USE PERMITS for the following: 1) on-premise consumption of alcohol (service bar); 2) art gallery/studio; 3) antiques; 4) caterer; 5) day care; 6) financial services; 7) food processing; 8) funeral home; 9) grocery store; 10) jewelry sales; 11) laundromat; 12) laundry service; 13) office; 14) permanent makeup; 15) personal services; 16) pet shop; 17) pharmacy; 18) postal service; 19) restaurant; 20) retail sales; 21) shoe repair; 22) sporting goods; and 23) minor training facility in conjunction with an existing commercial development on 2.7 acres in an H-2 (General Highway Frontage) Zone in the MUD-4 Overlay District.

Generally located on the southwest corner of Blue Diamond Road and Cimarron Road within Enterprise. SB/al/ml (For possible action)

RELATED INFORMATION:

APN:
176-21-214-002

LAND USE PLAN:
ENTERPRISE - RESIDENTIAL HIGH (8 DU/AC TO 18 DU/AC)

BACKGROUND:
Project Description
General Summary
- Site Acreage: 2.7
- Project Type: Commercial uses in an H-2 zoned commercial center
- Number of Stories: 1
- Building Height: 35 feet
- Square Feet: 40,080 (entire center)/35,668 (parcel)
- Parking Required/Provided: 160/162

Site Plan
The site is fully developed and off-site improvements are in place. This is an existing commercial development in an H-2 zone. The applicant is requesting approval to allow commercial uses that are permitted in a C-1 zone but require a use permit in an H-2 zone. The commercial center fronts on Cimarron Road. Access to the site is provided by 2 existing driveways from Cimarron Road. The entire development covers approximately 4 acres and consists of 5 commercial buildings. The buildings in the development are laid out in an “E” shaped pattern with the 2 largest buildings along the west side of the parcel and 1 building each
along the north, south, and the center of the site. The building and parcel in the center of the commercial complex are under separate ownership and are not part of this request.

**Landscaping**
The landscaping was established with the original construction of the commercial development which includes a detached sidewalk along Cimarron Road. No changes are being proposed to the existing landscape areas with this application.

**Elevations**
The existing 1 story buildings have varying roof heights which range from 22 feet to a maximum height of 35 feet for architectural features. The rooflines are a combination of pitched roof with concrete tile and flat roof behind parapet walls. The exterior of the buildings are stucco with stone columns. No changes are being proposed to the existing building elevations.

**Floor Plans**
There are 4 buildings with a total area of 35,668 square feet. The buildings range in area from 5,808 square feet to 12,720 square feet and each building can be divided into multiple lease spaces. The interior of the buildings are completed with building permits for interior remodels for lease spaces to meet the needs of each tenant.

**Signage**
Signage is not a part of this request.

**Applicant’s Justification**
The applicant indicates that the site is an existing commercial development that was intended for commercial neighborhood uses. The site is in an H-2 zoning district which places this commercial development at a disadvantage to other developments. Several uses require approval of a use permit which could take 2 to 3 months for the entitlement process to obtain the necessary approval. This request is to seek approval for specific uses within this commercial development that will give the property owner the same playing field as other C-1 zoned commercial developments in the County.

**Prior Land Use Requests**

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>NZC-0023-13</td>
<td>Pre-application conference for a non-conforming zone change from H-2 to C-1</td>
<td>Reviewed by staff</td>
<td>April 2013</td>
</tr>
<tr>
<td>UC-0365-11</td>
<td>On-premise consumption of alcohol (tavern) in conjunction with a commercial development</td>
<td>Denied by BCC</td>
<td>November 2011</td>
</tr>
<tr>
<td>UC-0534-10</td>
<td>Convenience store with alcohol sales packaged only (beer, wine, and liquor)</td>
<td>Approved by BCC</td>
<td>December 2010</td>
</tr>
<tr>
<td>UC-0042-10</td>
<td>Convenience store in an H-2 zone and reduce the separation from a convenience store to a residential use</td>
<td>Withdrawn per applicant at BCC</td>
<td>May 19, 2010</td>
</tr>
<tr>
<td>UC-0626-08</td>
<td>Service bar in conjunction with a proposed restaurant</td>
<td>Approved by PC</td>
<td>August 5, 2008</td>
</tr>
</tbody>
</table>
WS-0182-07 Alternative landscaping materials and alternative landscape buffer standards with a design review for modifications to an approved commercial development

Approved by PC March 20, 2007

WS-1709-06 Allow no sidewalks along Blue Diamond Road and Montecito Ridge Road and a waiver of conditions to UC-1138-06 requiring a 40 foot dedication to the back of curb for Cimarron Road - withdrawn

Approved by BCC for Blue Diamond Road only January 17, 2007

UC-1138-06 Retail commercial development with a design review for retail and service center in an H-2 zone

Approved by BCC November 8, 2006

Surrounding Land Use

<table>
<thead>
<tr>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Commercial Neighborhood</td>
<td>C-1</td>
</tr>
<tr>
<td>South</td>
<td>Public Facilities</td>
<td>P-F</td>
</tr>
<tr>
<td>East</td>
<td>Major Development Project (Mountain’s Edge)</td>
<td>C-2</td>
</tr>
<tr>
<td>West</td>
<td>Major Development Project (Mountain’s Edge)</td>
<td>R-3</td>
</tr>
</tbody>
</table>

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

Analysis
Current Planning
The applicant is requesting approval to allow specific commercial uses within this commercial development, which is located in an H-2 zone. These uses require approval of use permit application which is discretionary and shall not be approved unless established that the use is appropriate at the proposed location. Prior approvals (UC-1138-06 and UC-0626-08), by the Planning Commission and the Board of County Commissioners, have allowed Commercial General type uses within this existing development. Per the Enterprise Land Use Plan, the Commercial General category allows medium to high intensity retail and service commercial uses and lists banks and restaurants with alcohol consumption as examples of these types of uses. The uses being requested by the applicant can be allowed in a C-1 zoning district which allows uses that are less intense than the Commercial General land use designation of the Enterprise Land Use Plan. Therefore, staff finds the uses being requested by the applicant are of equal to or of lesser intensity than other businesses located within the development and has no objection to the use permits.

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 Plan, Title 30, and/or the Nevada Revised Statutes.
PRELIMINARY STAFF CONDITIONS:

Current Planning
• Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time; approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; 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.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: TEG Blue Diamond, LLC
CONTACT: Bob Gronauer, 8345 West Sunset Road, Suite 250, Las Vegas, NV 89113