Winchester Town Advisory Board

November 12, 2019

MINUTES

I. Call to Order, Pledge of Allegiance, Roll Call, (see above) County Staff Introductions Brody Bernhart; Planning, Beatriz Martinez; Town Liaison, Victoria Bonner; Secretary. The meeting was called to order at 6:02 p.m.

II. Public Comment

None

III. Approval of October 29, 2019 Minutes

Moved by: Delibos
Approve minutes as submitted
Vote: 4-0 Unanimous

IV. Approval of Agenda for November 12, 2019

Moved by: Delibos
Approve as submitted
Vote: 4-0 Unanimous

V. Informational Items

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

Beatriz Martinez invited the community to Neighborhood Clean up at Sunrise Trailhead. This will be
VI. Planning & Zoning:

1. **UC-19-0806-MARYLAND VIEW LP & SAHPAV LLC:**
   **USE PERMIT** for a proposed major training facility within a portion of an existing shopping center on 5.1 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Decatur Boulevard, 830 feet south of Sahara Avenue within Winchester. TS/md/jd (For possible action)

   Moved By- Delibos
   Approve- with staff conditions
   Vote: 3-0 Unanimous

   12/04/19 BCC

2. **ZC-19-0747-EASTSIDE ACQUISITION, LLC:**
   **ZONE CHANGE** to reclassify 1.8 acres from C-1 (Local Business) Zone and M-D (Designed Manufacturing) Zone to C-2 (General Commercial) Zone.
   **USE PERMITS** for the following: 1) reduced separation from a convenience store to a residential use; and 2) reduced separation from a gasoline station to a residential use.
   **WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced separation for a trash enclosure; 2) reduced driveway separation; and 3) allow modified driveway design standards.
   **DESIGN REVIEWS** for the following: 1) commercial center with a restaurant (coffee shop) with a drive-thru, convenience store, and gasoline station; and 2) alternative parking lot landscaping. Generally located on the north side of Desert Inn Road and the west side of Pecos Road within Winchester (description on file). TS/pb/xx (For possible action)

   Moved By- Delibos
   Hold until next meeting- 11/26/19
   Vote: 3-0 Unanimous

   12/04/19 BCC

VI. General Business

VII. Public Comment

VIII. Next Meeting Date

   **The next regular meeting will be November 26, 2019**

IX. Adjournment

   **The meeting was adjourned at 6:17 p.m.**
ATTACHMENT A
WINCHESTER TOWN ADVISORY BOARD
ZONING AGENDA
TUESDAY, 6:00 P.M., NOVEMBER 26, 2019

12/04/19 BCC

1. **ZC-19-0747-EASTSIDE ACQUISITION, LLC:**
ZONE CHANGE to reclassify 1.8 acres from C-1 (Local Business) Zone and M-D (Designed Manufacturing) Zone to C-2 (General Commercial) Zone.
**USE PERMITS** for the following: 1) reduced separation from a convenience store to a residential use; and 2) reduced separation from a gasoline station to a residential use.
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced separation for a trash enclosure; 2) reduced driveway separation; and 3) allow modified driveway design standards.
**DESIGN REVIEWS** for the following: 1) commercial center with a restaurant (coffee shop) with a drive-thru, convenience store, and gasoline station; and 2) alternative parking lot landscaping. Generally located on the north side of Desert Inn Road and the west side of Pecos Road within Winchester (description on file). TS/pb/ja (For possible action)

12/17/19 PC

2. **WS-19-0849-MARYLAND G K LEGACY, LLC:**
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase sign area for a freestanding sign; and 2) increase animation area for a freestanding sign.
**DESIGN REVIEW** for a proposed freestanding sign in conjunction with an existing office building on 2.0 acres in a C-1 (Local Business) Zone. Generally located on the east side of Maryland Parkway, approximately 600 feet south of Karen Avenue within Winchester. MN/sd/jd (For possible action)
COMMERCIAL CENTER
(TITLE 30)

DESSERT INN RD/PECOS RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ZC-19-0747-EASTSIDE ACQUISITION, LLC:

ZONE CHANGE to reclassify 1.8 acres from C-1 (Local Business) Zone and M-D (Designed Manufacturing) Zone to C-2 (General Commercial) Zone.

USE PERMITS for the following: 1) reduced separation from a convenience store to a residential use; and 2) reduced separation from a gasoline station to a residential use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced separation for a trash enclosure; 2) reduced driveway separation; and 3) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) commercial center with a restaurant (coffee shop) with a drive-thru, convenience store, and gasoline station; and 2) alternative parking lot landscaping.

Generally located on the north side of Desert Inn Road and the west side of Pecos Road within Winchester (description on file). TS/pb/ja (For possible action)

RELATED INFORMATION:

APN:
162-12-803-005; 162-12-803-006

USE PERMITS:
1. Reduce the separation from a convenience store to a residential use to 27 feet where a minimum of 200 feet is required per Table 30.44-1 (an 86.5% reduction).
2. Reduce the separation from a gasoline station to a residential use to 120 feet where a minimum of 200 feet is required per Table 30.44-1 (a 40% reduction).

WAIVERS OF DEVELOPMENT STANDARDS:
1. Reduce the separation between a trash enclosure and a residential use to 10 feet where 50 feet is required per Section 30.56.120 (an 80% reduction).
2. a. Reduce the approach distance from the driveway to the intersection to 95 feet where 150 feet is required along Pecos Road per Uniform Standard Drawing 222.1 (a 36.7% reduction).
   b. Reduce the departure distance from the driveway to the intersection to 175 feet where 190 feet is required along Desert Inn Road per Uniform Standard Drawing 222.1 (a 7.9% reduction).
3. a. Reduce throat depth for the driveway along Pecos Road to zero feet where 25 feet is the standard per Uniform Standard Drawing 222.1 (a 100% reduction).
b. Reduce throat depths for the driveways along Desert Inn Road to 10 feet where 25 feet is the standard per Uniform Standard Drawing 222.1 (a 60% reduction).

DESIGN REVIEWS:
1. Commercial center with convenience store and gasoline station.
2. Alternative parking lot landscaping standards per Figure 30.64-14.

LAND USE PLAN:
WINCHESTER/PARADISE - COMMERCIAL GENERAL

BACKGROUND:
Project Description
General Summary
- Site Address: 3350 and 3388 E. Desert Inn Road
- Site Acreage: 1.8
- Project Type: Commercial center with a restaurant (coffee shop) with a drive-thru, convenience store, and gasoline station
- Number of Stories: 1
- Building Height (feet): Up to 28
- Square Feet: 3,640
- Parking Required/Provided: 19/21

Site Plan
The request is to rezone the entire site to C-2 zoning. The eastern portion of the site is proposed for development and the western portion of the site is reserved for future development. The site will have shared access and parking. The plans depict a 3,640 square foot building located on the northeastern portion of the site 27 feet from the north property line with gasoline service pumps and a canopy located to the south of the building. A drive-thru aisle is located on the north and west sides of the building. Parking areas are located on the south side of the building and the western portion of the site. The site has access to Desert Inn Road and Pecos Road. The driveway designs and separations do not meet Code requirements. The trash enclosure is located on the northeastern portion of the site 10 feet from the north property line and an existing residential use.

Landscaping
A 15 foot wide landscape area is located adjacent to existing attached sidewalks along Desert Inn Road and Pecos Road and a 10 foot wide landscape area with intense landscaping per Figure 30.64-12 is located along the northern property line. Interior parking lot trees are distributed throughout the site except for in front of the convenience store building where there are more than 6 parking spaces without a landscape finger. The landscape materials include trees, shrubs, and groundcover.

Elevations
The convenience store building ranges in height from 18 feet to 22 feet and the gasoline canopy is 19 feet, 6 inches. The building has a flat roof and the facade includes painted cement plaster, brick veneer, wood slat panels, aluminum storefront windows and doors, and awnings.
Floor Plans
The plans depict a 3,640 square foot building with a 3,000 square foot convenience store with retail areas, storage areas, office, and restrooms and a 640 square foot restaurant (coffee shop).

Signage
Signage is not a part of this request.

Applicant’s Justification
The applicant indicates the requested zoning conforms to the land use plan and is compatible with the existing zoning and development in the area. The convenience store is “Quick Run” and the coffee shop is “Biggby Coffee”. The applicant also indicates there is an existing wall and intense landscaping between the project and the existing residential use to the north. The site will use existing driveways; therefore, the other waivers of development standards are required.

Prior Land Use Requests

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>UC-0344-10</td>
<td>Day care facility in an existing office building on the eastern parcel</td>
<td>Approved by PC</td>
<td>September 2010</td>
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<tr>
<td></td>
<td>(162-12-803-006)</td>
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<tr>
<td>DR-1897-94</td>
<td>Office building on the eastern parcel (162-12-803-006)</td>
<td>Approved by PC</td>
<td>January 1995</td>
</tr>
<tr>
<td></td>
<td>to M-D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZC-1079-94</td>
<td>Reclassified the eastern parcel (162-12-803-006) to M-D</td>
<td>Approved by BCC</td>
<td>August 1994</td>
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Surrounding Land Use

<table>
<thead>
<tr>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
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</thead>
<tbody>
<tr>
<td>North Residential Urban Center (18 to 32 du/ac)</td>
<td>R-4</td>
<td>Multiple family residential</td>
</tr>
<tr>
<td>South Residential Suburban (up to 8 du/ac)</td>
<td>R-2</td>
<td>Single family residential</td>
</tr>
<tr>
<td>East Commercial General &amp; Public Facilities</td>
<td>C-2 &amp; P-F</td>
<td>Retail &amp; school</td>
</tr>
<tr>
<td>West Commercial General</td>
<td>C-2</td>
<td>Retail</td>
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</tbody>
</table>

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

Analysis
Current Planning
Zone Change
This request conforms to the Winchester/Paradise Land Use Plan that designates this site for Commercial General. The subject parcel and the parcels on the north side of Desert Inn Road between Pecos Road and Mojave Road are zoned a mixture of C-1 and C-2 and designated as Commercial General in the land use plan. Together these parcels meet the intent of the district
which is for sites that are typically greater than 10 acres. The request also conforms to Goal 9 of the Comprehensive Master Plan by providing for commercial development that is integrated in appropriate locations throughout the community. Therefore, staff can support this request.

Use Permits
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 Comprehensive 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.

A convenience store and gasoline station are permitted in the C-2 zone subject to complying with conditions. The proposed uses are separated from the existing residential use to the north by a drive-thru aisle and a landscape area and the setback is similar to the setback of the existing shopping center to the west. Therefore, the request conforms to Urban Specific Policy 10 which encourages site designs to be compatible with adjacent land uses and off-site circulation patterns, especially when the adjacent land use is a lower density or intensity. Therefore, staff can support these requests.

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 finds an 80% reduction in separation for the trash enclosure is excessive and there is sufficient room on the site to locate the trash enclosure where the separation can be met. The request is a self-imposed hardship and conflicts with Urban Specific Policy 61 that states when commercial development is proposed adjacent to single family residential areas, nuisances caused by incompatible uses, noise, lighting, and signs that detract from, and are not consistent with the existing residential development should be prevented.

Design Reviews
The design of the building with the varying heights and pop-outs complies with Urban Specific Policy 78 of the Comprehensive Master Plan which encourages commercial developments to use enhanced architecture. The alternative landscaping only applies to the area in front of the convenience store building and results in the loss of 1 tree. Approval of the site layout for this project is contingent upon approval of waivers of development standards #2 and #3.

Public Works - Development Review
Waiver of Development Standards #2a
Staff can support the driveway location on Pecos Road since it is as far north on the property as possible.
Waiver of Development Standards #2b
While staff can generally support the location of the driveway on Desert Inn Road, it is imperative that the applicant work with the Regional Transportation Commission to ensure there are no impacts to the bus stop located near the point of curvature for the driveway. The applicant is aware that streetlights and utility poles will likely need to be moved, including the possibility of undergrounding the power lines.

Waiver of Development Standards #3a
Staff finds the reduced throat depth for Pecos Road to be hazardous as users of that driveway will immediately encounter a trash enclosure and a restaurant drive-thru lane, making it difficult to safely navigate off Pecos Road and into the site. Therefore, staff cannot support this request.

Waiver of Development Standards #3b
Staff cannot support the request to reduce the throat depth on Desert Inn Road as the entrance to the site from a major arterial street should provide sufficient distance for vehicles to exit the roadway before encountering a choice of turn movements at an intersecting drive aisle. The site can easily be redesigned to meet the minimum standard.

Staff Recommendation
Approval of the zone change, use permits, waiver of development standards #2, and the design reviews; denial of waivers of development standards #1 and #3.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning
If approved:
- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Provide intense landscaping in compliance with Figure 30.64-12 along the north property line;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial of added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permits, waivers 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;
- Traffic study and compliance;
- Extend the median on Desert Inn Road to a point 50 feet west of the point of curvature on the west side of the proposed driveway with the applicant retaining the option to allow left turns into the site but prohibiting left turns out;
- Coordinate with the Regional Transportation Commission (RTC) regarding the existing bus stop location;
- Grant easements as necessary to Clark County;
- Reconstruct any unused driveways with full off-site improvements.
- Applicant is advised that off-site permits are required for work within the right-of-way and Public Works' easements.

**Clark County Water Reclamation District (CCWRD)**
- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0542-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ANGIE GRENDahl
**CONTACT:** ANGIE GRENDahl, THOMPSON THRIFT RETAIL GROUP, 2398 E. CAMElBACK RD, SUITE 210, PHOENIX, AZ 85016
FREESTANDING SIGN

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-19-0849-MARYLAND G K LEGACY, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase sign area for a freestanding sign; and 2) increase animation area for a freestanding sign.

DESIGN REVIEW for a proposed freestanding sign in conjunction with an existing office building on 2.0 acres in a C-1 (Local Business) Zone.

Generally located on the east side of Maryland Parkway, approximately 600 feet south of Karen Avenue within Winchester. MN/sd/jd (For possible action)

RELATED INFORMATION:

APN:
162-11-201-002

WAIVERS OF DEVELOPMENT STANDARDS:
1. Increase freestanding sign area to 252 square feet where a maximum area of 219 square feet is allowed per Table 30.72-1 (a 15% increase).
2. Increase animated sign area to 140 square feet where a maximum area of 100 square feet is allowed per Table 30.72-1 (a 40% increase).

LAND USE PLAN:
WINCHESTER/PARADISE - COMMERCIAL NEIGHBORHOOD

BACKGROUND:
Project Description
General Summary
- Site Address: 2770 S. Maryland Parkway
- Site Acreage: 2.0
- Project Type: Freestanding sign
- Number of Stories: 2
- Building Height (feet): 35
- Square Feet: 252

Site Plan
The request is for a proposed freestanding sign in conjunction with an existing 44,014 square foot office building. The office building is located on the east side of Maryland Parkway with the
building set back from the right-of-way approximately 200 feet. Access to the site is from Maryland Parkway via 2 driveways. Parking is located within the front portion of the parcel and within the rear portion of the property behind the existing office building. The proposed freestanding sign will be located within the center portion of the parcel along the street and be set back at least 10 feet from the right-of-way.

Landscaping
Landscaping is not a part of this request.

Sign Elevations
The proposed freestanding sign will be 35 feet in height and will be double faced and includes 252 square foot sign area and 140 square foot LED animated display. The design includes an aluminum cabinet with digital printed graphics, a white acrylic face and painted with sand colors with an aluminum pole and will closely match the existing office building. This sign includes a 10 foot by 14 foot full color LED unit.

Applicant’s Justification
The applicant adds that an increase in the sign face and animated unit will allow for their customers to identify this location much easier for those traveling along Maryland Parkway.

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<td>UC-0717-97</td>
<td>School</td>
<td>Approved by PC</td>
<td>June 1997</td>
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<tr>
<td>DR-0238-97</td>
<td>Office building</td>
<td>Approved by PC</td>
<td>January 1997</td>
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**Surrounding Land Use**

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<th>Zoning District</th>
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</thead>
<tbody>
<tr>
<td>North &amp; West</td>
<td>Commercial General</td>
<td>C-2</td>
<td>Undeveloped</td>
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<tr>
<td>South</td>
<td>Residential Urban Center (25 du/ac)</td>
<td>R-4</td>
<td>Multifamily residential</td>
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<tr>
<td>East</td>
<td>Commercial Neighborhood</td>
<td>C-1</td>
<td>Undeveloped</td>
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**STANDARDS FOR APPROVAL:**
The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

**Analysis**

**Current Planning**

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

Waivers of Development Standards #1 & 2
Staff did not find any approvals to increase both the sign area and animated sign area for other businesses on the abutting properties. Staff also finds that the applicant has not provided a sufficient justification to warrant approval of the waivers. The proposed request for an increase in sign area and animation area is excessive. The request does not comply with Urban Specific Policy 67 of the Comprehensive Master Plan, which states that through site planning and design, ensure that commercial developments are compatible with abutting uses including appropriate signage; therefore, staff cannot support these requests.

Design Review
Approval of the design review is contingent upon approval of the waivers of development standards which staff does not support. Staff finds that the design of the sign does not meet the standards for approval required for a design review because it fails to meet the sign regulations in Title 30; therefore, staff cannot support this request.

Staff Recommendation
Denial.

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

PRELIMINARY STAFF CONDITIONS:

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

Public Works - Development Review
• No comment.

Clark County Water Reclamation District (CCWRD)
• No comment.

TAB/CAC:
APPROVALS:
PROTESTS:
APPLICANT: GABE MARTINEZ
CONTACT: SCOTT REESE, HIGH IMPACT SIGN AND DESIGN, 820 WIGWAM PKWY.,
SUITE 100, HENDERSON, NV 89014
<table>
<thead>
<tr>
<th>CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>LAND USE APPLICATION</td>
</tr>
<tr>
<td>SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION</td>
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</tbody>
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<table>
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<tr>
<th>PROPERTY OWNER</th>
<th>APPLICANT</th>
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<tbody>
<tr>
<td>MARYLAND G K LEGACY LLC</td>
<td>GGRM LAW FIRM</td>
</tr>
<tr>
<td>ADDRESS: 2770 S MARYLAND PKWY</td>
<td>ADDRESS: 2770 S MARYLAND PKWY</td>
</tr>
<tr>
<td>CITY: LAS VEGAS</td>
<td>CITY: LAS VEGAS</td>
</tr>
<tr>
<td>STATE: NV</td>
<td>STATE: NV</td>
</tr>
<tr>
<td>ZIP: 89109</td>
<td>ZIP: 89109</td>
</tr>
<tr>
<td>TELEPHONE: 702.331.7720</td>
<td>TELEPHONE: 702.331.1616</td>
</tr>
<tr>
<td>CELL: 702.483.8180</td>
<td>CELL: 702.683.8170</td>
</tr>
<tr>
<td>E-MAIL: <a href="mailto:GLKsignature@GGLawLLC.com">GLKsignature@GGLawLLC.com</a></td>
<td>E-MAIL: <a href="mailto:ggrm@GGRMLaw.com">ggrm@GGRMLaw.com</a></td>
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<tr>
<th>ASSESSOR'S PARCEL NUMBER(S): 16211201002</th>
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<tr>
<td>PROPERTY ADDRESS and/or CROSS STREETS: 2770 S MARYLAND PKWY</td>
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<tr>
<td>PROJECT DESCRIPTION: 35'-0&quot; O.A.H. FREESTANDING SIGN W/ EMU</td>
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Property Owner (Signature): Gabriel Martinez  
State of Nevada  
Oct 23, 2019  
SUBSCRIBED AND SWORN BEFORE ME ON Gabriel Martinez  
By: Gabriel Martinez  
NOTARY PUBLIC: Jennifer Vieyra Gonzalez  
JENNIFER VIEYRA GONZALEZ  
Notary Public State of Nevada  
No. 18-1592-1  
My Appt. Exp. February 13, 2022  

*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.*
October 9, 2019

County Staff

RE: 2770 S Maryland Pkwy Building

Dear County Staff:

The building located at 2770 S Maryland Pkwy is set back approximately 120 ft. from the front of Maryland Pkwy, therefore, we need a sign to let people know who and where we are. Many of our clients/customers have indicated how difficult it is to find our offices. Accordingly, we believe it is prudent and necessary to have a sign that clearly allows our clients/customers to locate us easily. We are asking for a minimal variance from 30 feet to 35 feet and from 100 ft of digital sign to 140.

Thank you for your courtesies in this matter. If you have any questions, please contact me at the number listed above.

Sincerely,

Gabriel Martinez, Esq.