain Ave 2nd Floor</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702-851-399</u> CELL: <u>702-499-4442</u>
	E-MAIL: <u>Randy@landbaroninv.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Samantha Ryan</u>
	ADDRESS: <u>9811 W Charleston Blvd Ste 2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u>
	TELEPHONE: <u>775-399-8258</u> CELL: _____
	E-MAIL: <u>Sam@stormdevelopmentservices.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-36-701-008

CURRENT LAND USE PLAN DESIGNATION: RN- Ranch Estate Neighborhood

REQUESTED LAND USE PLAN DESIGNATION: BE Business Employment

PROPERTY ADDRESS and/or CROSS STREETS: Mohawk Street & Patrick Lane

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (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)* STATE OF <u>Nevada</u> COUNTY OF <u>Clark</u>	<u>Robert R Black Jr.</u> Property Owner (Print)	
SUBSCRIBED AND SWORN BEFORE ME ON <u>October 18th 2023</u> (DATE) By <u>Robert R Black Jr.</u>		
NOTARY PUBLIC:		

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.



MASTER PLAN AMENDMENT APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

PROCESS AND SUBMITTAL REQUIREMENTS INCLUDED

APPLICATION TYPE <input checked="" type="checkbox"/> MASTER PLAN AMENDMENT (PA) <input type="checkbox"/> MAP <input type="checkbox"/> TEXT	STAFF	APP. NUMBER: <u>PA-23-700052</u> DATE FILED: <u>12-27-23</u>
		PLANNER ASSIGNED: _____ TAB/CAC: <u>SPRING VALLEY</u> TAB/CAC MTG DATE: <u>1-30-24</u> PC MEETING DATE: <u>2-20-24</u> BCC MEETING DATE: <u>3-20-24</u> TRAILS? <input type="checkbox"/> YES <input type="checkbox"/> NO FEE: <u>\$2700.00</u>

PROPERTY OWNER	NAME: <u>Terence J Bujold</u>
	ADDRESS: <u>6265 Mohawk Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____ REF CONTACT ID #: _____

APPLICANT	NAME: <u>Brohawk LLC</u>
	ADDRESS: <u>10789 W Twain Ave 2nd Floor</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702-851-3999</u> CELL: <u>702-499-4442</u>
	E-MAIL: <u>Randy@Landbaroninv.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Samantha Ryan</u>
	ADDRESS: <u>9811 W Charleston Blvd Ste 2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u>
	TELEPHONE: <u>775-399-8258</u> CELL: _____
	E-MAIL: <u>Sam@stormdevelopmentservices.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-36-701-025

CURRENT LAND USE PLAN DESIGNATION RN Ranch Estate Neighborhood

REQUESTED LAND USE PLAN DESIGNATION: BE Business Employment

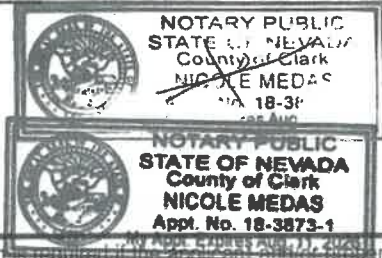
PROPERTY ADDRESS and/or CROSS STREETS: 6265 Mohawk Street

(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.

PLANNER COPY

Terence Bujold
 Property Owner (Signature)*
 STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON October 18, 2023 (DATE)
 By Terence J Bujold
 NOTARY PUBLIC: [Signature]

Terence J Bujold
 Property Owner (Print)



exp 11/26

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



AUTHORIZATION TO SUBMIT APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

Application Pre-review (APR) record number: APR-23-101041 (PA-23-700052)

Application Materials have been deemed ready to submit without revisions with minor revisions.

Notes: _____

By: RICHARD RUGGLES, PRINCIPAL PLANNER Date: 12-21-23

Advisory: Authorization to submit expires 2 weeks after determination is made. If all required documents are not provided to staff within this timeframe, an appointment to re-review the application materials is required.

Required Application(s):

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Master Plan Amendment | <input type="checkbox"/> Land Use – Administrative Design Review (ADR) | <input type="checkbox"/> Tentative Map (TM) |
| <input checked="" type="checkbox"/> Land Use | <input type="checkbox"/> Land Use – Wavier of Conditions (WC) | <input checked="" type="checkbox"/> Vacation and Abandonment (VS) |
| <input checked="" type="checkbox"/> Zone Change (ZC) | <input type="checkbox"/> Land Use – Application for Review (AR) | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Special Use Permit (UC) | <input type="checkbox"/> Land Use – Extension of Time (ET) | |
| <input checked="" type="checkbox"/> Waiver of Development Standards (WS) | | |
| <input checked="" type="checkbox"/> Design Review (DR) | | |

Required Fees:

- Refer to the attached Fee Sheet.

Next Steps:

- Review the attached submittal requirements for the applicable application type(s).
- Go to the Application Pre-review record in the County's Citizen Access Portal (ACA) and upload all required application documents in PDF format (regardless of the format specified in the submittal requirements).
- Once all the application documents are uploaded, coordinate the transmittal of the required hard copy documents with the planner who authorized the submittal (see name above); all transmittals shall include a cover letter and/or transmittal memo and a copy of this form. The Personnel Contact Information list on Department's Contact Us webpage includes the phone number and email address for all planners.
- When the application package is received, the documents will be re-reviewed to ensure no changes except those noted above have been made and, if in an acceptable form, the planner will accept the application documents. Staff will then create the application records. If payment for the application fees was not included in the application package, an email notice will be sent to the record(s) contact indicating the application fees are due. This step may take up to 2 business days to complete.
- Once fees are paid, the application(s) will be considered "Submitted".

Department of Comprehensive Planning

500 S. Grand Central Parkway, Box 551741, Las Vegas, NV 89155-1741 • (702) 455-4314

<http://www.clarkcountynv.gov/comprehensive-planning>

November 21, 2023

Clark County Comprehensive Planning Department
500 South Grand Central Parkway
Las Vegas, NV 89155

RE: Justification Letter for a multi-parcel Master Plan Amendment, Mohawk Street South of Patrick Lane
APNs 163-37-701-008, 163-36-701-015 & 016, 163-36-701-025 thru 028

Please accept this letter, written by the owners of all parcels listed above, as justification for the proposed Master Plan Amendment from Ranch Estate Neighborhood (up to 2 du/acre) to Business Employment. 3 of the 7 parcels included in this application are raw land, while 4 are currently being utilized under the existing residential zoning.

Development of new industrial and warehouse facilities on the east side of Mohawk, just across the street from these properties, will commence within the next year. All property owners represented by this application seek to modify the underlying land use of their properties in order to encourage a homogenous land use plan and to preserve their property values.

A goal of the Transform Clark County Master Plan is to *"standardize requirements for buffers and development transitions in order to mitigate the impacts of higher intensity uses proposed adjacent to existing or planned residential neighborhoods"*. In the case of these 7 properties, with a current planned land use associated with low density residential homes, there is no opportunity for a gradual transition of use types and densities that would typically buffer the high intensity industrial uses that will soon exist across the street. For this reason, the owners request to revise the planned land use category of their properties to a Business Employment designation, which can support similar and compatible uses to what will soon be built across the street.

Another goal within the Master Plan (5.5) seeks to *"foster a business-friendly environment"*. Under Policy 5.5.1, it is stated that the county seeks *"to designate and support the development of industrial and employment uses in areas that are proximate to major air, rail, and highway facilities"* and to *"Maintain the viability of designated employment areas by preventing encroachment from potentially incompatible uses"*. The location of these properties, while once rural, is now clearly central and proximal to all employment-centric facilities mentioned above – this is evidenced by the development of the properties just across the street for high intensity employment uses. To maintain a land use of RN for these properties would encourage future development of incompatible uses, therefore it is respectfully requested that the land use category be revised to BE.

Thank you for your consideration.

Signatures on following page

PLANNER COPY

BROHAWK LLC

APN 163-36-701-008

PRINT NAME: R. Black

TITLE: MANAGING MEMBER

GINO AVELLA

APN 163-36-701-015 & APN 163-36-701-016

TERENCE J BUJOLD

APN 163-36-701-025

DocuSigned by:

Terence Bujold

789D3C39511B4EA...

LOBRAND LLC

APN 163-36-701-026

DocuSigned by:

[Signature]

C8FC4D8B29E0403...

shelley siroonian

PRINT NAME: _____

TITLE: Owner

FLOYD GARY PRATT AND SHARON DELOYCE PRATT, TR OF PRATT FAMILY TRUST

APN 163-36-701-027

Floyd Gary Pratt

PRINT NAME: Floyd Gary Pratt

DONALD & KATHRYN WORZ

APN 163-36-701-028

PRINT NAME: Donald Worz

02/20/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0899-BROHAWK LLC:

ZONE CHANGE to reclassify 2.3 acres from an R-E (Rural Estates Residential) (AE-65) Zone to an M-D (Designed Manufacturing) (AE-65) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; and 2) CMA Design Overlay site development, architectural, screening, and landscape standards.

DESIGN REVIEW for an office/warehouse in the CMA Design Overlay District.

Generally located on the west side of Mohawk Street, 625 feet north of Post Road within Spring Valley (description on file). MN/rr/syp (For possible action)

RELATED INFORMATION:

APN:

163-36-701-008

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce parking to 49 spaces where 59 spaces are required per Table 30.60-1 (a 17% decrease).
2.
 - a. Allow loading areas with roll-up, overhead doors and areas intended for large semi truck parking to not be located in the rear of the complex where required per Section 30.48.640(b)4.
 - b. Allow large manufacturing and industrial buildings to not have decorative roof elements (e.g., projecting cornices, etc.) to enhance roof edges where required per Section 30.48.650(9).
 - c. Allow loading areas with roll-up, overhead doors, service areas, and areas intended for large semi-truck parking to not be completely screened from any public street where required per Section 30.48.660(4).
 - d. Waive landscaping where an intense landscape buffer adjacent to a residential use is required per Section 30.48.660(8) and Figure 30.64-12.

PROPOSED LAND USE PLAN:

SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.3
- Project Type: Office/warehouse
- Number of Stories: 2

- Building Height (feet): 35
- Square Feet: 38,725
- Parking Required/Provided: 59/49

Site Plan

The site is currently undeveloped and is located on the west side of Mohawk Street, approximately 625 feet north of Post Road. The plans show an office/warehouse building centrally located on the site with 38,725 square feet of gross floor area. The building is proposed to be set back 20 feet from the front property line along Mohawk Street, 93 feet 4 inches from the side property line on the north, 51 feet 1 inch from the side property line on the south, and 52 feet 7 inches from the rear property line. The site is proposed to be accessed by two, 39 foot wide commercial driveways from Mohawk Street. A drive aisle connects the northern driveway with a loading dock area on the north side of the building. The loading dock area features 3 loading ramps, 2 bicycle racks, and 2 shaded outdoor areas on either corner of the building. Two trash enclosures are also located on the north side of the property. A single row of parking is located primarily on the west and south sides of the building and is accessed by a drive aisle which is a minimum of 24 feet in width.

Landscaping

The plans show street landscaping along Mohawk Street. The landscaping strip is 20 feet in width and includes a 5 foot wide landscaping strip adjacent to the street, a 5 foot wide detached sidewalk, followed by an additional 10 feet of landscaping. The street landscape area features 8 large 24 inch box Live Oak trees provided in staggered rows spaced 40 feet apart except where the site visibility triangles prevent their placement. Within the parking lot, landscaping has been provided within landscape islands generally placed every 6 parking spaces. The islands feature 9 large 24 inch box trees including 7 Red Push Pistache trees and 2 Live Oaks. Six small Texas Mountain Laurel trees are located along the south side of the building near the main entrances. In addition to the trees, 13 different varieties of shrubs, succulents, and cacti are located throughout the landscape areas. All plants are on the SNWA/SNRPC regional plant list. An 8 foot high CMU wall is proposed along the north, west, and south property lines. No landscape buffers are proposed. The land use designation of the property to the south is proposed to be changed from Ranch Estate Neighborhood (RN) to Business Employment (BE) as part of the companion plan amendment, PA-23-700052. The property to the west is designated for public use and a landscape buffer is not required. The property to the north is an undeveloped residential lot and there is a request to waive the required landscape buffer.

Elevations

The plans show the proposed building will be 35 feet in height at the top of the parapet. The parapet is proposed to screen any rooftop mechanical equipment, although it does not feature any decorative roof elements as required in the CMA overlay district, and this is the subject of a waiver request. The exterior of the buildings will include alternating flat and textured grey concrete panels and weathered steel panels on all 4 building sides to help break-up the appearance of the façades. Additional exterior building materials include concrete ribbed columns, powder coated metal panels, and bar grate metal inserts. An aluminum commercial window-door system with tinted storefront glazing is shown on all sides of the building except for the north façade where the loading dock is located. The north façade includes 5 metal roll-up overhead doors. Three of the doors feature loading ramps while the other 2 doors are at dock level.

Floor Plans

The plans depict 2 office/warehouse shell suites. The larger suite is 19,280 gross square feet on the first floor which includes a 5,715 square foot office space. A second level mezzanine is proposed for an additional office at 4,677 square feet. The smaller suite is 14,768 gross square feet which includes a 5,280 square foot office. In both cases, the office space is less than 50% of the suite and would, therefore, be considered accessory or incidental. Each suite has 2 entrances on the south side of the building. The loading dock area on the north side of the building features 3 ground level overhead doors with ramps, and each suite has 1 dock level overhead door. Fire riser rooms are located at the northeast and northwest corners of the building. A future demising wall will be used to separate the suites.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that they are requesting a zone change from the R-E zone to the M-D zone to allow for an office/warehouse on the site. The request is in conjunction with a master plan amendment application to change the underlying land use of this parcel and 6 additional parcels to the south from Ranch Estate Neighborhood (RN) to Business Employment (BE). The applicant states that the request is in-line with 2 zone changes to M-D on the east side of Mohawk Street on APN 163-36-701-009 in 2021 (NZC-21-0606) and on APN 163-36-701-036 in 2023 (ZC-23-0614). The applicant states that the zone change is appropriate as there is a parcel to the west owned by Clark County which is designated for public use which buffers the subject site from residential properties on the west side of Lindell Avenue. The applicant states that the proposed project is the most appropriate use of the parcel and that it will be an asset for local small businesses in the area.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-04-1141	Allowed a decorative masonry wall prior to the principal use - expired	Approved by PC	August 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (AE-65)	Undeveloped
South	Business Employment (Proposed)	R-E (RNP-I, AE-65)	Undeveloped
East	Neighborhood Commercial	M-D (AE-65)	Undeveloped
West	Public Use	R-E (AE-65)	Undeveloped

Related Applications

Application Number	Request
PA-23-700052	Plan amendment to redesignate the existing land use category from Ranch Estate Neighborhood (RN) to Business Employment (BE) on 6.7 acres is a companion item on this agenda.
VS-23-0901	A request to vacate and abandon government patent easements and a 5 foot wide portion of Mohawk Street for detached sidewalks 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

Zone Change

In addition to the standards for approval, the applicant must demonstrate the zoning district is compatible with the surrounding area.

The proposed zone change to M-D (Designed Manufacturing) requires approval of a concurrent amendment to redesignate the site from Ranch Estate Neighborhood (RN) to Business Employment (BE) so that the requested zone change may be in conformance to the Master Plan. The properties to the east, across Mohawk Street have been transitioning to industrial uses with the approval of NZC-21-0606 (APN 163-36-701-009) and ZC-23-0614 (APN 163-36-701-036) to M-D zoning. The residentially zoned properties immediately to the north and south of the subject site are currently undeveloped. The properties to the south are also part of the concurrent amendment to Business Employment (BE) for future industrial uses. The adjacent and abutting property to the west is planned for Public Use (PU) and is owned by the Clark County Department of Parks and Recreation. This property is deed restricted and cannot be developed for residential uses. It will provide a buffer or transition from the developed single family residential area west of Lindell Road. The request complies with Policy 6.2.1 of the Master Plan, which promotes ensuring the design and intensity of new development is compatible with established neighborhoods and uses. Policy 5.5.1 of the Master Plan which promotes designating and supporting the development of industrial and employment uses in areas that are proximate to major air, rail, and highway facilities. It does not appear that the M-D zoning will adversely impact the surrounding area. For these reasons, staff finds the request for the M-D Zone is appropriate for this location.

Waivers of Development Standards

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

Waiver of Development Standards #1

The applicant is requesting to reduce the amount of required parking from 59 spaces to 49 spaces (a 17% decrease). This calculation is based on a parking ratio of 1.5 spaces per 1,000 square feet of warehousing including incidental uses such as offices. The proposed office space is less than 50% of the floor area in each suite and would be considered incidental or accessory to the warehouse use. According to the applicant, a second story office mezzanine space requiring 7 spaces may be built by future tenants in one of the suites. If this office is not built, the amount of required parking would be 52 spaces and the parking lot would be under parked by 3 spaces (a 6% decrease). Under the new Title 30 requirements, the calculation for warehouse and distribution uses is 1 space per 1,000 square feet up to 100,000 square feet and then 1 space per 5,000 square feet over 100,000 square feet. If this new calculation is applied to the 38,725 square foot warehouse building, which includes the office mezzanine, the parking requirement would reduce to 39 spaces. Since the new code has reduced the parking requirements below what is being proposed on the site, staff normally could support the waiver, however, because staff is not supporting the other waivers, staff is recommending denial.

Waiver of Development Standards #2a & #2c

The applicant is requesting a waiver of the CMA standards to allow loading areas with roll-up overhead doors, and areas intended for large semi-truck loading to be located on the north side of the building rather than at the rear (west) side of the building. Also, this area is not completely screened from the public street which is required. The applicant states they are matching the truck dock location as proposed on the property east of Mohawk Street (APN 163-36-701-009) which was rezoned to M-D by NZC-21-0606. The applicant also states that they are providing architectural screening elements at the east side of the loading area to block the view of the truck activities from the right-of-way. There is no outside storage proposed in this area, which is one of the reasons for placing loading areas in the rear of a building. The east building elevation provided by the applicant does appear to show that the loading area is at least partially screened from the street through a combination of landscaping and wall placement. The overhead doors will also be partially screened from the north and west by the CMU wall proposed around the site. However, because the CMA standards state that loading areas need to be located in the rear of the complex and completely screened, staff recommends denial.

Waiver of Development Standards #2b

The applicant is requesting a waiver of the CMA standards to that requires large manufacturing and industrial buildings to have decorative roof elements to enhance roof edges. The applicant states that the proposed design incorporates other above-standard architectural elements for this use type. The elevations provided do indicate a variety of exterior building materials that enhance the appearance of the building. However, there is nothing preventing decorative roof elements from being added to the building and, therefore, staff recommends denial of this request.

Waiver of Development Standards #2d

The applicant is requesting a waiver of the 10 foot wide intense landscape buffer per Figure 30.64-12 that is required by the CMA overlay along the north side of the property. The buffer, consisting of two rows of 24 inch box large Evergreen trees with a 6 foot high decorative buffer wall, is required in the CMA overlay when a non-residential development is adjacent to a residential use. The property to the north is an undeveloped parcel zoned R-E. The applicant states that they intend

to install a taller, 8 foot decorative CMU wall which would hide any landscaping from neighboring properties, and that the wall footings would restrict plant growth. A landscape buffer will not be required along the south property boundary adjacent to a vacant property zoned R-E if the land use is changed to Business Employment as part of the concurrent land use amendment. The property to the west is also zoned R-E but is deed restricted and cannot be developed for any residential use. Staff would normally not support a waiver for the landscape buffer along the north property line due to concerns over possible impacts on adjacent residential areas. In this case, however, the property to the north is undeveloped. It also fronts on Patrick Lane, a collector street, which has been transitioning to office and industrial uses to the east. With the other residential properties to the south transitioning to Business Employment, the property to the north with its frontage on Patrick Lane may also be more suitable for non-residential development in the future. Based on these development trends, staff could support this request, however, because the other waivers are not being supported, staff is recommending denial.

Design Review

The proposed building appears to be compatible with the underlying designation of Business Employment as amended on the Master Plan, and the M-D zone. The proposed site plan, landscape plan, and building elevations indicate appropriate design characteristics, building materials, and other architectural features to help create an orderly and aesthetically pleasing environment that is compatible and harmonious with the surrounding area. The proposed development is consistent with the Master Plan and meets the standards of Title 30. However, because staff is not supporting the waivers of development standards, staff recommends denial of this request.

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 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

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

Staff Recommendation

Approval of the zone change; denial of the waivers of development standards and the design review. This item will be forwarded to the Board of County Commissioners' meeting for final action on March 20, 2024 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

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

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements.
- 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.

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 30.02.26B 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;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined

by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features,
- Applicant to show fire hydrant locations on-site and within 750 feet.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0018-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: HARDWAY CORP

**CONTACT: STORM DEVELOPMENT SERVICES, 9811 W. CHARLESTON BLVD, STE 2,
LAS VEGAS, NV 89117**



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

3

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF	APP. NUMBER: <u>ZC-23-0899</u> DATE FILED: <u>12-27-23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>SPRING VALLEY</u> TAB/CAC DATE: <u>1-30-24</u> PC MEETING DATE: <u>2-20-24</u> BCC MEETING DATE: <u>3-20-24</u> FEE: <u>\$2,200.00</u>
	PROPERTY OWNER	NAME: <u>Brohawk LLC</u> ADDRESS: <u>10789 W, Twain #200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702.851.3999 ext.101</u> CELL: <u>702.499.4442</u> E-MAIL: <u>randy@landbaroninv.com</u>
	APPLICANT	NAME: <u>Hardway Corporation LLC</u> ADDRESS: <u>5841 E Charleston Blvd Suite 230-305</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89142</u> TELEPHONE: <u>702.643.4478</u> CELL: <u>702.336.9421</u> E-MAIL: <u>Jeff@able-electriclv.com</u> REF CONTACT ID #: _____
	CORRESPONDENT	NAME: <u>Storm Development Services LLC</u> ADDRESS: <u>9811 W Charleston Blvd STE 2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: _____ CELL: <u>775.399.8158</u> E-MAIL: <u>sam@sdsnv.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-36-701-008

PROPERTY ADDRESS and/or CROSS STREETS: W Patrick Ln and Mohawk St

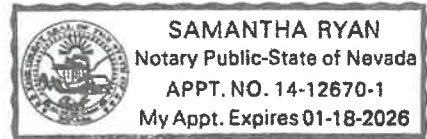
PROJECT DESCRIPTION: 34,048 square foot industrial building on 2.36 acres of land located on Mohawk Street south of Patrick Lane in Las Vegas, Nevada.

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

[Signature]
 Property Owner (Signature)*

Robert Randy Black PLANNER COPY
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON AUGUST 6, 2023 (DATE)
 By ROBERT R. BLACK, JR.
 NOTARY PUBLIC: [Signature]



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

December 20, 2023

Clark County Comprehensive Planning Department
500 South Grand Central Parkway
Las Vegas, NV 89155

RE: Justification Letter for vacation and abandonment of patent easements on APN 163-36-701-008, vacation of 5' of RW to back of detached sidewalk; site located on the west side of Mohawk Street, south of W. Patrick Lane, in Clark County NV.

Applicant: Hardway Corp, LLC | **Property Owner:** Brohawk, LLC | **Parcel Number:** 163-36-701-008

To Whom it May Concern:

We respectfully request the vacation and abandonment of all patent easements located on the subject property in order to facilitate site development. The easements are no longer needed for access.

We will be installing detached sidewalk along Mohawk Street, and therefore also request a 5' RW vacation to back of sidewalk.

Thank you.

DocuSigned by:

Randy Black, Jr.

12/20/2023

407081FAC29A42C...

Randy Black, Jr. – Manager, BROHAWK LLC

APN 163-36-701-008

4

02/20/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0901-BROHAWK LLC:

VACATE AND ABANDON easements of interest to Clark County located between Patrick Lane and Post Road, and between Lindell Road and Mohawk Street, and a portion of a right-of-way being Mohawk Street located between Patrick Lane and Post Road within Spring Valley (description on file). MN/rr/syp (For possible action)

RELATED INFORMATION:

APN:

163-36-701-008

PROPOSED LAND USE PLAN:

SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of existing government patent easements. The applicant states that these easements are no longer needed for road and/or utility or other purposes. The specific request is to abandon the 33 foot wide patent easements located along all property boundaries of APN 163-36-701-008, excepting the eastern 25 feet. Also requested is the vacation and abandonment of 5 feet of right-of-way along Mohawk Street to accommodate a detached sidewalk.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1141-04	Allowed a decorative masonry wall prior to the principal use - expired	Approved by PC	August 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (AE-65)	Undeveloped
South	Business Employment (Proposed)	R-E (RNP-I) (AE-65)	Undeveloped
East	Neighborhood Commercial	M-D (AE-65)	Undeveloped
West	Public Use	R-E (AE-65)	Undeveloped

Related Applications

Application Number	Request
PA-23-700052	Plan amendment to redesignate the existing land use category from Ranch Estate Neighborhood (RN) to Business Employment (BE) on 6.7 acres is a companion item on this agenda.
ZC-23-0899	A zone change to reclassify the site to M-D zoning with waivers and a design review for an office/warehouse is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Staff has no objection to the vacation of patent easements that are not needed for site, drainage, or roadway development and right-of-way for detached sidewalks.

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on March 20, 2024 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised 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

- 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.

Comprehensive Planning - Addressing

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: HARDWAY CORP

**CONTACT: STORM DEVELOPMENT SERVICES, 9811 W. CHARLESTON BLVD, STE
2, LAS VEGAS, NV 89117**

DRAFT



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

4

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	DEPARTMENT USE	APP. NUMBER: <u>VS-23-0901</u> DATE FILED: <u>12-27-23</u>
		PLANNER ASSIGNED: _____ TAB/CAC: <u>SPRING VALLEY</u> TAB/CAC DATE: <u>1-30-24</u> PC MEETING DATE: <u>2-20-24</u> BCC MEETING DATE: <u>3-20-24</u> FEE: <u>\$ 875.00</u>

PROPERTY OWNER	NAME: <u>Brohawk LLC</u>
	ADDRESS: <u>10789 W. Twain #200</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702.851.3999 ext. 101</u> CELL: <u>702.499.4442</u>
	E-MAIL: <u>randy@landbaroninv.com</u>

APPLICANT	NAME: <u>Hardway Corporation LLC</u>
	ADDRESS: <u>5841 E Charleston Blvd Suite 230-305</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89142</u>
	TELEPHONE: <u>702.643.4478</u> CELL: <u>702.336.9421</u>
	E-MAIL: <u>Jeff@able-electriclv.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Storm Development Services LLC</u>
	ADDRESS: <u>9811 W Charleston Blvd STE 2</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u>
	TELEPHONE: _____ CELL: <u>775.399.8158</u>
	E-MAIL: <u>Sam@sdsnv.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-36-701-008


PROPERTY ADDRESS and/or CROSS STREETS: Mohawk South of Patrick

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.

[Signature]
Property Owner (Signature)*

[Print Name]
Property Owner (Print)

STATE OF NEVADA
COUNTY OF CLARK
SUBSCRIBED AND SWORN BEFORE ME ON AUGUST 6, 2023 (DATE)
By ROBERT R. BLACK, JR.
NOTARY PUBLIC: [Signature]

 **SAMANTHA RYAN**
Notary Public-State of Nevada
APPT. NO. 14-12670-1
My Appt. Expires 01-18-2026

*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.

PLANNER COPY



AUTHORIZATION TO SUBMIT APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

Application Pre-review (APR) record number: APR-23-101041 (VS-23-0901)

Application Materials have been deemed ready to submit without revisions with minor revisions.

Notes: _____

By: RICHARD ROUGLO, PRINCIPAL PLANNER Date: 12-21-23

Advisory: Authorization to submit expires 2 weeks after determination is made. If all required documents are not provided to staff within this timeframe, an appointment to re-review the application materials is required.

Required Application(s):

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Master Plan Amendment | <input type="checkbox"/> Land Use – Administrative Design Review (ADR) | <input type="checkbox"/> Tentative Map (TM) |
| <input checked="" type="checkbox"/> Land Use | <input type="checkbox"/> Land Use – Wavier of Conditions (WC) | <input checked="" type="checkbox"/> Vacation and Abandonment (VS) |
| <input checked="" type="checkbox"/> Zone Change (ZC) | <input type="checkbox"/> Land Use – Application for Review (AR) | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Special Use Permit (UC) | <input type="checkbox"/> Land Use – Extension of Time (ET) | |
| <input checked="" type="checkbox"/> Waiver of Development Standards (WS) | | |
| <input checked="" type="checkbox"/> Design Review (DR) | | |

Required Fees:

- Refer to the attached Fee Sheet.

Next Steps:

- Review the attached submittal requirements for the applicable application type(s).
- Go to the Application Pre-review record in the County's Citizen Access Portal (ACA) and upload all required application documents in PDF format (regardless of the format specified in the submittal requirements).
- Once all the application documents are uploaded, coordinate the transmittal of the required hard copy documents with the planner who authorized the submittal (see name above); all transmittals shall include a cover letter and/or transmittal memo and a copy of this form. The Personnel Contact Information list on Department's Contact Us webpage includes the phone number and email address for all planners.
- When the application package is received, the documents will be re-reviewed to ensure no changes except those noted above have been made and, if in an acceptable form, the planner will accept the application documents. Staff will then create the application records. If payment for the application fees was not included in the application package, an email notice will be sent to the record(s) contact indicating the application fees are due. This step may take up to 2 business days to complete.
- Once fees are paid, the application(s) will be considered "Submitted".

02/20/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0858-ADRAS FAMILY TRUST & ADRAS PAUL J & SUSAN A TRS:

USE PERMITS for the following: 1) to increase the area of a proposed accessory structure; and 2) to allow an accessory structure not architecturally compatible with the principal building.
WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks in conjunction with a single family residential development on 0.47 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the north side of Coley Avenue, 110 feet west of Rosanna Street within Spring Valley. JJ/dd/ng (For possible action)

RELATED INFORMATION:

APN:

163-10-702-008

USE PERMITS:

1. Allow a 1,660 square foot detached accessory structure (casita) where only 1,500 square feet is allowed per Table 30.44-1 (a 11% increase).
2. Allow a detached accessory structure (shed) not architecturally compatible with the principal building (residence) where required per Table 30.44-1.

WAIVER OF DEVELOPMENT STANDARDS:

Reduce accessory structure (shed) rear setback to 3 feet where 5 feet is required per Table 30.40-2 (a 40% decrease).

LAND USE PLAN:

SPRING VALLEY - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 7030 Coley Avenue
- Site Acreage: 0.47
- Project Type: Casita & shed setbacks
- Number of Stories: 1 (casita)/1 (shed)
- Building Height (feet): 15 (casita)/11 (shed)
- Square Feet: 1,660 (casita)/137 (shed)

Site Plans

The site plan depicts a 1,660 square foot casita located in the rear yard of an existing single family residence. The casita is shown in the northeast corner of the property and will be set back 8 feet from the rear property line and 8 feet from the interior side property line to the east.

Additionally, the site plans depict an existing shed also located in the rear yard of the existing single family residence. The shed sits in the northwest corner of the property and is set back 3 feet from the rear property line and 8 feet from the interior side property line to the west.

Landscaping

There are no changes to the current landscaping proposed with this application.

Elevations

The elevations for this project depict the casita as being architecturally compatible with the existing single family residence, with the walls being finished with stone veneer, glazed windows, various colors of stucco, and a standing seam metal roof. Additionally, the elevations plan also depicts a side view of a rooftop deck that will be closed in with a 3 foot tall wrought iron guard rail.

Photos of the existing shed depict the structure as being 11 feet tall, constructed of painted wood panels and a vinyl-shingled roof.

Floor Plans

The floor plans for the casita depict a living space consisting of 3 bedrooms, 3 bathrooms, a walk-in closet, a kitchenette, and an entryway/study area. Additionally, the plans also depict a covered outdoor patio area adjacent to the entryway/study area with a spiral staircase leading to the approximately 734 square foot rooftop deck.

Applicant's Justification

The applicant states that the casita will be used to accommodate friends and family, and that the casita will not negatively affect the surrounding area.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential

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.

Use Permit #1

The use permit to allow an extra 160 square feet for a casita is acceptable in this case as the entire neighborhood and surrounding area is comprised of lots that are a half-acre minimum. Many of these lots are developed with custom homes and large accessory structures of their own and this increase in size should not be noticeable. Therefore, staff can support this request.

Use Permit #2

The architectural compatibility of the shed in the rear yard would not typically be supported, however the shed in this case existed on the site well before the current owners purchased the property. For this reason, staff can support this request.

Waiver 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.

Setbacks and separations are required to provide open space between buildings, reduce the bulk and mass of buildings as well as help with safety. Staff does not typically support a reduction to setbacks to this distance. In this case the existing shed was installed with a 3 foot setback before the current owners purchased the property, but that may not be enough to mitigate fire risks; therefore, staff does not support the request.

Staff Recommendation

Approval of the use permits; denial of waiver of development standards.

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 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

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property appears to have an existing septic system; to contact the Southern Nevada Health District with regard to modifying existing plumbing fixtures; location of existing public sanitary sewer is greater than 400 feet from the parcel; and upon approval of change in use of the property and if connecting to public sanitary sewer, CCWRD requires submittal of civil improvement plans and estimated wastewater flow rates to determine sewer point of connection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ASPIRE DESIGN STUDIO

CONTACT: ASPIRE DESIGN STUDIO, 6445 W. SUNSET ROAD, SUITE 112, LAS VEGAS, NV 89118

6

02/20/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0877-SOFIA PROPERTY, LLC:

USE PERMIT to reduce the separation from outside dining and drinking to a residential use in conjunction with an existing restaurant within an existing retail center on a portion of 0.9 acres in a C-1 (Local Business) Zone.

Generally located on the west side of Buffalo Drive, 420 feet north of Peace Way within Spring Valley. MN/mh/ng (For possible action)

RELATED INFORMATION:

APN:

163-21-601-031 through 163-21-601-034; 163-21-619-007; 163-21-619-008

USE PERMIT:

Reduce the separation between outside dining and a residential use to 143 feet where 200 feet is the standard per Table 30.44-1 (a 29% reduction).

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 4435 S. Buffalo Drive
- Site Acreage: 0.9 (portion)
- Project Type: Outside dining and drinking
- Number of Stories: 1
- Square Feet: 1,250 (outside dining)/4,100 (restaurant)/8,000 (overall building)
- Parking Required/Provided: 172/175

Site Plan

The existing restaurant is located within a large commercial center. The shopping center contains 2 in-line buildings, with a convenience store and a gasoline station located on the northwest corner of Peace Way and Buffalo Drive. The restaurant is in the northern most in-line retail building and is set back 143 feet from the residential properties to the west. The proposed outside dining and drinking area will be along the north side of the restaurant and will also be set back 143 feet from the residential development to the west. Access to the site is provided by 2 existing driveways from Buffalo Drive to the east. The subject building shares parking and access with the remaining commercial center.

Landscaping

Landscaping exists throughout the site and is neither required nor a part of this request.

Elevations

The existing in-line building is single story and includes painted stucco with curved decorative column details and pitched concrete tiled roof. No changes to the exterior of the building are required or proposed with this request.

Floor Plans

The existing restaurant floor plan features a 4,100 square foot space consisting of a dining area, kitchen, bar area, and restrooms. The proposed 1,250 square foot outside dining and drinking area is primarily accessed from the interior of the restaurant, but also features two exterior gates so that customers can exit the premises, along with a barrier railing to enclose the patio area. There is a 48 inch wide pedestrian access area around the perimeter of the outside dining area, featuring ramps and sidewalks for customers to safely enter and exit the premises. The plan shows 5 tables in the outside patio area, which will accommodate about 16 customers at a given time.

Applicant's Justification

The applicant states that the vacant lot to the west of the subject site had a proposed bakery that would have served as a buffer to meet Title 30 requirements, but the development was abandoned, requiring the applicant to attain a special use permit to add outside dining and drinking. The other requirements for outside dining and drinking have been met, so the use permit is only to reduce the separation from a residential use. The applicant adds that there is abundant parking available to customers, and that the addition of the outside dining and drinking will be a benefit to the nearby neighborhoods.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-21-0357	On-premises alcohol consumption	Approved by PC	September 2021
UC-0399-99	Outside dining area in conjunction with a restaurant/lounge - expired	Approved by PC	April 1999
DR-2025-98	15,093 square foot commercial center	Approved by PC	January 1999
DR-1880-98	Office and restaurant buildings in conjunction with a shopping center	Approved by PC	December 1998
ET-400376-98 (VC-1578-97)	First extension of time for a variance for a self service car wash	Approved by PC	October 1998
ET-400163-98 (ZC-0328-96)	First extension of time for a zone change to reclassify 10 acres for a 62,240 square foot shopping center	Approved by BCC	June 1998

Prior Land Use Requests

Application Number	Request	Action	Date
VS-1847-97	Vacated and abandoned easements of interest to Clark County generally located on the south side of Rochelle Avenue approximately 650 feet north of Peace Way, and on the west side of Buffalo Drive approximately 300 feet east of Miller Lane	Approved by BCC	December 1997
TM-500245-97	1 commercial lot on 7.2 acres	Approved by PC	December 1997
VC-1578-97	Variance to permit a self serve car wash	Approved by PC	October 1997
DR-1271-97	Canopy over the fuel pump islands	Approved by PC	August 1997
DR-0477-97	5,000 square foot restaurant	Approved by PC	April 1997
ZC-0328-96	Reclassified 10 acres for a 62,240 square foot shopping center	Approved by BCC	May 1996

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & West	Neighborhood Commercial	C-1	Undeveloped
South	Corridor Mixed-Use	C-2	Retail center
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential

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

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.

Staff finds that the proposed outside dining is compatible with the existing uses within the commercial center, including the existing restaurant with on-premises alcohol consumption where the outside dining and drinking will be added. Retail and restaurant uses already exist in

the retail center, and on-premises alcohol consumption was previously approved via UC-21-0357 without any reported adverse effects on the residential development to the west. The proposed outside dining and drinking is consistent and compatible with the area and staff finds that a reduction in the setback from the residential use to the west will have no negative impacts on the neighborhood. Therefore, staff can support this request.

Staff Recommendation
Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- 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

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: ROUMEN STEFANOV
CONTACT: CAROLYN SPOLETINI, SADLER-SPOLETINI, 8886 NEVI ROSE AVE, LAS VEGAS, NV 89148

6



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-23-0887</u> DATE FILED: <u>12/20/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>SPRING VALLEY</u> TAB/CAC DATE: <u>01/30/24</u> PC MEETING DATE: <u>2/20/24</u> BCC MEETING DATE: _____ FEE: <u>\$125</u>
	PROPERTY OWNER NAME: <u>Hukl Land Holdings, LLC</u> ADDRESS: <u>9770 W. Flamingo Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89147</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u>
	APPLICANT NAME: <u>Hukl Land Holdings, LLC</u> ADDRESS: <u>9770 W. Flamingo Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89147</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>
CORRESPONDENT NAME: <u>Kaempfer Crowell - Bob Gronauer</u> ADDRESS: <u>1980 Festival Plaza Dr. #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>702-792-7048</u> E-MAIL: <u>spierce@kcnvlaw.com</u> REF CONTACT ID #: <u>164674</u>	

ASSESSOR'S PARCEL NUMBER(S): 163-19-511-010

PROPERTY ADDRESS and/or CROSS STREETS: 9770 W. Flamingo Road

PROJECT DESCRIPTION: Restaurant with live entertainment and alcohol services (on premise, off premise and wine cellars).

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

Property Owner (Signature)* _____
Property Owner (Print) Paul L. HUDYKA

STATE OF NV
COUNTY OF Clark
SUBSCRIBED AND SWORN BEFORE ME ON 9/19/2023 (DATE)

By Heidi Hagan
NOTARY PUBLIC: Heidi Hagan



*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-23-0887

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

KAEMPFER

CROWELL

ANTHONY J. CELESTE
aceleste@kcnvlaw.com
D: 702.693.4215

December 26, 2023

VIA UPLOAD

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

***Re: Justification Letter – Design Review for Restaurant, Wine Room/Wine Cellar, Outdoor Dining/Drinking/Cooking, Banquet Facilities, & Alcohol Services (On-Premises & Off-Premises); Special Use Permit for Live Entertainment, Allow Banquet with Outdoor Terrace, and Eliminate 48-inch Wide Pedestrian Access Around Outside Dining; and Waiver of Development Standards to Increase Building Height, Increase Signage, and Reduce Parking Flamingo Road/Grand Canyon Drive
APNs: 163-19-511-010***

To Whom It May Concern:

Please be advised this office represents Hukl Land Holdings, LLC (the “Applicant”) in the above-referenced matter. The proposed project is located on approximately 4.04 acres and is generally located on the south side of Flamingo Road in between Grand Canyon Drive to the west and I-215 to the east. The property is more particularly described as APN: 163-19-511-010 (the “Site”). The Site is located in the large commercial Grand Flaming Centre complex. The Site is already zoned C-2. A C-2 zoning district is the most intense zoning district allowing for various commercial uses. Here, the Applicant is proposing to develop one commercial building with various uses including a restaurant, café, ballrooms, speakeasy/lounge, and wine cellar including providing live entertainment and outdoor dining, drinking, and cooking.

DESIGN REVIEW

The Applicant is proposing to build one commercial building that is approximately 66-feet and 6-inches in height with four levels (one level below grade and three levels above grade). The total square footage of the building is approximately 73,578 SF. The basement level is approximately 19,383 SF and will consist of a wine room with wine cellar, a speakeasy, and back-of-the-house operations including kitchen, mechanical room, and employee break rooms. The first level is approximately 17,135 SF and will consist of café, wine and liquor retail store, offices, and kitchens. Also, on the first level is an outdoor plaza area. The second level is approximately 16,471 SF and will primarily consist of a banquet facility and kitchen along with an outdoor terrace. The third level is approximately 16,329 square feet and will consist of a restaurant with bar and kitchen along with an outdoor terrace with outside dining/drinking/cooking. The on-premises and off-premises sale of alcohol is permitted as there are no residential uses within 200-

feet of the Site. The outdoor dining/drinking/cooking is appropriate as well as there is no residential use within 200-feet of the Site.

The overall building height is approximately 66-feet and 6-inches. The elevations show a highly articulated building with various architectural enhancements such as glass curtain walls, brown metal roof trellis, and white metal cladding. The Site is accessed from both Flamingo Road and Grand Canyon Road via cross-access from the Grand Flamingo Centre.

The purposed uses on the Site are compatible with the area and the commercial and retail uses in the Grand Flamingo Centre. The Site complies with parking by providing 278 parking spaces where 273 parking spaces are required. Therefore, the Site's design is appropriate for a C-2 zoned district.

SPECIAL USE PERMIT

- **Live Entertainment**

In conjunction with the restaurant and banquet uses, the Applicant is proposing to have live entertainment. A live entertainment use is appropriate in a C-2 zoned district subject to special use permit approval. Here, a special use permit for live entertainment is appropriate for the following reasons:

- The Site is not within 500-feet of any areas subject to the Residential Adjacency requirement.
- The Site is adjacent to the on-ramp to the I-215.
- The Site in the middle of a large commercial retail center with no residential uses.

As such, a special use is compatible with the commercial center.

- **Allow Banquet Facility to be "Outdoors" Within the Outdoor Terrace**

Part of the banquet facility and restaurant and bar areas will include outdoor terraces. The Applicant is requesting a special use permit for the outdoor terraces.

- **Eliminate 48-Inch Wide Pedestrian Access Area**

The Applicant cannot provide the required 48-inch wide pedestrian access since the terraces are located on levels 2 and 3. The pedestrian access area is usually associated with ground level access. However, since the terraces are located on levels 2 and 3, the Applicant is requesting the special use permit.

UC-23-0887

WAIVER OF DEVELOPMENT STANDARDS

• **Increase Building Height**

In a C-2 zoned district, a building height of up to 50-feet is allowed. Here, the Applicant is requesting a waiver to increase the building height to 66-feet and 6-inches. The increase in building height is appropriate for the following reasons: (1) the Site is adjacent to the I-215, (2) the Site is situated in the middle of an existing commercial shopping center, (3) there is a large 24-Hour Fitness building and hotel close to the Site and in the same shopping center, and (4) there are no residential uses within the vicinity of the Site.

• **Increase Allowed Signage**

The Applicant is proposing building signage that says "Skyline" near the top of the building. The average letter height is approximately 9-feet where a 4-foot average letter height is allowed. However, the total area for the sign only accounts for the about 50% of the allowable signage area per building face. Therefore, in totality, the proposed signage is well below what is allowed.

• **Reduce Parking**

The Site will provide 278 parking spaces where 484 parking spaces are required. As such, the Applicant is requesting a parking reduction of approximately 43%. The parking reduction is appropriate as the many of the uses, i.e. the ballrooms, are more for special events and, therefore, not conflicting with daily operations.

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

Sincerely,

KAEMPFER CROWELL



Anthony J. Celeste

AJC/jmd



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 type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>UC-23-087</u> DATE FILED: <u>12-21-23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>1-30-24</u> PC MEETING DATE: <u>2-20-24</u> BCC MEETING DATE: <u>N/A</u> FEE: <u>\$675</u>
	PROPERTY OWNER NAME: <u>Roumen Stefanou - Bob & Sofia Popov</u> ADDRESS: <u>4435 S. Buffalo Drive</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89147</u> TELEPHONE: <u>702 321 3722</u> CELL: <u>same</u> E-MAIL: <u>rs41569@yahoo.com</u>
	APPLICANT NAME: <u>Roumen N. Stefanou</u> ADDRESS: <u>8057 Chambers Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: _____ TELEPHONE: <u>702 321 3722</u> CELL: <u>same</u> E-MAIL: <u>rs41569@yahoo.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Carolyn Spoletini</u> ADDRESS: <u>8886 Novi Rose Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702 612 9519</u> CELL: <u>same</u> E-MAIL: <u>halfpricehubs@yahoo.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-21-619-007

PROPERTY ADDRESS and/or CROSS STREETS: Buffalo PEACEWAY

PROJECT DESCRIPTION: PEACE PLAZA PHASE 2 - Patio with outdoor dining Driveway

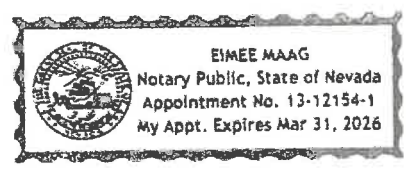
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON December 01, 2023 (DATE)

By Roumen Stefanou
 NOTARY PUBLIC: [Signature]



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

UC-23-087

December 18, 2023

Clark County Dept. of Planning
500 S. Grand Central Pkwy
Las Vegas, NV

RE: Special Use Permit Application for additional of a patio area for outside drinking/dining, parcel #163-21-619-007, 4435 S. Buffalo Dr. Las Vegas, NV 89147

Dear Planning Agent:

Please consider this letter, application and all documents submitted with it as the request for a Special Use Permit to allow for an outdoor dining patio area in conjunction with a previously approved restaurant with liquor (UC-21-0357), under a supper club license at parcel #163-21-619-007, located at 4435 S. Buffalo Dr., Las Vegas NV 89147. Additionally, the Applicant is respectfully requesting to waive the 200 foot distance to the neighborhood homes located behind the parcel (to the West) as the patio and current building sit at 143'. The 143' waiver was granted in 2021 in connection with UC-21-0357 to allow for the Special Use for Drinking and Dining. There is no intent to have gaming at this location.

The applicant currently owns the building and operates Beso Restaurant, located within. Beso's dining experience, offers modern European and Mediterranean food and beverages. It is the Applicant's intent to simply offer outside dining/drinking at the location, maintaining family style appeal.

The Applicant has previously been found suitable to hold a privileged liquor license for the current operations and has been a model business owner in our community. His former location on Tropicana was in operation since 2012, and he sold that location in the spring of 2023. The Applicant is very experienced in the restaurant industry and has owned/operated restaurant businesses in the Las Vegas Valley since 1996. The applicant currently employs 35-40 staff at this location.

The setback requirements are 200 feet per Clark County Code (table 30.44-1). As the patio area will be 143' away from the residential neighborhood located behind the property location (to the West), we are respectfully requesting a waiver of the 200' requirement. Currently, the property directly behind this (to the West) remains a vacant lot. There were approved plans to allow for a separate completely detached structure built that would house a bakery, thus meeting the CCC requirement of a buffer zone. However, that project has now stalled, and the parcel of land is again for sale. Due to this change, we are here to request the waiver of set back and approval of the use to allow for the outdoor patio with dining and drinking within the 200' distance.

Development and buildout/renovations:

The patio area is 25 X 50 adding 1250 sq ft and will allow for approximately 20 additional seats outside. The requisite barriers, safety measures and ingress/egress from both inside the building and outside have all been met (please see photos), including maintaining wheelchair access ramps, full sidewalk 48" surrounding the patio, and the main access remains from inside the existing restaurant.

Parking Plan:

We do not anticipate any changes to the current parking layout. The Applicant also owns the vacant lot on the NW corner of this parcel for additional future development and increased parking. We have

UC-230877

included the cross-parking agreement as part of our submittal, along with current parking lot photos. There are currently 65 parking spaces available, however with the cross-parking agreement this allows for the ability to utilize parking spaces in the next building and of course the currently vacant lot is also available for parking it is believed that the lot, as it currently stands, could easily offer parking for 45 vehicles. The existing parking more than meets the parking requirements to allow patio and additional seating outside. The 65 spaces alone put the parking at an 8:1 ratio, well beyond what is required under Clark County Code. Please see attached Parking Calculation sheet which outlines the full parking available via the cross-parking agreement, total spaces available is 175.

Landscape plan:

There are no intended changes to the existing landscape. The property was most recently updated with the plans filed in 2003. The patio area will have some potted plants/trees for esthetics. See county recorder details and Assessor's site and photos included.

Traffic Impact:

This was previously reviewed and approved when the site was initially approved for C-1 zoning. It was again reviewed when we applied for the Special Use Permit in 2021 to allow for a supper club license. We do not anticipate any changes.

Residential Impact:

The Applicant believes that approval of this special use and waiver will be a benefit to the neighborhood behind and across from the location. Since taking over the property, which was a vacant eyesore, he has completed a nice upscale renovation in 2021 and additional esthetic improvements were made in 2023. Many of the current neighborhood residents are customers at the location. The atmosphere is very inviting, and the business is family owned, operated by a husband and wife team. The property was originally built in 1999, renovated in 2003 and again in approx. 2006. During the last recession this building sat vacant for some time period, as did the buildings next door and behind. As the economy has come back from the recession this area of town has experienced continued growth and development in keeping with the current planning and zoning standards. Over 2020 due to Covid, this building again became vacant, with the exception of 1 Real Estate Agent remaining in the building. This project has brought new business to the location, creates safety, keeps the homeless out of the area, and creates jobs. There are some other restaurant locations within a 3 mile radius and there is one location within 1.5 miles that offers gaming. The Applicant's business is such that it will continue to encourage family patronage in a warm and inviting atmosphere which is conducive to the current neighborhood development. There are still no plans to change this to a gaming and drinking or sporting establishment, it is intended to continue as a mid-scale family friendly dine in operation. The hours of operation will not change.

Thank you very much for your consideration of the application and request for a Conditional Use Permit and Waiver. Should you have any questions, please contact Carolyn Spoletini, Licensing Director at 702.612.9519, on behalf of the Applicant Roumen Stefanov who may also be reached at 702.321.3722

Respectfully submitted,

Carolyn Spoletini, ACP, CP

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VC-23-0864-GUILLEM JENNIFER G & SUNGA ELLEN Y:

VARIANCE to reduce the setback for a room addition within an existing single family residence on 0.1 acres in an R-2 (Medium Density Residential) P-C (Planned Community Overlay) Zone in the Rhodes Ranch Master Planned Community.

Generally located on the south side of Wigwam Avenue and the north side of Bead Test Road within Spring Valley. JJ/nai/ng (For possible action)

RELATED INFORMATION:

APN:

176-18-718-033

VARIANCE: Reduce the rear setback for a primary residence to 5 feet where 15 feet is required per Modified Development Standards for Rhodes Ranch (a 33% reduction).

LAND USE PLAN:

SPRING VALLEY - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 486 Bead Test Road
- Site Acreage: 0.1
- Project Type: Addition to primary residential dwelling
- Building Height (feet): 9
- Square Feet: 169 (sunroom & patio cover)

Site Plan

The plan depicts an existing 2 story, single family residence on 0.1 acres. The first floor is 579 square feet and the second floor is 1,001 square feet with a 400 square foot garage. The principal residence is centrally located on the parcel and the front of the house is facing south towards Bead Test Road.

The applicant is requesting to demolish the existing patio cover and build a new room addition and patio cover. The addition will be a sunroom that will be attached to the northeast corner of the residence and will be 101.2 square feet. The new patio cover will be 67.5 square feet. The addition will have a 5 foot setback from the side property from the east. It will also have a 19 foot side setback from the west. The applicant wants to waive the rear setback to 5 feet when the requirement for Rhodes Ranch is 15 feet.

Landscaping

Landscaping is not required for this application.

Elevations

The elevations depict a 9 foot tall room addition. The north side of the room addition will have 3 pairs of long windows. The west side of the room addition will have a side door and 2 pairs of long windows. The room addition will have an alumawood cover that will match the color of the house. Also the walls will have the same material and color of the house.

Floor Plans

Floor plans are not required for this application.

Applicant's Justification

The applicant wants to remove the existing 67.5 square foot patio and build a new room addition in its place. The new sunroom will be 169 square feet with a rear setback of 5 feet where the requirement is 15 feet. The materials and colors will match the existing single family residence.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-0115-12	199 single family residential lots and common lots	Approved by BCC	February 2013
ZC-0732-12	Reclassified 2.5 acres from R-E (under Resolution of Intent to R-4) and C-2 to R-2 zoning with a use permit for modified wall standards, waiver for modified street improvement and early finished grading, and design review for a single family residential subdivision in the Rhodes Ranch Master Planned Community	Approved by BCC	February 2013
TM-500097-12	210 single family residential lots and 1 commercial lot on 27.4 acres	Approved by BCC	January 2013
ZC-0645-12	Reclassified approximately 24.9 acres from R-4 and C-2 to R-2 zoning, with a use permit for modified wall standards, waiver for modified street improvement, early finished grading, and reduce street off-set, and design review for a single family residential subdivision in the Rhodes Ranch Master Planned Community	Approved by BCC	January 2013
VS-0646-12	Vacated and Abandoned easements and public right of ways	Approved by BCC	January 2013

Surrounding Land Use

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

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 29.

Analysis

Comprehensive Planning

Staff finds that the modified standards for the Rhodes Ranch Master Plan Community has a rear setback requirement of 15 feet for the principal dwelling. The applicant is requesting to have a 5 foot rear setback instead. The rear of the property is facing north towards Wigwam Avenue where the new addition will be facing. Since the north and south sides of the property does not have a neighbor, staff can support this application. The rear setback to the west is 19 feet and the east side setback will be 5 feet. Both side setbacks are in line with the Rhodes Ranch Master Plan Community guidelines.

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 29, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- 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

- No comment.

Clark County Water Reclamation District (CCWRD)

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

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: MATTHEW LANE
CONTACT: MATTHEW LANE, PROFICIENT PATIOS, 3310 S. VALLEY VIEW BLVD,
LAS VEGAS, NV 89102

DRAFT

VC-23-0964



Department of Comprehensive Planning Application Form

7

ASSESSOR PARCEL #(s): 17618718033

PROPERTY ADDRESS/ CROSS STREETS: 486 Bead Test Rd

DETAILED SUMMARY PROJECT DESCRIPTION

Installing a patio cover & room addition in rear of house. Deming existing cover.

PROPERTY OWNER INFORMATION

NAME: ELLEN Y. SUNGA
ADDRESS: 486 BEAD TEST ROAD
CITY: LAS VEGAS STATE: NV ZIP CODE: 89178
TELEPHONE: _____ CELL 714-595-3670 EMAIL: SUNGAELLEN1203@YAHOO.COM

APPLICANT INFORMATION

NAME: ELLEN Y. SUNGA
ADDRESS: 486 BEAD TEST ROAD
CITY: LAS VEGAS STATE: NV ZIP CODE: 89178 REF CONTACT ID # _____
TELEPHONE: _____ CELL 714-595-3670 EMAIL: SUNGAELLEN1203@YAHOO.COM

CORRESPONDENT INFORMATION

NAME: Jessica Long
ADDRESS: 3310 S Valley View Blvd
CITY: Las Vegas STATE: NV ZIP CODE: 89102 REF CONTACT ID # _____
TELEPHONE: 702-254-6179 CELL _____ EMAIL: runner@proficientpaties.com

*Correspondent will receive all project communication

(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 and 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.

Ellen Y. Sunga
Property Owner (Signature)*

ELLEN Y. SUNGA
Property Owner (Print)

12/11/2023
Date

DEPARTMENT USE ONLY:

- | | | | | | | |
|------------------------------|-----------------------------|------------------------------|-------------------------------|-----------------------------|-----------------------------|-----------------------------|
| <input type="checkbox"/> AC | <input type="checkbox"/> AR | <input type="checkbox"/> ET | <input type="checkbox"/> PUDD | <input type="checkbox"/> SN | <input type="checkbox"/> UC | <input type="checkbox"/> WS |
| <input type="checkbox"/> ADR | <input type="checkbox"/> AV | <input type="checkbox"/> PA | <input type="checkbox"/> SC | <input type="checkbox"/> TC | <input type="checkbox"/> VS | <input type="checkbox"/> ZC |
| <input type="checkbox"/> AG | <input type="checkbox"/> DR | <input type="checkbox"/> PUD | <input type="checkbox"/> SDR | <input type="checkbox"/> TM | <input type="checkbox"/> WC | OTHER <u>VC</u> |

APPLICATION # (s) VC-23-0964
PC MEETING DATE 2-20-24
BCC MEETING DATE N/A
TAB/CAC LOCATION Spring Valley

ACCEPTED BY MH
DATE 12-19-23

DATE 1-30-24

VC-23-01854



Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 17618718033

PROPERTY ADDRESS/ CROSS STREETS: 486 Bead Test Rd

DETAILED SUMMARY PROJECT DESCRIPTION

PROPERTY OWNER INFORMATION

NAME: JENNIFER GUILLEM
ADDRESS: 486 Bead Test Rd
CITY: Las Vegas STATE: NV ZIP CODE: 89178
TELEPHONE: _____ CELL 714-307-7148 EMAIL: guillemjennifer@yahoo.com

APPLICANT INFORMATION

NAME: JENNIFER Guillem
ADDRESS: 486 Bead Test Rd
CITY: Las Vegas STATE: NV ZIP CODE: 89178 REF CONTACT ID # _____
TELEPHONE: _____ CELL 714-307-7148 EMAIL: guillemjennifer@yahoo.com

CORRESPONDENT INFORMATION

NAME: Jessica Lane
ADDRESS: 3310 S Valley View Blvd
CITY: Las Vegas STATE: NV ZIP CODE: 89102 REF CONTACT ID # _____
TELEPHONE: 702-254-6179 CELL _____ EMAIL: runner@proficientpatios.com

*Correspondent will receive all project communication

(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.

Jennifer Guillem
Property Owner (Signature)*

Jennifer Guillem
Property Owner (Print)

12-11-2023
Date

DEPARTMENT USE ONLY:

- | | | | | | | |
|------------------------------|-----------------------------|------------------------------|-------------------------------|-----------------------------|-----------------------------|-----------------------------|
| <input type="checkbox"/> AC | <input type="checkbox"/> AR | <input type="checkbox"/> ET | <input type="checkbox"/> PUDD | <input type="checkbox"/> SN | <input type="checkbox"/> UC | <input type="checkbox"/> WS |
| <input type="checkbox"/> ADR | <input type="checkbox"/> AV | <input type="checkbox"/> PA | <input type="checkbox"/> SC | <input type="checkbox"/> TC | <input type="checkbox"/> VS | <input type="checkbox"/> ZC |
| <input type="checkbox"/> AG | <input type="checkbox"/> DR | <input type="checkbox"/> PUD | <input type="checkbox"/> SDR | <input type="checkbox"/> TM | <input type="checkbox"/> WC | OTHER _____ |

APPLICATION # (s) _____
PC MEETING DATE _____
BCC MEETING DATE _____
TAB/CAC LOCATION _____

ACCEPTED BY _____
DATE _____

DATE _____



AUTHORIZATION TO SUBMIT APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

Application Pre-review (APR) record number: 23-101151 → VC-23-09864

Application Materials have been deemed ready to submit without revisions with minor revisions.

Notes: Revise justification letter; complete app forms; request legal description from Recorder's Office.

By: Michael Huling Date: 12-8-23

Advisory: Authorization to submit expires 2 weeks after determination is made. If all required documents are not provided to staff within this timeframe, an appointment to re-review the application materials is required.

Required Application(s):

- | | | |
|---|--|--|
| <input type="checkbox"/> Master Plan Amendment | <input type="checkbox"/> Land Use – Administrative Design Review (ADR) | <input type="checkbox"/> Tentative Map (TM) |
| <input type="checkbox"/> Land Use | <input type="checkbox"/> Land Use – Wavier of Conditions (WC) | <input type="checkbox"/> Vacation and Abandonment (VS) |
| <input type="checkbox"/> Zone Change (ZC) | <input type="checkbox"/> Land Use – Application for Review (AR) | <input checked="" type="checkbox"/> Other: |
| <input type="checkbox"/> Special Use Permit (UC) | <input type="checkbox"/> Land Use – Extension of Time (ET) | <u>Variance</u> |
| <input type="checkbox"/> Waiver of Development Standards (WS) | | |
| <input type="checkbox"/> Design Review (DR) | | |

Required Fees:

- Refer to the attached Fee Sheet.

Next Steps:

- Review the attached submittal requirements for the applicable application type(s).
- Go to the Application Pre-review record in the County's Citizen Access Portal (ACA) and upload all required application documents in PDF format (regardless of the format specified in the submittal requirements).
- Once all the application documents are uploaded, coordinate the transmittal of the required hard copy documents with the planner who authorized the submittal (see name above); all transmittals shall include a cover letter and/or transmittal memo and a copy of this form. The Personnel Contact Information list on Department's Contact Us webpage includes the phone number and email address for all planners.
- When the application package is received, the documents will be re-reviewed to ensure no changes except those noted above have been made and, if in an acceptable form, the planner will accept the application documents. Staff will then create the application records. If payment for the application fees was not included in the application package, an email notice will be sent to the record(s) contact indicating the application fees are due. This step may take up to 2 business days to complete.
- Once fees are paid, the application(s) will be considered "Submitted".

VC-23-0984



To Whom It May Concern:

We are requesting a variance to build an attached room addition on residence 486 Bead Test Rd, Las Vegas, NV 89178. There is an existing patio cover, 5 feet by 13 feet, that will be demolished and replaced with an enclosed room addition. The client wants to install an 8x14 (112 sq ft) patio cover attached to the house leaving a 5' rear setback where 15' is required. Both the cover and the room addition will be 5' away from all property lines. The cover will not extend past the room addition. It is an alumawood cover that will match the color of the house; the walls will also match. This is to add square footage by extending the home. We have HOA approval, both side neighbors are ok with it, and there is no rear neighbor (Wigwam Ave is behind them). We have an active building permit BD23-36858 that requires this waiver. The existing landscaping will not be changed. The single-family residence has the required two parking spaces.

Thank you,

Jesus Estrella

02/20/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0854-DRY CREEK PLAZA, LLC:

WAIVER OF DEVELOPMENT STANDARDS to reduce parking for an approved congregate care facility on 1.8 acres in a C-P (Office and Professional) (AE-60 & AE-65) Zone in the CMA Design Overlay District.

Generally located on the north side of Post Road and the east side of Jones Boulevard within Spring Valley. MN/jm/ng (For possible action)

RELATED INFORMATION:

APN:

163-36-301-011

WAIVER OF DEVELOPMENT STANDARDS:

Reduce parking to 57 spaces where 61 spaces are required per table 30.60-1 (a 6.5% reduction).

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 6070 W. Post Road
- Site Acreage: 1.8
- Project Type: Congregate care facility
- Number of Stories: 1
- Building Height (feet): 28
- Square Feet: 31,000
- Parking Required/Provided: 61/57

History & Site Plan

In July 2021, the Board of County Commissioners approved UC-21-0226 for a congregate care facility. The previously approved plans showed a proposed 60 bed congregate care facility located approximately 20 feet from the west property line, 18 feet from the south property line, and 77 feet from the east property line. Access to the site is from both Jones Boulevard and Post Road. Originally a total of 64 parking spaces were provided to the north and east of the building where a minimum of 61 parking spaces are required. An emergency generator was located on the east side of the building.

The updated site plan shows the addition of 2 outdoor resident areas. The first one is on the northwest side of the building, which results in a loss of 4 parking spaces; where the other is on the southwest side of the building. Plans also depict the generator has been relocated along the north property line, which results in a loss of 3 parking spaces. Overall there will be 57 parking spaces where 61 parking spaces are required, which necessitates a waiver.

Landscaping

The landscape plan has been updated to reflect the changes associated with the outdoor area addition and the generator relocation. The rest of the landscaping areas throughout the site remain unchanged.

Elevations

The originally approved plans depict a 1 story, 35 foot high, congregate care building. Building materials consist of EIFS, metal shade canopies, aluminum storefront systems, and decorative block windows. The roof is flat with parapet walls at various heights.

The updated elevations depict the changes on the north and south facades due to the addition of the outdoor resident areas. Six foot high walls with decorative gates were added to make the enclosures.

Floor Plans

There are no changes to the originally approved floor plans.

Applicant's Justification

The applicant states that the Southern Nevada Health District (SNHD) requires 2 secure outdoor spaces for residents. Three parking spaces were lost by adding the outdoor spaces. The emergency generator was also relocated due to noise and ventilation concerns. This results in a net 6.5% loss in parking from the required 61 spaces to a new total of 57 spaces.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-21-0245	Vacated and abandoned easements to accommodate a detached sidewalk	Approved by BCC	July 2021
UC-21-0226	Congregate care facility with waivers for reduced lot size, non-residential appearance, and landscaping. Design Review for congregate care facility and finished grade.	Approved by BCC	July 2021
ZC-18-0456	Reclassified from R-E to C-P zoning with a use permit for a congregate care facility, waivers for reduced lot size, non-residential appearance, and modified street standards, and design review for a congregate care facility	Approved by BCC	August 2018
NZC-0180-07	Reclassified from R-E to C-P and C-1 zoning with a design review for retail and office development	Approved by BCC	April 2007

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Neighborhood Commercial (NC)	R-E	Congregate care facility
South	Neighborhood Commercial (NC)	C-P	Office building
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
West	Public Use (PU)	R-E	Undeveloped

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

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.

Although the reduction in parking spaces is minimal, the requirements from other agencies resulted in a parking reduction which the applicant could not predict. Staff has not received a parking study or any other justification showing that the provided parking spaces will be sufficient for this facility with the same number of beds; therefore, staff cannot support the application.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised 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

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0353-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CLAYTON NEILSEN

CONTACT: CLAYTON NEILSEN, 6765 W RUSSELL RD, STE 200, LAS VEGAS, NV 89118

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-23-0902-DIGITAL DESERT BP LLC:

WAIVER OF DEVELOPMENT STANDARDS to reduce the width of a pedestrian walkway in conjunction with a mixed-use development on a portion of a 12.0 acre site within a C-2 (Commercial General) Zone in the CMA Design Overlay District.

Generally located on the west side of Buffalo Drive between Patrick Lane and Post Road within Spring Valley. MN/dd/ng (For possible action)

RELATED INFORMATION:

APN:

163-33-715-006 & -007, 163-33-715-009, and 163-33-715-010 & -011 ptn

WAIVER OF DEVELOPMENT STANDARDS:

Allow for the reduction of a pedestrian walkway to 4 feet wide where 5 feet wide is required per Section 30.60.050 (a 20% reduction).

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 6111 S. Buffalo Drive
- Site Acreage: 12 (portion)
- Project Type: EV charging station
- Parking Required/Provided: 818/844

Site Plans

The plans propose the installation of 5 new electric vehicle (EV) charging posts with the ability to serve up to 10 vehicles at a time. The charging posts are set into the existing pedestrian walkway where they leave a minimum width of 4 feet of unobstructed space. The parking stalls being used for charging are 18 feet long and 9 feet wide. The posts are located behind a building in an existing lot on the western half of the subject site, with access from Buffalo Road and Patrick Lane.

Landscaping

There are no proposed changes to the site landscaping with this application.

Elevations

Photographs show the charging posts as being approximately 7 feet tall and containing an electrical cord for vehicle charging purposes.

Applicant's Justification

The applicant states that the EV charging stations will benefit both residents of the development, as well as employees on site. Additionally, the applicant states that parking will not be negatively impacted.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-23-0216	Allowed live entertainment and reduced the separation to residential	Approved by PC	June 2023
WS-21-0419	Roof signs, monument signs, hanging signs, identification signs, and the reduction of separation between identification signs	Approved by BCC	October 2021
UC-21-0373	Major training facility in conjunction with Evora mixed use development	Approved by PC	September 2021
VS-19-0512	Vacated and abandoned patent easement and right-of-way	Approved by BCC	September 2019
TM-19-500130	Mixed-use project consisting of commercial lots and common elements	Approved by BCC	September 2019
ZC-18-0507	Reclassified 42.4 acres from R-E to C-2 zoning, with a use permit for high impact project, mixed-use project, increase residential density, building height and parking reduction; and a design review for a mixed-use project	Approved by BCC	December 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Neighborhood Commercial	R-1 & R-2	Single family residential
South	Corridor Mixed-Use & Business Employment	M-D	Offices & warehouse
East	Corridor Mixed-Use & Business Employment	R-E, R-2, & M-D	Single family residential & undeveloped
West	Compact Neighborhood (up to 18 du/ac)	R-2 & R-3	Single family residential

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

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.

Although the reduction in the required pedestrian walkways is minor, it is a self-imposed hardship. The charging posts are installed into the sidewalk when the parking stalls could be redesigned so that the post would be installed within the landscaping islands/fingers. Also, sufficient width for pedestrian walkway facilitates the accessibility. 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:

- 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

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: DIGITAL DESERT BP LLC
CONTACT: ED GARCIA PLLC, 11700 W. CHARLESTON BLVD, #170-595, LAS VEGAS,
NV 89135

DRAFT

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-23-400191 (ZC-0279-03)-SAHBAI MANOUTCHEHR:

WAIVER OF CONDITIONS of a zone change providing a 15 foot wide landscape buffer with meandering sidewalks along Rainbow Boulevard and Sunset Road with medium trees, 24 inch box size, with shrubs to cover 50% of the landscape area in conjunction with a vehicle (automobile) repair and vehicle (automobile) sales facility on 2.5 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the west side of Santa Margarita Street and the north side of Sunset Road within Spring Valley. MN/md/syp (For possible action)

RELATED INFORMATION:

APN:

163-35-401-019

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.5
- Project Type: Vehicle (automobile) repair and sales facility
- Number of Stories: 2
- Building Height (feet): 40
- Square Feet: 53,970
- Parking Required/Provided: 192/73

History & Request

The C-2 zoning for the subject property was approved via ZC-0279-03 by the Board of County Commissioners in March 2003 for a vehicle (automobile) maintenance facility in conjunction with a use permit for a vehicle (automobile) repair facility. The vehicle maintenance and repair facility was never constructed and the applicant is now proposing a vehicle (automobile) sales facility with a use permit for vehicle (automobile) repair. A condition of ZC-0279-03 requires providing a 15 foot wide landscape buffer with meandering sidewalks along Rainbow Boulevard and Sunset Road with medium trees, 24 inch box size, with shrubs to cover 50 percent of the landscape area. This is a request to waive that condition.

Site Plan

The plans depict a 2 story vehicle sales and repair facility on a 2.5 acre site located at the northeast corner of Santa Margarita Street and Sunset Road. The site layout of the building is designed with the following setbacks: 1) 15 feet from the east property line along Santa Margarita Street; 2) 29 feet from the south property line adjacent to Sunset Road; 3) 63 feet from the west property line; and 4) 61.5 feet from the north property line. Parking spaces are provided on the north and west sides of the building. Covered parking spaces are located immediately north of the building, and adjacent to the north property line. Seventy-three parking spaces are provided for the facility where 192 parking spaces are required, necessitating a waiver of development standards to reduce parking. A single loading space is provided within the interior northwest portion of the building, where 3 loading spaces are required per Code. Access to the project site is granted via a commercial driveway along Sunset Road. A second commercial driveway is proposed along Santa Margarita Street, requiring a waiver of development standards to access to the local street. A design review is also requested to increase the finished grade of the site. The increase in finished grade will predominantly occur along the eastern portion of the site with a maximum grade increase of 48 inches.

Landscaping

The plans depict a 15 foot wide landscape area, with 5 foot wide detached sidewalks, adjacent to Santa Margarita Street and Sunset Road. The street landscape area along Santa Margarita Street consists of trees, shrubs, and groundcover. A waiver of development standards is requested to allow alternative street landscaping along Sunset Road, more specifically, to substitute 5 gallon shrubs along the street in lieu of the required street trees. Three trees will be planted at the southeast and southwest corners of the building as an alternative to the required number of street trees along Sunset Road. In lieu of providing the required amount of landscape island fingers within the interior of the parking lot, the required amount of trees have been distributed throughout the interior and perimeter of the site. The development requires 9 trees within the parking lot where 9 trees are distributed along the north and west portions of the site. An 8 foot high masonry wall is proposed along the north and west property lines of the site, while a combined screen wall/retaining wall measuring up to 11.5 feet (8 foot screen wall with a 3.5 foot retaining wall) is proposed at the northeast corner of the property.

Elevations

The plans depict a vehicle sales and repair facility measuring up to 40 feet in height to the top of the parapet wall. A waiver of development standards is required to allow building facades greater than 100 feet in length where not permitted within the CMA Design Overlay District. The exterior of the building will be constructed with a decorative metal panel wall system, concrete tilt-up panels, and an aluminum storefront window system on portions of the east and north elevations. A frameless glass curtainwall system, measuring 25 feet in height, is depicted along the entire south elevation of the building that is oriented towards Sunset Road. The frameless glass curtainwall system extends around portions of the southeast and southwest corners of the building. Carports measuring up to 13 feet in height are located immediately north of the building and adjacent to the north property line of the site. The facility will be painted with contrasting shades of gray.

Floor Plans

The plans depict a 2 story vehicle sales and repair facility with a total floor area measuring 53,970 square feet. The first floor of the facility measures 42,263 square feet in area and includes the vehicle repair facility, parts room, breakroom, restroom facilities, sales and service advisor offices, and vehicle delivery area. The second floor measures 11,707 square feet in area and includes offices, a client lounge, conference room, restroom facilities, an employee gym, and an outdoor patio area.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-0279-03:

Current Planning:

- Subject to no resolution of intent and staff preparing an ordinance to adopt the zoning;
- Providing a 15 foot wide landscape buffer with meandering sidewalks along Rainbow Boulevard and Sunset Road with medium trees, 24 inch box size, with shrubs to cover 50% of the landscape area;
- Within the tandem parking spaces in front of the building, provide two diamond planters per Figure 30.64-14 with medium trees in addition to the trees shown in the landscape islands for any portion of the tandem parking area visible from a driveway access to Sunset Road;
- Landscaping along Sunset Road to be planted prior to final inspection;

Public Works:

- Right-of-way dedication to include 60 feet for Rainbow Boulevard, 60 feet for Sunset Road, 30 feet for Santa Margarita Avenue, and associated spandrels;
- Drainage and traffic studies and compliance;
- Project may qualify for an exception to the traffic analysis with Civil Engineering approval;
- Full off-site improvements;
- Traffic study to also address dedication and construction of a bus turn-out, including passenger loading/shelter area in accordance with Regional Transportation Commission standards;
- Vacate any unnecessary easements;
- Applicable vacations to be recordable prior to building permit issuance or applicable map submittal; and all applicable standard conditions for this application type.

Applicant's Justification

The applicant is requesting a waiver of conditions to permit a straight, detached sidewalk along Sunset Road in place of the meandering sidewalk. The applicant states the straight, detached sidewalk will allow to better handle the grade differences of the site.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0279-03	Reclassified the project site to C-2 zoning for a vehicle (automobile) maintenance facility in conjunction with a use permit for a vehicle (automobile) repair facility	Approved by BCC	March 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use	M-D	Warehouse building
South	Business Employment	R-E	Undeveloped
East	Corridor Mixed-Use	M-D	Warehouse building
West	Corridor Mixed-Use	C-2	Restaurants with drive-thru, convenience store with vehicle wash, & gasoline station

Related Applications

Application Number	Request
UC-23-0882	A use permit for vehicle (automobile) repair with waivers of development standards to allow alternative street landscaping; increase wall height; reduce parking; reduce loading spaces; permit access to a local street (Santa Margarita Street); and allow modified CMA Design Overlay District Standards with design reviews for alternative parking lot landscaping; vehicle (automobile) repair facility; vehicle (automobile) sales facility; and finished grade is a companion item on this agenda.
VS-23-0883	A request to vacate and abandon government patent easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

**Analysis
Comprehensive Planning**

A waiver of conditions may be approved upon a finding that the condition will no longer fulfill its intended purpose.

The intent of the previously imposed condition is to enhance the perimeter of the project site along Sunset Road, improve the aesthetics of the site along public rights-of-way, and to provide a buffer between parking areas and the adjacent streets. Furthermore, the intent of the meandering, detached sidewalk requirement is to ensure a proper buffer is provided between the sidewalk and the adjacent street, and to prevent conflict with pedestrians and vehicles. The applicant is providing a straight, detached sidewalk, along Sunset Road, which fulfills the intent

of the condition for a meandering sidewalk. However, the applicant is also providing alternative street landscaping along a significant portion of Sunset Road consisting of shrubs in lieu of trees. Staff does not object to a straight, detached sidewalk but cannot support alternative street landscaping along Sunset Road. Therefore, staff recommends denial of this request.

Staff Recommendation

Denial.

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

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

PRELIMINARY STAFF CONDITIONS:

Public Works - Development Review

If approved:

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0024-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: HELLER COMPANIES

CONTACT: HELLER COMPANIES LLC, 4330 S. VALLEY VIEW BOULEVARD, SUITE 108, LAS VEGAS, NV 89103



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 checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) ZC-0279-03 (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WC-23400191</u> DATE FILED: <u>12/28/23</u> PLANNER ASSIGNED: TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>1/30/24</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>2/21/24</u> FEE: <u>\$050</u>
	PROPERTY OWNER NAME: <u>SUNSET GALLERY, LLC</u> ADDRESS: <u>4330 S. Valley View Blvd., Suite 108</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>(702) 320-4400</u> CELL: _____ E-MAIL: <u>jay@hellercompanies.com</u>
	APPLICANT NAME: <u>HELLER COMPANIES LLC</u> ADDRESS: <u>4330 S. Valley View Blvd., Suite 108</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>(702) 320-4400</u> CELL: _____ E-MAIL: <u>jay@hellercompanies.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>DIONICIO GORDILLO</u> ADDRESS: <u>204 Belle Isle Ct.</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89102</u> TELEPHONE: <u>(702) 379-6601</u> CELL: _____ E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 163-35-401-019

PROPERTY ADDRESS and/or CROSS STREETS: Sunset Road and Santa Margarita Street

PROJECT DESCRIPTION: New building for a luxury car dealership with secondhand sales and vehicle service as an ancillary use,

(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.

Jay Heller
 Property Owner (Signature)* Jay Heller
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 12/05/2023 (DATE)
 BY JAY HELLER
 NOTARY PUBLIC: Natalie G. Hall



*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.

HELLER
COMPANIES
Providing Quality Business Centers

December 1, 2023

Clark County Comprehensive Planning
500 S. Grand Central Parkway
Las Vegas, NV 89155-3530

RE: Justification Letter for Vegas Auto Gallery
APR23-100991 APN: 163-35-401-019

We are requesting a design review for a planned car dealership building for new and secondhand sales of high-end luxury cars, which are allowed in the current C2 zone. There will also be an ancillary use permit requested for vehicle repair service at this project. We feel the proposed use of our project is complementary with the surrounding area and adjacent properties. Two sides of the project are roadways. To the east side is frontage on Santa Margarita Street with MD zoning and a building material sales use on the other side of the roadway. To the south is frontage on West Sunset Road with RE zoned vacant land. The adjacent properties to the west are a gas station, C-store and a fast-food drive-through. The adjacent property to the north is a light industrial complex zoned MD. The intended use of our project will be compatible and complementary to the neighboring properties.

We are seeking a design review for alternative parking lot landscaping design along the northern end of the property to eliminate landscape fingers between parking spaces. We intend to add a shade structure along the entire north property line and adjacent to the north side of the building. This will provide much more shade than several trees can and will better help reduce the urban heat island effects by providing additional shading.

We are also requesting a waiver of development standards to allow alternative landscaping requirements along the Sunset Road frontage detached sidewalk area. The entire Sunset Road frontage of the building will be glass allowing the ability to display the cars indoors. The tree requirement will block the visibility of the indoor displays. We intend to group some of the large trees required along the corners of the building on the Sunset Road frontage and plant any remaining required large trees on the Santa Margarita frontage so that all required amount and size trees required are planted. All shrubs and groundcover required per title 30 landscape requirements shall be planted.

We will be requesting to increase the finish grade on the East side from 4' where 3' is allowed per Title 30 30.32.040. Also, requesting a waiver of development standards to increase the existing retaining wall to 3.4' where 3' is allowed and finally for security purposes requesting a waiver of development standards to increase the perimeter wall height to 8' where 6' is allowed. We are requesting a waiver of conditions for

WC-23-400191
JL

WC-23-400191

JL

ZC-0279-03 to allow for the detached sidewalks to be straight rather than meandering which will allow to better handle the grade differences.

We will be requesting a waiver of development standards to reduce the number loading spaces to one where three are required. An interior loading zone has been designated as noted on the site plan and floor plan. There is sufficient access and clearance to unload the specialty cars and deliveries inside the building.

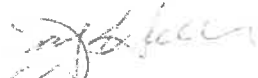
We will be requesting a reduction of required parking spaces. Title 30 requires 192 parking spaces and we will be providing 73 spaces, a 61.9% reduction. We feel we will be providing more than adequate parking spaces for the number of employees and customers. For the proposed use more than sixty percent (60%) of customers are from out-of-town and will either be destination clients arriving by taxi, car service or even buy off the internet and not come to the dealership. Due to the high value of the cars, there will be no outside parking for displays of vehicles being sold as required by Title 30. The front of the building on the Sunset Road side (South) will be glass to allow visibility of vehicles being displayed from indoors. Also, there will be no outside parking necessary for customer cars needing service. There are more than adequate number of service bays to keep customer cars inside. We are also seeking a waiver to access a local street, Santa Margarita Street, from this project. Santa Margarita Street is entirely commercial between Sunset Road and Post Road to the north. The majority of traffic is expected to come from Sunset Road and depart on Sunset Road, so vehicles traveling to this site will only use a small section of Santa Margarita Street in front of this project. There is a center median on Sunset Road that prevents vehicles traveling east on Sunset Road from turning left into the proposed Sunset driveway of this project. Customers will need to make a left turn onto Santa Margarita Street to access the project as opposed to a making dangerous U-turn on Sunset Road.

Finally, as part of this application we will be requesting the vacation and abandonment of the patent easements on the site.

We will be deferring the plans for the site lighting and building signage. These will both be submitted subsequently in a separate design review package.

Please call if you have any questions or would like to further discuss our project. I can be reached in the office at 702.320.4400.

Best Regards,



Jay Heller
Heller Companies, LLC
Managing Member

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0882-SAHBAI MANOUTCHEHR:

USE PERMIT for vehicle (automobile) repair.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative street landscaping; 2) increased wall height; 3) reduced parking; 4) reduced loading spaces; 5) permit access to a local street (Santa Margarita Street); and 6) allow modified CMA Design Overlay District Standards.

DESIGN REVIEWS for the following: 1) alternative parking lot landscaping, 2) vehicle (automobile) repair facility; 3) vehicle (automobile) sales facility; and 4) finished grade on 2.5 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the west side of Santa Margarita Street and the north side of Sunset Road within Spring Valley. MN/md/syp (For possible action)

RELATED INFORMATION:

APN:

163-35-401-019

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow alternative street landscaping with a detached sidewalk along Sunset Road where landscaping and detached sidewalks are required per Figure 30.64-17.
2.
 - a. Increase wall height to 8 feet where 6 feet is the maximum permitted per Section 30.64.020 (a 33.3% increase).
 - b. Increase the height of a combination screen wall/retaining wall to 11.5 feet (8 foot screen wall with a 3.5 foot retaining wall) where a maximum height of 9 feet (6 foot screen wall with a 3 foot retaining wall is permitted per Section 30.64.050 (a 27.8% increase).
 - c. Increase the height of a combination screen wall/retaining wall to 15 feet (8 foot screen wall with a 7 foot existing retaining wall) where a maximum height of 9 feet (6 foot screen wall with a 3 foot retaining wall is permitted per Section 30.64.050 (a 66.7% increase).
3. Reduce parking to 73 parking spaces where 192 parking spaces are required per Section 30.60.035 and Table 30.60-3 (a 62% reduction).
4. Reduce the number of loading spaces to 1 space where 3 spaces are required per Table 30.60-6 (a 66.7% reduction).
5. Permit access to a local street (Santa Margarita Avenue) where developments shall not access local streets per Table 30.56-2.
6. Allow building facades greater than 100 feet in length where not permitted per Section 30.48.650.

DESIGN REVIEWS:

1. Alternative parking lot landscaping.
2. Vehicle (automobile) repair facility.
3. Vehicle (automobile) sales facility.
4. Increase finished grade to 48 inches where a maximum of 36 inches is the standard per Section 32.32.040 (a 33.4% increase).

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.5
- Project Type: Vehicle (automobile) repair and sales facility
- Number of Stories: 2
- Building Height (feet): 40
- Square Feet: 53,970
- Parking Required/Provided: 192/73

History & Request

The project site was reclassified to a C-2 zoning district via ZC-0279-03 by the Board of County Commissioners (BCC) in March 2003 for a vehicle (automobile) maintenance facility in conjunction with a use permit for a vehicle (automobile) repair facility. The vehicle maintenance and repair facility was never constructed and the applicant is now proposing a vehicle (automobile) sales facility with a use permit for vehicle (automobile) repair. The automobile sales and repair facility consists of a 2 story, 53,970 square foot building with multiple waivers of development standards requests, which are described in further detail below. A waiver of conditions application, WC-23-400191(ZC-0279-03), is a companion item with this application to permit a detached sidewalk along Sunset Road in lieu of the previously imposed BCC condition requiring a meandering sidewalk along the street. Access to this driveway is controlled by 8 foot high swinging metal ornamental gates that are set back 42.5 feet from the east property line and will remain open during business hours. Eight foot high ornamental sliding gates, with a setback over 100 feet from Sunset Road, provide secured access to the parking area along the west side of the building. Vehicles enter the sales and repair facility through an overhead, roll-up door at the northeast corner of the building and exit at the northwest corner of the of the facility.

Site Plans

The plans depict a 2 story vehicle sales and repair facility on a 2.5 acre site located at the northeast corner of Santa Margarita Street and Sunset Road. The site layout of the building is designed with the following setbacks: 1) 15 feet from the east property line along Santa Margarita Street; 2) 29 feet from the south property line adjacent to Sunset Road; 3) 63 feet from the west property line; and 4) 61.5 feet from the north property line. Parking spaces are provided on the north and west sides of the building. Covered parking spaces are located immediately

north of the building, and adjacent to the north property line. Seventy-three parking spaces are provided for the facility where 192 parking spaces are required, necessitating a waiver of development standards to reduce parking. A single loading space is provided within the interior northwest portion of the building, where 3 loading spaces are required per Code. Access to the project site is granted via a commercial driveway along Sunset Road. A second commercial driveway is proposed along Santa Margarita Street, requiring a waiver of development standards to access to the local street. A design review is also requested to increase the finished grade of the site. The increase in finished grade will predominantly occur along the eastern portion of the site with a maximum grade increase of 48 inches.

Landscaping

The plans depict a 15 foot wide landscape area, with 5 foot wide detached sidewalks adjacent to Santa Margarita Street and Sunset Road. The street landscape area along Santa Margarita Street consists of trees, shrubs, and groundcover. A waiver of development standards is requested to allow alternative street landscaping along Sunset Road, more specifically, to substitute 5 gallon shrubs along the street in lieu of the required street trees. Three trees will be planted at the southeast and southwest corners of the building as an alternative to the required number of street trees along Sunset Road. In lieu of providing the required amount of landscape island fingers within the interior of the parking lot, the required amount of trees have been distributed throughout the interior and perimeter of the site. The development requires 9 trees within the parking lot where 9 trees are distributed along the north and west portions of the site. An 8 foot high masonry wall is proposed along the north and west property lines of the site, while a combined screen wall/retaining wall measuring up to 11.5 feet (8 foot screen wall with a 3.5 foot retaining wall) is proposed at the northeast corner of the property. A waiver of development standards is also requested to increase the maximum combined screen wall/retaining wall height up to 15 feet (8 foot screen wall with a 7 foot existing retaining wall) along the northwest corner of the project site.

Elevations

The plans depict a vehicle sales and repair facility measuring up to 40 feet in height to the top of the parapet wall. A waiver of development standards is required to allow building facades greater than 100 feet in length where not permitted within the CMA Design Overlay District. The exterior of the building will be constructed with a decorative metal panel wall system, concrete tilt-up panels, and an aluminum storefront window system on portions of the east and north elevations. A frameless glass curtainwall system, measuring 25 feet in height, is depicted along the entire south elevation of the building that is oriented towards Sunset Road. The frameless glass curtainwall system extends around portions of the southeast and southwest corners of the building. Carports measuring up to 13 feet in height are located immediately north of the building and adjacent to the north property line of the site. The facility will be painted with contrasting shades of gray.

Floor Plans

The plans depict a 2 story vehicle sales and repair facility with a total floor area measuring 53,970 square feet. The first floor of the facility measures 42,263 square feet in area and includes the vehicle repair facility, parts room, breakroom, restroom facilities, sales and service advisor offices, and vehicle delivery area. The second floor measures 11,707 square feet in area and

includes offices, a client lounge, conference room, restroom facilities, an employee gym, and an outdoor patio area.

Applicant's Justification

The applicant states the proposed development consists of a new car dealership building for new and secondhand sales of high-end luxury cars, which are allowed in the C-2 zoning district. A use permit is requested to allow vehicle repair in conjunction with the sales facility. The applicant indicates the facility will be compatible and complementary to the neighboring properties. A design review for alternative parking lot landscaping is requested to eliminate the landscape island fingers along the northern end of the property between parking spaces. A design review to increase finished grade up to 4 feet along the east portion of the site is part of this request. Corresponding waivers are requested to increase the existing retaining wall up to 3.5 feet in height along the north property line, in addition to increasing the height of perimeter walls along the north and west property lines up to 8 feet. The applicant is providing a shade structure along the entire north property line and adjacent to the north side of the building. This will provide much more shade than several trees can and will better help reduce the urban heat island effects by providing additional shading. A waiver for alternative street landscaping is requested along Sunset Road. The entire Sunset Road frontage of the building will be glass allowing the ability to display the cars indoors. The tree requirement will block the visibility of the indoor displays. Some of the large trees required will be grouped along the corners of the building on the Sunset Road frontage and plant any remaining required large trees on the Santa Margarita Street frontage so that all required amount and size trees required are planted. An interior loading zone has been designated as noted on the site plan and floor plan. There is sufficient access and clearance to unload the specialty cars and deliveries inside the building. The applicant indicates the reduced parking is justified as the more than 60 percent of customers are from out-of-town and will either be destination clients arriving by taxi, car service or even buy off the internet and not come to the dealership. Due to the high value of the cars, there will be no outside parking for displays of vehicles being sold as required by Title 30. The front of the building on the Sunset Road side (South) will be glass to allow visibility of vehicles being displayed from indoors. Also, there will be no outside parking necessary for customer cars needing service. There are more than adequate number of service bays to keep customer cars inside. A waiver to allow access to a local street being Santa Margarita Street is part of this request. Santa Margarita Street is entirely commercial between Sunset Road and Post Road to the north. The majority of traffic is expected to come from Sunset Road and depart on Sunset Road, so vehicles traveling to this site will only use a small section of Santa Margarita Street in front of this project. There is a center median on Sunset Road that prevents vehicles traveling east on Sunset Road from turning left into the proposed Sunset Road driveway of this project. Customers will need to make a left turn onto Santa Margarita Street to access the project as opposed to a making dangerous U-turn on Sunset Road.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0279-03	Reclassified the project site to C-2 zoning for a vehicle (automobile) maintenance facility in conjunction with a use permit for a vehicle (automobile) repair facility	Approved by BCC	March 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use	M-D	Warehouse building
South	Business Employment	R-E	Undeveloped
East	Corridor Mixed-Use	M-D	Warehouse building
West	Corridor Mixed-Use	C-2	Restaurants with drive-thru, convenience store with vehicle wash & gasoline station

Related Applications

Application Number	Request
VS-23-0883	A request to vacate and abandon government patent easements is a companion item on this agenda.
WC-23-400191 (ZC-0279-03)	A waiver of conditions to provide a 15 foot wide landscape buffer with meandering sidewalks along Rainbow Boulevard and Sunset Road with medium trees, 24 inch box size, with shrubs to cover 50% of the landscape area 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 Permit

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.

Staff finds the vehicle repair facility is an appropriate and compatible use with the surrounding industrial and commercial uses. The purpose of the vehicle repair facility is to service dealership and customer vehicles; however, the facility will not be open to the general public. There are not any existing residential developments within the surrounding area that would be impacted by the vehicle repair facility. The facility should not have a negative impact on the surrounding land uses and properties; therefore, staff recommends approval.

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 #1

The intent of street landscaping is to enhance the perimeter of the project site, improve the aesthetics of the site along public rights-of-way, and to provide a buffer between parking areas and the adjacent streets. Staff recognizes the absence of trees within a significant portion of the street landscape area along Sunset Road will create enhanced visibility for the vehicle sales facility. However, the alternative street landscaping is a self-imposed burden; therefore, staff recommends denial.

Waiver of Development Standards #2

Staff does not object to increasing the height of the proposed masonry wall along the north and west property lines up to 8 feet in height for security purposes. Furthermore, the increased retaining wall height at the northeast corner of the property is necessary due to the topography of the site and increase to finished grade. However, since staff is not supporting other waivers of development standards and design review requests, staff recommends denial.

Waiver of Development Standards #3

The intent of the parking and loading requirements is to establish regulations for the provision of safe and efficient parking and loading facilities in amounts sufficient to meet existing and/or proposed land uses in unincorporated Clark County. Staff recognizes that out-of-town visitors will utilize alternative modes of transportation such as ride-share programs, taxis, and public transit to access the site. Staff typically does not support requests to significantly reduce the required number of parking spaces. Based upon more than half of the customers arriving by alternative modes of transportation, in addition to no vehicle display spaces outside of the facility, staff does not object to this request. However, since staff is not supporting other waivers of development standards and design review requests, staff recommends denial.

Waiver of Development Standards #4

Staff finds the reduction to the number of loading spaces should have minimal to no impact on the vehicle sales and repair facility. A single loading space is located within the interior, northwest corner of the building that will facilitate the delivery of the automobile to the customer. However, since staff is not supporting other waivers of development standards and design review requests, staff recommends denial.

Waiver of Development Standards #5

Staff has no objection to permitting access to the local street, Santa Margarita Street. Access to the local street provides better on-site circulation for the vehicle sales and repair facility, in addition to providing a second point of access for emergency personnel. Staff finds that granting

access to Santa Margarita Street should have minimal to no impact on the surrounding land uses and properties. However, since staff is not supporting other waivers of development standards and design review requests, staff recommends denial.

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 interior of the parking lot requires a total of 9 trees where 9 trees are distributed along the north and west portions of the site. The proposed landscaping, in addition to the covered carports, will reduce the "heat island" effect within the interior of the site. However, since staff is not supporting the waivers of development standards and design review requests, staff recommends denial of the alternative parking lot landscaping.

Waiver of Development Standards #6 & Design Reviews #2 & #3

The intent of the CMA Design Overlay District is to encourage and promote a high quality level of development that produces a stable environment in harmony with existing and future development and protects the use and enjoyment of neighboring properties. Varying building materials and contrasting colors have been utilized to break-up the mass on portions of the building. However, staff cannot support the request for the uninterrupted building facades greater than 100 feet in length. Variations to the parapet wall height and/or pop-out columns could potentially break-up the building facades. This request is a self-imposed burden; therefore, staff cannot support waiver of development standards #6. Furthermore, since staff is not supporting several other waivers of development standards, staff cannot support the design review requests for this development. Therefore, recommends denial.

Public Works - Development Review

Design Review #4

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.

Staff Recommendation

Approval of the use permit; denial of the waivers of development standards and design reviews.

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 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; 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; 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

- Drainage study and compliance;
- 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;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Santa Margarita Street, 55 feet to the back of curb for Sunset Road and associated spandrel;
- 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;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Sunset Road 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 dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant to show fire hydrant locations on-site and within 750 feet; and that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0024-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: HELLER COMPANIES

CONTACT: DIONICIO GORDILLO, 985 WHITE DRIVE, SUITE 100, LAS VEGAS, NV 89119

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

11

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-23-0882</u> DATE FILED: <u>12/28/23</u> PLANNER ASSIGNED: TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>1/30/2024</u> PC MEETING DATE: BCC MEETING DATE: <u>2/21/24</u> FEE: <u>\$1825</u>		
		PROPERTY OWNER NAME: <u>SUNSET GALLERY, LLC</u> ADDRESS: <u>4330 S. Valley View Blvd., Suite 108</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>(702) 320-4400</u> CELL: _____ E-MAIL: <u>jay@hellercompanies.com</u>	
	APPLICANT NAME: <u>HELLER COMPANIES LLC</u> ADDRESS: <u>4330 S. Valley View Blvd., Suite 108</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>(702) 320-4400</u> CELL: _____ E-MAIL: <u>jay@hellercompanies.com</u> REF CONTACT ID #: _____		
		CORRESPONDENT NAME: <u>DIONICIO GORDILLO</u> ADDRESS: <u>204 Belle Isle Ct.</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89102</u> TELEPHONE: <u>(702) 379-6601</u> CELL: _____ E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 163-35-401-019

PROPERTY ADDRESS and/or CROSS STREETS: Sunset Road and Santa Margarita Street

PROJECT DESCRIPTION: New building for a luxury car dealership with secondhand sales and vehicle service as an ancillary use,

(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.

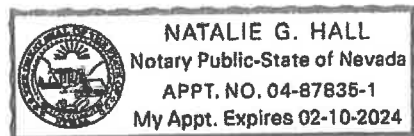
Jay Heller
Property Owner (Signature)*

Jay Heller
Property Owner (Print)

STATE OF NEVADA
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 12/05/2023 (DATE)

BY Jay Heller
NOTARY PUBLIC: Natalie G. Hall



*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-23-0582
JL

December 1, 2023

Clark County Comprehensive Planning
500 S. Grand Central Parkway
Las Vegas, NV 89155-3530

RE: Justification Letter for Vegas Auto Gallery
APR23-100991 APN: 163-35-401-019

We are requesting a design review for a planned car dealership building for new and secondhand sales of high-end luxury cars, which are allowed in the current C2 zone. There will also be an ancillary use permit requested for vehicle repair service at this project. We feel the proposed use of our project is complementary with the surrounding area and adjacent properties. Two sides of the project are roadways. To the east side is frontage on Santa Margarita Street with MD zoning and a building material sales use on the other side of the roadway. To the south is frontage on West Sunset Road with RE zoned vacant land. The adjacent properties to the west are a gas station, C-store and a fast-food drive-through. The adjacent property to the north is a light industrial complex zoned MD. The intended use of our project will be compatible and complementary to the neighboring properties.

We are seeking a design review for alternative parking lot landscaping design along the northern end of the property to eliminate landscape fingers between parking spaces. We intend to add a shade structure along the entire north property line and adjacent to the north side of the building. This will provide much more shade than several trees can and will better help reduce the urban heat island effects by providing additional shading.

We are also requesting a waiver of development standards to allow alternative landscaping requirements along the Sunset Road frontage detached sidewalk area. The entire Sunset Road frontage of the building will be glass allowing the ability to display the cars indoors. The tree requirement will block the visibility of the indoor displays. We intend to group some of the large trees required along the corners of the building on the Sunset Road frontage and plant any remaining required large trees on the Santa Margarita frontage so that all required amount and size trees required are planted. All shrubs and groundcover required per title 30 landscape requirements shall be planted.

We will be requesting to increase the finish grade on the East side from 4' where 3' is allowed per Title 30 30.32.040. Also, requesting a waiver of development standards to increase the existing retaining wall to 3.4' where 3' is allowed and finally for security purposes requesting a waiver of development standards to increase the perimeter wall height to 8' where 6' is allowed. We are requesting a waiver of conditions for



UC-23-0882

ZC-0279-03 to allow for the detached sidewalks to be straight rather than meandering which will allow to better handle the grade differences.

We will be requesting a waiver of development standards to reduce the number loading spaces to one where three are required. An interior loading zone has been designated as noted on the site plan and floor plan. There is sufficient access and clearance to unload the specialty cars and deliveries inside the building.

We will be requesting a reduction of required parking spaces. Title 30 requires 192 parking spaces and we will be providing 73 spaces, a 61.9% reduction. We feel we will be providing more than adequate parking spaces for the number of employees and customers. For the proposed use more than sixty percent (60%) of customers are from out-of-town and will either be destination clients arriving by taxi, car service or even buy off the internet and not come to the dealership. Due to the high value of the cars, there will be no outside parking for displays of vehicles being sold as required by Title 30. The front of the building on the Sunset Road side (South) will be glass to allow visibility of vehicles being displayed from indoors. Also, there will be no outside parking necessary for customer cars needing service. There are more than adequate number of service bays to keep customer cars inside. We are also seeking a waiver to access a local street, Santa Margarita Street, from this project. Santa Margarita Street is entirely commercial between Sunset Road and Post Road to the north. The majority of traffic is expected to come from Sunset Road and depart on Sunset Road, so vehicles traveling to this site will only use a small section of Santa Margarita Street in front of this project. There is a center median on Sunset Road that prevents vehicles traveling east on Sunset Road from turning left into the proposed Sunset driveway of this project. Customers will need to make a left turn onto Santa Margarita Street to access the project as opposed to a making dangerous U-turn on Sunset Road.

Finally, as part of this application we will be requesting the vacation and abandonment of the patent easements on the site.

We will be deferring the plans for the site lighting and building signage. These will both be submitted subsequently in a separate design review package.

Please call if you have any questions or would like to further discuss our project. I can be reached in the office at 702.320.4400.

Best Regards,

A handwritten signature in black ink, appearing to read "Jay Heller", is written over a faint, larger version of the signature.

Jay Heller
Heller Companies, LLC
Managing Member

12

02/21/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0883-SAHBAI MANOUTCHEHR:

VACATE AND ABANDON easements of interest to Clark County located between Santa Margarita Street and Rainbow Boulevard, and between Sunset Road and Post Road within Spring Valley (description on file). MN/md/syp (For possible action)

RELATED INFORMATION:

APN:

163-35-401-019

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of 33 foot wide government patent easements along the north and west portions of the subject property. A patent easement measuring 8 feet in width, along the east portion of the site adjacent to Santa Margarita Street, will also be vacated with this application. The patent easements are no longer needed for right-of-way and utility purposes and must be vacated to develop the site.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0279-03	Reclassified the project site to C-2 zoning for a vehicle (automobile) maintenance facility in conjunction with a use permit for a vehicle (automobile) repair facility	Approved by BCC	March 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use	M-D	Warehouse building
South	Business Employment	R-E	Undeveloped
East	Corridor Mixed-Use	M-D	Warehouse building
West	Corridor Mixed-Use	C-2	Restaurants with drive-thru, convenience store with vehicle wash & gasoline station

Related Applications

Application Number	Request
UC-23-0882	A use permit for vehicle (automobile) repair with waivers of development standards to allow alternative street landscaping; increase wall height; reduce parking; reduce loading spaces; permit access to a local street (Santa Margarita Street); and allow modified CMA Design Overlay District Standards with design reviews for alternative parking lot landscaping; vehicle (automobile) repair facility; vehicle (automobile) sales facility; and finished grade is a companion item on this agenda.
WC-23-400191 (ZC-0279-03)	A waiver of conditions to provide a 15 foot wide landscape buffer with meandering sidewalks along Rainbow Boulevard and Sunset Road with medium trees, 24 inch box size, with shrubs to cover 50% of the landscape area is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

- Right-of-way dedication to include 25 feet to the back of curb for Santa Margarita Street, 55 feet to the back of curb for Sunset Road and associated spandrel;

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Sunset Road improvement project;
- 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;
- 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 dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Comprehensive Planning - Addressing

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: HELLER COMPANIES

CONTACT: DIONICIO GORDILLO, 985 WHITE DRIVE, SUITE 100, LAS VEGAS, NV 89119

12



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>VS-23-0883</u>	DATE FILED: <u>12/28/23</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):		PLANNER ASSIGNED: _____	TAB/CAC DATE: <u>1/30/24</u>
		TAB/CAC: <u>Spring Valley</u>	
		PC MEETING DATE: _____	
		BCC MEETING DATE: <u>2/21/24</u>	
		FEE: <u>\$ 075</u>	

PROPERTY OWNER	NAME: <u>SUNSET GALLERY LLC</u> ADDRESS: <u>4330 S. Valley View Blvd., Suite 108</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>(702) 320-4400</u> CELL: _____ E-MAIL: <u>jay@hellercompanies.com</u>
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APPLICANT	NAME: <u>HELLER COMPANIES LLC</u> ADDRESS: <u>4330 S. Valley View Blvd., Suite 108</u> CITY: <u>Las Vegas</u> STATE: <u>Nevada</u> ZIP: <u>89103</u> TELEPHONE: <u>(702) 320-4400</u> CELL: _____ E-MAIL: <u>jay@hellercompanies.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>DIONICIO GORDILLO</u> ADDRESS: <u>204 Belle Isle Ct.</u> CITY: <u>Henderson</u> STATE: <u>Nevada</u> ZIP: <u>89102</u> TELEPHONE: <u>(702) 379-6601</u> CELL: _____ E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 163-35-401-019

PROPERTY ADDRESS and/or CROSS STREETS: NWC Sunset Road and Santa Margarita Street

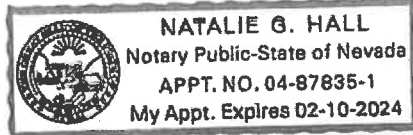
I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Jay Heller
Property Owner (Signature)*

Jay Heller
Property Owner (Print)

STATE OF NEVADA
COUNTY OF CLARK
SUBSCRIBED AND SWORN BEFORE ME ON 12/04/2023 (DATE)

By JAY HELLER
NOTARY PUBLIC: Natalie G. Hall



*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.

HELLER
COMPANIES
Providing Quality Business Centers

December 1, 2023

VS-23-0883

Clark County Comprehensive Planning
500 S. Grand Central Parkway
Las Vegas, NV 89155-3530

JL

RE: Justification Letter for Vegas Auto Gallery
APR23-100991 APN: 163-35-401-019

We are requesting a design review for a planned car dealership building for new and secondhand sales of high-end luxury cars, which are allowed in the current C2 zone. There will also be an ancillary use permit requested for vehicle repair service at this project. We feel the proposed use of our project is complementary with the surrounding area and adjacent properties. Two sides of the project are roadways. To the east side is frontage on Santa Margarita Street with MD zoning and a building material sales use on the other side of the roadway. To the south is frontage on West Sunset Road with RE zoned vacant land. The adjacent properties to the west are a gas station, C-store and a fast-food drive-through. The adjacent property to the north is a light industrial complex zoned MD. The intended use of our project will be compatible and complementary to the neighboring properties.

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ZC-0279-03 to allow for the detached sidewalks to be straight rather than meandering which will allow to better handle the grade differences.

We will be requesting a waiver of development standards to reduce the number loading spaces to one where three are required. An interior loading zone has been designated as noted on the site plan and floor plan. There is sufficient access and clearance to unload the specialty cars and deliveries inside the building.

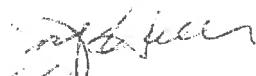
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Finally, as part of this application we will be requesting the vacation and abandonment of the patent easements on the site.

We will be deferring the plans for the site lighting and building signage. These will both be submitted subsequently in a separate design review package.

Please call if you have any questions or would like to further discuss our project. I can be reached in the office at 702.320.4400.

Best Regards,



Jay Heller
Heller Companies, LLC
Managing Member

13

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-23-400192 (ZC-1549-02)-SUNSET INTERCHANGE, LLC:

WAIVER OF CONDITIONS of a zone change prohibiting access to local streets in conjunction with a proposed commercial development on 5.0 acres in a C-2 (General Commercial) Zone.

Generally located on the south side of Sunset Road and the east side of Dapple Gray Road within Spring Valley. JJ/rr/syp (For possible action)

RELATED INFORMATION:

APN:

176-05-101-003

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE & COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5

Previous Conditions of Approval

Listed below are the approved conditions for ZC-1549-02:

C-1 zoning on the south half of the property; C-2 zoning on the north half of the property; no resolution of intent and staff preparing an ordinance to adopt the zoning; entering into a development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area; design review as a public hearing on final plans prior to or concurrent with tentative map submittal; special consideration given to demonstrating full compliance with all Commercial Goals and Policies in the Spring Valley Land Use Plan and where full compliance cannot occur, an alternative measure may be considered, however, it should meet or exceed the intent of the original guideline; providing a 2:1 setback ratio for any future building along the south property line per Figure 30.56-10; providing a 15 foot wide landscape buffer along Sunset Road with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area and no turf within the 15 foot landscape buffer area; a detached sidewalk along Sunset Road; providing consistent architecture (common design elements with similar architectural features and materials) and landscaping throughout; all sides of buildings to

be finished to be consistent with the front of the buildings; store fronts to face streets; trash enclosure to be stucco to match buildings; no access to local streets; providing cross access, ingress/egress and parking agreements; enhanced paving at vehicular entrances and pedestrian crossings; site amenities such as benches, ornamental trash receptacles or light fixtures; right-of-way dedication to include 60 feet for Sunset Road, 30 feet for Dapple Grey Drive, and related spandrel, and a portion of a County approved turnaround at the southeast corner of the parcel and the westerly terminus of Wagon Trail Avenue; if the public sidewalk does not abut the back of curb and/or is meandering in design, applicant to either 1. Dedicate the afore mentioned rights-of-way, grant necessary pedestrian access easements and sign a license and maintenance agreement for non-standard improvements located within the right-of way, or 2. Dedicate rights-of-way to back of curb, grant necessary pedestrian access and utility easements, and if applicable, vacate any previously dedicated excess rights-of-way to back of curb; full off-site improvements; drainage and traffic studies and compliance with development; all buildings shall be a maximum of one story in height; and all applicable standard conditions for this application type.

Applicant’s Justification

The applicant is requesting a waiver of conditions for ZC-1549-02 which only applies to the western portion of the site. The condition requested to be waived is “no access to local streets.” A driveway is proposed along Dapple Gray Road, a local street. The driveway is appropriate because the commercial development to the west already has a driveway along this street, it will serve as a secondary driveway to the site, the street terminates to the south preventing any commercial cut-through traffic, and the condition was previously waived with a previous use permit. Therefore, the condition no longer fulfills its intended purpose.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-23-700032	Single family residential subdivision on the southern portion of the parcels	Approved by BCC	January 2024
ZC-23-0672	Reclassified the southern portion of the parcels from C-1 and C-2 to RUD zoning for a single family residential development	Approved by BCC	January 2024
PA-23-700032	Plan amendment to redesignate the land use category of the southern portion of the parcels from CM and MN to CN for single family development	Approved by BCC	January 2024
VS-23-0536	Vacated and abandoned easements and rights-of-way	Approved by PC	October 2023
ET-23-400045 (VS-21-0644)	First extension of time to vacate and abandon easements	Approved by PC	June 2023
TM-21-500204	Single family residential subdivision on the southern portion of the parcels	Approved by BCC	March 2022
NZC-21-0727	Reclassified the southern portion of the parcels from C-1 and C-2 to R-2 zoning for a single family residential development	Approved by BCC	March 2022

Prior Land Use Requests

Application Number	Request	Action	Date
VS-21-0722	Vacated and abandoned rights-of-way	Approved by BCC	March 2022
VS-21-0644	Vacated and abandoned easements	Approved by PC	December 2021
VS-18-0536	Vacated and abandoned easements - expired	Approved by PC	September 2018
UC-0917-08	Use permit, waivers of conditions (ZC-02-1549), and design review for an assisted living facility - expired	Approved by BCC	November 2008
ZC-1549-02	Reclassified 5 acres from R-E to C-2 zoning for a future retail complex	Approved by BCC	December 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Public Use	C-1	Southern Hills Hospital
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	C-2 & RUD	Undeveloped
West	Corridor Mixed-Use	C-2	Office complex

Related Applications

Application Number	Request
UC-23-0903	A use permit, waivers of development standards, and design review for a commercial development 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

A waiver of conditions may be approved upon a finding that the condition will no longer fulfill its intended purpose.

Staff finds the waiver of conditions to allow a single driveway access to a local street, Dapple Gray Road, to be appropriate for the following reasons: 1) the existing commercial development on the west side of Dapple Gray Road has an existing driveway; 2) The public right-of-way for Dapple Gray Road terminates south of the subject site where it becomes a private residential street. Commercial trucks are unlikely to utilize the private street for any through traffic and should not impact the residential areas to the south; 3) In 2008 the Board of County

Commissioners previously waived this same condition for UC-0917-08, a use permit that subsequently expired for an assisted living facility.

Staff Recommendation
Approval.

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

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

PRELIMINARY STAFF CONDITIONS:

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0015-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTEST:

APPLICANT: SUNSET INTERCHANGE, LLC
CONTACT: DIONICIO GORDILLO, 204 BELLE ISLE COURT, HENDERSON, NV 89012

13



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) <u>ZC-02-1549 & ZC-01-0003</u> (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-23-0903</u> <u>WC-23-400192</u> DATE FILED: <u>12-27-23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>SPRING VALLEY</u> TAB/CAC DATE: <u>1-30-24</u> PC MEETING DATE: <u>2-20-24</u> BCC MEETING DATE: <u>3-20-24</u> FEE: <u>\$1825 (WC - \$650)</u>
	PROPERTY OWNER NAME: <u>Sunset Interchange, LLC</u> ADDRESS: <u>9500 Hillwood Drive, Suite 201</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>(702) 823-2300</u> CELL: <u>(702) 823-2300</u> E-MAIL: <u>kroohani@gmail.com</u>
	APPLICANT NAME: <u>Sunset Interchange, LLC</u> ADDRESS: <u>9500 Hillwood Drive, Suite 201</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>(702) 823-2300</u> CELL: <u>(702) 823-2300</u> E-MAIL: <u>kroohani@gmail.com</u> REF CONTACT ID #: <u>N/A</u>
	CORRESPONDENT NAME: <u>DG Consultants, Dionicio Gordillo</u> ADDRESS: <u>204 Belle Isle Ct.</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u> TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: <u>191488</u>

ASSESSOR'S PARCEL NUMBER(S): 176-05-101-003 ptn & -004 ptn

PROPERTY ADDRESS and/or CROSS STREETS: Sunset Road and Quarterhorse Lane

PROJECT DESCRIPTION: Restaurant pad sites with convenience store and gasoline station

(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.

[Handwritten Signature]

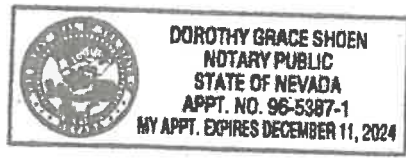
[Handwritten Name: KHUSROW KROOHANI]

PLANNER COPY

Property Owner (Signature)*

Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark



SUBSCRIBED AND SWORN BEFORE ME ON July 30, 2021 (DATE)

By Khusrav Kroohani - manager
NOTARY PUBLIC: Dorothy Grace Shoen

*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.

D G Consultants

December 14, 2023

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

RE: REVISED - Special Use Permit, Waivers of Development Standards, Design Review, and Waiver of Conditions – Commercial Center consisting of Restaurant Pad Sites, Convenience Store, and Gasoline Station (APN: 176-05-101-003 ptn & 004 ptn)

On behalf of Sunset Interchange, LLC, we are requesting a special use permit, waiver of development standards, design review, and waiver of conditions for a proposed commercial center consisting of restaurant pad sites with a convenience store and gasoline station. The subject site is 3.7 acres, consisting of the north half of both parcels, zoned C-2, and located at the SW corner of Sunset Road and Quarterhorse Lane. By way of background, the zoning for the western portion of the site was originally approved with ZC-02-1549 in December 2002. The zoning for the eastern portion of the site was originally approved with ZC-04-0092 in February 2004. The original zone boundary amendments had multiple conditions of approval with full compliance on all conditions except the request for waiver of conditions.

The proposed convenience store, gasoline station, and outside dining uses are conditional uses in a C-2 zoning district. The restaurant uses are permitted subject to no conditions. Based on the attached site plan with corresponding setbacks and separations, and enhanced landscaping, the proposed uses comply with prescribed conditions except the minimum separation of 200 feet from a residential use; therefore, a special use permit is required to modify the listed condition. The request is entirely consistent with the intent of the C-2 zoning district and Commercial General (CG) planned land use designation and in compliance with several Goals and Policies contained within the Clark County Master Plan regarding opportunities for additional commercial developments to serve residential areas.

Special Use Permits

Certain prescribed uses require performance measures to mitigate possible negative impacts of the use. The three conditions that are requested to be modified for a car wash, convenience store, and gasoline station, respectively, read as follows: **1) must maintain a minimum 200 foot separation from any residential use on a separate property unless buffered from the development by an existing building;** and **2) must be set back a minimum 200 feet from any residential use on a separate property.** The convenience store is **94 feet** from the nearest residential use to the east and the gasoline station is **77 feet** from the nearest residential use to the south. The residential use is a recently approved R-4 zoning for a proposed multiple family development on the east side of Quarterhorse Lane and an RUD zoning to the south. The vehicle (car) wash is **68 feet** from the south property line which will be RUD zoning. Therefore, the request is to reduce the required separation/set back distance between a car wash, convenience store, and gasoline station and residential use. While the proposed uses do not meet the standard separation/set back, it is recognized that individual sites may present unique characteristics, the operation and location of site uses that could be best developed through the application of alternative site development standards which depart from the requirements of Title 30. In certain circumstances such alternative standards may be considered beneficial by the Board as a tool to achieve the land development policies of the County.

FAKNER COPY

In this particular instance, the applicant has designed a site in a manner that not only buffers the use from the residential use but eliminates any potential impacts. The building is oriented so that it faces away from the residential use. Other site, building design, and operational elements that will ameliorate and mitigate possible negative impacts include the following: 1) the proposed buildings are not adjacent to the residential use but rather separated by a 60 foot wide public street (Quarterhorse Lane); 2) there is a proposed intense landscape buffer to the RUD planned development to the south; 3) the proposed street landscaping along Quarterhorse Lane exceeds Title 30 requirements and is depicted at 15 feet in width with enhanced landscaping; 4) on the east side of Quarterhorse Lane, the residential development was approved with a 20 foot wide landscape area that is also enhanced; 5) the proposed residential buildings are set back 20 feet from Quarterhorse Lane with only four (4) units facing Quarterhorse Lane. Therefore, the combination of the above referenced elements provides for a mitigation of the required separation or building buffer and provides for proposed uses that are compatible and that can harmoniously coexist abutting the residential use with minimal impacts.

Waivers of Development Standards

While the proposed alternatives do not comply with required provisions, it is recognized that individual sites may present unique characteristics, the operation and location of site uses that could be best developed through the application of alternative site development standards which depart from the requirements of Title 30. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

The waivers of standards request are for alternative driveway geometrics per Uniform Standard Drawing 222.1 for the following: 1) a reduced throat depth of 9 feet along Sunset Road; 2) a reduced throat depth of 14 feet along Quarterhorse Lane; 3) a reduced departure distance of 183 feet for the westerly Sunset Road driveway; 4) a reduced approach distance of 135 feet for the easterly driveway along Sunset Road; and 5) a reduced departure distance of 163 feet for a driveway along Quarterhorse Lane. The minimum standards per Uniform Standard Drawing 222.1 are as follows: 1) throat depth is 25 feet; 2) departure distance is 190 feet; and approach distance is 150 feet. While the requests initially appear excessive, we have worked with Clark County Public Works to redesign a greater throat depth on the ingress side of the driveway and/or eliminate parking spaces to minimize any potential vehicular conflicts. Additionally, Sunset Road is functionally a one way right-of-way since there is an existing median which restricts vehicular movements for the Sunset Road driveway to right in-right out. Therefore, we believe the alternative standards we are proposing, will provide for minimal site conflicts that will result in no stacking of vehicles within the right-of-way. The proposed waivers are consistent with other driveway geometrics in the immediate area with no known adverse impacts. Therefore, we believe the alternative standards we are proposing, will provide for minimal site conflicts that will result in no stacking of vehicles and/or eliminate any vehicular conflicts on-site or within the right-of-way.

Site Plan, Landscaping, and Elevations

The site is located south side of Sunset Road between Dapple Gray Road and Quarterhorse Lane. The proposed development plan provides for cross access between the proposed restaurants, convenience store and gasoline station. The development will also complete the much needed off-site improvements along Sunset Road and Quarterhorse Lane. Therefore, the site design encourages commercial development design that will provide opportunities for cross access with adjoining sites to reduce or limit points of ingress and egress on arterial or collector streets to reduce onsite and offsite traffic congestion

and hazards. Since access to the site has access to an arterial street, there will be no negative impacts to the surrounding properties.

The buildings and gasoline station canopy will have similar architectural elements that provide for a seamless development site and a contemporary style of urban architecture that is compatible with the surrounding area. The exterior elevations consist of multiple surface plane variations to give both vertical and horizontal articulation along with various elements such as stucco siding, split face concrete enhancements on the pilaster bases, metal awning, accent bands and reveal lines. **The architectural detailing is provided on all sides consistent with the primary/front elevation.**

Waivers of Conditions

The applicant is requesting a waiver of conditions for ZC-02-1549 which only applies to the western portion of the site. The condition requested to be waived reads as follows: **no access to local streets**. The original zone change rezoned the parcel with no specific plans or site design. Therefore, extensive conditions of approval were conditioned on the site. Additionally, at the time of approval, the adopted land use plan depicted the immediate area south of Sunset Road as planned for single family residential uses. The request depicts a proposed driveway along Dapple Gray Road. This waiver of conditions is entirely appropriate for the following reasons: **1)** the existing commercial development on the west side of Dapple Gray Road has an existing driveway along Dapple Gray Road; **2)** the primary driveway for our proposed development is Sunset Road with the driveway along Dapple Gray Road proposed as a secondary driveway; **3)** Dapple Gray Road terminates south of this development which will prevent any commercial traffic from impacting cut through traffic; and **4)** the condition for no access to Dapple Gray Road was previously waived via UC-08-0917 and was found to be appropriate by the County Commission. Therefore, through the above referenced factors the condition will no longer fulfill its intended purpose.

Therefore, the proposed uses and site location achieve the following: **a)** the proposed uses are in harmony with the purpose, goals, objectives and standards of the Clark County Master Plan and Title 30; **b)** the proposed uses will not have substantial or undue adverse effects on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare; and **c)** the proposed use will be adequately served by public improvements, facilities, and services and will not impose an undue burden.

Thank you for the consideration.

Sincerely,



141

02/21/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-23-0903-SUNSET INTERCHANGE, LLC:

USE PERMITS for the following: 1) reduce separation from a convenience store to a residential use; 2) reduce setback for a gasoline station from a residential use; and 3) reduce setback for a vehicle wash from a residential use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce throat depth; and 2) alternative commercial driveway geometrics.

DESIGN REVIEWS for the following: 1) convenience store and gasoline station; 2) vehicle wash; 3) retail/restaurant; and 4) restaurant with outside dining and drive-thru on a 3.9 acre portion of an 8.3 acre site in a C-2 (General Commercial) Zone.

Generally located on the south side of Sunset Road and the west side of Quarterhorse Lane within Spring Valley. JJ/rr/syp (For possible action)

RELATED INFORMATION:

APN:

176-05-101-003 ptn; 176-05-101-004 ptn

USE PERMITS:

1. Reduce the separation from a convenience store to a residential use to 94 feet where 200 feet is the minimum requirement per Table 30.44-1 (a 53 % reduction).
2. Reduce the setback for a gasoline station from a residential use to 77 feet where 200 feet is the minimum requirement per Table 30.44-1 (a 61.5% reduction).
3. Reduce the setback for a vehicle wash from a residential use to 68 feet where 200 feet is the minimum requirement per Table 30.44-1 (a 66% reduction).

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce throat depth for a driveway on Sunset Road to 9 feet where 25 feet is required per Uniform Standard Drawing 222.1 (a 64% reduction).
 - b. Reduce throat depth for a driveway on Quarterhorse Lane to 14 feet where 25 feet is required per Uniform Standard Drawing 222.1 (a 44% reduction).
2.
 - a. Reduce the departure distance from the intersection of Sunset Road and Dapple Gray Road to 183 feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1 (a 3.7% reduction).
 - b. Reduce the departure distance from the intersection of Quarterhorse Lane and Sunset Road to 163 feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1 (a 14.2% reduction).
 - c. Reduce the approach distance from the intersection of Sunset Road and Quarterhorse Lane to 135 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 10% reduction).

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE & COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 3.9 (project site)/8.3 (overall)
- Project Type: Commercial center with convenience store and gasoline station, vehicle wash, retail/restaurant, and restaurant with outside dining
- Number of Stories: 1
- Building Height (feet): 25 (convenience store)/22 (gas canopy)/27 (vehicle wash)/28 (retail/restaurant)/21 (restaurant with outside dining and drive-thru)
- Square Feet: 4,500 (convenience store)/3,870 (gas canopy)/3,000 (vehicle wash)/6,311 (retail/restaurant)/2,700 (restaurant with drive-thru).
- Parking Required/Provided: 105/132

Site Plan

The plan depicts 5 buildings to be constructed on the site. Access to the site is by way of 2 driveways on Sunset Road and one driveway each on Dapple Gray Road and Quarterhorse Lane. A separate waiver conditions is requested to allow the driveway on Dapple Gray Road. Building 1 is a 4,500 square foot convenience store located at the northeast corner of the site. The convenience store has a front setback of 31 feet 9 inches from Sunset Road and a street side (corner) setback of 39 feet from Quarterhorse Lane. Parking for the convenience store is located along the south side of the building and along the east and south sides of the property. A 45 foot by 86 foot canopy for a gasoline station is located to the south of the convenience store. The canopy is set back 68 feet 6 inches from the street side and 77 feet from the rear. A trash enclosure is located east of the canopy which is set back 20 feet from the street side and 81 feet from the rear.

To the west of the convenience store and gas station is a 3,000 square foot single bay vehicle wash identified on the plan as Building 2. The building is set back 50 feet from the front property line and 94 feet from the rear property line. A drive-thru with two lanes is located to the west of the building. Vehicles are proposed to enter from the south and exit to the north. To the east of the vehicle wash building are 23 vacuum spaces, which are not included as part of the overall parking calculation. Parking is located to the north and south of the building. To the west of the vehicle wash is a 6,311 square foot retail/restaurant building identified on the plan as Building 3. The plan details indicated that 2,200 square feet will be for retail use while the remaining 4,111 square feet will be for retail. Parking surrounds the building. A loading zone is located on the south side of the building next to a trash enclosure. The building is set back 71 feet 6 inches from the front property line and 83 feet 5 inches from the rear. Two trash enclosures are indicated near the southwest corner with a minimum setback of 67 feet 6 inches from the rear property line.

On the western side of the property is a proposed 2,700 square foot restaurant identified as Building 4 on the site plan. The plan also indicates a 950 square foot outside dining on the north side of the building with a five-foot-wide sidewalk around the perimeter. The building is set back 90 feet 4 inches from the front property line, 50 feet 8 inches from the street side along Dapple Grey Road, and 108 feet from the rear. A drive-thru entrance is located north of the outside dining area and goes around the west side of the building. The talk box is oriented toward the west away from residential areas. Parking is located east and south of the building. A loading zone is also proposed to the south of the building.

Landscaping

The plan depicts street landscape areas measuring a minimum of 15 feet in width, including 5 foot wide detached sidewalks along Sunset Road, Dapple Gray Road, and Quarterhorse Lane in accordance with Figure 30.64-17. The street landscaping consists of medium trees, 24 inch box sized, with shrubs and groundcover. Street landscape width increases to 30 feet adjacent to the proposed drive-thru at the northwest corner of the property and to over 30 feet adjacent to the convenience store at the northeast corner. An 11 foot wide intense landscape buffer in accordance with Figure 30.64-12 is provided along the entire southern boundary of the site where it abuts an undeveloped area that has been recently rezoned for single family residential development. A 6 foot tall split face concrete block wall is provided along the south property line. Parking lot landscaping is also provided in accordance with Figure 30.64-14.

Elevations

The plans depict the convenience store at 24 feet in height at the parapet with a stucco finish and five different paint colors. The building will feature aluminum storefront windows with glazing and doors, accent bands, and an acrylic canvas awning above the main entrance. The plans show the gas canopy as 22 feet in height with columns with a stucco sand finish to match the adjacent building. The base of the columns will have porcelain tile. The plans show the vehicle wash as 27 feet in height with exterior building materials consisting of painted stucco, accent bands, honed concrete block and split face concrete block. The building will also feature a standing seam metal roof and aluminum storefront windows. An overhead roll-up door is located on the west side of the building to provide access to equipment for the vehicle wash. The plans depict the retail/restaurant building as 28 feet in height. The exterior materials include a stucco sand finish, porcelain wall tiles, reveal lines, corrugated wall panels, a metal canopy and aluminum store front windows. Finally, the plans depict a restaurant building 21 feet in height with outside dining. The exterior materials are similar to the retail/restaurant and includes a decorative rooftop equipment screen. The outside dining area will be surrounded by a 3 feet 6 inch tall metal guardrail.

Floor Plans

The plans for the convenience store show a 4,500 square foot shell building with 2 restrooms. The gas canopy indicates 6 fuel islands under the canopy with dispensers on each side. The plans for the vehicle wash show a 3,000 square foot building with a single vehicle bay with a lobby, restroom, and maintenance room. Electrical and equipment rooms are accessed from outside on the west side of the building. The plans for the retail/restaurant show a 6,311 square foot shell building that may be divided into 20 foot wide suites. Each suite will have a single restroom.

The plans for the 2,700 square foot restaurant indicate a coffee bar, areas for seating and ordering, a workroom, and restrooms, with a 950 square foot outside seating area.

Applicant's Justification

The applicant is seeking use permits to reduce the minimum separation/setback between adjoining residential uses and the proposed convenience store, gasoline station, and vehicle wash on the subject site. The applicant states that the site has been designed in a manner that not only buffers the proposed uses from the residential uses but eliminates any potential impact. The 60 foot right-of-way for Quarterhorse Lane separates the buildings to the west from the R-4 zoned area to the east. There is enhanced landscaping also proposed along this street. The proposed residential buildings east of Quarterhorse Lane are set back 20 feet and only 4 units face the street. Additionally, intense landscaping to buffer the proposed residential development to the south is proposed. The proposed waivers are consistent with other driveway geometrics in the immediate area with no known adverse impacts. The site design provides opportunities for cross-access to reduce off-site traffic congestion and hazards. The buildings and gasoline station canopy will have similar urban architectural elements that is compatible with the surrounding area and is consistent with the front elevations.

Prior Land Use Requests (APN 176-05-101-003 & APN 176-05-101-004)

Application Number	Request	Action	Date
TM-23-700032	Single family residential subdivision on the southern portion of the parcels	Approved by BCC	January 2024
ZC-23-0672	Reclassified the southern portion of the parcels from C-1 and C-2 to RUD zoning for a single family residential development	Approved by BCC	January 2024
PA-23-700032	Plan amendment to redesignate the land use category of the southern portion of the parcels from CM and MN to CN	Approved by BCC	January 2024
VS-23-0536	Vacated and abandoned easements and rights-of-way	Approved by PC	October 2023
ET-23-400045 (VS-21-0644)	First extension of time to vacate and abandon easements	Approved by PC	June 2023
TM-21-500204	Single family residential subdivision on the southern portion of the parcels	Approved by BCC	March 2022
NZC-21-0727	Reclassified the southern portion of the parcels from C-1 and C-2 to R-2 zoning for a single family residential development	Approved by BCC	March 2022
VS-21-0722	Vacated and abandoned rights-of-way	Approved by BCC	March 2022
VS-21-0644	Vacated and abandoned easements	Approved by PC	December 2021
VS-18-0536	Vacated and abandoned easements - expired	Approved by PC	September 2018
UC-0917-08	Use permit, waivers of conditions (ZC-1549-02), and design review for an assisted living facility	Approved by BCC	November 2008

Prior Land Use Requests (APN 176-05-101-003 only)

Application Number	Request	Action	Date
ZC-1549-02	Reclassified 5 acres from R-E to C-2 zoning for a future retail complex	Approved by BCC	December 2002

Prior Land Use Requests (APN 176-05-101-004 only)

Application Number	Request	Action	Date
DR-1166-04	Design review for a medical complex and waiver of conditions (ZC-0092-04) for right-of-way dedication	Approved by BCC	April 2005
ZC-0092-04	Reclassified a portion of the site from R-E to C-2 zoning	Approved by BCC	February 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Public Use	C-1 & C-2	Southern Hills Hospital
South	Compact Neighborhood (up to 18 du/ac) & Mid Intensity Suburban Neighborhood (up to 8 du/ac)	RUD & R-2	Undeveloped & Single family residential
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-4	Multiple family residential
West	Corridor Mixed-Use	C-2	Office complex

Related Applications

Application Number	Request
WC-23-400192 (ZC-1549-02)	A waiver of conditions of a zone change which prohibited access to local streets 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.

Use Permits #1 & #2

The R-4 zoned property is currently under development with multiple family units and is located across a 60 foot wide right-of-way, Quarterhorse Lane. The multiple family buildings are set back 20 feet from the street and include a street landscape buffer. The proposed street landscape buffer on the subject site along the east side of the convenience store will be over 30 feet in width, which is more than double the minimum requirement of 15 feet. Additionally, an intense landscape buffer along with a split-face concrete block wall in accordance with Figure 30.64-12 has been provided along the southern property boundary. The width of the buffer at 11 feet and the tree density is greater than what is required by Figure 30.64-11 which is normally required to buffer a less intensive use. The additional street landscape areas, separation created by the Quarterhorse Lane, and intense landscape buffer along the south side of the property are mitigating factors that should allow these proposed uses to be compatible and harmonious with the developing and future residential uses in the area. Therefore, staff can support these requests.

Use Permit #3

The proposed vehicle wash is located 83 feet from the future property boundary to the south, which is an area that has recently been rezoned from R-2 to RUD for single family residential development. The nearest point of the vacuum bays is 68 feet from the property line. As previously mentioned, an intense landscape buffer along with a split-face decorative concrete block wall in accordance with Figure 30.64-12 has been provided along the southern property boundary. The additional tree density should help to mitigate some of the impacts of noise that may be generated by the car wash. Therefore, staff can support this request.

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 uses 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.

All proposed buildings have a similar contemporary architectural style with common features, design elements, and materials carried throughout the site. A condition of ZC-1549-02, which originally rezoned the west half of the site, was for consistent architecture and landscaping to be provided throughout the site. Additionally, all sides of the building need to be finished to be consistent with the front of the building which is proposed. Another condition that is being met is the provision of enhanced paving at vehicular entrances and pedestrian crossings. Another condition is demonstration of compliance with all commercial goals and policies of the Spring

Valley Land Use Plan. Policy SV-1.5 encourages the development of neighborhood-oriented retail, office, and commercial services that allow Spring Valley residents to meet their daily needs and potentially work within close proximity of their homes. The development as proposed will help to serve the needs of the residents and may provide local employment.

Overall, it appears that the proposed buildings are compatible with the underlying designation of Corridor Mixed-Use on the Master Plan. The proposed site plan, landscape plan, and building elevations, indicate appropriate design characteristics, building materials, and other architectural features to help create an orderly and aesthetically pleasing environment that is compatible and harmonious with the surrounding area. The proposed development is consistent with the Master Plan and meet the standards of Title 30. Therefore, staff can recommend approval.

Public Works - Development Review

Waiver of Development Standards #1

Staff can support the request to reduce the throat depth for the driveways on Sunset Road and Quarterhorse Lane as the applicant has reduced the potential conflicts by providing extra landscape planters on the drive aisles to allow drivers more distance before they encounter any conflicting parking spaces. Additionally, the two driveways should see equal use, further mitigating potential impacts from the reduced throat depths.

Waiver of Development Standard #2a & #2c

Staff has no objection to the reduction in the approach or departure distances for the Sunset Road commercial driveways. Although the departure and approach distances do not comply with the minimum standards, staff finds the location allows vehicles to safely access the site.

Waiver of Development Standards #2b

Staff has no objection to the reduction in the departure distance for the Quarterhorse Lane commercial driveway. The applicant placed the driveway as far south as the site will allow.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without 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; 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; 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

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Construction Management Division and to dedicate any necessary right-of-way and easements for the Sunset Road improvement project.
- 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.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; to show fire hydrant locations on-site and within 750 feet; and that fire protection may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

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

APPLICANT: SUNSET INTERCHANGE, LLC

CONTACT: DIONICIO GORDILLO, 204 BELLE ISLE COURT, HENDERSON, NV 89012

14



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) <u>ZC-02-1549 & ZC-04-9992</u> (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-23-0903</u> <u>WC-23-100192</u> DATE FILED: <u>12-27-23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>SPRING VALLEY</u> TAB/CAC DATE: <u>1-30-24</u> PC MEETING DATE: <u>2-20-24</u> BCC MEETING DATE: <u>3-20-24</u> FEE: <u>\$1825 (WC - \$650)</u>
	PROPERTY OWNER NAME: <u>Sunset Interchange, LLC</u> ADDRESS: <u>9500 Hillwood Drive, Suite 201</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>(702) 823-2300</u> CELL: <u>(702) 823-2300</u> E-MAIL: <u>kroohani@gmail.com</u>
	APPLICANT NAME: <u>Sunset Interchange, LLC</u> ADDRESS: <u>9500 Hillwood Drive, Suite 201</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>(702) 823-2300</u> CELL: <u>(702) 823-2300</u> E-MAIL: <u>kroohani@gmail.com</u> REF CONTACT ID #: <u>N/A</u>
CORRESPONDENT NAME: <u>DG Consultants, Dionicio Gordillo</u> ADDRESS: <u>204 Belle Isle Ct.</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u> TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: <u>191488</u>	

ASSESSOR'S PARCEL NUMBER(S): 176-05-101-003 ptn & -004 ptn
 PROPERTY ADDRESS and/or CROSS STREETS: Sunset Road and Quarterhorse Lane
 PROJECT DESCRIPTION: Restaurant pad sites with convenience store and gasoline station

(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.

[Handwritten Signature]

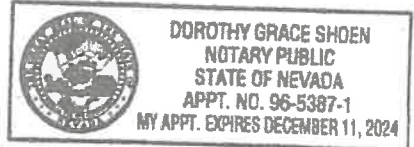
KHUSROW ROOHANI

Property Owner (Signature)*
 STATE OF Nevada
 COUNTY OF Clark

Property Owner (Print)

SUBSCRIBED AND SWORN BEFORE ME ON July 30, 2021 (DATE)
 By Khusrow Roohani - manager

NOTARY PUBLIC: Dorothy Grace Shoen



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

PLANNER COPY

December 14, 2023

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

RE: REVISED - Special Use Permit, Waivers of Development Standards, Design Review, and Waiver of Conditions – Commercial Center consisting of Restaurant Pad Sites, Convenience Store, and Gasoline Station (APN: 176-05-101-003 ptn & 004 ptn)

On behalf of Sunset Interchange, LLC, we are requesting a special use permit, waiver of development standards, design review, and waiver of conditions for a proposed commercial center consisting of restaurant pad sites with a convenience store and gasoline station. The subject site is 3.7 acres, consisting of the north half of both parcels, zoned C-2, and located at the SW corner of Sunset Road and Quarterhorse Lane. By way of background, the zoning for the western portion of the site was originally approved with ZC-02-1549 in December 2002. The zoning for the eastern portion of the site was originally approved with ZC-04-0092 in February 2004. The original zone boundary amendments had multiple conditions of approval with full compliance on all conditions except the request for waiver of conditions.

The proposed convenience store, gasoline station, and outside dining uses are conditional uses in a C-2 zoning district. The restaurant uses are permitted subject to no conditions. Based on the attached site plan with corresponding setbacks and separations, and enhanced landscaping, the proposed uses comply with prescribed conditions except the minimum separation of 200 feet from a residential use; therefore, a special use permit is required to modify the listed condition. The request is entirely consistent with the intent of the C-2 zoning district and Commercial General (CG) planned land use designation and in compliance with several Goals and Policies contained within the Clark County Master Plan regarding opportunities for additional commercial developments to serve residential areas.

Special Use Permits

Certain prescribed uses require performance measures to mitigate possible negative impacts of the use. The three conditions that are requested to be modified for a car wash, convenience store, and gasoline station, respectively, read as follows: **1) must maintain a minimum 200 foot separation from any residential use on a separate property unless buffered from the development by an existing building;** and **2) must be set back a minimum 200 feet from any residential use on a separate property.** The convenience store is **94 feet** from the nearest residential use to the east and the gasoline station is **77 feet** from the nearest residential use to the south. The residential use is a recently approved R-4 zoning for a proposed multiple family development on the east side of Quarterhorse Lane and an RUD zoning to the south. The vehicle (car) wash is **68 feet** from the south property line which will be RUD zoning. Therefore, the request is to reduce the required separation/set back distance between a car wash, convenience store, and gasoline station and residential use. While the proposed uses do not meet the standard separation/set back, it is recognized that individual sites may present unique characteristics, the operation and location of site uses that could be best developed through the application of alternative site development standards which depart from the requirements of Title 30. In certain circumstances such alternative standards may be considered beneficial by the Board as a tool to achieve the land development policies of the County.

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In this particular instance, the applicant has designed a site in a manner that not only buffers the use from the residential use but eliminates any potential impacts. The building is oriented so that it faces away from the residential use. Other site, building design, and operational elements that will ameliorate and mitigate possible negative impacts include the following: 1) the proposed buildings are not adjacent to the residential use but rather separated by a 60 foot wide public street (Quarterhorse Lane); 2) there is a proposed intense landscape buffer to the RUD planned development to the south; 3) the proposed street landscaping along Quarterhorse Lane exceeds Title 30 requirements and is depicted at 15 feet in width with enhanced landscaping; 4) on the east side of Quarterhorse Lane, the residential development was approved with a 20 foot wide landscape area that is also enhanced; 4) the proposed residential buildings are set back 20 feet from Quarterhorse Lane with only four (4) units facing Quarterhorse Lane. Therefore, the combination of the above referenced elements provides for a mitigation of the required separation or building buffer and provides for proposed uses that are compatible and that can harmoniously coexist abutting the residential use with minimal impacts.

Waivers of Development Standards

While the proposed alternatives do not comply with required provisions, it is recognized that individual sites may present unique characteristics, the operation and location of site uses that could be best developed through the application of alternative site development standards which depart from the requirements of Title 30. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

The waivers of standards request are for alternative driveway geometrics per Uniform Standard Drawing 222.1 for the following: 1) a reduced throat depth of 9 feet along Sunset Road; 2) a reduced throat depth of 14 feet along Quarterhorse Lane; 3) a reduced departure distance of 183 feet for the westerly Sunset Road driveway; 4) a reduced approach distance of 135 feet for the easterly driveway along Sunset Road; and 5) a reduced departure distance of 163 feet for a driveway along Quarterhorse Lane. The minimum standards per Uniform Standard Drawing 222.1 are as follows: 1) throat depth is 25 feet; 2) departure distance is 190 feet; and approach distance is 150 feet. While the requests initially appear excessive, we have worked with Clark County Public Works to redesign a greater throat depth on the ingress side of the driveway and/or eliminate parking spaces to minimize any potential vehicular conflicts. Additionally, Sunset Road is functionally a one way right-of-way since there is an existing median which restricts vehicular movements for the Sunset Road driveway to right in-right out. Therefore, we believe the alternative standards we are proposing, will provide for minimal site conflicts that will result in no stacking of vehicles within the right-of-way. The proposed waivers are consistent with other driveway geometrics in the immediate area with no known adverse impacts. Therefore, we believe the alternative standards we are proposing, will provide for minimal site conflicts that will result in no stacking of vehicles and/or eliminate any vehicular conflicts on-site or within the right-of-way.

Site Plan, Landscaping, and Elevations

The site is located south side of Sunset Road between Dapple Gray Road and Quarterhorse Lane. The proposed development plan provides for cross access between the proposed restaurants, convenience store and gasoline station. The development will also complete the much needed off-site improvements along Sunset Road and Quarterhorse Lane. Therefore, the site design encourages commercial development design that will provide opportunities for cross access with adjoining sites to reduce or limit points of ingress and egress on arterial or collector streets to reduce onsite and offsite traffic congestion

D G Consultants

and hazards. Since access to the site has access to an arterial street, there will be no negative impacts to the surrounding properties.

The buildings and gasoline station canopy will have similar architectural elements that provide for a seamless development site and a contemporary style of urban architecture that is compatible with the surrounding area. The exterior elevations consist of multiple surface plane variations to give both vertical and horizontal articulation along with various elements such as stucco siding, split face concrete enhancements on the pilaster bases, metal awning, accent bands and reveal lines. The architectural detailing is provided on all sides consistent with the primary/front elevation.

Waivers of Conditions

The applicant is requesting a waiver of conditions for ZC-02-1549 which only applies to the western portion of the site. The condition requested to be waived reads as follows: *no access to local streets*. The original zone change rezoned the parcel with no specific plans or site design. Therefore, extensive conditions of approval were conditioned on the site. Additionally, at the time of approval, the adopted land use plan depicted the immediate area south of Sunset Road as planned for single family residential uses. The request depicts a proposed driveway along Dapple Gray Road. This waiver of conditions is entirely appropriate for the following reasons: 1) the existing commercial development on the west side of Dapple Gray Road has an existing driveway along Dapple Gray Road; 2) the primary driveway for our proposed development is Sunset Road with the driveway along Dapple Gray Road proposed as a secondary driveway; 3) Dapple Gray Road terminates south of this development which will prevent any commercial traffic from impacting cut through traffic; and 4) the condition for no access to Dapple Gray Road was previously waived via UC-08-0917 and was found to be appropriate by the County Commission. Therefore, through the above referenced factors the condition will no longer fulfill its intended purpose.

Therefore, the proposed uses and site location achieve the following: a) the proposed uses are in harmony with the purpose, goals, objectives and standards of the Clark County Master Plan and Title 30; b) the proposed uses will not have substantial or undue adverse effects on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare; and c) the proposed use will be adequately served by public improvements, facilities, and services and will not impose an undue burden.

Thank you for the consideration.

Sincerely,

