



# Spring Valley Town Advisory Board

Desert Breeze Community Center  
8275 W. Spring Mountain Rd  
Las Vegas, NV 89117

August 9, 2022  
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 [chayes70@yahoo.com](mailto:chayes70@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: Yvette Williams, Chair  
Rodney Bell  
Brian A. Morris  
Catherine Godges, Vice Chair  
John Getter

Secretary: Carmen Hayes (702) 371-7991 [chayes70@yahoo.com](mailto:chayes70@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](mailto: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.

- III. Approval of Minutes for July 26, 2022. (For possible action)
- IV. Approval of the Agenda for August 9, 2022 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. **NZC-22-0392-SOUTHWEST CORPORATE CAMPUS LLC:**  
**ZONE CHANGE** to reclassify 3.7 acres from a C-2 (General Commercial) Zone to an M-D (Designed Manufacturing) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) cross-access; and 2) modified driveway design standards.  
**DESIGN REVIEWS** for the following: 1) distribution warehouse complex; and 2) finished grade in the CMA Design Overlay District. Generally located on the east side of Warbonnet Way and the north side of Sunset Road within Spring Valley (description on file). MN/rk/jo (For possible action) **09/06/22 PC**
- 2. **TM-22-500146-BRINKER 1980 TRUST & BRINKER CHARLES & PHYLLIS CO-TRS:**  
**TENTATIVE MAP** consisting of 5 lots and common lots on 1.3 acres in an R-1 (Single Family Residential) (RNP-III) Zone. Generally located on the south side of Twain Avenue and the west side of McLeod Drive within Paradise. TS/md/jo (For possible action) **09/06/22 PC**
- 3. **AR-22-400090 (UC-0014-16)-KLOSSCO DURANGO, LLC:**  
**USE PERMIT THIRD APPLICATION FOR REVIEW** of a massage establishment in conjunction with an existing shopping center on 4.6 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay. Generally located on the north side of Arby Avenue, 290 feet east of Durango Drive within Spring Valley. MN/sr/syp (For possible action) **09/07/22 BCC**
- 4. **UC-22-0419-FTH NEVADA, INC.:**  
**USE PERMIT** for a cannabis establishment (distributor) within an existing retail building in conjunction with a shopping center on a portion of 3.5 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Hualapai Way and the south side of Peace Way within Spring Valley. JJ/md/syp (For possible action) **09/07/22 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 vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: August 30, 2022.

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>





# Spring Valley Town Advisory Board

July 26, 2022

## MINUTES

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Board Members:	Yvette Williams, Chair - PRESENT Rodney Bell - PRESENT Brian A. Morris - PRESENT	Catherine Godges, Vice Chair - PRESENT John Getter - PRESENT
Secretary:	Carmen Hayes, 702 371-7991, <a href="mailto:chaves70@yahoo.com">chaves70@yahoo.com</a> PRESENT	
County Liaison:	Mike Shannon 702-455-8338 <a href="mailto:mds@clarkcountynv.gov">mds@clarkcountynv.gov</a> EXCUSED Tiffany Hesser 702-455-7388 <a href="mailto:TLH@clarkcountynv.com">TLH@clarkcountynv.com</a> PRESENT	

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### I. Call to Order, Pledge of Allegiance and Roll Call

Current Planner, None

### II. Public Comment

- None.

### III. Approval of **July 12, 2022** Minutes (For possible action)

Motion by Yvette Williams

Action: **APPROVE** as published.

Motion **PASSED** (5-0) /Unanimous

### IV. Approval of Agenda for **July 26, 2022** and Hold, Combine or Delete Any Items (For possible action)

Motion by Yvette Williams

Action: **APPROVE** as published.

Motion **PASSED** (5-0) /Unanimous

### V. Informational Items

1. Announcements of upcoming meetings and County and community meetings and events.  
(for discussion)

- None

VI. Planning & Zoning

1. **WS-22-0343-DURANGO ROBINDALE, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce driveway width; and 2) reduce driveway throat depth.  
**DESIGN REVIEW** for a restaurant (Starbucks) with drive-thru service on 0.7 acres in a C-1 (Local Business) Zone in the CMA Design Overlay District. Generally located on the east side of Durango Drive, 420 feet north of Robindale Road within Spring Valley. MN/al/syp (For possible action) **08/03/22 BCC**

Motion by John Getter

Action: **DENY**

Motion **PASSED** (3-2) /**NAY** – Williams and Godges

2. **UC-22-0376-9719 FLAMINGO ROAD, LLC:**  
**USE PERMIT** to allow a recreational facility.  
**DESIGN REVIEW** for a proposed recreational facility in conjunction with an existing shopping center on 1.2 acres in a C-2 (General Commercial) Zone. Generally located on the southeast corner of Flamingo Road and Grand Canyon Drive within Spring Valley. JJ/jor/jo (For possible action) **08/16/22 PC**

Motion by Catherine Godges

Action: **APPROVE** with staff conditions

Motion **PASSED** (5-0) /Unanimous

3. **VC-22-0366-WARM SPRINGS & LEE LLC:**  
**VARIANCE** to allow a pawn shop in conjunction with an existing commercial development located on 2.1 acres in a C-2 (General Commercial) P-C (Planned Community Overlay) Zone in the Rhodes Ranch Master Planned Community. Generally located on the south side of Warm Springs Road, 1,030 feet west of Durango Drive within Spring Valley. JJ/md/tk (For possible action) **08/16/22 PC**

Motion by Rodney Bell

Action: **APPROVE** with staff conditions

Motion **PASSED** (5-0) /Unanimous

4. **ET-22-400089 (VS-19-0873)-TRI POINTE HOMES NEVADA, INC.:**  
**FIRST EXTENSION OF TIME TO VACATE AND ABANDON** easements of interest to Clark County located between Patrick Lane and Sunset Road, and between Hualapai Way and Windfresh Drive (alignment) and portion of a right-of-way being Hualapai Way located between Patrick Lane and Sunset Road within Spring Valley (description on file). JJ/sd/tk (For possible action) **08/17/22 BCC**

Motion by John Getter

Action: **APPROVE** with staff conditions

Motion **PASSED** (5-0) /Unanimous

5. **ZC-22-0368-ZANCHI, GIACOMO J. & YOLANDA TR & ZANCHI, GIACOMO J. & YOLANDA TRS:**

**ZONE CHANGE** to reclassify 1.1 acres from a C-2 (General Commercial) Zone to a C-1 (Local Business) Zone.

**USE PERMITS** for the following: 1) mini-warehouse facility; and 2) off-highway vehicle, recreational vehicle, and watercraft storage facility.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) alternative landscaping; 2) access a local street; and 3) modified commercial driveway standards.

**DESIGN REVIEW** for a mini-warehouse with off-highway vehicle, recreational vehicle, and watercraft storage facility on 2.6 acres in a C-1 (Local Business) Zone. Generally located on the west side of Buffalo Drive and the south side of Rochelle Avenue within Spring Valley (description on file). MN/lm/jo (For possible action) 08/17/22 BCC

Motion by John Getter

Action: **APPROVE** with staff if approved conditions

Motion **PASSED** (5-0) /Unanimous

6. **ZC-22-0375-ZOO LANDERS, LLC:**

**ZONE CHANGE** to reclassify 1.9 acres from an R-E (Rural Estates Residential) (AE-60) Zone to a C-P (Office and Professional) (AE-60) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setbacks; 2) alternative landscaping; 3) non-standard improvements (landscaping) within a right-of-way; and 4) alternative driveway geometrics.

**DESIGN REVIEWS** for the following: 1) an office complex; and 2) alternative parking lot landscaping. Generally located on the northwest corner of Jones Boulevard and Ponderosa Way within Spring Valley (description on file). MN/al/ja (For possible action) 08/17/22 BCC

Motion by Yvette Williams

Action: **APPROVE** Zone Change

**APPROVE:** Waivers of Development Standards #1, #2, and #3

**DENY:** Waivers of Development Standards #4

**APPROVE** Design Review

**ADD CONDITION:** No attached sidewalks

With staff if approved conditions

Motion **PASSED** (5-0) /Unanimous

VII General Business

- 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 vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

- None.

IX. Next Meeting Date August 9, 2022

X Adjourment

Motion by Yvette Williams

Action: **ADJOURN** meeting at 7:23 p.m.

Motion **PASSED** (5-0) /Unanimous

**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/>

DRAFT



09/06/22 PC AGENDA SHEET

OFFICE/WAREHOUSE  
(TITLE 30)

SUNSET RD/WARBONNET WY

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**NZC-22-0392-SOUTHWEST CORPORATE CAMPUS LLC:**

**ZONE CHANGE** to reclassify 3.7 acres from a C-2 (General Commercial) Zone to an M-D (Designed Manufacturing) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) cross-access; and 2) modified driveway design standards.

**DESIGN REVIEWS** for the following: 1) distribution warehouse complex; and 2) finished grade in the CMA Design Overlay District.

Generally located on the east side of Warbonnet Way and the north side of Sunset Road within Spring Valley (description on file). MN/rk/jo (For possible action)

**RELATED INFORMATION:**

**APN:**  
163-33-813-003

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Waive cross-access where required per Table 30.56-2.
2. a. Reduce throat depth for the driveways along Warbonnet Way to a minimum of 19 feet, 5 inches where 25 feet is the standard per Uniform Standard Drawing 222.1 (an 22% reduction).
- b. Reduce the departure distance from an intersection to a driveway along Warbonnet Way to 183 feet where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 3% reduction).

**DESIGN REVIEWS:**

1. Distribution warehouse complex.
2. Increase finished grade to 10 feet, 7 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 253% increase).

**LAND USE PLAN:**  
SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A

- Site Acreage: 3.7
- Project Type: distribution warehouse complex
- Number of Stories: 1 (with potential mezzanine)
- Building Height (feet): Up to 35
- Square Feet: 79,735
- Parking Required/Provided: 80/84

### **Neighborhood Meeting Summary**

The applicant conducted a virtual neighborhood meeting on October 7, 2021, as required by the nonconforming amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. There was 1 attendee present at the open house meeting for this item. The attendee had general questions about traffic, type of potential tenants, and security of the site.

### Site Plans

This application is for a nonconforming zone change to M-D zoning with waivers and a design review for a distribution warehouse complex. The plans depict a 39,895 square foot warehouse building and a 39,840 square foot warehouse building located in the central portion of the site with parking shown on the west side of the site and between the 2 buildings. This site is adjacent to existing industrial uses. The loading docks are screened from public view by the building itself. The remaining front portion of the site is designated for parking areas, drive aisles, and landscaping. No cross-access is proposed with the adjacent development to the east since they are built out with existing curb, landscaping, and no future cross-access points. There are 2 driveways shown along Warbonnet Way to the west. A total of 84 parking spaces are provided where 80 spaces are required.

### Landscaping

Street landscaping consists of a 15 foot wide landscape area with a detached sidewalk along Sunset Road and a 20 foot wide landscape area behind an attached 5 foot wide sidewalk along Warbonnet Way. Interior to the site, landscaping is distributed throughout the parking lot and around the front portions of the building footprint.

### Elevations

The 35 foot high building has a contemporary architectural design consisting of painted concrete tilt-up panels with glass store fronts and vertical and horizontal reveal lines. There are surface plane and color variations consisting of walls that are off-set with contrasting design schemes. The height of the building varies slightly and has been designed to break-up the roofline and enhance the overall look of the building. The overhead doors will be located on the north and south sides of the buildings that are internal to the site.

### Floor Plans

The warehouse buildings will be 39,895 square feet and 39,840 square feet respectively. Both lease spaces show as an open warehouse area with incidental office that will potentially be on a second floor mezzanine.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the property is immediately south and west of the existing IGT facility that is zoned M-D, and that numerous parcels along Sunset Road have been rezoned to M-D. Therefore, according to the applicant this site is a prime location for a distribution warehouse use and is compatible with adjacent uses in terms of scale and site design. Furthermore, this project meets the required parking for this use and meets the design criteria of the CMA Design Overlay District.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-0725-16	Vacated and abandoned a portion of right-of-way being Sunset Road - expired	Approved by BCC	December 2016
DR-0704-16	Proposed parking lot and lighting plan in conjunction with an adjacent M-D development - expired	Approved by BCC	December 2016
TM-0148-16	1 lot commercial subdivision - expired	Approved by BCC	December 2016
ZC-0172-01	Reclassified this site to C-2 zoning for a 1-story shopping center with 1 pad site	Approved by BCC	March 2001

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use & Business Employment	C-2 & M-D	Undeveloped & office/warehouse
South	Multi-Family Residential - High Density (up to 25 du/ac)	R-4	Apartment complex
East	Corridor Mixed-Use	M-D	Office/Warehouse
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

**STANDARDS FOR APPROVAL:**

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

Analysis

Current Planning

Zone Change

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

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

This development is located adjacent to an existing large scale distribution center (IGT campus) and over the past 15 years, several parcels located north of the CC 215 along Sunset Road that were designated for commercial development in the Land Use Plan have been reclassified to business design manufacturing land uses. In addition, M-D zoning can be found along Sunset Road heading east and west of the subject site. The proposed project is appropriate for this location and the development will be a half mile north of the CC 215.

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

The density and intensity of the use being proposed by this amendment is compatible with the existing and planned land uses along the CC 215. The project in terms of scale, intensity, and density are compatible with the adjacent developments to the north and east of this site. Furthermore, the overall site has been designed to minimize impacts on the surrounding area and the requested use will create less traffic for the area than a C-2 zoned use.

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

The proposed zone change will not result in any additional impacts on surrounding infrastructure not already contemplated in the area. The facility will take advantage of the nearby CC 215 for any traffic and will utilize existing infrastructure. There has been no indication from service providers that this request will have a substantial adverse effect on public facilities and services. Various Clark County service departments have reviewed the development proposal and based on the comments received from those service providers, the project is not anticipated to have additional impacts on the surrounding infrastructure beyond what would have been anticipated for a commercial development.

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

Growth Management Policy 1 encourages the development of undeveloped parcels within serviced areas. The vacant parcel is within an area serviced by public utilities, and a nonconforming zone change to M-D zoning would make the parcel more viable for development. This proposal also meets the goals and policies of the Master Plan which encourage in-fill development with proper transitioning between uses. According to the applicant thoughtful transition has been proposed with ample street landscaping and overhead doors located internally away from the right-of-way and out of the line of site from the street or the adjacent residential to the west. Staff finds the proposed nonconforming zone change to M-D, with the proposed layout and design, consistent with the County's goals and policies.

## **Summary**

### Zone Change

The proposed nonconforming zone boundary amendment is appropriate since a changing economy necessitates more M-D zoning to accommodate logistics, warehousing, and distribution. Also, the intensity of uses allowed in an M-D zone is compatible with the existing surrounding development. Lastly, the proposed nonconforming zone boundary amendment will not adversely impact public utilities and services, and it conforms to applicable adopted plans, goals, and policies. Therefore, staff finds the applicant has provided a Compelling Justification to warrant approval of the nonconforming zone boundary request.

### Waivers of Development Standards

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

#### Waiver of Development Standards #1

Staff can support the applicants request to not be required to provide cross-access to adjacent the property. Even though these are complementary uses, the adjacent property is developed and has curb and landscape areas along its perimeter;; therefore, staff can support this waiver request.

#### Design Review #1

The design of the proposed warehouse buildings is consistent in design to other industrial and manufacturing facilities in the area. 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 developments, and the design of this project complies with the intent and requirements of the CMA Design Overlay District. Furthermore, the varying heights of the parapet walls break-up the roofline of the building and the use of different colors and textures on the exterior walls minimize the visual impact of the buildings; therefore, staff can support this request.

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

#### Waiver of Development Standards #2

Staff worked with the applicant on the location and throat depth of the driveways to provide an increased distance between the driveways and on-site parking spaces to reduce conflicts in the right-of-way. Additionally, the proposed driveway locations provide a safe separation between the proposed driveways and Encanterra Road on the west side of Warbonnet Way.

#### Design Review #2

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

### **Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on October 4, 2022 at 1:00 p.m., unless otherwise announced.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- Resolution of Intent to complete in 3 years;
- Enter into a standard 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;
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waiver of development standards and design reviews must commence within 2 years of approval date or they will expire.

#### **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;
- Traffic study and compliance;
- 30 days to coordinate with Public Works - Kaizad Yazdani 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 off-site improvement permits may be required.

#### **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.

#### **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 #0351-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** EBS REALTY PARTNERS

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

DRAFT







# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC)  <input type="checkbox"/> USE PERMIT (UC)  <input type="checkbox"/> VARIANCE (VC)  <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WVS) <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 #)	<b>STAFF</b>  APP. NUMBER: <u>NZC-22-0392</u> DATE FILED: <u>7-6-22</u> PLANNER ASSIGNED: <u>RC</u> TAB/CAC: <u>Spring Valley</u> TAB/CAC DATE: <u>8-9-22</u> PC MEETING DATE: <u>9-6-22</u> C-2 to M-D BCC MEETING DATE: <u>10-4-22</u> Corridor Mixed Use FEE: <u>\$3230.00</u> MN      ZC-0172-01
	<b>PROPERTY OWNER</b>  NAME: <u>Southwest Corporate Campus, LLC</u> ADDRESS: <u>3930 Howard Hughes Pkwy, Suite 360</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89169</u> TELEPHONE: <u>702 802 7840</u> CELL: <u>775 544 7922</u> E-MAIL: <u>CParker@panation.com</u>
	<b>APPLICANT</b>  NAME: <u>EBS Realty Partners, LLC</u> ADDRESS: <u>5980 Procyon Street, Suite A</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702 597 0705</u> CELL: _____ E-MAIL: <u>bb@ebsrp.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>Stephanie Allen - Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: _____ E-MAIL: <u>sha@kcnvlaw.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 163-33-813-003

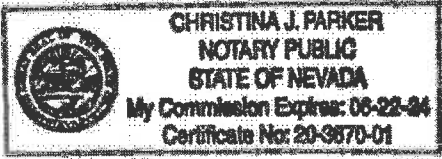
PROPERTY ADDRESS and/or CROSS STREETS: Sunset and Warbonnet

PROJECT DESCRIPTION: NZC and DR for Industrial Project

(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) Doug Roberts      Doug Roberts, Local Partner  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON September 15, 2021 (DATE)  
 By Doug Roberts, Local Partner  
 NOTARY PUBLIC: [Signature]



\*NOTE: Corporate resolution 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.



**KAEMPFFER  
CROWELL**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

**STEPHANIE ALLEN**

sallen@kcwlaw.com  
702.792.7000

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**RENO OFFICE**  
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Tel: 775.852.3900  
Fax: 775.327.2011

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

June 13, 2022

**VIA UPLOAD**

CLARK COUNTY COMPREHENSIVE PLANNING  
500 S. Grand Central Parkway, 1<sup>st</sup> Floor  
Las Vegas, NV 89155

**Re: *Compelling Justification Letter – Nonconforming Zone Change to M-D,  
Design Review & Related Waivers for Distribution Center  
APN: 163-33-813-003***

To Whom It May Concern:

This firm represents EBS Realty Partners (the “Applicant”) in the above referenced matter. The proposed project is located on the northeast corner of Sunset Road and Warbonnet Way on approximately 3.68 acres (the “Property”). The property is more particularly described as Assessor’s Parcel Number 163-33-813-003.

The subject parcel is zoned General Commercial (C-2) and is master planned Corridor Mixed-Use. The Applicant is requesting a non-conforming zone change to M-D for a Distribution Center. A Distribution Center is a conditional use in M-D. The parcel to the north and east is M-D. The parcels to the west are zoned R-2. The parcel to the south is zoned R-4. The proposed zone change is compatible with the area with the same zoning that exists to the north and east. The Applicant has designed the site with consideration for the existing residential to the west. There is proposed extensive landscaping to be consistent with the adjacent IGT development and to provide an attractive streetscape.

**NONCONFORMING ZONE CHANGE**

The Project is located in the Spring Valley Land Use Plan. The designation for the Property is Corridor Mixed Use. This request satisfies the criteria for a nonconforming zone change with the compelling justification required by Title 30 as follows:

- 1. A change in law, policies, trends, or facts after the adoption of the land use plan that have substantially changed the character or condition of the area,**



**or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate:**

The overall Clark County Master Plan was updated in late November 2021 adding new master plan categories. The Site is now master planned Corridor Mixed Use; however, the area to the north and east has been developed under MD zoning, making this property appropriate for MD zoning. This parcel is not ideal for commercial or mixed use development since it is not on the hard corner, and it is sandwiched between MD and residential zoning. It makes more sense to continue the MD development (which is less intense than commercial zoning) and buffer the residential to the west appropriately. The proposed extensive landscaping that surrounds the IGT campus has been extended on this proposed development.

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

Approximately 33 acres to the northeast is zoned M-D and consists of an existing industrial project. The requested industrial use will create less traffic for the area than a C-2 zoned use would produce. The proposed MD zoning is consistent and compatible with the existing uses and will provide a better buffer to the existing residential to the west than a commercial development would provide.

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

The proposed zone change will not result in any additional impacts on surrounding infrastructure not already contemplated in the area. This application request is to change a commercial use to an industrial use. Therefore, there will be no negative impact on parks or schools. Additionally, the traffic patterns for the industrial distribution use will be less than the traffic generated by commercial uses.

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

The new goals and policies for the Spring Valley Land Use Plan encourage infill development with property transitioning between uses. *See* Policy 1.1. This property is an infill parcel between single family residential to the west and industrial to the east. The planned commercial or mixed use development is not compatible. A thoughtful transition has been proposed with ample landscape to blend with the existing IGT campus to the east. Additionally, the Spring Valley Land Use states that commercial should be focused at commercial nodes instead of along linear commercial corridors. *See* Policy 1.5. Although this parcel is master planned Corridor Mixed Use, it is not an ideal location for commercial or mixed use



development since it is between residential and industrial uses. Moreover, industrial policies in Clark County have always encouraged development that is properly screened from residential, as is proposed here. The applicant is proposing the Project with its roll-up, overhead doors located internally away from the right-of way and out of the line of site from the street or the adjacent residential. The proposed nonconforming zone change to MD, with the proposed layout and design consistent with the County's goals and policies, is much more compatible with the area. To develop commercial on this site would be incompatible with the area.

### **DESIGN REVIEW**

The proposed Distribution Center will be built for future tenants to be determined at a later date. There are two buildings proposed consisting of 39,895 square feet and 39,840 square feet. The total square footage will be 79,735. The building will consist of truck dock doors located between the two buildings which are visually screened from the street. Two ingress/egress points will be located on Warbonnet Way. The applicant has a letter from the property owner to the north indicating it does not want shared access. *See attached.* The maximum building height will be 35 feet in height which is consistent with the maximum heights of the adjacent two story residential homes. The project exceeds the required parking by providing 84 parking spaces where 80 spaces are required. The building itself will be a concrete tilt up building with metal canopies and aluminum store front framing with tempered glazing on all the doors. The roofline will vary in height with parapets on the roof. The color scheme will be gray and white with the roll-up doors painted to match the building. The proposed distribution center will match the adjacent industrial use to the northeast of the project and the extensive landscaped streetscape will continue in front of this project to appropriately buffer the residential to the west. The proposed development and its design fits in with the existing development in the area.

The applicant is also requesting a design review for increased grade. The site will have a maximum amount of 10 feet 7 inches of fill where 36 inches is allowed without a design review. There is a large wash running through the property that will require fill. The max fill will be located in the northeast corner to bring the property up to street grade to allow proper drainage.

### **WAIVER OF DEVELOPMENT STANDARDS**

The applicant is requesting a waiver of both of the required throat depths on Warbonnet Way. The northern driveway is to 19 feet 10 inches where 25 feet is required and the western parcel is 19 feet 5 inches where 25 feet is required. The site plan has been revised to remove parking spaces near the entry ways to avoid potential vehicular conflicts with truck traffic.

The applicant is also requesting a waiver of the cross access to the parcel to the east. This parcel will be part of the IGT facility and cross access will not be needed. Please see attached letter again for your reference.



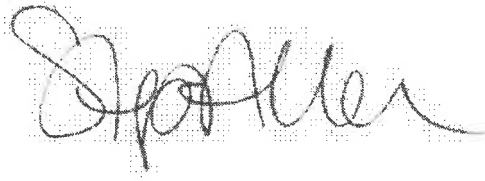


Lastly, the applicant is requesting a waiver of the departure distance from the intersection at Sunset and Warbonnet. There is approximately 183 feet where 190 feet is required. The minor 7-foot reduction will not have an adverse impact on the area.

Thank you for your consideration of this application. Should you have any questions, please don't hesitate to contact me or my paralegal Lindsay Kaempfer at (702) 792-7000.

Sincerely,

KAEMPFER CROWELL

A handwritten signature in cursive script, appearing to read "Stephanie Allen", is centered on the page. The signature is written in black ink on a white background.

Stephanie Allen

SHA/lak



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09/06/22 PC AGENDA SHEET

BRINKER  
(TITLE 30)

TWAIN AVE/MCLEOD DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-22-500146-BRINKER 1980 TRUST & BRINKER CHARLES & PHYLLIS CO-TRS:**

**TENTATIVE MAP** consisting of 5 lots and common lots on 1.3 acres in an R-1 (Single Family Residential) (RNP-III) Zone.

Generally located on the south side of Twain Avenue and the west side of McLeod Drive within Paradise. TS/md/jo (For possible action)

**RELATED INFORMATION:**

**APN:**  
162-13-303-001

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 2981 E. Twain Ave.
- Site Acreage: 1.3
- Number of Lots: 5
- Density (du/ac): 3.9
- Minimum/Maximum Lot Size (square feet): 7,682/14,021 (gross and net)
- Project Type: Single family residential development

The plans depict a single family residential development consisting of 5 lots on 1.3 acres with a density of 3.9 dwelling units per acre. The minimum and maximum lot sizes are 7,682 and 14,021 square feet, respectively. The 5 single family residential lots will front, and take direct access from, McLeod Drive. Five foot wide attached sidewalks are proposed along Twain Avenue and McLeod Drive.

**Landscaping**

The plans depict a common lot landscape area, consisting of 1,053 square feet, located between Twain Avenue and the north property line of Lot 5. The street landscape area measures 10 feet in width and includes 24 inch box trees planted 20 feet on center, in addition to shrubs and groundcover.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0658-00	Established the RNP-III overlay district	Approved by BCC	July 2000

**Surrounding Land Use**

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

**Related Applications**

Application Number	Request
WS-22-0421	Waivers of development standards for access to collector streets, attached sidewalks, and a design review for a single family residential development is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis****Current Planning**

This request meets the tentative map requirements as outlined in Title 30.

**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, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:****Current Planning**

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

**Public Works - Development Review**

- Drainage study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 10 additional feet for McLeod Drive, 40 feet for Twain Avenue, and associated spandrel.

**Current Planning Division - Addressing**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0272-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: SIGNATURE HOMES**

**CONTACT: ACTUS, 3283 EAST WARM SPRINGS ROAD, SUITE 300, LAS VEGAS, NV 89120**



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# TENTATIVE MAP APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>TM-22-500146</u>	DATE FILED: <u>7/13/22</u>
		PLANNER ASSIGNED: <u>MUD</u>	TAB/CAC DATE: <u>8/9/22</u> <u>@ 6:00 P.M.</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		TAB/CAC: <u>SPRING VALLEY</u>	
		PC MEETING DATE: <u>9/6/22 @ 7:00 P.M.</u>	
		BCC MEETING DATE: <u>-</u>	
		FEE: <u>\$750.00</u>	

<b>PROPERTY OWNER</b>	NAME: <u>Brinker 1980 Trust</u>
	ADDRESS: <u>2981 East Twain Avenue</u>
	CITY: <u>Las Vegas</u>
	STATE: <u>NV</u> ZIP: <u>89121</u>
	TELEPHONE: <u>702-428-6570</u> CELL: <u>702-428-6570</u>
	E-MAIL: <u>ggmanv10@cox.net</u>

<b>APPLICANT</b>	NAME: <u>Signature Homes</u> Contact: <u>Rick Barron</u>
	ADDRESS: <u>801 South Rancho Drive, Suite E-4</u>
	CITY: <u>Las Vegas</u>
	STATE: <u>NV</u> ZIP: <u>89106</u>
	TELEPHONE: <u>702-671-8062</u> CELL: <u>702-498-8471</u>
	E-MAIL: <u>rickerbarron@signaturehomes.com</u>
	REF CONTACT ID #:

<b>CORRESPONDENT</b>	NAME: <u>Actus</u> Contact: <u>Caitlin Cypher</u>
	ADDRESS: <u>3283 East Warm Springs Road, Suite 300</u>
	CITY: <u>Las Vegas</u>
	STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702-588-9296 x110</u> CELL: <u>702-203-4014</u>
	E-MAIL: <u>caitlin.cypher@actus-nv.com</u>
	REF CONTACT ID #:

ASSESSOR'S PARCEL NUMBER(S): 162-13-303-001

PROPERTY ADDRESS and/or CROSS STREETS: McLeod Drive and East Twain Road

TENTATIVE MAP NAME: Binker

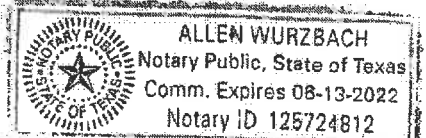
I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Phyllis J. Brinker Phyllis J. Brinker  
Property Owner (Signature)\* Property Owner (Print)

STATE OF TEXAS  
COUNTY OF BOSCH

SUBSCRIBED AND SWORN BEFORE ME ON March 19 2022 (DATE)  
By Phyllis J. Brinker

NOTARY PUBLIC: Allen Wurzbach



\*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.





09/07/22 BCC AGENDA SHEET

MASSAGE  
(TITLE 30)

ARBY AVE/DURANGO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

AR-22-400090 (UC-0014-16)-KLOSSCO DURANGO, LLC:

USE PERMIT THIRD APPLICATION FOR REVIEW of a massage establishment in conjunction with an existing shopping center on 4.6 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay.

Generally located on the north side of Arby Avenue, 290 feet east of Durango Drive within Spring Valley. MN/sr/syp (For possible action)

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RELATED INFORMATION:

**APN:**

176-04-301-010

**LAND USE PLAN:**

SPRING VALLEY - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 7060 S. Durango Drive
- Site Acreage: 4.6
- Project Type: Massage
- Number of Stories: 1
- Square Feet: 2,460 (tenant space)
- Parking Required/Provided: 298/423 (entire shopping center)

Site Plan

The original plan depicted a proposed massage establishment located in a tenant space within an existing shopping center. An in-line retail building is located along the east property line, and the massage establishment occupies a space near the center of the building. Parking spaces are located in front of the in-line retail building, and 3 pad sites are located on adjacent parcels along the west side of the shopping center along Durango Drive. Access to the shopping center is provided by driveways from Badura Avenue, Durango Drive, and Arby Avenue.

Landscaping

No changes to the existing landscaping were required or proposed with the original application.

### Elevations

The existing buildings include varied rooflines up to a maximum height of 45 feet. All of the buildings have similar architectural features that include flat roofs with parapets, painted stucco, stone veneer, aluminum storefront glazing systems, and awnings.

### Floor Plan

The original floor plan of the approved 2,460 square foot massage establishment included a reception/lobby area, office, and a hallway connecting 7 massage rooms. One of the rooms includes 2 massage tables for a couple's massage experience; however, this room can be separated into 2 rooms with a panel folding wall. Restrooms, storage areas, and a breakroom with lockers are also depicted on the plans.

### Signage

Signage was not a part of the original application.

### Previous Conditions of Approval

Listed below are the approved conditions for AR-19-400086 (UC-0014-16):

#### Current Planning

- Until June 30, 2022 to review as a public hearing;
- Hours of operation remain limited to 8:00 a.m. to 9:00 p.m., per Title 30.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

#### 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.

Listed below are the approved conditions for UC-0014-16 (AR-0079-17):

#### Current Planning

- Until June 30, 2019 to review as a public hearing.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Listed below are the approved conditions for UC-0014-16:

#### Current Planning

- Until June 30, 2017 to commence and review as a public hearing;
- Hours of operation limited to 8:00 a.m. to 9:00 p.m. per Title 30.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review;

and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

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

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that at the time of construction of new facilities, CCWRD requires submittal of civil improvement plans and estimated wastewater flow rates to verify sewer point of connection and to check for any changed conditions.

**Applicant's Justification**

The applicant states that they have been in operation 6 years and wish to continue their business at their current location.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
AR-19-400086 (UC-0014-16)	Second application for review of a use permit for a massage establishment	Approved by BCC	August 2019
UC-0014-16 (AR-0079-17)	First application for review of a use permit for a massage establishment	Approved by BCC	August 2017
UC-0014-16	Massage establishment	Approved by BCC	March 2016
DR-0573-15	Comprehensive sign package	Approved by BCC	October 2015
WS-0994-14	Comprehensive sign package that included a freestanding sign and wall signs in conjunction with an existing bank pad site and proposed commercial retail center on 9 acres	Denied by BCC	February 2015
ZC-0629-14	Reclassified the eastern portion of the shopping center to C-2 zoning with a design review for a shopping center on both parcels	Approved by BCC	September 2014
ZC-1286-04	Reclassified the western portion of the shopping center to C-2 zoning with a design review for a bank pad site	Approved by BCC	August 2004

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Urban Neighborhood (greater than 18 du/ac)	R-4	Undeveloped
South	Business Employment	U-V	Undeveloped
East	Business Employment	M-D	Undeveloped
West	Business Employment	C-2	Shopping center

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Current Planning**

Title 30 standards of approval for an application for review state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred since the original approval. Additionally, there have been no reported violations and no known issues with the current establishment. For these reasons, staff recommends approval of the review and further recommends the removal of future reviews.

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- Remove the time limit to review.

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

- No comment.

#### **Fire Prevention Bureau**

- No comment.

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

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

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** LEGACY WELLNESS, LLC

**CONTACT:** LEGACY WELLNESS, LLC, 7060 S. DURANGO DR., SUITE 113, LAS VEGAS, NV 89113

09/07/22 BCC AGENDA SHEET

CANNABIS ESTABLISHMENT  
(TITLE 30)

HUALAPAI WAY/PEACE WAY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0419-FTH NEVADA, INC.:

USE PERMIT for a cannabis establishment (distributor) within an existing retail building in conjunction with a shopping center on a portion of 3.5 acres in a C-2 (General Commercial) Zone.

Generally located on the east side of Hualapai Way and the south side of Peace Way within Spring Valley. JJ/md/syp (For possible action)

RELATED INFORMATION:

**APN:**

163-19-316-003 through 163-19-316-007 ptn

**LAND USE PLAN:**

SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 4510 Hualapai Way
- Site Acreage: 3.5 (portion)
- Project Type: Cannabis establishment (distributor)
- Number of Stories: 1
- Building Height (feet): 30
- Square Feet: 4,400
- Parking Required/Provided: 168/186

History & Request

The Board of County Commissioners approved use permits for a cannabis retail store (UC-20-0586) and cannabis dispensary (UC-20-0572) in February 2021. The applicant is now requesting a use permit to operate as a distributor to transfer their cultivation and production products to their own dispensaries and others throughout the Las Vegas Valley.

Site Plan

The existing building is located at the northwest corner of the shopping center, adjacent to Hualapai Way and Peace Way. Access to the site is granted via existing commercial driveways

located along Hualapai Way and Peace Way. The shopping center requires 168 parking spaces where 186 parking spaces are provided.

Landscaping

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

Elevations

The plans depict an existing 1 story retail building with an overall height of 30 feet to the top of the parapet wall. The exterior of the building consists of a stucco finish and an aluminum storefront window system with door treatments. The building is painted with neutral, earth tone colors.

Floor Plans

The plans depict an existing 4,400 square foot building consisting of a product intake area, delivery storage, reception area, curbside/express pick-up area, inventory, office, lobby, display area, dispensary, breakroom, and restroom facilities.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states they recently acquired a distributor's license and must transfer the license to the current location to deliver their cultivation and production products to their own dispensaries and others throughout the Las Vegas Valley. The proposed use is incidental to the overall dispensary and should not impact traffic in the area.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-20-0586	Cannabis retail store	Approved by BCC	February 2021
UC-20-0572	Cannabis dispensary	Approved by BCC	February 2021
TM-0281-05	1 lot commercial subdivision	Approved by PC	June 2005
DR-1445-04	Shopping center	Approved by PC	September 2004
ZC-0559-99	Reclassified the project site to C-2 zoning for a future commercial development	Approved by BCC	October 2000

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Urban Neighborhood (greater than 18 du/ac)	R-4	Multiple family residential
South	Neighborhood Commercial	C-1	Mini-warehouse

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Compact Neighborhood (up to 18 du/ac)	R-3	Undeveloped
West	Summerlin South Single Family	R-2	Single family residential

### STANDARDS FOR APPROVAL:

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

### Analysis

#### Current Planning

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

The separation survey shows that all the required separations from community facilities and schools are being met. The crime report indicates that within a 1 mile radius, 49 crime reports were filed by Metro in the 60 days prior to the application submittal. Building elevations indicate that a professional appearance will be maintained. Staff finds that the proposed cannabis distributor use will not have an adverse effect on adjacent properties and the character of the neighborhood. Therefore, staff recommends approval.

#### Staff Recommendation

Approval.

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

### PRELIMINARY STAFF CONDITIONS:

#### Current Planning

- A valid Clark County business license must be issued for this business within 2 years of approval or the application will expire;
- To prevent odor nuisances, an odor control plan must be submitted to the Clark County Business License Department.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

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

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** NATURAL MEDICINE DBA GREEN

**CONTACT:** LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,  
BLDG 3 STE 577, LAS VEGAS, NV 89134





# CANNABIS ESTABLISHMENT APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

4

<b>APPLICATION TYPE</b>  <input checked="" type="checkbox"/> <b>USE PERMIT (UC)</b> <input type="checkbox"/> <b>ADMINISTRATIVE DESIGN REVIEW (ADR)</b> <input type="checkbox"/> <b>EXTENSION OF TIME (ET)</b>  (ORIGINAL APPLICATION #) <input type="checkbox"/> <b>APPLICATION FOR REVIEW (AR)</b>  (ORIGINAL APPLICATION #) <b>CANNABIS ESTABLISHMENT</b> <input type="checkbox"/> <b>CULTIVATION FACILITY</b> <input type="checkbox"/> <b>DISPENSARY</b> <input checked="" type="checkbox"/> <b>DISTRIBUTOR</b> <input type="checkbox"/> <b>INDEPENDENT TESTING LABORATORY</b> <input type="checkbox"/> <b>PRODUCTION FACILITY</b> <input type="checkbox"/> <b>RETAIL CANNABIS STORE</b>	<b>STAFF</b>	<b>APP. NUMBER:</b> <u>UC-22-0419</u> <b>DATE FILED:</b> <u>7/13/22</u> <b>PLANNER ASSIGNED:</b> <u>MMD</u> <b>TAB/CAC:</b> <u>SPRING VALLEY</u> <b>TAB/CAC DATE:</b> <u>8/9/22</u> <b>PC MEETING DATE:</b> <u>-</u> <u>6:00 P.M.</u> <b>BCC MEETING DATE:</b> <u>9/7/22 @ 9:00 A.M.</u> <b>FEE:</b> <u>\$5,175.00</u>	
		<b>PROPERTY OWNER</b>	<b>NAME:</b> <u>F T H Nevada, Inc. C/O Doug Shimabukuro</u> <b>ADDRESS:</b> <u>1765 S King ST</u> <b>CITY:</b> <u>Honolulu</u> <b>STATE:</b> <u>HI</u> <b>ZIP:</b> <u>96826</u> <b>TELEPHONE:</b> _____ <b>CELL:</b> _____ <b>E-MAIL:</b> _____
			<b>APPLICANT</b>

<b>CORRESPONDENT</b>	<b>NAME:</b> <u>LAS Consulting- Lucy Stewart</u> <b>ADDRESS:</b> <u>1930 Village Center Circle Bldg 3-577</u> <b>CITY:</b> <u>Las Vegas</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89134</u> <b>TELEPHONE:</b> _____ <b>CELL:</b> <u>702-499-6469</u> <b>E-MAIL:</b> <u>stewplan@gmail.com</u> <b>REF CONTACT ID #:</b> <u>165577</u>
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**ASSESSOR'S PARCEL NUMBER(S):** 163-19-316-003

**PROPERTY ADDRESS and/or CROSS STREETS:** 4510 S. Hualapai

**PROJECT DESCRIPTION:** Use Permit for a Distribution license for the transport of of cannabis & cannabis products

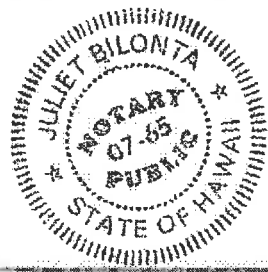
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

FTH Nevada, Inc.  
[Signature]      Douglas Shimabukuro, Treasurer  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF HI  
 COUNTY OF CLACK

SUBSCRIBED AND SWORN BEFORE ME ON \_\_\_\_\_ (DATE)  
 By [Signature]

NOTARY PUBLIC: Juliet Bilonta      163 18 2023



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



*LAS Consulting*  
1930 Village Center Circle 3 #577  
Las Vegas, NV. 89134  
(702) 499-6469-cell  
(702) 946-0857

June 25, 2022

Comprehensive Planning  
500 Grand Central Pkwy, 1<sup>st</sup> floor  
Las Vegas, NV 89155

PLANNER  
COPY

RE: Natural Medicine Dispensary dba Green, 163-19-316-003

Dear Sir or Madam:

Please accept this letter as our request to relocate a distributor license. Green Dispensary recently opened at this location. The applicant has purchased a distributor license from Planet 123 and need to transfer the license to this location, so they are able to deliver their cultivation and production products from their cultivation/production facility to their own dispensaries and others throughout the valley.

The existing dispensary, Natural Medicine purchased an existing dispensary (Blum) and relocated both the retail and medical dispensaries from 3650 South Decatur #6-7 to this new location. The existing retail and medical dispensaries received a Clark County Business License and been inspected by the State of Nevada. The dispensary has received its State Certificate and complied with the rules and regulations for a retail and medical Marijuana Store. They are having their grand opening on July 2<sup>nd</sup>. This license will be located on a small corner of the dispensary. It should have no impact on the traffic in the area.

We believe this to be an incidental use to the overall dispensary and respectfully request your approval.

Yours truly,

*Lucy Stewart*

Lucy Stewart

