

Spring Valley Town Advisory Board

Desert Breeze Community Center

8275 W. Spring Mountain Rd

Las Vegas, NV 89117

February 13, 2024

6:00pm

AGENDA

Note:

- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Carmen Hayes at (702) 371-7991 or chayes70@yahoo.com.
 - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
 - Supporting material is/will be available on the County's website at : https://clarkcountynv.gov/SpringValleyTAB

Board/Council Members:	John Getter, Chair Dale Devitt Randal Okamura	Brian A. Morris, Vice Chair Dr. Juana Leia Jordan
Secretary:	Carmen Hayes (702) 371-7991 <u>chay</u> Business Address: Clark County De Parkway, 6th Floor, Las Vegas, Nev	partment of Administrative Services, 500 S. Grand Central
County Liaison(s):	Mike Shannon (702)-455-8338 md Business Address: Clark County De Parkway, 6th Floor, Las Vegas, Nev	partment of Administrative Services, 500 S. Grand Central

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

- III. Approval of Minutes for January 30, 2024. (For possible action)
- IV. Approval of the Agenda for February 13, 2024 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
 - 1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
- VI. Planning and Zoning

1. TM-24-500002-LMC KAKTUSLIFE II PROPERTY OWNER, LLC:

TENTATIVE MAP for a mixed use project consisting of 1 commercial lot, 2 residential lots, and common elements on 15.5 acres in a CC (Commercial Core) Zone. Generally located on the north side of Maule Avenue, 750 feet east of Cimarron Road within Spring Valley. MN/lm/ng (For possible action) **02/20/24 PC**

2. UC-23-0887-9719 FLAMINGO ROAD, LLC:

USE PERMITS for the following: 1) live entertainment; 2) allow banquet with outdoor terrace, and 3) eliminate pedestrian access around outside dining.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) wall sign; and 3) architectural compatibility.

DESIGN REVIEW for a restaurant/banquet facility in conjunction with an existing shopping center on a 4.0 acre portion of 41.3 acres in a C-2 (General Commercial) Zone. Generally located on the southeast corner of Flamingo Road and Grand Canyon Drive within Spring Valley. JJ/jud/ng (For possible action) 02/20/24 PC

3. WC-23-400190 (UC-20-0231)-CHOUL, LLC:

WAIVER OF CONDITIONS for a use permit limiting hours of operation from 4:00 p.m. to 2:00 a.m. 7 days a week in conjunction with a hookah lounge and supper club on a portion of 2.5 acres in a C-1 (Local Business) Zone. Generally located on the east side of Jones Boulevard and the south side of Cherokee Avenue within Spring Valley. JJ/jm/ng (For possible action) 02/20/24 PC

VII. General Business

1. None.

- VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No discussion, action, or vote may be taken on this agenda item. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please spell your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.
 - IX. Next Meeting Date: February 27, 2024.

X. Adjournment.

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

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02/20/24 PC AGENDA SHEET

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST TM-24-500002-LMC KAKTUSLIFE II PROPERTY OWNER, LLC:

TENTATIVE MAP for a mixed use project consisting of 1 commercial lor, 2 residential lots, and common elements on 15.5 acres in a CC (Commercial Core) Zone.

Generally located on the north side of Maule Avenue, 750 feet east of Cimarron Road within Spring Valley. MN/lm/ng (For possible action)

RELATED INFORMATION:

APN: 176-04-601-022; 176-04-601-023

LAND USE PLAN: SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND: Project Description

General Summary

- Site Address: 8030 W. Maule Avenue
- Site Acreage: 15.5
- Number of Lots/Units: 614
- Density (du/ac): 39.6
- Project Type: Mixed-use development
- Number of Lots: 2 (residential)/1 (commercial)

The approved plans (ZC 0827-1) depict a horizontal mixed use development consisting of 614 units on 15.5 acres with a density of 39.6 dwelling units per acre. The 614 apartment units are distributed among 7 buildings. The commercial building is centrally located on the site on 1.2 acres. The residential buildings are located throughout the remainder of the site with common areas. Access to the project is provided from Maule Avenue that will provide ingress and egress to the site.

Application Number	Request	Action	Date	
WS-23-0320	Design review and waiver of development standards for lighting and signage	Approved by BCC	November 2023	
ET-23-400138	Third extension of time for U-V zoning for a mixed use project	Approved	November	
(ZC-0827-17)		by BCC	2023	
ET-22-400034	Second extension of time for U-V zoning for a mixed use project	Approved	November	
(ZC-0827-17)		by BCC	2023	

Prior Land Use Requests

Prior Land Use Requests

Application Number	Request	Action	Date
ET-23-400138 (ZC-0827-17)	First extension of time for U-V zoning for a mixed use project	Approved by BCC	November 2028
DA-20-0335	Development Agreement	Approved by BCC	September 2020
ET-20-400010 (VS-1079-17)	First extension of time to vacate and abandon easements	Approved by PC	March 2020
VS-1079-17	Vacated and abandoned easements	Approved by PC	February 2018
ZC-0827-17	Reclassified 16.1 acres from C-2 to U-V zoning for a mixed-use project	by BCC	December 2017
VC-0984-08	Variance to increase height to 248 feet for 3 mixed-use buildings - expired	Approved by BCC	November 2008
UC-2125-04	Allowed three, 248 foot high mixed-use buildings for a total of 405 dwelling units - expired	Approved by BCC	January 2005

Surrounding Land Use

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	Planned Land Use Category	Zoning District Overlay	Existing Land Use
North	Business Employment	GG A	Undeveloped
South	Business Employment	RM18	Multiple family residential (Coronado Palms Condominiums)
East	Business Employment	RM32	Multiple family residential (Maverik Apartments)
West	Business Employment	R\$20	Undeveloped

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

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

This request meets the tentative map requirements and standards for approval as outlined in Title 30.

Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Harry Reid 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 Master Plan, Title 30, and or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

• Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; 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 there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

• No comment.

Building Department - Addressing

• No comment.

Department of Aviation

• Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office a landuse alassisport com is strongly encouraged; 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 rands will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

No comment.

Clark County Water Reclamation District (CCWRD)

• Applicant is advised that CCWRD is unable to verify sewer capacity based on this zoning application; you may find instruction for submitting a Point of Connection (POC) request on the CCWRD website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

TAB/CAC: APPROVALS: PROTESTS:





02/20/24 PC AGENDA SHEET

PUBLIC HEARING APP. NUMBER/OWNER/DESCRIPTION OF REQUEST UC-23-0887-9719 FLAMINGO ROAD, LLC:

USE PERMITS for the following: 1) live entertainment; 2) allow banquet with out for terrace, and 3) eliminate pedestrian access around outside dining.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) wall sign; and 3) architectural compatibility.

DESIGN REVIEW for a restaurant/banquet facility in conjunction with an existing shopping center on a 4.0 acre portion of 41.3 acres in a C-2 (General Commercial) Zone.

Generally located on the southeast corner of Flaming Road and Grand Danyon Drive within Spring Valley. JJ/jud/ng (For possible action)

RELATED INFORMATION:

APN:

163-19-511-010; 163-19-511-011; 163-19-511-017; 163-19-511-020; 163-19-511-023 through 163-19-511-031; 163-19-511-038; 163-19-511-040

USE PERMITS:

- Allow live entertainment in conjunction with a banquet facility per Table 30.44-1. 1.
- Allow banquet with outdoor terrace where banquet facilities are not allowed with outside 2. uses per Table 30.44-1.
- Eliminate 48-inch wide pedestrian access around outside dining where a minimum 48 3. inch wide pedestrian access shall be maintained around the perimeter of the outside dining area per Table 30.44-1.

WATVERS OF DEVELOPMENT STANDARDS:

Increase building height to 66 feet 6 inches where 50 feet is the maximum height permitted per Table 30.404 (a 33% increase).

Increase the average letter height for a wall sign to 9 feet where 6 feet is maximum per Table 30.72-1 (a 50% increase).

Allow the building not to be architecturally compatible with the other buildings within 3. the shopping center where all buildings within a shopping center should have sufficient compatible architecture or architectural elements to give the appearance of being an integral part of the center per Table 30.56-2.

LAND USE PLAN: SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Acreage: 4 (restaurant)/41.3 (shopping center)
- Project Type: Restaurant
- Number of Stories: 4
- Building Height (feet): 66.6
- Square Feet: 73,041
- Parking Required/Provided: 1,207/1,325 (overall shopping center)

Site Plan

The proposed project is located on 4.04 acres within an originally approved 41.3 acre shopping center, Grand Flamingo Centre, located on the south side of Flamingo Road between Grand Canyon Drive to the west and CC 215 to the east. The plans depict an indeveloped pad site APN 163-19-511-010 only. Access to the site is via both Flamingo Road and Grand Canyon Road via cross-access from the Grand Flamingo Centre. The site plan depicts a 4 story building to function as a restaurant, café, ballrooms, speakeasy lounge, and wine cellar including providing live entertainment and outdoor diving, drinking, and cooking. The main entrance to the proposed building faces south. The proposed building will be set back 46 feet 8 inches from the northeast property line (adjacent to CC 2) 5), 41 feet 11 inches from the northwest property line (also adjacent to an existing developed pad site), 57 feet 4 inches from the southeast property line (adjacent to existing parking spaces), and 320 feet from the southwest property line (adjacent to the private drive). The applicant is requesting several use permits for live entertainment, allow outdoor uses and eliminate the pedestrian access around an outside dinning in conjunction with the proposed uses. Two waivers of development standards are included in this application to increase the building height and increase the average wall sign height. Similarly, a design review for restaurant and related uses is part of this application.

Landscaping

The plans depict landscaping around the perimeter of the building, to include trees and shrubs. The proposed landscaping will include Palo Brea and Montercy Oak trees, and as well as Creeping Acacia shrubs and Agave Ocahui, all watered through a drip irrigation system. The parking fot landscaping was approved via a prior land use application, and this proposed addition to the shopping center does not include any changes to the existing areas.

Elevations

The overall building height is 66.5 feet. The square footage of the building includes 72,053 square feet of gross area including the ground floor plaza. The ground, second, and third floors depict outdoor plaza and terraces for a total square footage of outside dining area of 3,115. The elevations show a highly articulated building with various architectural enhancements such as glass curtain walls, brown metal roof trellis, and white metal cladding.

Floor Plans

The basement level plan depicts 18,944 square feet, consisting of a wine room with wine cellar, a speakeasy, and back of the house operations including kitchen, mechanical room, and employee break rooms. The first level is 16,506 square feet and consists of café, wine and liquor retail store, offices, and kitchens. Also, on the first level is an outdoor plaza area. The second level is 18,327 square feet, and primarily consists of a banquet facility and kitchen along with an outdoor terrace. Lastly, the third level plans show a 18,276 square foot area consisting of a restaurant with bar and kitchen along with an outdoor terrace with outside dining/drinking/cooking.

Applicant's Justification

The applicant states the proposed uses are compatible with the area and the commercial and retail uses in the Grand Flamingo Centre. Also, the design is appropriate for a C-2 zoned district. The proposed use complies with parking. The 366 parking spaces required for the proposed building are accounted for among the total parking spaces provided for the entire shopping center area consisting of 168,002 square feet of building area. Grand Canyon Centre has an overall parking count of 1,325 spaces where 1,207 parking spaces are required. The applicant further states the requests for the banquet facility to include outdoor areas and live entertainment are appropriate since there are no residential uses within 500 feet of proposed shopping center addition and the site is adjacent to the CC 215. Likewise, the applicant states the request to eliminate the required 48 inch wide pedestrian access area is acceptable since outdoor terraces are located on the second and third levels, not impeding pedestrian movement on the ground level access.

The request for the building height increase is appropriate since the site is adjacent to CC 215 and it is situated in the middle of an existing shopping center with large building in its vicinity. Additionally, the request to increase the average letter height for the proposed wall sign is appropriate because the total area for the sign only account for approximately 50% of the allowable signage area per building face.

Signage

The applicant is proposing 2 wall signs. One is "Skyline" near the top of the building along the south façade; this sign presents an average letter beight of 9 feet where 6 feet is allowed within developments larger than 5 acres. The proposed square footage of the first sign is 600 square feet. The other proposed wall sign is "Wine" along the east façade and consists of average letter height of 2 feet and total square footage of 14 square feet. Both signs consist of fabricated alumnum channel letters with internally LED illuminated letters.

Application Number	Request	Action	Date
00-22-0376	Recreation facility in conjunction with an existing sbopping center	Approved by PC	August 2002
DR-0922-06	Supper club within a shopping center	Approved by BCC	August 2006
DR-0545-05	Four commercial pad sites with a waiver of conditions to WS-2012-03 requiring consistent architecture throughout the shopping center	Approved by CC	May 2005
WS-1106-04	Alternative design standards and a design review for a shopping center on portions of an overall 42 acre site	Approved by BCC	June 2004

Prior Land Use Requests

rior Land Use F Application Number	Request	Action	Date
WS-0730-04	Alternative sign standards	Approved by BCC	June 2004
TM-0144-04	1 lot commercial subdivision for a shopping center on 42 acres	Approved by PC	April 2004
WS-2012-03	Modified design standards for shade structures with a design review for a regional shopping center	Approved by BCC	March 2004
DR-1157-01	Shopping center on 42 acres in a C-2 zone	Approved by BCC	November 2001
ZC-1195-98 (WC-0197-01)	Waived conditions of a zone change requiring reciprocal perpetual cross-access ingress egress and parking agreement; no access into Rochelle Avenue, dedication of 30 feet for Rochelle Avenue; and full off-sites	Approved by BCC	November 2001
ZC-0419-97 (WC-0196-01)	Waived conditions of a zone change for tight-of- way dedication to include the south 30 feet of Nevso Avenue	Approved by BCC	July 2001
VS-1822-00	Vacated easements and rights-of-way	Approved by PC	February 2001
ZC-1195-98	Reclassified 36 acres to C-2 zoning for a shopping center	Approved by BCC	August 1998
ZC-1469-97	Reclassified 15 acres to C-2 zoning for a shopping	Approved by BCC	October 1997
ZC-0419-97	Reclassified 13 agres to C-2 zoning for a shopping center	-	May 1997

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Surrounamg L	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Corrido Mixed-Use	C-2	CC 215 & shopping center
South & West	Corridor Mixed-Use	C-2	Shopping center & undeveloped pads within the same shopping center

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

Analysis **Comprehensive Planning** Use Permits

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

Staff finds that the proposed restaurant, banquet facility and related uses are appropriate for the pad site and the overall shopping center. The proposed location features ample parking, adequate circulation for customers. Staff finds that the proposed live entertainment, outdoor terrace in conjunction with the banquet facility will not negatively impact any residential development as there is none in proximity. Additionally, the request to eliminate the required 48 inch wide pedestrian access around outside dining is appropriate since the outside dining on the terrace will not impede restaurant/banquet facility and related uses parons and customers. Therefore, staff can support all the use permits requests.

Waivers of Development Standards

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

The applicant is requesting to increase the overall building height to 66.5 feet where 50 feet is the maximum. Increasing the height will not negatively impact the site since the proposed restaurant/banquet facility is set back approximately 47 feet from Flamingo CC 215 ramp (to the northeast) and is buffered by a parking lot and landscaping from other existing buildings within the shopping center. The existing buildings, in proximity, on the site were constructed at and 60 feet in height (hotel & health club). The proposed building depicts many several architectural enhancements, which will not present any visual burdens regarding the proposed building height increase. Additionally, due to the proposed building mass, the request to increase the average letter heigh to 9 feet where 6 feet allow is an excessive increase. The applicant is requesting 1 sign with this increased in letter height and the proposed sign facing the south façade, which should not present any impact of residential neighbors or vehicular traffic along CC 215. Therefore, staff can support these requests.

Design Review

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

The plans show that the proposed building is aesthetically pleasing and will add visual enhancements to the existing shopping center. Even though the building height exceeds the zoning district height requirements, the proposed building is located along the CC 215 and in the middle of existing buildings which is vary in heights. The overall design meets the required setback requirements and does not hinder on-site circulation. Staff recommends approval of this request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved draipage study PW04-15991-DS;
- Traffic study and compliance.

Clark County Water Reclamation District (CCWRD)

Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking 0012-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: APPROVALS: PROTESTS: APPLICANT: HUKL LAND HOLDINGS, LLC CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135



LAND USE APPLICATION DEPARTMENT OF COMPREHENSIVE PLANNING APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE				
APPLICATION TYPE	STAFF	APP. NUMBER: UC-230887 DATE FILED: 12/20/23 PLANNER ASSIGNED:		
□ VARIANCE (VC) ☑ WAIVER OF DEVELOPMENT STANDARDS (WS) ☑ DESIGN REVIEW (DR) □ ADMINISTRATIVE DESIGN REVIEW (ADR) □ STREET NAME (PROPERTY OWNER	NAME: Huki Land Holdings, LLC ADDRESS: 9770 W. Flamingo Road CITY: Las VegasSTATE: NVZIP: 89147 TELEPHONE: 000-0000CELL: 000-0000 E-MAIL: n/a		
STREET NAME / NUMBERING CHANGE (SC) WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) ANNEXATION REQUEST (ANX)	APPLICANT	NAME: Huki Land Holdings, LLC ADDRESS: 9770 W. Flamingo Road Citry: Las Vegas STATE: NV ZIP: 89147 TELEPHONE: 000-0000 CELL: 000-000-0000 E-MAIL: n/a		
CORIGINAL APPLICATION #) CORIGINAL APPLICATION REVIEW (AR) CORIGINAL APPLICATION #)	CONNERPONDENT	NAME: Kaempfer Crowell - Bob Gronauer ADDRESS: 1980 Festival Plaza Dr. #650 CITY: Las Vegas STATE: NV zip: 89135 TELEPHONE: 702-792-7000 CELL: 702-792-7048 E-MAIL: apierce@kcnvfaw.com REF CONTACT ID #: 164674		
ASSESSOR'S PARCEL NUMBER(S): 163-19-511-010 PROPERTY ADDRESS and/or CROSS STREETS: 9770 W. Flamingo Road PROJECT DESCRIPTION: Restaurant with live entertainment and elcohol services (on premise, off premise and wine cellars).				
If, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rols of the property involved in this application, or (am, are) otherwase qualified to instant in application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached herato, and all the statements and answers contained theratin are in all respects true and correct to the best of my knowledge and beild, and the undersigned understands that this application must be complete and accurate before a test of a divising attached legal description, all plans, and drawings attached herato, and all the statements and answers contained theration are in all respects true and correct to the best of my knowledge and beild, and the undersigned understands that this application must be complete and accurate before a test of a divising the public of the proposed application. Property Owner (Signature)* Property Owner (Print) STATE OF NOTARY PUBLIC SUBSCRIPED WD Evolution the evolution of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, frust, or provides signature in a representative capacity.				

Revised 09/14/2022

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

CROWELL

KAEMPFER

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

December 26, 2023

VIA UPLOAD

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

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

To Whom It May Concern:

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

DESIGN REVIEW

The Applicant is proposing to build one commercial building that is approximately 66-feet and 6-inches in height with four levels (one level below grade and three levels above grade). The total square footage of the building is approximately 73,578 SF. The basement level is approximately 19,383 SF and will consist of a wine room with wine cellar, a speakeasy, and backof-the-house operations including kitchen, mechanical room, and employee break rooms. The first level is approximately 17,135 SF and will consist of café, wine and liquor retail store, offices, and kitchens. Also, on the first level is an outdoor plaza area. The second level is approximately 16,471 SF and will primarily consist of a banquet facility and kitchen along with an outdoor terrace. The third level is approximately 16,329 square feet and will consist of a restaurant with bar and kitchen along with an outdoor terrace with outside dining/drinking/cooking. The onpremises and off-premises sale of alcohol is permitted as there are no residential uses within 200Clark County Comprehensive Planning December 26, 2023 Page 2



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

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

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

SPECIAL USE PERMIT

• Live Entertainment

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

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

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

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

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

• Eliminate 48-Inch Wide Pedestrian Access Area

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

C-23-088

Clark County Comprehensive Planning December 26, 2023 Page 3

CROWELL

WAIVER OF DEVELOPMENT STANDARDS

• Increase Building Height

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

• Increase Allowed Signage

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

Reduce Parking

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

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

Sincerely,

KAEMPFER CROWELL

Anthony J. Celeste

AJC/jmd

PUBLIC HEARING APP. NUMBER/OWNER/DESCRIPTION OF REQUEST WC-23-400190 (UC-20-0231)-CHOUL, LLC:

WAIVER OF CONDITIONS for a use permit limiting hours of operation from 4:00 p.m. to 2:00 a.m. 7 days a week in conjunction with a hookah lounge and supper club on a portion of 2.5 acres in a C-1 (Local Business) Zone.

Generally located on the east side of Jones Boulevard and the south side of Cherokee A enue within Spring Valley. JJ/jm/ng (For possible action)

RELATED INFORMATION:

APN: 163-13-215-002 ptn

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COM MERCIAL

BACKGROUND:

Project Description

General Summary

- · Site Address: 3650 S. Jones Boulevard, Suites 10 14
- Site Acreage: 2.5 (portion)
- · Project Type: Hookal lounge & supper dlub
- Number of Stories: 1
- Square Feet: 5,000 (lease space) 23,140 (overall)
- Parking Required Provided: 93/157

History and Site Plan

In July 1020, UC-20-02.1 was approved to allow for a hookah lounge, supper club, and reduced separation from residential. The approval required a 6 month review as a public hearing and limited the hours of operation from 4:00 p.m. to 2:00 a.m. 7 days per week. In April 2021, AR-21-400020 (CC-20-0231) was approved and the time limit was removed. In October of 2022, the applicant filed a waiver of conditions to extend their hours of operation from 4:00 p.m. to 2:00 a.m. 7 days per week. That waiver (WC-22-400135 (UC-2-0231)) was approved in February of 2023 with a condition that required another 6 months to review as a public hearing with the hours of operation limited from 4:00 p.m. to 3:00 a.m. The review was never filed; therefore, the waiver of conditions expired. This application is to waive the original condition of UC-20-0231 to extend the hours of operation to 4:00 a.m.

The originally approved plans under UC-20-0231 show an existing 3,200 square foot hookah lounge and attached 2,400 square foot restaurant with a supper club located within an existing

commercial center. The lease area is located in the central portion of an existing in-line retail building which is located near the eastern portion of the property. There is a residential development located directly to the east of the existing commercial center. The subject building shares parking with 1 other pad site building at the corner of Jones Boulevard and Cherokee Avenue. The commercial center has access from both Jones Boulevard and Cherokee Avenue, with shared cross access circulation with the property to the south.

Previous Conditions of Approval

Listed below are the approved conditions for UC-20-0231:

Current Planning

- 6 months to review as a public hearing;
- Hours of operation to be limited to 4:00 p.m. to 2:00 a.m. 7 days a week.
- · Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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.

Clark County Water Reclamation District (CCWRD)

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

Listed below are the approved conditions for AR-21-400020 (UC-20-0231):

Current Planning

Remove the time limit.

Listed below are the approved conditions for WC-22-400135 (UC-20-0231):

Current Planning

- . s months to review as a public hearing;
- Hours of operation limited to 4:00 p.m. to 3:00 a.m.
- 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 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.

Applicant's Justification

The property is currently being used for restaurant services as well as a hookah lounge. The applicant is requesting a change from what they are currently limited to, 4:00 p.m. to 2:00 a.m., 7 days per week to 4:00 p.m. to 4:00 a.m. to allow for brunch service on certain days. The applicant states that food sales is the primary objective of the business and the extended hours will allow for additional food sales.

Application Number	Request	Action	Date
UC-23-0736	On-premises consumption of alcohol (supper club) and reduced residential separation	Approved by PC	December 2023
WC-23-400099 (UC-20-0231)	Limited hours of operation from 4:00 p.m. to 3:00 a.m. 7 days per week for hookah lounge and supper club	Withdrawn by PC	August 2023
WC-22-400135 (UC-20-0231)	Remove condition limiting hours of operation	Approved by PC	February 2023
UC-21-0749	Service Bar in conjunction with a restaurant in a retail center	Approved by PC	February 2022
AR-21-400020 (UC-20-0231)	Hookah lounge, supper club, and separation from residential	Approved by PC	April 2021
UC-20-0231	Hookah lounge, supper club, reduced separation from residential	Approved by PC	July 2020
UC-19-0801	Supper club with a hookah lounge and a reduced separation to a residential use	Withdrawn at BCC	January 2020
UC-0513-16	Service Bar	Approved by PC	September 2016
UC-0588-15	Supper club and hookah lounge - expired	Approved by PC	October 2015
UC-0389-13	Secondhand sales	Approved by PC	August 2013
UC-0265-08	Supper club and reduced separation from a residential use	Approved by PC	May 2008
UC-0139-08	Banquet facility - expired	Approved by PC	March 2008
UC-1788-05	Service bar	Approved by PC	December 2005
UC-0770-02	Service bar	Approved by PC	July 2002
ZC-0288-99	Reclassified a portion of the commercial center	Approved by BCC	May 1999
DR-1064-96	Shopping center	Approved by PC	November 1996
ZC-0158-96	Reclassified the site to C-1 zoning	Approved by BCC	March 1996

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & South	Neighborhood Commercial	C-1 & C-2	Commercial buildings
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential
West	Neighborhood Commercial	R-3	Multiple family residential

Summer ding Land Use

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

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

AR-21-400020 (UC-20-0231) was approved in April of 2021 which reproved the time limit. In 2022, the applicant requested to extend the hours of operation to 4:00 a.m. However, WC-22-400135 (UC-20-0231) was approved in February of 2023 to extend the hours of operation to 3:00 a.m. with a 6 month review as a condition. The 6 month review never occurred; therefore, the waiver of conditions application expired. Finally, rather than the 6 month review, the applicant filed for a new waiver of conditions (WC-23-400099 (UC-20-0231)) to request the hours of operation be extended to 4:00 a.m. That application was ultimately withdrawn by the applicant. With that history staff recommends approval until 3:00 a.m. as previously approved with WC-22-400135 (UC-2Q-0231) with another review in 6 months.

Staff Recommendation

Approval.

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

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- 6 months to review as a public hearing;
- Hours of operation to be limited to 4:00 p.m. to 3:00 a.m.

• Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

• No comment.

Clark County Water Reclamation District (CCWRD)

• No comment.

TAB/CAC: APPROVALS: PROTEST:

APPLICANT: SECRET LLC CONTACT: JENNIFER GAYNOR, J. GAYNOR, AW, 1810 S. 7TH STREET, LAS VEGAS, NV 89104 . ----•

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APPLICATION	DEPA	LAND USE APPLICATION RTMENT OF COMPREHENSIVE PLANNING ESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE.
APPLICATION TYPE TEXT AMENDMENT (TA) ZONE CHANGE (ZC) USE PERMIT (UG)	STAFF	APP. NUMBER: $WC - 23 - 400190$ DATE FILED: $12/20/2023$ PLANNER ASSIGNED:
VARIANCE (VC) WAIVER OF DEVELOPMENT STANDARDS (WS) DESIGN REVIEW (DR) ADMINISTRATIVE DESIGN REVIEW (ADR) STREET NAME /	PROPERTY OWNER	NAME: Choul, LLC ADDRESS: 7963 Rio Rico Dr. CITY: Las Vegas STATE: NV ZIP: 89113 TELEPHONE: 702-751-2826 CELL: 702-751-2825 E-MAIL: chanarealtypm@gmail.com
NUMBERING CHANGE (SC) WAIVER OF CONDITIONS (WC) UC-20-0231-CHOUL, LLC (ORIGINAL APPLICATION #) ANNEXATION REQUEST (ANX)	APPLICANT	NAME: Secret LLC dba Secret Lounge and Restaurant ADDRESS: 3560 S. Jones Blvd. Ste 10-14 CITY: Las Vegas STATE: NV ZIP: 89103 TELEPHONE: (202) 468-2760 CELL: (202) 468-2760 E-MAIL: ashenafig2012@gmail.com REF CONTACT ID #:
EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	CORRESPONDENT	NAME: J. Gaynor Law, Ltd., Jennifer Gaynor ADDRESS: 1810 S: 7th Street CITY: Les Vegas STATE: NV zip: 89104 TELEPHONE: 702-569-3208 CELL: 702-569-3208 E-MAIL: jennifer@jgaynorlaw.com REF CONTACT ID #: 214357
ROJECT DESCRIPTION: Suppor clui	STREE 5 tënant (rs: \$650 S. Jones Blvd., Suites 10-14, East side of Jones Blvd. and Cherokee Ave. Misties walver of conditions to extend business hours
We this undersigned swear and say that () on; Wile application under clark County Code; that the in septing the in all respects true and cortext to the be saring can be conducted. (), We) also authorize the lid property for the purpose of a dyland the public roperty Qwner (Signature)* TATE OF OUNTY OF	e anê) Une di formatien di st of my kin e. Clerk' Expl it the propo	(DATE) STATE OF NEVADA My Commission Explose: 05-28-25 Certificate No: 17-2564-1
OTE: Corporate declaration of authority (or equal corporation, partnership, trust, or provides sig	ivalent), po inature in a	wer of altomey, or signature documentation is required if the applicant and/or property owner representative capacity.

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1810 S. 7th Street Las Vegas, Nevada 89104 (702) 608-2920 jennifer@jgaynorlaw.com www.jgaynorlaw.com



December 11, 2023

VIA Electronic Submittal

Clark County Department of Development Services Current Planning Division 500 S. Grand Central Parkway Box 551741 Las Vegas, NV 89155-1741

RE: Application for Waiver of Conditions to allow extension of business hours

To Whom It May Concern:

The following justification letter is in support of the request of our client, Secret LLC, dba Secret Lounge and Restaurant ("Secret"), for a Waiver of Conditions to allow an extension of their business hours to allow for brunch service and operation until up to 4 am on certain nights, where it is currently limited by condition to open at 4 pm and close at 12 am Sunday-Thursday and 2 am on Friday-Saturday. This is in conjunction with the Secret location at 93650 S. Jones Blvd., Suites 10-14, Las Vegas, NV 89103 ("the Property").

The Property is zoned C-1 (Local Business) and encompasses 2.5 acres on the east side of Jones Boulevard and the south side of Cherokee Avenue within Spring Valley.

Secret is a new business, with a focus on authentic Ethiopian food and hookah for its guests. Secret would like to have flexibility to set its business hours to allow for brunch service as well as to stay open later on certain nights. Secret is limited in its hours, however by conditions put on this parcel in UC-20-0231-Choul LLC in 2020. Secret understands that this was due to concerns regarding prior tenants at this location and asks to be given the chance to open their restaurant without such restrictions.

My client is focused on making this a food-focused restaurant and lounge, with hookah and music as supplemental offerings for their patrons and will ensure to adhere to the requirements for a supper club in Clark County, including making food sales the primary business. My client understands that prior tenants in this location have run their restaurant/lounges in a manner akin to a nightclub, which is not a suitable use at this location. My client is open to hearing concerns and recommendations from neighbors, the Town Board and Planning. This use is in line with the zoning of this commercial center, which has other tenants that we understand are open past 2am. My client appreciates your consideration.

Please contact Jennifer Gaynor at jennifer@jgaynorlaw.com or 702-569-3208 if you have any questions or if we may provide any further information.

Sincerely,

Jennifer Gaynor J. Gaynor Law, Ltd.