



Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

August 31, 2021

7:00pm

AGENDA

Note:

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

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

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

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

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

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

- III. Approval of Minutes for August 10, 2021. (For possible action)
- IV. Approval of the Agenda for August 31, 2021 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning
 - 1. **DR-21-0403-FAP, LLC:**
DESIGN REVIEW for a restaurant with a drive-thru and outside dining on a portion of 4.3 acres in a C-2 (Commercial General) Zone. Generally located on the south side of Flamingo Road, 375 feet west of Arville Street within Paradise. MN/bb/jo (For possible action) **PC 9/21/21**
 - 2. **TM-21-500119-FLAMINGO PARTNERS, LLC:**
TENTATIVE MAP for a 1 lot commercial subdivision on 4.4 acres in a C-2 (General Commercial) zone. Generally located on the southwest corner of Flamingo Road and Hildebrand Lane within Paradise. TS/bb/jo (For possible action) **PC 9/21/21**
 - 3. **UC-21-0384-ST ROSE DOMINICAN HOSPITAL:**
USE PERMIT for a college in conjunction with an existing medical office building on 3.2 acres in a C-P (Office & Professional) Zone. Generally located on the north side of Warm Springs Road and the west side of Shadow Crest Drive within Paradise. MN/jt/jo (For possible action) **PC 9/21/21**
 - 4. **UC-21-0393-2895 UNIVERSAL, LLC:**
USE PERMITS for the following: **1)** on-premises consumption of alcohol (supper club); **2)** outside dining, drinking and cooking; and **3)** project of regional significance in conjunction with an existing building on a portion of 1.6 acres in an M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the west side of Green Valley Parkway and the south side of Ramrod Avenue within Paradise. JG/jvm/jd (For possible action) **PC 9/21/21**
 - 5. **UC-21-0406-KINGLAND PROPERTIES, LLC-PECOS OBSS SERIES:**
USE PERMIT for a Major Training Facility (Barber School) on 0.4 acres in a C-P (Office and Professional) Zone. Generally located on the south side of Quail Avenue and the east side of Pecos Road within Paradise. JG/jvm/jd (For possible action) **PC 9/21/21**
 - 6. **AR-21-400113 (UC-1188-04)-TUCKER NICOLETTE LIVING TRUST & TUCKER NICOLETTE TRS:**
USE PERMIT FOURTH APPLICATION FOR REVIEW of an existing massage establishment located within an existing retail center on 0.7 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Tropicana Avenue, 750 feet west of Spencer Street within Paradise. JG/sd/jo (For possible action) **BCC 9/21/21**

7. **AR-21-400125 (UC-20-0169)-BPS HARMON, LLC:**
USE PERMIT FIRST APPLICATION FOR REVIEW to allow retail sales and service as a primary use (outside).
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow retail sales and service not within a permanent enclosed building; 2) reduce setbacks; and 3) reduce parking.
DESIGN REVIEWS for the following: 1) outside retail sales and service structures/kiosks; and 2) shipping containers in conjunction with an existing shopping center on 2.2 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the northeast corner of Las Vegas Boulevard South and Harmon Avenue within Paradise. JG/jor/jo (For possible action)
BCC 9/22/21

8. **ET-21-400121 (DR-19-0352)-DIAMOND P M, LLC:**
DESIGN REVIEW FIRST EXTENSION OF TIME for a multiple family residential development (condominiums) and associated accessory structures on 1.6 acres in an R-3 (Multiple Family Residential) Zone. Generally located on the east side of Pecos-McLeod Interconnect, 650 south of Desert Inn Road within Paradise. TS/bb/jo (For possible action)
BCC 9/22/21

VII. General Business

Review previous fiscal year budget request(s) and take public input regarding suggestions for the next budget request(s). (For possible action)

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

- IX. Next Meeting Date: September 14, 2021.

- X. Adjournment.

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



Paradise Town Advisory Board

August 10, 2021

MINUTES

| | | |
|----------------|---|---|
| Board Members: | John Williams –Chair- PRESENT Susan Philipp - Vice Chair- PRESENT Roger Haywood- PRESENT | Joh Wardlaw– EXCUSED Katlyn Cunningham – PRESENT |
| Secretary: | Maureen Helm 702-606-0747 mhelmtab@gmail.com | |
| Town Liaison: | Blanca Vazquez 702-455-8531 bva@clarkcountynv.gov | |

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

Lorna Phegley; Planning, Greg Cerven; Planning, Blanca Vazquez; Town Liaison

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

II. Public Comment:
None

III. Approval of July 27, 2021 Minutes

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

Approval of Agenda for August 10, 2021

Moved by: Philipp
Action: Approve with the 30 day hold for item #7
Vote: 4-0 Unanimous

IV. Informational Items (For Discussion only)

Greg Cerven reviewed the Transform Clark County land use plan map. No questions from the public or board were asked

V. Planning & Zoning

1. **AG-21-900376:** Receive a report on the Maryland Parkway Corridor Transit Oriented Development (TOD) Plan. (For possible action) **PC 8/17/21**

MOVED BY-Williams
Accept report as presented
VOTE: 4-0 Unanimous

2. **ET-21-400107 (VS-19-0126)-OZ OPTICS HOLDINGS INC:**
VACATE AND ABANDON FIRST EXTENSION OF TIME easements of interest to Clark County located between Oquendo Road and Patrick Lane (alignment), and between Decatur Boulevard and Cameron Street (alignment) within Paradise (description on file). MN/lm/jo (For possible action) **PC 8/17/21**

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

3. **TM-21-500098-PECOS CONDO PARTNERS, LLC:**
TENTATIVE MAP for a 1 lot commercial subdivision on 1.0 acre in a C-P (Office Professional) Zone. Generally located on the east side Pecos Road, 390 feet north of Harmon Avenue within Paradise. TS/sd/jo (For possible action) **PC 8/17/21**

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

4. **UC-21-0327-PONDEROSA VIEW, LLC:**
USE PERMIT for a cannabis establishment (distributor) within an existing building on a 1.0 acre site in an M-1 (Light Manufacturing) (AE-65) Zone in the Adult Use Overlay District. Generally located on the north side of Ponderosa Way, 370 feet west of Valley View Boulevard within Paradise. MN/rk/jo (For possible action) **BCC 8/18/21**

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

5. **UC-21-0382-CITYCENTER HARMON HOTEL HOLDINGS:**
USE PERMITS for a shopping center including the following uses: 1) alcohol, on-premises consumption; 2) alcohol sales beer and wine - packaged only; 3) alcohol sales, liquor - packaged only; 4) antiques; 5) arcade; 6) art gallery; 7) billiard hall; 8) club; 9) convenience store; 10) electronic equipment sales; 11) food cart/booth; 12) grocery store; jewelry making - excluding smelting of metal; 13) jewelry repair; 14) kiosk/informational (outdoor); 15) live entertainment; 16) movie theater; 17) offices; 18) outside dining, drinking and cooking; 19) pharmacy; 20) photographic studio; 21) recording studio; 22) restaurant; 23) retail sales and service; 24) shoe repair; 25) sporting goods; 26) watch/small clock repair; 27) banquet facilities; and 28) all deviations as shown per plans on file.
DEVIATIONS for the following: 1) alternative landscaping and screening requirements; 2) permit uses outdoors where required to be in an enclosed building; 3) allow primary access for a shopping center and accessory retail structures for the exterior of a resort hotel; 4) increase building height; and 5) all other deviations as shown per plans on file.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) to reduce setbacks; and 2) reduce parking.
DESIGN REVIEW for a shopping center in conjunction with the CityCenter Resort Hotel on a portion of 61.4 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the southwest corner of Las Vegas Boulevard South and Harmon Avenue within Paradise. JG/al/jo (For possible action) BCC 8/18/21

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

6. **WS-21-0362-SUNSET PROPERTIES, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) setbacks; 2) driveway geometrics; and 3) encroachment into airspace.
DESIGN REVIEWS for the following: 1) office/warehouse; and 2) finish grade in conjunction with a proposed office/warehouse on 1.9 acres in an M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the north side of Sunset Road and the west side of Cameron Street within Paradise. MN/nr/jo (For possible action) BCC 8/18/21

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

7. **ZC-21-0365-SCHOOL BOARD OF TRUSTEES & COUNTY OF CLARK (PK & COMM)**
LEASE:
ZONE CHANGE to reclassify 19.2 acres from an R-1 (Single Family Residential) Zone to a P-F (Public Facility) Zone.
DESIGN REVIEWS for the following: 1) an existing school and park (William E. Orr Middle School/Orr Park); and 2) a proposed animated wall sign in conjunction with a school. Generally located on the northeast corner of Katie Avenue and Algonquin Drive within Paradise (description on file). TS/al/jd (For possible action) BCC 8/18/21

Held per applicant. Return to the Paradise TAB in 30 days

8. **UC-21-0359-MCKOY, FRANK:**
USE PERMIT to increase the overall area of a proposed accessory structure.
WAIVER OF DEVELOPMENT STANDARDS to increase the height of a proposed accessory structure in conjunction with a proposed single family residence on 1.3 acres in an R-E (Rural Estates Residential) Zone. Generally located on the south side of Wigwam Avenue, 115 feet west of Bruce Street within Paradise. MN/jor/jo (For possible action) **PC 9/7/21**

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

9. **UC-21-0360-CARUSO RICHARD:**
USE PERMIT for a proposed minor training facility (pottery classes) within an existing office building on 0.6 acres in a C-P (Office and Professional) Zone. Generally located on the east side of Eastern Avenue, 300 feet south of Reno Avenue within Paradise. JG/md/jo (For possible action) **PC 9/7/21**

MOVED BY-Philipp
APPROVE- Subject to staff conditions
Added Condition

- **Classes limited to 8 people**

VOTE: 4-0 Unanimous

10. **UC-21-0364-9005-9089 SOUTH PECOS ROAD LLC:**
USE PERMIT for a place of worship in conjunction with an office complex on a portion of 7.6 acres in a C-P (Office & Professional) Zone. Generally located on the west side of Pecos Road and the north side of I 215 within Paradise. JG/jgh/jo (For possible action) **PC 9/7/21**

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

11. **UC-21-0379-MARYLAND CROSSING LLC:**
USE PERMIT to reduce the separation from a proposed supper club to an existing residential use in conjunction with an existing restaurant within an existing shopping center on a portion of 4.5 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Maryland Parkway, 300 feet south of Tropicana Avenue within Paradise. JG/sd/jo (For possible action) **PC 9/7/21**

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

- VI. General Business (for possible action)
Some suggestions for the next budget request(s) were
 - **Light at Twain and Sandhill**
 - **New Pavement/Pothole repair at the NE corner of Annie Oakley and Patrick**

VII. Public Comment
None

VIII. Next Meeting Date
The next regular meeting will be August 31, 2021

IX. Adjournment
The meeting was adjourned at 8:10p.m.

DRAFT

09/21/21 PC AGENDA SHEET

RESTAURANT
(TITLE 30)

FLAMINGO RD/ARVILLE ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
DR-21-0403-FAP, LLC:

DESIGN REVIEW for a restaurant with a drive-thru and outside dining on a portion of 4.3 acres in a C-2 (Commercial General) Zone.

Generally located on the south side of Flamingo Road, 375 feet west of Arville Street within Paradise. MN/bb/jo (For possible action)

RELATED INFORMATION:

APN:
162-19-101-029 ptn

LAND USE PLAN:
WINCHESTER/PARADISE COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 4455 W. Flamingo Road
- Site Acreage: 4.3 (portion)
- Project Type: Restaurant with drive-thru
- Number of Stories: 1
- Building Height (feet): 22
- Square Feet: 2,748
- Parking Required/Provided: 199/208

Site Plans

The plans depict a developed commercial shopping center (Flamingo Arville Plaza) at the southwest corner of Flamingo Road and Arville Street. The proposed restaurant occupies the southeast end unit of the shopping center. The east wall of the restaurant has a pick-up window that is now proposed as a drive-thru window. The southeast corner of the property has an access driveway from Arville Street. Access to the site is provided by 3 driveways on Flamingo Road and 3 driveways on Arville Street. The proposed drive-thru lane will start 27 feet 9 inches from the Arville Street property line. The drive-thru lane continues west along the southern property line for approximately 112 feet to the shopping center perimeter driveway. The drive-thru lane continues past the shopping center driveway, adjacent to the restaurant building and the pick-up window. The drive-thru is contained by 2 separate portions of new curb that is designed to

separate the shopping center driveways from the drive-thru lane. There is enough stacking space for 8 vehicles. In addition, the outside dining area is located in the front of the restaurant.

Landscaping

Landscaping is not a part of this request.

Elevations

The elevations depict a new awning above the pick-up window on the east side of the building, stucco siding, aluminum storefront entrance with windows on the north facing wall, and a dome shaped roof façade feature facing north. The facades and siding will be painted a deep maroon, dark gray, and light gray color.

Floor Plans

The floor plans depict a 2,748 square foot restaurant that includes an 896 square foot dining area, 1,178 square feet of kitchen space, restrooms, and order line space. The dining area accommodates 60 people with another 16 people able to be seated in the outdoor dining area. The order window pop-out adds 48 square feet to the original floor plan area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is proposing to reconstruct the interior of an existing restaurant and replace with a restaurant that includes outdoor dining and a drive-thru lane with pop-out window. Only 48 additional square feet of floor space will be added to the building footprint. The applicant will reconfigure the parking spaces located east of the building to accommodate a drive-thru lane and continued driveway access to and from the shopping center. The exterior of the building will be painted and new access and windows will be installed. Menu signs will be placed on the south property line for use by the stacked vehicles in the drive-thru lane. The outdoor dining area is limited to 16 seats.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|---|----------------|---------------|
| WS-19-0056 | New freestanding signs | Approved by PC | March 2019 |
| UC-0345-16 | Recreational facility (indoor escape rooms) | Approved by PC | July 2016 |
| UC-0476-10 | Roof sign where not permitted in conjunction with an existing shopping center | Approved by PC | November 2010 |
| UC-1490-06 (ET-0326-09) | Second extension of time to review a massage establishment as a principal use | Approved by PC | January 2010 |
| UC-1490-06 (ET-0376-07) | First extension of time to review a massage establishment as a principal use | Approved by PC | May 2008 |
| UC-1490-06 | Massage establishment as a principal use | Approved by PC | December 2006 |

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|----------------|--------------|
| UC-1533-01 | Live entertainment and to reduce the residential separation requirement for an on-premises consumption of alcohol establishment in conjunction with a restaurant | Approved by PC | January 2002 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|----------------------------------|-----------------|-----------------------------------|
| North | Residential High (8 to 18 du/ac) | R-3 | Single family residential |
| South | Commercial Tourist | M-1 | Indoor kart racing facility |
| East | Commercial Tourist | H-1 | Palm Resort Hotel & resort condos |
| West | Commercial Tourist | C-2 | Restaurant & commercial uses |

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

The proposed development is not compatible with adjacent and surrounding developments in the area, including traffic circulation and vehicular access to the proposed drive-thru. Site access and circulation negatively impact adjacent roadways and internal traffic movements by creating turning conflicts and cross-traffic movements within the parking lot. Staff does not object to the renovations proposed to the restaurant area or outdoor dining. The existing window is intended for incidental take-out delivery that is ordered before arriving.

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 the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has

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

Public Works - Development Review

- Traffic study and compliance.

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: MORIAH CURRAN

**CONTACT: MORIAH CURRAN, PGAL, 3379 W. OQUENDO RD, LAS VEGAS, NV
89118**

DRAFT



LAND USE APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

| | | | |
|--|-----------------------|---|--|
| <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (Nzc) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #) | STAFF | DATE FILED: <u>7-27-2021</u> PLANNER ASSIGNED: <u>RJR</u> ACCEPTED BY: <u>RJR</u> FEE: <u>675</u> CHECK #: _____ COMMISSIONER: <u>MN</u> OVERLAY(S)? <u>—</u> PUBLIC HEARING? <u>Y/N</u> TRAILS? <u>Y/N</u> PFNA? <u>Y/N</u> APPROVAL/DENIAL BY: _____ | APP. NUMBER: <u>DR-21-0403</u> TAB/CAC: <u>Paradise</u> TAB/CAC MTG DATE: <u>8-31</u> TIME: <u>7pm</u> PC MEETING DATE: <u>9-21-2021</u> BCC MEETING DATE: _____ ZONE / AE / RNP: <u>C-2</u> PLANNED LAND USE: <u>CT</u> NOTIFICATION RADIUS: <u>500</u> SIGN? <u>Y/N</u> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____ |
| | PROPERTY OWNER | NAME: <u>FAP LLC</u> ADDRESS: <u>PO BOX 370906</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89137</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____ | |
| | APPLICANT | NAME: <u>FAP LLC</u> ADDRESS: <u>PO BOX 370906</u> CITY: <u>LAS VEGAS</u> STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____ | |
| | CORRESPONDENT | NAME: <u>MORIAH CURRAN</u> ADDRESS: <u>7373 PEAK DRIVE, SUITE 170</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89128</u> TELEPHONE: <u>702-730-4932</u> CELL: <u>702-816-0923</u> E-MAIL: <u>mcurran@pgal.com</u> REF CONTACT ID #: <u>125190</u> | |

ASSESSOR'S PARCEL NUMBER(S): 162-19-101-029 / 162-19-101-030
 PROPERTY ADDRESS and/or CROSS STREETS: Flamingo /Arville
 PROJECT DESCRIPTION: Adding pop-out drive thru for a new tenant (CAFE RIO)

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

[Signature]
 Property Owner (Signature)*

Russell Taylor
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON MAY 18 2021 (DATE)
 By Russell Taylor
 NOTARY PUBLIC Juanita Massa



*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.



May 3, 2021

Clark County Comprehensive Planning
500 S. Grand Central Parkway
Las Vegas, Nevada 89155

DR-21-0403
PLANNER
COPY

Re: Justification Letter
Café Rio – Drive-Thru Addition

Attn: Planning Staff:

Please accept this letter for the above referenced project for Café Rio that consists of adding a pop-out drive thru to an existing pull up window drive-thru that was recently permitted.

The project site is parcel (APN 162-19-101-029) and is owned by FAP LLC.

We are requesting the Following Land Use Applications, Design Review. The drive thru is existing as a pull up window under permit BD21-04978. We are now requesting to add a pop-out feature for the drive thru. The plans show this will not affect parking count and will not impede the setbacks.

Café Rio would like to propose the following improvements to the existing space located at 4415 West Flamingo Road.

1. Construct a 48 SF addition to the building to act as a drive thru pickup window.
2. Re-construct the interiors of the existing space, most recently occupied by Einstein Bros. Bagels.
3. Reconfigure the parking area East of the space as described on the attached site plan.
4. Construct drive thru access, menu signage, directional signage, and ordering pedestal in locations described on the attached site plan.
5. Paint the exterior of the building as described on the attached elevation and color elevation drawings.

If you have any question about the Application, please do not hesitate to contact me. Thank you for your time.

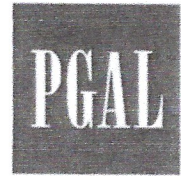
Thank you,

Benjamin Girardin, Principal Architect AIA, NCARB, LEED AP

PGAL, LLC
7373 Peak Dr., Suite 170
Las Vegas, NV 89128

t 702 435 4448
f 702 435 4470

Jeffrey P. Gerber, AIA | Ken Brown, AIA | David L. Andrews, AIA | Paul D. Bonnette, AIA | Jefferson D. Bulla III, AIA | Dennis M. Comiskey, PE
Matthew Ellis, AIA | Samuel J. Ferreri, AIA | Beth Funk | Cheryl Gajeske, AIA | Costas Georghiou, PE | Benjamin J. Girardin, AIA
Ryan Josefovsky, PE | Sharon Lang | Michael H. Lloyd, AIA | David F. Moss, AIA | Greg Mullin, AIA | Ian A. Nestler, AIA | Iván Pire, AIA
Cris Ruebush, AIA | Derron S. Vinick, PE | Jeffrey A. Weiner, AIA



07-21-2021

Clark County
Planning and Zoning
500 S. Grand Central Parkway, Box 551741
Las Vegas, NV 89155
702-229-6301

PLANNER
COPY

RE: CAFÉ RIO – APR-21-100600
4415 W. Flamingo

DR-21-0403

- ALEXANDRIA
- ATLANTA
- AUSTIN
- BOCA RATON
- CHICAGO
- DALLAS/FORT WORTH
- DENVER
- HOBOKEN
- HOUSTON
- LAS VEGAS
- LOS ANGELES
- SALT LAKE CITY
- SAN DIEGO

To Whom it may concern:

We appreciate the recent review and comments for the Café Rio Mexican Grill plans. We have improved the plans in response to the comments as follows:

Planning and Zoning

1. Include parcel 162-19-101-030 since under the same ownership and parking is being used in the shopping center calculations.
Response: The parcels are now described separately on the revised sheet AS1.0. The parking tabulation paragraph has been calculated as shared parking.
2. Notarize the application with owners signature.
Response: The application has been notarized. See attached.
3. Consider only having a drive up window for online order pickup.
Response: I have approached Café Rio with this consideration and they do not want to reduce the project to a pickup window only. They feel that they need a drive thru window to make the restaurant work.
4. It appears that a total of 16 parking spaces will be removed to accommodate the proposed drive through. The plan shows 212 total spaces. Using the total square feet of both buildings, 198 spaces would be required. I'll verify with management we're adding both buildings together under the shopping center calculation and not looking at restaurants individually. In any case, I counted 211 total available spaces on your plan. I think you were counting the space next to the trash area on the southeast corner of the property. That space should go away. There is a deficit of either 2 or 3 spaces (more if restaurants are counted individually). This will require a waiver from the development standards to be added to the application.
Response: The parking tabulation is now better described in sheet AS1.0. A Demolition Site Plan has been added to clearly identify parking stalls that

PGAL, LLC
7373 Peak Dr., Suite 170
Las Vegas, NV 89128

t 702 435 4448
f 702 435 4470

Jeffrey P. Gerber, AIA | Ken Brown, AIA | David L. Andrews, AIA | Paul D. Bonnette, AIA | Jefferson D. Bulla III, AIA | Dennis M. Comiskey, PE
Matthew Ellis, AIA | Samuel J. Ferreri, AIA | Beth Funk | Cheryl Gajeske, AIA | Costas Georghiou, PE | Ryan Josefovsky, PE | Sharon Lang
Michael H. Lloyd, AIA | David F. Moss, AIA | Greg Mullin, AIA | Ian A. Nestler, AIA | Iván Pire, AIA | Cris Ruebush, AIA | Derron S. Vincik, PE
Jeffrey A. Weiner, AIA

will be removed. Based on the parking tabulation, an excess of parking is still provided as 208 stalls are being provided while 199 are required.

5. Move the talk box speaker to the western edge in alignment with the parking lot light pole to the north. Show 4 vehicles stacked. The 5th appears to be conflicting with the drive aisle.

Response: The owner is not in favor of the described revision. They do not understand how the stacking of the vehicles as described will be an improvement. Based on their past experience of operating a drive thru window, relative to their service ordering, and pickup times, the drive thru lane works better with room for 3 vehicles between the ordering location and the pickup location.

Logistically speaking, if the drive thru lane is being designed to minimize the probability of vehicles blocking the striped area, it will be better to have room for more cars between the order location and the pickup location. A hypothetical example is as follows: It may take about 60 seconds to drive up to the speaker and place an order, and it may take 180 seconds for the Café Rio staff to prepare the order and exchange payment. If this is the case, the drive thru lane will work well with room for (3) vehicles between the order point and the pickup window. If there is only room for (2) cars between these points, then the third car is more likely to park in the striped area as they wait the 180 seconds it takes to prepare the order and exchange payment. We ask that you please re-consider the proposed arrangement.

6. Contact the fire department/district to determine if the emergency drive aisle around the building can be crossed by drive through traffic. May require painted NO STOP or DO NOT BLOCK DRIVE. Show one or the other on the plan.

Response: We have met with Ed Kaminski of the Fire Dept. We have revised our plans based on his requirements. The site will now be equipped with a Barrier Gate Arm. The arm will be in the down position while vehicles are in the striped area or in the position V2 area. (see site plan description). In addition, the curb separating the drive thru lane from the drive aisle has been modified. See the new Detail 2/AS1.0 as well as the site plan on AS1.0.

7. Install a trash enclosure on the southeast corner of the property. Move it as far west as possible (removing the single parking space) to keep it away from the public street access.

Response: There is an existing trash enclosure in the location you have described. The size of the existing enclosure is adequate for the needs of the proposed restaurant as it has space for (2) 8 yard dumpsters. We have revised the plans to improve the trash enclosure with a new painted metal gate.

8. Consider extending the curb controls adjacent to the building to the north where the east to west parking curb is located. This will force vehicles to exit north and not make sharp right turns into the drive aisle. You may want to eliminate the parking space on the northeast corner of the building to provide sight distances for exiting vehicles.

Response: we believe an extension to the describe curb will be an improvement to the design. The curb has been extended an additional 10

DR-21-0403

PLANNER
COPY

feet on the attached revised site plan. The parking stall on the Northeast corner has also been removed to provide better sight distances for exiting vehicles.

9. This will be a Waiver with design review at public hearing, unless you can show parking minimums are met. Note: This staff member is less concerned about losing a couple of spaces than getting a working solution to the drive through, but it still requires a waiver.

Response: We are optimistic that a waiver and public hearing will not be necessary as the parking design appears to exceed the minimum parking requirements. In addition, we believe that with the improvements described above, the drive thru lane will safely operate as proposed.

Please let me know if more information is required. Thank you for your consideration:

Will Scott
Associate
PGAL Architecture
801-518-3849

PLANNER
COPY

DR-21-0403

/

09/21/21 PC AGENDA SHEET

FLAMINGO ROAD/HILDEBRAND LANE
(TITLE 30)

FLAMINGO RD/HILDEBRAND LN

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

TM-21-500119-FLAMINGO PARTNERS, LLC:

TENTATIVE MAP for a 1 lot commercial subdivision on 4.4 acres in a C-2 (General Commercial) zone.

Generally located on the southwest corner of Flamingo Road and Hildebrand Lane within Paradise. TS/bb/jo (For possible action)

RELATED INFORMATION:

APN:

162-24-501-002

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 3075 Flamingo Road
- Site Acreage: 4.4
- Number of Lots/Units: 1
- Project Type: Commercial retail

The plan depicts a 1 lot commercial subdivision on 4.4 acres on the southwest corner of Flamingo Road and Hildebrand Lane. Access to the site is provided by 2 right in, right out driveways from Flamingo Road and 3 driveways from Hildebrand Lane. The southern most access on Hildebrand Lane provides emergency access for the southern and western perimeter of the property.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|-----------------|---------------|
| ADR-900484-16 | Outside enclosure for exterior exercise area | Approved by ZA | July 2016 |
| WS-0106-13 | Animated sign separation | Approved by BCC | May 2013 |
| ZC-0290-89 | Reclassified from R-1 to C-2 zoning | Approved by BCC | November 1989 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|--------|---|------------------------|------------------------------|
| North | Schools, Churches, Public Facilities | P-F | CCSD Nevada Learning Academy |
| South, | Residential High (8 to 18 du/ac) | R-3 | Senior Living Apartments |
| East | Residential High (8 to 18 du/ac) | R-3 | Condominium Residences |
| West | Commercial Neighborhood & Public Facilities | C-1 & P-F | Commercial Retail & CCSD |

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 Comprehensive 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

- No comment.

Current Planning Division - Addressing

- 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: CLAYTON NEILSEN

CONTACT: CLAYTON NEILSEN, 6765 W. RUSSELL ROAD, SUITE 200, LAS VEGAS,
NV 89118

DRAFT



TENTATIVE MAP APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

| | | | |
|--|----------------|---------------------------------------|--------------------------------|
| APPLICATION TYPE | DEPARTMENT USE | APP. NUMBER: <u>TM-21-500119</u> | DATE FILED: <u>7-24-2021</u> |
| | | PLANNER ASSIGNED: <u>B88</u> | TAB/CAC DATE: <u>8-31-2021</u> |
| <input checked="" type="checkbox"/> TENTATIVE MAP (TM) | | TAB/CAC: <u>Paradise</u> | |
| | | PC MEETING DATE: <u>9-21-2021 7pm</u> | |
| | | BCC MEETING DATE: <u>—</u> | |
| | | FEE: <u>\$750</u> | |

| | |
|----------------|---|
| PROPERTY OWNER | NAME: <u>Flamingo Partners, LLC</u> |
| | ADDRESS: <u>6125 Washington Blvd, Suite 300</u> |
| | CITY: <u>Culver City</u> STATE: <u>CA</u> ZIP: <u>90232</u> |
| | TELEPHONE: <u>323-319-2581</u> CELL: <u>310-864-7600</u> |
| | E-MAIL: <u>Ben@sunsetequitygroup.com</u> |

| | |
|-----------|---|
| APPLICANT | NAME: <u>Clayton Neilsen/ LR Nelson Consulting Engineers LLC</u> |
| | ADDRESS: <u>6765 W. Russell Road Suite 200</u> |
| | CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> |
| | TELEPHONE: <u>702.798.7978</u> CELL: <u> </u> |
| | E-MAIL: <u>clayton.neilsen@lrmeng.com</u> REF CONTACT ID #: <u> </u> |

| | |
|---------------|---|
| CORRESPONDENT | NAME: <u>Clayton Neilsen</u> |
| | ADDRESS: <u>6765 W Russell Road Suite 200</u> |
| | CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> |
| | TELEPHONE: <u>702.798.7978</u> CELL: <u> </u> |
| | E-MAIL: <u>clayton.neilsen@lrmeng.com</u> REF CONTACT ID #: <u> </u> |

ASSESSOR'S PARCEL NUMBER(S): 162-24-501-002

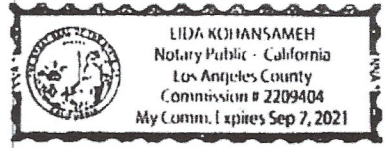
PROPERTY ADDRESS and/or CROSS STREETS: 3075 East Flamingo Road

TENTATIVE MAP NAME: Flamingo Road/Hildebrand Lane

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

[Signature] Benjamin Donel (Flamingo Partners LLC)
 Property Owner (Signature)* Property Owner (Print)

STATE OF California
 COUNTY OF Los Angeles
 SUBSCRIBED AND SWORN BEFORE ME ON 9/26/2021 (DATE)
 By Benjamin Donel
 NOTARY PUBLIC: [Signature]



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

2

09/21/21 PC AGENDA SHEET

COLLEGE
(TITLE 30)

WARM SPRINGS RD/SHADOW CREST DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0384-ST ROSE DOMINICAN HOSPITAL:

USE PERMIT for a college in conjunction with an existing medical office building on 3.2 acres in a C-P (Office & Professional) Zone.

Generally located on the north side of Warm Springs Road and the west side of Shadow Crest Drive within Paradise. MN/jt/jo (For possible action)

RELATED INFORMATION:

APN:

177-02-402-002; 177-02-402-003

LAND USE PLAN:

WINCHESTER/PARADISE OFFICE PROFESSIONAL

BACKGROUND:

Project Description

General Summary

- Site Address: 1776 Warm Springs Road
- Site Acreage: 3.2
- Project Type: College
- Number of Stories: 2
- Building Height (feet): 55
- Square Feet: 25,584
- Parking Required/Provided: 148/223

Overview

This application is for a college which will offer various post high school certifications and degrees to occupy a 7,433 square foot suite within an existing office building. There are no proposed changes to the site.

Site Plan

The site plan depicts an existing office building located on the southern portion of the site, adjacent to Warm Springs Road. A pad site for a second building is located on the southeast side of the site, adjacent to Shadow Crest Drive. Access to the site is provided from both Warm Springs Road and Shadow Crest Drive. Parking spaces are located on the west and north sides of

the existing building, and a trash enclosure is located on the northeast portion of the site. The northern portion of the site is undeveloped.

Landscaping

Existing landscaping includes street landscaping along Warm Springs Road and Shadow Crest Drive, around the base of the building, and within the parking lot. No changes to the existing landscaping are proposed.

Elevations

The existing building extends up to 55 feet high to the top of a stairwell; however, most of the building is 41 feet high to the top of a mansard style roof. Exterior materials are painted stucco and aluminum framed windows.

Floor Plans

The 7,433 square foot suite will be located on the first floor, and will include a lobby, 3 classrooms, breakroom, restroom, and several offices.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the college will be an asset for the community, and the various certificates, diplomas, and degrees will be offered in such fields as Phlebotomy, Medical Assisting, Criminal Justice, and Paralegal Studies. The programs will range in length from 3 months to 18 months, and approximately 40 to 60 students will be on-site per shift. Hours of operation for the college will be Monday through Thursday from 8:00 a.m. to 10:00 p.m. and Friday from 8:00 a.m. until 5:00 p.m. The college will not be open for classes on Saturday or Sunday. According to the applicant, the subject site is an appropriate location for the college, which is adjacent to an arterial street, Warm Springs Road, and it will not create any negative impacts to the adjacent single family residences to the north and west of the site.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|---|-----------------|------------|
| UC-0351-08 | Major training facility | Approved by PC | May 2008 |
| VC-0205-96 | Variance to increase building height and site plan review for 2, two story medical office buildings | Approved by PC | March 1996 |
| ZC-0121-83 | Zone change to reclassify the site to C-P zoning | Approved by BCC | July 1983 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|--------------|--------------------------------------|-----------------|---------------------------|
| North & West | Residential Suburban (up to 8 du/ac) | R-2 | Single family residential |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---------------------------|-----------------|--|
| South | Commercial General | C-2 | Convenience store, gasoline station, & shopping center |
| East | Office Professional | C-P | Office complex |

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 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.

Office buildings and related uses are an appropriate buffer between an arterial street, such as Warm Springs Road, and single family residences. No changes are proposed to the exterior of the site, and the college use will not create any negative impacts to the adjacent single family residences to the north and south. Furthermore, the certificates, diplomas, and degrees will provide educational opportunities to the community; therefore, staff can support the request.

Staff Recommendation

Approval.

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

- 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: NORTHWEST HEALTH CAREERS, LLC

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

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

| | |
|---|---|
| APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZN) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) | STAFF APP. NUMBER: <u>UC-21-0384</u> DATE FILED: <u>7/26/21</u> PLANNER ASSIGNED: <u>JCT</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>8/31/21</u> PC MEETING DATE: <u>9/21/21</u> BCC MEETING DATE: <u>—</u> FEE: <u>\$675.00</u> |
| | PROPERTY OWNER NAME: <u>Welltower OM Group, LLC (leaseholder)</u> ADDRESS: <u>550 Heritage Drive, Suite 200</u> CITY: <u>Jupiter</u> STATE: <u>FL</u> ZIP: <u>33458</u> TELEPHONE: <u>561-626-1800</u> CELL: <u>—</u> E-MAIL: <u>pferricane@welltower.com</u> |
| | APPLICANT NAME: <u>Northwest Health Careers, LLC</u> ADDRESS: <u>7398 Smoke Ranch Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u> TELEPHONE: <u>—</u> CELL: <u>—</u> E-MAIL: <u>mkenny1208@gmail.com</u> REF CONTACT ID #: <u>—</u> |
| | CORRESPONDENT NAME: <u>Chris Kaempfer - 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: <u>—</u> E-MAIL: <u>clk@kcnvlaw.com</u> REF CONTACT ID #: <u>—</u> |

ASSESSOR'S PARCEL NUMBER(S): 177-02-402-002 and 003

PROPERTY ADDRESS and/or CROSS STREETS: Warm Springs and Shadow Crest

PROJECT DESCRIPTION: Special Use Permit for a college

(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.

Welltower OM Group LLC
A Delaware limited liability company

Welltower OM Group LLC
Property Owner (Print)

Property Owner (Signature)*
Its: Authorized Signatory
STATE OF Florida
COUNTY OF Palm Beach

SUBSCRIBED AND SWORN BEFORE ME ON April 1, 2021 (DATE)

By Keith Konkali

NOTARY PUBLIC: Tracy Tuma



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

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

CHRISTOPHER L. KAEMPFER

ckaempfer@kcnvlaw.com
702.792.7054

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

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

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

April 8, 2021

VIA UPLOAD

Clark County Comprehensive Planning Department
500 S. Grand Central Parkway
Las Vegas, Nevada 89106

*Re: Request for Special Use Permit for College at 1776 E. Warm Springs Road
APN #s 177-02-402-002 and 003*

To Whom It May Concern:

This office represents Northwest Health Careers LLC ("Applicant") with regard to its proposed College at 1776 E. Warm Springs Road ("Site"). The College will be used for instructional purposes for post high school students. The school will offer classes and corresponding certificates, diplomas and degrees in, among other things, Phlebotomy (Certificate), Medical Assisting (Diploma), Criminal Justice (Degree) and Paralegal Studies (Degree). The various programs will range in length from three (3) months for the Phlebotomy Technician certification to 18 months for the Criminal Justice and Paralegal degrees. The school will be conducted within the existing buildings on Site and will utilize existing parking spaces. The Site has 125 parking spaces for its proposed use, which exceeds the requirements of the Clark County Code. The Site is presently landscaped to Clark County code requirements but the Applicant intends to enhance the interior landscaping in certain areas on Site. The hours of the College will be Monday through Thursday from 8 am until 10 pm and Friday from 8 am until 5 pm. The College will not be open for classes on Saturday and Sunday. It is anticipated that there will be approximately 40 to 60 students on Site, per shift, once the school has become more established, approximately one year after opening.

There are two parcels that comprise the Site, both of which parcels are presently zoned C-P and both of which are master planned for Office Professional. The College fits easily and well into the area as the Site is located at the intersection of East Warm Springs Road and Shadow Crest Drive. To the north and to the west of the Site are single family homes, zoned R-2, with lot sizes ranging from 3,484 square feet to 6,098 square feet. To the east of the Site is Shadow Crest Drive, a 60 foot right-of-way. Farther to the east, across Shadow Crest Drive, is property zoned C-P and master planned for Office Professional. To the immediate south of the Site is Warm Springs Road a 100 foot wide section of street. Farther to the south, across Warm Springs Road,

3

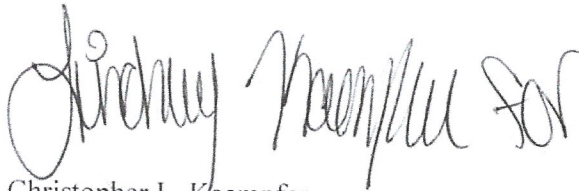
is property zoned C-2 and master planned for Commercial General. The property catty corner to the Site (to the southeast) is zoned C-1 and master planned for Commercial General. Consequently, the 4 corners of this intersection of Warm Springs Road and Shadow Crest Drive were and are planned for commercial and office uses, of which this proposed College use will be an appropriate.

Thank you very much for your consideration of our application and if you have any questions or comments, please do not hesitate to contact the undersigned at the contact information set forth in this letterhead or by contacting Lindsay Kaempfer at 702-792-7043.

Thank you, again, and please stay safe and well.

Sincerely,

KAEMPFER CROWELL



Christopher L. Kaempfer

CLK/adb

09/21/21 PC AGENDA SHEET

SUPPER CLUB
(TITLE 30)

GREEN VALLEY PKWY/RAMROD AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0393-2895 UNIVERSAL, LLC:

USE PERMITS for the following: **1)** on-premises consumption of alcohol (supper club); **2)** outside dining, drinking and cooking; and **3)** project of regional significance in conjunction with an existing building on a portion of 1.6 acres in an M-D (Designed Manufacturing) (AE-65) Zone.

Generally located on the west side of Green Valley Parkway and the south side of Ramrod Avenue within Paradise. JG/jvm/jd (For possible action)

RELATED INFORMATION:

APN:

161-31-802-025 ptn

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: 2895 Green Valley Parkway
- Site Acreage: 1.6 (portion)
- Project Type: Supper club
- Number of Stories: 1
- Building Height (feet): 26
- Square Feet: 3,176
- Parking Required/Provided: 63/80

Site Plans

The plans show a supper club located in the northernmost tenant space of an existing 10,800 square foot building. The outside dining area is located at the northwest corner of the existing building and will meet Code requirements for this type of activity. Access to the site is from Green Valley Parkway with additional cross-access provided with the properties to the north, south, and west. A total of 80 parking spaces are provided where 63 spaces are required.

Landscaping

The existing landscaping on-site will remain and no changes are proposed.

Elevations

The plans depict a single story, 26 foot high building with stucco finishing and glass storefronts.

Floor Plans

The plans show a supper club with a kitchen, walk-in cooler, restrooms, seating area, and a bar.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that they would like to create an upscale Italian restaurant with affordable pricing that will have old world charm.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|-----------------|---------------|
| UC-0742-12 | Supper club - expired | Approved by PC | February 2013 |
| UC-0558-97 | Outside dining - expired | Approved by PC | May 1997 |
| UC-0085-97 | Restaurant/supper club - expired | Approved by PC | February 1997 |
| VC-1416-96 | Reduced street landscape area | Approved by PC | October 1996 |
| UC-0779-96 | Tanning salon | Approved by PC | June 1996 |
| ZC-0391-94 | Reclassified the site and properties to the north from R-E to M-D zoning | Approved by BCC | April 1994 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|-----------------------------------|-----------------|------------------------------|
| North | Business and Design/Research Park | C-2 & M-D | Vehicle repair & parking lot |
| South | City of Henderson | CC-AE | Shopping center |
| East | City of Henderson | CC-AE | Bank |
| West | Business and Design/Research Park | M-D | Health club |

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 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.

The site is surrounded by commercial and industrial properties with the nearest residential use being over 500 feet to the east across Green Valley Parkway. Staff finds that there should be no negative impacts to the existing site or surrounding area. A number of restaurants and supper clubs have operated from this site with no complaints filed with either Clark County Public Response or the Metropolitan Police Department. In addition, there are more parking stalls on-site than Code requires and the outside dining meets all Code requirements; therefore, staff recommends approval of these requests.

Department of Aviation

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- No comment.

Department of Aviation

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

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: PASTAIOLV, LLC
CONTACT: PASTAIOLV LLC, 2895 N. GREEN VALLEY PARKWAY, SUITE A,
HENDERSON, NV 89014

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

| | |
|---|--|
| APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) | STAFF APP. NUMBER: <u>UC-21-0393</u> DATE FILED: <u>7/27/21</u> PLANNER ASSIGNED: <u>JVM</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>8/31/21</u> PC MEETING DATE: <u>9/21/21</u> BCC MEETING DATE: _____ FEE: <u>\$675</u> |
| | PROPERTY OWNER NAME: <u>2895 Universal LLC c/o Giulio Gallo</u> ADDRESS: <u>2895 N Green Valley Pkwy, Suite D</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89014</u> TELEPHONE: <u>(310) 880.2538</u> CELL: <u>n/a</u> E-MAIL: <u>gallobh2@aol.com</u> |
| | APPLICANT NAME: <u>Pastaiolv LLC c/o Giulio Gallo</u> ADDRESS: <u>2895 N Green Valley Pkwy, Suite A</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89014</u> TELEPHONE: <u>(310) 880.2538</u> CELL: _____ E-MAIL: <u>gallobh2@aol.com</u> REF CONTACT ID #: _____ |
| CORRESPONDENT NAME: <u>Same as Applicant</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____ | |

ASSESSOR'S PARCEL NUMBER(S): ptn. of 161-31-802-025

PROPERTY ADDRESS and/or CROSS STREETS: 2895 N Green Valley Pkwy., Henderson, NV 89014

PROJECT DESCRIPTION: SUPPER CLUB + OUTDOOR DINING

(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.

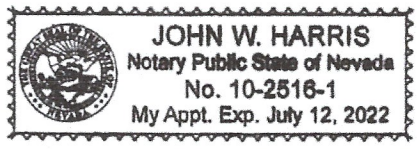
Giulio Gallo
Property Owner (Signature)*

Giulio Gallo, its Manager
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 6/29/2021 (DATE)

By Giulio Gallo
NOTARY PUBLIC: John Harris



*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.

4

09/21/21 PC AGENDA SHEET

TRAINING FACILITY - MAJOR
(TITLE 30)

QUAIL AVE/PECOS RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0406-KINGLAND PROPERTIES, LLC-PECOS OBSS SERIES:

USE PERMIT for a Major Training Facility (Barber School) on 0.4 acres in a C-P (Office and Professional) Zone.

Generally located on the south side of Quail Avenue and the east side of Pecos Road within Paradise. JG/jvm/jd (For possible action)

RELATED INFORMATION:

APN:

161-31-101-008

LAND USE PLAN:

WINCHESTER/PARADISE - OFFICE PROFESSIONAL

BACKGROUND:

Project Description

General Summary

- Site Address: 5812 Pecos Road
- Site Acreage: 0.4
- Project Type: Major training facility (barber school)
- Number of Stories: 1
- Square Feet: 5,760
- Parking Required/Provided: 16/16

Site Plan

The submitted plan depicts a 0.4 acre site with the existing building located in the southeast corner of the parcel. Parking is provided to the north and west of the building. Ingress/egress is provided by driveways on Pecos Road and Quail Avenue. An existing trash enclosure is depicted at the northeast corner of the building.

Landscaping

Landscaping is shown along the street frontages behind attached sidewalks. In addition, mature dense landscaping exists between the building and the properties to the east and south.

Elevations

The elevation photograph depicts a 1 story painted stucco structure with a flat roof and popout façade entry treatments that include aluminum frame glass entry doors on both the west and north facing sides of the building. No mechanical equipment is viewable from the street. A trash enclosure with a wall and gate is painted to match the building on the north facing side of the property.

Floor Plan

The floor plan depicts a 5,760 square foot area which includes a 4,327 square foot teaching area and 1,433 square feet for storage. The teaching area includes an entry lobby, restrooms, classroom, laboratory, 3 offices, breakroom, and 34 work stations.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the mission of the school is to deliver a high quality education in the art of barbering and provide students with the necessary skills and information to take and pass the Nevada State Barber Exam in order to obtain gainful employment in this profession.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|-----------------|-----------------|------------|
| DR-0280-93 | Office building | Approved by BCC | April 1993 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---|-----------------|-----------------------------|
| North | Residential Urban Center (18 to 32 du/ac) | R-3 | Multiple family residential |
| South | Office Professional | C-P | Office |
| East | Rural Neighborhood Preservation (up to 2 du/ac) | R-E | Single family residential |
| West | Residential Suburban (up to 8 du/ac) | R-D | 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 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.

Staff's primary concerns with this type of use are to ensure compatibility with existing and planned surrounding uses and that there is adequate on-site parking to serve the use. Staff finds that the request to allow a training facility at this location is appropriate as the existing building and on-site parking adequately address the on-site needs of the proposed use. Additionally, the proposed use is compatible with the surrounding area that includes a mix of office, residential, and general commercial; therefore, staff can support the requested use permit.

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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that dead landscaping needs to be replaced within 90 days of this approval.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

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: TONY GILLERSON

CONTACT: TONY GILLERSON, 7 STAR ENTERPRISE, LLC, 2550 E. CHANDLER AVENUE #38, LAS VEGAS, NV 89120

09/22/21 BCC AGENDA SHEET

MESSAGE
(TITLE 30)

TROPICANA AVE/SPENCER ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

AR-21-400113 (UC-1188-04)-TUCKER NICOLETTE LIVING TRUST & TUCKER NICOLETTE TRS:

USE PERMIT FOURTH APPLICATION FOR REVIEW of an existing massage establishment located within an existing retail center on 0.7 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Tropicana Avenue, 750 feet west of Spencer Street within Paradise. JG/sd/jo (For possible action)

RELATED INFORMATION:

APN:

162-23-403-012

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 1550 E. Tropicana Avenue
- Site Acreage: 0.7
- Project Type: Massage

Site Plans & History

The plans show a 720 square foot lease space within an existing in-line retail center used for massage. The massage business was first approved in January 2001, subject to 3 years for review. However, the applicant failed to apply for an extension of time; therefore, that use permit expired. UC-1188-04 re-established the massage use and was approved with a 5 year review. The subsequent extension of time, UC-1188-04 (ET-0184-09), was also approved with a 5 year review. In 2016, UC-1188-04 (AR-0098-16) was approved with a 5 year time limit for review, and this application represents a fourth application for review.

Applicant's Justification

The applicant states that Hawaii Massage was approved by the County and an application review was submitted as a required 5 year review. There have been no significant changes to the

business or location, and has maintained continuous operations. The applicant is also requesting removal of the time limit.

Previous Conditions of Approval

Listed below are the approved conditions for UC-1188-04 (AR-0098-16):

Current Planning

- Until August 4, 2021 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 to 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-1188-04 (ET-0055-14):

Current Planning

- Until August 4, 2016 to review as a public hearing.

Building/Fire Prevention

- Applicant is advised that the proposal has been reviewed and it does not conflict with Fire Code Requirements.

Listed below are the approved conditions for UC-1188-04 (ET-0184-09):

Current Planning

- Until August 5, 2014 to review.
- All applicable standard conditions for this application type.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

Listed below are the approved conditions for UC-1188-04:

- Subject to 5 years for review; and all applicable standard conditions for this application type. Applicant is advised there is a review date and the applicant must apply for an extension of time when that date approaches to keep the use permit active; any change in circumstances or regulations may be justification for the denial of an extension of time; and that this application must commence within 2 years of the approval date or it will expire.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|----------------------------|---|-----------------|-------------|
| UC-1188-04 (AR-0098-16) | Third application to review a massage establishment | Approved by BCC | August 2016 |

Prior Land Use Requests

| Application Number | Request | Action | Date |
|----------------------------|--|-----------------|--------------|
| UC-1188-04 (ET-0055-14) | Second extension of time to review a massage establishment | Approved by BCC | June 2014 |
| UC-1188-04 (ET-0184-09) | First extension of time to review a massage establishment | Approved by PC | August 2009 |
| UC-1188-04 | Massage establishment | Approved by PC | August 2004 |
| UC-1805-00 | Massage establishment - expired | Approved by PC | January 2001 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|----------------------------------|-----------------|-------------------------------|
| North | Residential High (8 to 18 du/ac) | R-3 | Multiple family residential |
| South | Commercial General | R-2 & R-E | Undeveloped & commercial uses |
| East | Commercial General | C-2 | Commercial uses |
| West | Commercial General | C-1 | Commercial uses |

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.

Reviews of this massage establishment have been approved on 3 previous occasions in August 2009, June 2014, and August 2016 with the current application for the fourth review. An inquiry made to the Clark County Metropolitan Police Department shows that there have been no incidents, arrests, or complaints regarding this business since the last review. In addition, there have been no public response complaints filed against this massage business; therefore, staff can support approval of this review and removal of the time limit.

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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Remove the time limit.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: XIAOTONG LI

**CONTACT: KIRK KENNEDY, 815 S. CASINO CENTER BOULEVARD, LAS VEGAS, NV
89101**

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

| | |
|--|--|
| APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input checked="" type="checkbox"/> APPLICATION REVIEW (AR) <u>UC-1188-04</u> (ORIGINAL APPLICATION #) | STAFF APP. NUMBER: <u>AR-21-400113</u> DATE FILED: <u>7/13/21</u> PLANNER ASSIGNED: <u>SWD</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>8-31-21</u> PC MEETING DATE: <u>9-21-21</u> BCC MEETING DATE: FEE: <u>2475</u> |
| | PROPERTY OWNER NAME: <u>Nicolette Tucker</u> ADDRESS: <u>1550 E. Tropicana</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89011</u> TELEPHONE: <u>702-515-9445</u> CELL: E-MAIL: <u>Nktregu@AOL.com</u> |
| | APPLICANT NAME: <u>Xiaotong Li</u> ADDRESS: <u>1550 E. Tropicana Ave #6</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: CELL: E-MAIL: REF CONTACT ID #: |
| | CORRESPONDENT NAME: <u>Kirk T Kennedy, Attorney</u> ADDRESS: <u>815 S. Casino Center Blvd 1</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>702-385-5534</u> CELL: E-MAIL: <u>Ktkennedy@me.com</u> REF CONTACT ID #: <u>165299</u> |

ASSESSOR'S PARCEL NUMBER(S): 162-23-403-012
 PROPERTY ADDRESS and/or CROSS STREETS: 1550 E. Tropicana Ave. #6
 PROJECT DESCRIPTION: Massage establishment

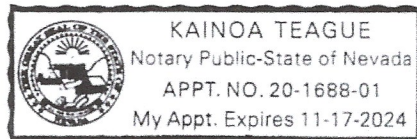
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Nicolette Tucker Nicolette Tucker
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON June 16th, 2021 (DATE)

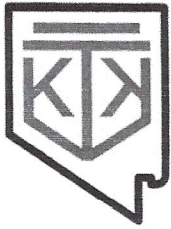
By Nicolette Tucker
 NOTARY PUBLIC: Laura



*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.

16-400098 162-23-403-012

6



KIRK T. KENNEDY

ATTORNEY AT LAW

Licensed in Nevada since 1993

815 S. Casino Center Blvd.,
Las Vegas, NV 89101

Phone: (702) 385-5534
Facsimile: (702) 385-1869
Email: ktkennedylaw@gmail.com

June 29, 2021

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

Re: Justification Letter
Applicant: Xiaotong Li dba Hawaii Massage; UC-1188-04
Parcel No: 162-23-403-012
Property Owner: Nicolette Tucker

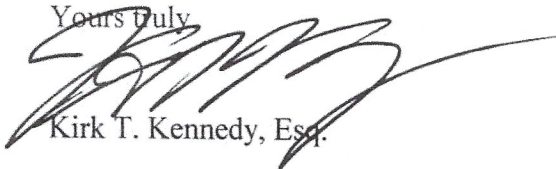
Dear Sirs:

I am counsel for the Applicant in this matter. Please accept this justification letter in support of the Applicant's, Xiaotong Li dba Hawaii Massage, request for application review under UC-1188-04.

The Applicant previously had its application reviewed and approved by the County in August, 2016. This location is zoned for 24 hour operation and has had no major violations over the last 5 years. The Applicant operates as a licensed massage establishment at 1550 E. Tropicana Ave., #6, Las Vegas, NV 89119, and meets all necessary requirements as set forth by Title 30. There have been no substantive changes to the business location. The Spa has maintained continuous operation and is in full compliance with Clark County Business Licensing.

The Applicant requests that this Application Review be approved and that the County remove this business from any further time limitation reviews. If you have any questions or concerns, please contact my office for assistance. Thank you.

Yours truly,


Kirk T. Kennedy, Esq.

OUTSIDE RETAIL/KIOSKS
(TITLE 30)

HARMON AVE/LAS VEGAS BLVD S

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

AR-21-400125 (UC-20-0169)-BPS HARMON, LLC:

USE PERMIT FIRST APPLICATION FOR REVIEW to allow retail sales and service as a primary use (outside).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow retail sales and service not within a permanent enclosed building; 2) reduce setbacks; and 3) reduce parking.

DESIGN REVIEWS for the following: 1) outside retail sales and service structures/kiosks; and 2) shipping containers in conjunction with an existing shopping center on 2.2 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the northeast corner of Las Vegas Boulevard South and Harmon Avenue within Paradise. JG/jor/jo (For possible action)

RELATED INFORMATION:

APN:

162-21-214-004; 162-21-214-005

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow outside retail sales and service where required to be within a permanent enclosed building per Section 30.44.005.
2.
 - a. Reduce the front setback for retail sales and service structures/kiosks to zero feet where 10 feet is the minimum setback per Table 30.40-7 (a 100% reduction).
 - b. Reduce the setback from a right-of-way (Harmon Avenue) for retail sales and service structures/kiosks to zero feet where 10 feet is the minimum setback per Section 30.56.040 (a 100% reduction).
3. Reduce parking to 139 spaces where 490 spaces are required per Table 30.60-1 and 159 spaces were previously approved per WS-1029-17 (a 72% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 3717 Las Vegas Boulevard South
- Site Acreage: 2.2
- Project Type: Retail sales and service structures/kiosks and shipping containers

- Kiosk Height: 8 feet, 6 inches
- Square Feet: 167 (combined area of 4 kiosks)
- Parking Required/Provided: 490/139 (a reduction to 159 spaces was previously approved by WS-1029-17)

History & Request

Retail sales and service structures/kiosks were previously approved in 2012, 2013, and 2014 and these land use applications have expired. Recently, UC-20-0169 was approved to allow retail sales on-site with the utilization of kiosks. UC-20-0169 was approved with a condition of approval of 1 year to review as a public hearing.

Site Plan

The site plan depicts 4 retail sales and service structures (kiosks) set back zero to 3 feet from a pedestrian right-of-way along Harmon Avenue. Display materials are shown on all 4 sides of the kiosks. As a result, customers will be able to queue on all sides of the structures. A 10 foot wide pedestrian access easement, located on the subject property, runs along the east side of the kiosks, and a sidewalk located in the public right-of-way runs along the west side of the kiosks. Three palm tree planters are located between the kiosks, 2 of the palm trees are located on the subject site, and 1 of the palm trees is located in the public right-of-way. Escalators to a pedestrian bridge over Las Vegas Boulevard South are located over 20 feet to the northwest of the kiosks.

The remainder of the site consists of a shopping center located on the north side of the property and a parking area located on the east side of the property. Including the additional 167 feet of retail space and a future 7,000 square foot addition (not included in this application), 490 parking spaces are required where 139 parking spaces are provided and 159 parking spaces were previously approved. The reduction in parking spaces from what was previously approved is due to the addition of 10 shipping containers that occupy 20 parking spaces. The shipping containers are located in the rear of the building, and are not visible from the right-of-way or any adjacent properties. No additional kiosks, queuing areas, or signage are proposed with this request.

Landscaping

No changes are proposed or required to the existing landscaping.

Elevations

The kiosks are a maximum of 8 feet 6 inches in height. Exterior materials include metal, folding metal awnings, and display cases.

Floor Plans

The area of each of the kiosks consist of approximately 31 square feet (2 kiosks), 64 square feet, and 72 square feet.

Previous Conditions of Approval

Listed below are the approved conditions for UC-20-0169:

Current Planning

- 1 year to commence and review as a public hearing;
- Pedestrian access easement must be kept clear of any obstructions, including all customer queuing.
- Applicant is advised that all non-permitted signage (including but not limited to sandwich boards) must be removed; 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.

Public Works - Development Review

- Structures shall not be permitted within the pedestrian access easement.

Building Department - Fire Prevention

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

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.

Signage

Each kiosk includes a variety of wall signs, which is within the size that is allowed in the H-1 zone. No additional signage is a part of this request.

Applicant's Justification

Per the applicant, the retail structures (kiosks) have been operating with approved business licenses (2005119.0485-101, 2005596.044-101, 2005473.044-101, and 2005141.045-101). Furthermore, a condition of approval required the applicant to ensure that the pedestrian areas have been kept clear of signage and other physical obstructions. Submitted photos show that this condition has been met. The applicant is currently working with Current Planning staff to process a use permit, design review, and waivers of development standards (APR-21-100321) to retrofit the outdoor promenade with new kiosk structures for retail and food & beverage.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|-----------------|-----------|
| UC-20-0169 | Allow retail sales and service as a primary use (outside), waivers to allow retail sales not within a permanent enclosed building, reduced setbacks, and reduced parking, and design reviews for outside retail sales and services structures, kiosks, and shopping containers | Approved by BCC | June 2020 |

Prior Land Use Requests

| Application Number | Request | Action | Date |
|----------------------------|---|-----------------|---------------|
| UC-19-0408 | Recreational facility in conjunction with a shopping center | Approved by BCC | July 2019 |
| VS-18-0155 | Vacated and abandoned a public access easement (driveway) | Approved by PC | April 2018 |
| WS-1029-17 | Reduced parking, façade changes, and a mezzanine addition to the existing shopping center | Approved by BCC | January 2018 |
| UC-0800-17 | Allowed on-premises consumption of alcohol (service bar) in conjunction with an existing restaurant (Subway) | Approved by BCC | November 2017 |
| UC-0224-17 | Allowed on-premises consumption of alcohol (tavern/self-serve beer structure) | Approved by BCC | June 2017 |
| WS-0069-17 | Modified landscape planters and fencing within Harmon Avenue | Approved by BCC | March 2017 |
| WS-0324-16 | Shade structures, façade changes, and modified a comprehensive sign plan for a proposed restaurant (Taco Bell Cantina) | Approved by BCC | June 2016 |
| ADR-0596-15 | Shade structures within outside dining area (Subway) | Approved by ZA | July 2015 |
| UC-0241-13 (ET-0068-14) | First extension of time to review outside retail sales structures until November 20, 2015 to review - expired | Approved by BCC | July 2014 |
| UC-0241-13 | Allowed additional commercial uses within a shopping center (list on file) and outside retail sales structures subject to 6 months to review outside retail sales structures | Approved by BCC | November 2013 |
| UC-0008-12 | Allowed commercial uses in H-1 zoning and permit outside retail sales - expired | Approved by BCC | March 2012 |
| UC-0518-11 | Allowed on-premises consumption of alcohol (tavern) in conjunction with a shopping center - the application included other land uses which were withdrawn without prejudice at the PC meeting | Approved By PC | December 2011 |
| UC-0608-10 | Redesigned a shopping center and pharmacy including the pedestrian bridge across Harmon Avenue | Approved by BCC | February 2011 |
| TM-0025-10 | Harmon Center commercial subdivision | Approved by PC | July 2010 |
| UC-0174-10 | Shopping center, pharmacy, packaged beer and wine sales, and packaged liquor sales, including waivers to reduce parking, parking lot landscaping and allowed tandem parking | Approved by BCC | June 2010 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|--------------|----------------------------------|------------------------|--|
| North & East | Commercial Tourist | H-1 | Planet Hollywood Resort Hotel & Miracle Mile Shopping Center |
| South | Commercial Tourist | H-1 | Commercial building (former Harley Davidson Café) & parking garage |
| West | Commercial Tourist | H-1 | CityCenter & Cosmopolitan Resort Hotel |

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.

Staff finds that the applicant has commenced retail sales operations on-site and the vendors have active and valid business licenses. Staff is not aware of any complaints filed with Clark County Public Response or the Metropolitan Police Department with regards to their operations. Photos were submitted to staff showing that the pedestrian areas have been cleaned up and no obstructions are within this area. Staff supports this request and recommends removal of the time limit.

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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Remove the time limit.

Public Works - Development Review

- Coordinate with Public Works - Traffic Management for the Las Vegas Boulevard South improvement project;
- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: BPS HARMON, LLC

CONTACT: LORA DREJA, BROWN, BROWN, AND PREMSRIPUT, 520 SOUTH
FOURTH STREET, LAS VEGAS, NV 89101

DRAFT

pg 1



LAND USE APPLICATION
DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

| | |
|---|--|
| <p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p><input type="checkbox"/> CONFORMING (ZC)</p> <p><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input checked="" type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>(ORIGINAL APPLICATION #)</p> <p><input checked="" type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>UC-20-0169</p> <p>(ORIGINAL APPLICATION #)</p> | <p>STAFF</p> <p>APP. NUMBER: <u>AR-21-400125</u> DATE FILED: <u>7/27/21</u></p> <p>PLANNER ASSIGNED: <u>JDR</u></p> <p>TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>8/31/21</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>9/22/21</u></p> <p>FEE: <u>\$475 x 3 (FOR UC, WDS, & PR)</u></p> |
| | <p>PROPERTY OWNER</p> <p>NAME: <u>BPS Harmon LLC - Brett Torino</u></p> <p>ADDRESS: <u>3717 Las Vegas Blvd 89118</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u></p> <p>TELEPHONE: <u>(702) 629-1980</u> CELL: _____</p> <p>E-MAIL: <u>czap12@5hpartners.com</u></p> |
| | <p>APPLICANT</p> <p>NAME: <u>same</u></p> <p>ADDRESS: _____</p> <p>CITY: _____ STATE: _____ ZIP: _____</p> <p>TELEPHONE: _____ CELL: _____</p> <p>E-MAIL: _____ REF CONTACT ID #: _____</p> |
| | <p>CORRESPONDENT</p> <p>NAME: <u>Brown, Brown and Premsrut c/o Lora Dreja</u></p> <p>ADDRESS: <u>520 South Fourth Street</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u></p> <p>TELEPHONE: <u>(702) 598-1408</u> CELL: _____</p> <p>E-MAIL: <u>Lora@Brownlawiv.com</u> REF CONTACT ID #: <u>170880</u></p> |

ASSESSOR'S PARCEL NUMBER(S): 162-21-214-005

PROPERTY ADDRESS and/or CROSS STREETS: 3717 Las Vegas Blvd

PROJECT DESCRIPTION: extension of time kiosks within promenade UC-20-0169

(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

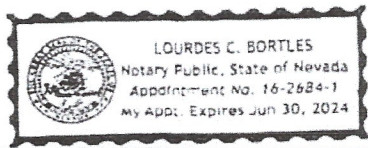
Property Owner Signature: [Handwritten Signature] Property Owner (Print): Brett Torino

STATE OF Nevada
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 5/19/21 (DATE)

By [Handwritten Signature]

NOTARY PUBLIC: Loures Bortles



*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.

7

LAW OFFICE

Brown, Brown & Premsrirut

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6520

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jbrown@brownlawlv.com

JAY H. BROWN
DAVID T. BROWN
PUOY K. PREMSRIRUT

AR-21-400125

May 25, 2021

Clark County Current Planning Department
500 South Grand Central Parkway
Las Vegas, NV 89102

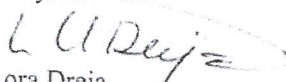
Re: Annual Review UC-20-0169 3717 Las Vegas Blvd (Harmon Corner) Use Permit to allow outside retail sales where required to be inside an enclosed building.

Dear Madam/Sir:

Per the enclosed Notice of Final Action, UC-20-0169 is due for an annual review. The retail structures have since been operating and remain compatible with the promenade. License numbers are 2005119.0485-101, 2005596.044-101, 2005473.044-101 and 2005141.045-101.

A second condition required all pedestrian areas be kept clear of signage and other obstructions. Photos submitted as part of this request demonstrate there are no hazards within the pedestrian realm.

Prior to approval, discussions between staff, elected officials and the applicant yielded a commitment to submit a design review to retrofit the outdoor promenade. This package, reference APR-21-100321 was uploaded to the Clark County Planning Department in March of this year.


Lora Dreja
Land Entitlements
Brown, Brown and Premsrirut

MULTIPLE FAMILY RESIDENTIAL
(TITLE 30)

PECOS-MCLEOD INT/DESERT INN RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-21-400121 (DR-19-0352)-DIAMOND P M, LLC:

DESIGN REVIEW FIRST EXTENSION OF TIME for a multiple family residential development (condominiums) and associated accessory structures on 1.6 acres in an R-3 (Multiple Family Residential) Zone.

Generally located on the east side of Pecos-McLeod Interconnect, 650 south of Desert Inn Road within Paradise. TS/bb/jo (For possible action)

RELATED INFORMATION:

APN:

162-13-501-006

LAND USE PLAN:

WINCHESTER/PARADISE - RESIDENTIAL URBAN CENTER (FROM 18 DU/AC TO 32 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.6
- Number of Units: 40
- Density (du/ac): 17.6
- Project Type: Multiple family residential (condominiums)
- Number of Stories: 2 to 3 (building 1)/3 (building 2)
- Building Height (feet): Up to 35
- Open Space Required/Provided: 8,000/9,450
- Parking Required/Provided: 70/70

Site Plans

The approved plans depict a gated multiple family residential development (condominiums) consisting of 40, one and two bedroom units for an overall density of 17.6 dwelling units per acre. Building 1 is comprised of 16, one bedroom units and building 2 consists of 24, two bedroom units. Building 1 is set back 20 feet from the west property line, adjacent to the Pecos-McLeod Interconnect, and 70 feet from the improved drainage channel to the east. Building 2 is also set back 20 feet from the west property line, 32 feet from the drainage channel to the east,

and 5 feet from the property line to the north. The development includes 9,450 square feet of open space consisting of a pool area, dog park, and several areas with benches. Access to the site is provided via a proposed 2 way driveway located at the southwestern portion of the site. An "exit only" gate is provided at the northwestern portion of the site. The proposed development requires 70 parking spaces and 70 spaces are provided. Bicycle parking spaces are located at the northeast corner of building 1. The required trash enclosure is centrally located within the site, between buildings 1 and 2. The pool area, consisting of 4,351 square feet, is located immediately south of building 1. A gazebo/cabana shade structure is located to the west of the pool, and is set back 20 feet from the west property line. A 301 square foot pool equipment room is located immediately south of the pool and also has a minimum setback of 20 feet from the west property line. A 5 foot wide internal pedestrian walkway connects the buildings to the proposed 5 foot wide detached sidewalk along the Pecos-McLeod Interconnect.

Landscaping

The approved plans depict a 15 foot wide landscape area, including a 5 foot wide detached sidewalk, along the Pecos-McLeod Interconnect. The street landscape area consists of trees, shrubs, and groundcover. Open space is generally distributed throughout the site, and primarily consists of 4 areas measuring between 873 square feet and 4,351 square feet. Parking lot trees are generally distributed throughout the site, including landscape finger islands located along the east property line adjacent to the improved drainage channel.

Elevations

Building 1 consists of 2 to 3 stories with a height ranging from 31 feet up to a maximum of 35 feet. The building is constructed with a pitched, concrete tile roof with a stucco exterior. Decorative pop-outs and window trimming are featured on the east, south, and west elevations of the building. Patios and balconies are featured on the east and west elevations of building 1. The north elevation of the building features a stucco exterior with decorative plaster corbels. Access to the residential units is provided via an open staircase leading to each floor.

Building 2 consists of 3 stories with a maximum height of 35 feet. The building is constructed with a pitched, concrete tile roof with a stucco exterior. Decorative pop-outs and window trimming are featured on all sides of the building, which include decorative plaster corbels. Patios and balconies are featured on the north and south elevations of building 2. Access to the residential units is provided via an open staircase leading to each floor.

The pool equipment building has an overall height of 15 feet and consists of a pitched, concrete tile roof, stucco exterior, and decorative plaster corbels. The carports have a maximum height of 10 feet and feature tube steel columns with a painted metal roof.

Floor Plans

Building 1 features 16, one bedroom units each measuring 800 square feet. The floor plans for building 1 depict a kitchen, living room, dining room, bedroom, patio, laundry room, bathroom, and a walk-in closet. Building 2 features 24, two bedroom units each measuring 1,000 square feet. The floor plans for building 2 depict 2 bedrooms, a kitchen, dining room, living room, patio, laundry room, bathroom, and a walk-in closet. The pool equipment building consists of 301 square feet and features an office, restroom, shower, and equipment room.

Previous Conditions of Approval

Listed below are the approved conditions for DR-19-0352:

Current Planning

- 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 or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include any necessary portions of Pecos-McLeod Interconnect to achieve 45 feet of right-of-way to the back of curb.
- Applicant is advised that the installation of detached sidewalks may require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

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 #0224-2019 to obtain your POC exhibit; and that wastewater flow rates that exceed CCWRD estimates may require another POC analysis.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is requesting an extension of time for an additional 2 years. The extension of time is necessary due to Covid-19 restrictions and the impact on processing times and timely approval. The applicant has obtained an approved drainage study, traffic study, water network analysis, and a variety of civil engineering improvement plan approvals to mylar. The applicant has completed a bond estimate and the construction plan documents are approximately 30% complete with anticipated submittal to the Building Department on December 21, 2021.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|-----------------------------|-----------------|-------------|
| DR-19-0352 | Multiple family development | Approved by BCC | June 2019 |

Prior Land Use Requests

| Application Number | Request | Action | Date |
|------------------------------|--|-----------------|---------------|
| ET-400036-19 (VS-0090-15) | Vacated and abandoned first extension of time for right-of-way and easements | Approved by PC | May 2019 |
| VS-0090-15 (ET-0037-17) | First extension of time to vacate and abandon right-of-way and easements | Approved by PC | March 2017 |
| UC-0427-11 (ET-0025-15) | First extension of time for a use permit for an assisted/independent living facility with a waiver of development standards for reduced lot size, a waiver of conditions of a zone change, and a design review for an assisted/independent living facility and project amenities – expired | Approved by BCC | June 2015 |
| VS-0090-15 | Vacated and abandoned easement of interest to Clark County and vacate a portion of Pecos-McLeod Interconnect | Approved by PC | April 2015 |
| UC-0427-11 | Reduced lot size, waived a condition of a zone change to change the product from for rent multi-family to for sale condominiums and to reduce 15 units to 2 story units with only 9, three story units remaining along with a design review for an assisted/independent living facility with project amenities – expired | Approved by BCC | June 2012 |
| VS-0002-11 | Vacated and abandoned a portion of the Pecos-McLeod Interconnect and patent easement – expired | Approved by PC | March 2011 |
| VS-0061-08 | Vacated and abandoned a portion of the Pecos-McLeod Interconnect and patent easement – expired | Approved by BCC | April 2008 |
| WS-1162-07 | Reduced driveway length with a waiver of conditions of a zone change, and design review for a deceleration lane, project amenities, and a condominium complex – expired | Approved by BCC | December 2007 |
| ZC-1382-06 | Reclassified 1.6 acres from R-1 to R-4 (reduced to R-3) zoning with waivers of development standards and a design review for a multi-family complex | Approved by BCC | August 2007 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|--------------|----------------------------------|------------------------|--------------------------------|
| North | Commercial General | C-2 | Shopping center |
| South & East | Public Facilities | R-1 | Drainage Channel/Flamingo Wash |
| West | Office Professional | R-3 | Congregate care facility |

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 on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval. Staff finds that the applicant has made substantial progress towards commencement of the project by having an approved drainage study, traffic study, water network analysis, and a variety of civil engineering improvement plans. Therefore, staff can support this request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until June 19, 2023 to commence.
- 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

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: DIAMOND PM, LLC

CONTACT: DC PETERSEN PROFESSIONAL CONSULTANTS, LLC, 5052 S. JONES
BLVD, SUITE 110, LAS VEGAS, NV 89118

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

| | |
|---|--|
| APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <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 checked="" type="checkbox"/> EXTENSION OF TIME (ET) <u>DR-19-0352/NG-19-089</u> (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) | STAFF APP. NUMBER: <u>ET-21-400121</u> DATE FILED: <u>7-24-2021</u> PLANNER ASSIGNED: <u>BBB</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>8-31-2021</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>9-22-2021 9am</u> FEE: _____ |
| | PROPERTY OWNER NAME: <u>DIAMOND PM LLC</u> ADDRESS: <u>5052 S. JONES BLVD. SUITE 110</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-734-9393</u> CELL: <u>702-236-1802</u> E-MAIL: <u>dpetersen@visiconlv.com</u> |
| | APPLICANT NAME: <u>DIAMOND PM LLC</u> ADDRESS: <u>5052 S. JONES BLVD. SUITE 110</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-734-9393</u> CELL: <u>702-236-1802</u> E-MAIL: <u>dpetersen@visiconlv.com</u> REF CONTACT ID #: <u>186247</u> |
| | CORRESPONDENT NAME: <u>RICHARD GALLEGOS - D C PETERSEN CONSULTANTS</u> ADDRESS: <u>5052 S. JONES BLVD. SUITE 110</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-524-0054</u> CELL: <u>702-524-0054</u> E-MAIL: <u>rgallegos@visiconlv.com</u> REF CONTACT ID #: <u>168799</u> |

ASSESSOR'S PARCEL NUMBER(S): 162-13-501-008

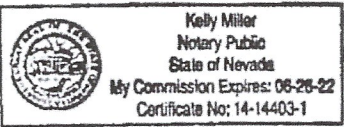
PROPERTY ADDRESS and/or CROSS STREETS: _____

PROJECT DESCRIPTION: 2 year extension of time due to Covid 19 IMPACT

(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, and I do hereby 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 the public of the proposed application.

Property Owner (Signature): [Signature] Property Owner (Print): Darren C. Petersen, Manager

STATE OF Nevada
COUNTY OF Clark
SUBSCRIBED AND SWORN BEFORE ME ON June 9, 2021 (DATE)
By Darren C Petersen
NOTARY PUBLIC: [Signature]



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



DC PETERSEN, LLC
5052 S. Jones Blvd, Suite 110., Las Vegas, NV 89118 (702) 734-9393

June 16, 2021

Clark County Current Planning
500 S. Grand Central Parkway
Las Vegas, NV 89101

Attn: Principal Planner

RE: **DIAMOND PECOS MULTI FAMILY**
DR-19-0352 & WC-19-400059 (ZC-1382-06)
APN: 162-13-501-006
EXTENSION OF TIME
JUSTIFICATION LETTER

PLANNER
COPY

Dear Staff,

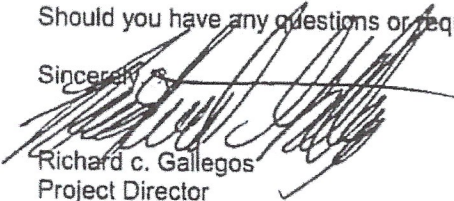
We respectfully request an extension of time on the above referenced project for a period of two (2) years. The extension of time is necessary due to Covid-19 restrictions and impact on the ability to accomplish the processing and approvals in a timely manner.

We have accomplished the following:

1. Drainage Study - Approved.
2. Traffic Study- Approved.
3. Water Network Analysis - Approved.
4. Clark County Fire Department approval of Civil Improvements Plans to mylar.
5. Clark County Water Reclamation approval of Civil Improvement Plans to mylar.
6. Las Vegas Valley Water District approval of Civil Improvement Plans to mylar.
7. NV Energy, Century Link, Southwest Gas approval of Civil Improvement to mylar
8. Clark County Public Works approval of Civil Improvement Plans to mylar. Bond Estimate completed.
9. The building Construction Documents are approximately 30% complete and submittal to the Building Department is anticipated on 12-21-2021.

Should you have any questions or require additional information please contact me at 702.524.0054.

Sincerely,


Richard c. Gallegos
Project Director

ET-21-400121

8