

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**AR-24-400047 (UC-22-0081)-GREENGALE PROPERTIES, LLC:**

**HOLDOVER USE PERMITS SECOND APPLICATION FOR REVIEW** for the following: **1)** recreational facility; **2)** sale of produce/crops not grown on-site; **3)** allow customers on-site; **4)** farmer’s market; **5)** allow live entertainment; **6)** food processing; **7)** retail sales and services; **8)** major training facility; and **9)** allow temporary outdoor commercial events without a timeframe limit and extended hours.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce the separation of proposed live entertainment from a residential use; **2)** alternative landscaping along all property lines; **3)** allow existing landscaping adjacent to Elkhorn Road; **4)** allow alternative landscaping adjacent to a less intense use; **5)** eliminate landscape finger islands; **6)** waive on-site loading requirements; **7)** reduce parking; **8)** allow alternative paving; and **9)** waive off-site improvements (curbs, gutters, sidewalks, streetlights, and partial paving).

**DESIGN REVIEWS** for the following: **1)** recreational facility; and **2)** finished grade in conjunction with a proposed recreational facility on 25.0 acres in an RS40 (Residential Single-Family 40) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located on the south side of Elkhorn Road and the west side of Rainbow Boulevard (alignment) within Lone Mountain. MK/nai/ng (For possible action)

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RELATED INFORMATION:

**APN:**

125-22-502-013

**USE PERMITS:**

1. Allow a recreational facility (indoor/outdoor) with ancillary uses such as, but not limited to, a community garden, private convention/reception space, retail sales, café/restaurant, alcohol sales, wedding events, on-site photography/filming and production, and interactive entertainment.
2. Allow sales of produce/crops not grown on-site.
3. Allow customers on-site in conjunction with the existing farm, the proposed recreational facility, and for agricultural gardening/greenhouse uses.
4. Allow a farmer’s market to include retail sales of arts and crafts.
5. Allow live entertainment (indoor/outdoor).
6. Allow food processing to include cooking/baking for bakery items, fruit jams, and other food/product items for sale in conjunction with the proposed café/restaurant that is a part of the proposed recreational facility.
7. Allow retail sales and services related to all proposed uses with the existing farm and proposed recreational facility, and all related incidental and accessory uses.
8. Allow a major training facility.

9. Allow temporary outdoor commercial events removing the total number of events per year, number of days per event (including set-up and take-down timeframes), with extended hours of operation on Friday, Saturday, and Sunday (6:00 a.m. to 12:00 a.m.) for charity events, seasonal events (i.e., pumpkin patches, fall festivals, Halloween festivals, and Easter egg hunts), holiday-like events, and similar scheduled events.

#### **WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the acreage for a proposed guest ranch to 25 acres where 40 acres is the minimum required per Table 30.44-1.
2. Allow alternative landscaping along all property lines (north, south, east, and west), by allowing the existing landscaping and vegetation related to the farm to remain and include a reduction in shrubs which are required to cover more than the 50% of the landscaped area per Chapter 30.64.
3. Allow existing landscaping to remain behind an existing screen wall adjacent to Elkhorn Road (north property line).
4. Allow alternative landscaping adjacent to a less intense use where Figure 30.64-11 is required per Table 30.64-2.
5. Eliminate landscape finger islands within all proposed parking lots on-site where Figure 30.64-14 is required.
6. Waive all on-site loading requirements per Section 30.60.070.
7. Reduce the required parking spaces to 249 parking spaces where 620 parking spaces are required per Chapter 30.60 (a 60% reduction).
8. Allow alternative paving within all proposed on-site parking areas, drive aisles, and walking path areas.
9. Waive off-site improvements (curbs, gutters, sidewalks, streetlights, and partial paving) where required per Chapter 30.52.

#### **DESIGN REVIEWS:**

1. A recreational facility.
2. Increase finished grade to 47 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 31% increase).

#### **LAND USE PLAN:**

LONE MOUNTAIN - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

#### **BACKGROUND:**

##### **Project Description**

##### General Summary

- Site Address: 6891 Elkhorn Road
- Site Acreage: 25
- Project Type: Recreational facility in conjunction with an existing farm
- Number of Stories: 1 (for all new proposed buildings on-site)
- Building Height (feet): 12 (proposed office)/25 (proposed greenhouses - 2 total)/14 (existing shed)/20 (proposed farm store and café)/17 (proposed restroom building)/10(proposed temporary event tent)/14 (proposed gazebos - 2 total)/22 (proposed equipment shed)

- Square Feet: 800 (proposed office)/4,000 (proposed greenhouses - 2 total)/1,165 (existing shed)/2,000 (proposed farm store and café)/300 (proposed restroom building)/10,000 (proposed temporary event tent)/625 (proposed gazebos - 2 total)/4,800 (proposed equipment shed)
- Parking Required/Provided: 620/249

### Site Plan

The approved plan depicts an existing 25 acre farm on the south side of Elkhorn Road, west of Rainbow Boulevard (alignment). The farm includes the following existing areas: a palm grove, native habitat area, an olive grove, orchards, an apiary, and a meadow area. The applicant is proposing a recreational facility on the subject parcel and the existing farm will remain and continue to operate.

The site plan depicts the following areas:

#### Northwest Quadrant -

The northwest quadrant of the site includes the main entrance with a 48 foot wide driveway along Elkhorn Road (north property line). Vehicles will head south on a vehicular loop (drive aisle) which leads to the main parking area on the northwest corner of the subject parcel. One hundred twenty-six parking spaces are provided in this area. The vehicular loop branches east and heads easterly along the north property line. South of the parking lot includes a network of landscaping which features many walking paths and connects visitors and employees to the proposed 2 green houses, an office building, farm store/café, cultivated garden areas, an existing shed, restrooms, picnic areas, a portion of the existing palm grove, an existing meadow which provides a flex space for events, and a nexus hardscape design which is a decorative focal point of this area. The applicant is requesting to increase the finished grade to 47 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 31% increase). This request is located underneath the proposed greenhouse (west of the proposed office).

#### Northeast Quadrant -

The existing palm grove along the north property line extends into the northeast quadrant and includes a 24 foot wide drive aisle which also leads vehicles to a secondary parking area with tandem parking spaces. One hundred thirteen parking spaces are provided in this area. In addition, an equipment shed will be constructed south of the parking lot.

#### Southeast Quadrant -

This quadrant includes a native habitat area centrally located on the site. South of the native habitat area includes a central event location where a temporary event tent can be set-up. To the west includes an irrigation pond which includes a gazebo and a future tea pavilion area where the future accessory structure in this area will be designed/constructed at a later date. The site plan shows that parking spaces are also included in this area. Walking paths and gravel paths continue into this quadrant to ensure that the entire parcel is accessible via pedestrian and vehicular methods. This area includes an existing material and equipment area utilized by the farm, and portion of a proposed vineyard attached to the “east promenade”, proposed gazebo, and proposed vineyard event space. Walking paths are also located throughout this area.

### Southwest Quadrant -

This quadrant includes the cultivated gardens, an existing olive grove which also serves as an event area, an existing orchard which features an area called the “west promenade” and an orchard which also functions as an event area. This quadrant includes an existing equipment storage area, solar panels, and a bike rack.

In addition to the approved plans for the recreational facility, there are several accessory uses allowed on the subject property per Title 30 in the R-A zoning district.

1. Agricultural-Gardening/Greenhouse for the cultivation of crops and utilizing the vineyard. Per Table 30.44-1, this is a principal use in the R-A zoning district.
2. Accessory Agricultural Buildings and Structures per Table 30.44-1.
3. Weddings will be conducted on-site in conjunction with the recreational facility. Event locations are located throughout, including the meadow area. Weddings may be conducted indoors within temporary tents, or outdoors throughout the subject site.

The applicant requested to waive all on-site loading requirements per Section 30.60.070. Furthermore, the entire parcel will provide 249 parking spaces where 620 parking spaces are required per Chapter 30.60; thus, the applicant is requesting a parking reduction. The applicant will provide alternative paving as approved by the Department of Environment and Sustainability for areas throughout the site. Therefore, the applicant is requesting a waiver for alternative paving.

### Landscaping

The approved plan shows that there are mature trees along the south, west, and east property lines. These landscaped areas are over 40 feet wide with over 60 mature trees in total. Along the central northern portion of the site is an existing palm grove that is over 3 acres in overall area. South of this palm grove is an existing native habitat area which features native Creosote and Bursage shrubs, and Cottonwood trees. Immediately to the south is an existing meadow which leads to an existing olive grove (southwest corner), a proposed orchard and vineyard (south central), and additional agricultural related areas on the southeast corner of the site. The applicant will add 2 green houses north of a cultivated garden area which will be over 1 acre in size. Furthermore, the applicant will add lush landscaping at the main entrance, throughout the picnic areas, and within the nexus area east of the farm store/café. Lastly, the applicant will plant an additional 16, large trees (24 inch box) along the majority of the east property line to provide an additional buffer to the existing residence to the east. Since the existing and proposed landscaping does not conform to the standard Title 30 requirements, the applicant is requesting waivers of development standards for parking lot landscaping finger islands, landscaping adjacent to a less intense use, landscaping along Elkhorn Road, and alternative landscaping for shrubs within existing and proposed landscape areas.

### Elevations

The approved elevation plans show a variety of structures throughout the site. The proposed office has an overall height of 12 feet and will be a new manufactured building with vertical wood panels. The 2 proposed green houses have an overall height of 25 feet and will include

steel framing and heavy duty greenhouse related covers. The existing shed has an overall height of 14 foot and is constructed of CMU block and features a desert themed mural on 1 elevation. The approved farm store/café has an overall height of 20 feet, and will feature large windows and doors, a painted cement plaster finish, and a tiled roof. The proposed restroom building has an overall height of 17 feet and features decorative columns, railings, with wood detail and faux stone finishes. The applicant will also provide a temporary event tent which has an overall height of 10 feet. In addition, there are 2 proposed gazebos, both of which have an overall height of 14 feet. The gazebos feature decorative wood and faux stone exterior materials. Lastly, the proposed equipment shed on the northwest corner of the site has an overall height of 22 feet, which includes vertical metal paneling and roll-up doors.

### Floor Plans

The approved office has an overall area of 800 square feet and will be used by employees of the facility. The 2 approved greenhouses have an overall area of 4,000 square feet each. There is an existing shed south of the greenhouses and has an overall area of 1,165 square feet. The approved farm store and café has an overall area of 2,000 square feet. The approved restroom building has an overall area of 300 square feet. Furthermore, the applicant will provide a 10,000 square foot temporary event tent. The site also includes 2 approved gazebos each have 625 square feet of overall area. Lastly, the proposed equipment shed has an overall area of 4,800 square feet.

### Signage

Signage is not a part of this request.

### Previous Conditions of Approval

Listed below are the approved conditions for AR-23-400093 (UC-22-0081):

#### Comprehensive Planning

- Until April 20, 2024 to review as public hearing.
- 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.

#### Public Works - Development Review

- Compliance with previous conditions.

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

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated County; and to inquire with the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

Listed below are the approved conditions for UC-22-0081:

#### Comprehensive Planning

- 1 year to review as a public hearing;
- Design review as a public hearing for any significant changes to the plans;
- Major training facility limited to the instruction of agricultural, recreational, and health related uses and activities;
- Hours of operation limited to daytime hours except until 11:00 p.m. on Friday and Saturday;
- Limited to 2,500 maximum attendees;
- Monthly calendar of events to be submitted to Commissioner's office with a copy to Comprehensive Planning;
- Prior to first event, sound and lighting plan prepared by a qualified professional must be submitted to Commissioner's office with a copy to Comprehensive Planning that includes any proposed video screens;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time 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.

#### Public Works - Development Review

- "No Parking" signs to be installed along Elkhorn Road;
- If required, execute a License and Maintenance Agreement for non-standard improvements in the right-of-way;
- Coordinate with Public Works - Development Review and Commissioner Kirkpatrick's office for the design of any non-standard improvements in the right-of-way;
- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Coordinate with Public Works - Design Division for the Elkhorn Road improvement project;
- Dedicate any right-of-way and easements necessary for the Elkhorn Road improvement project;

- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any the Elkhorn Road improvement project;
- 90 days to record required right-of-way dedications and any corresponding easements for the Elkhorn Road improvement project.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

**Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

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

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated County; and to inquire with the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

**Applicant’s Justification**

The applicant states there has been more progress with Greengale Farms since the first application review (AR-23-400093 (UC-22-0081)). Progress includes having all business licenses approved for the property and construction has commenced. There have been no complaints for noise nor for lighting since the Noise Mitigation Plan and the Lighting Plan were submitted with the first application for review. Lastly, the applicant included an updated event calendar for the recreational facility.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
AR-23-400093 (UC-22-0081)	First application for review for recreational facility, allowed customers on-site, retail, farmers markets for crops not grown on-site, allowed live entertainment, major training facility, temporary events without timeframe, with waivers for reduced separation, landscaping, on-site loading requirements, reduced parking, paving, and off-site improvements, and design reviews for recreational facility, and finished grade on 25 acres	Approved by BCC	August 2023

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
TC-23-900068	Private outdoor event with catered food and drinks, lawn games, live entertainment, amusement ride, and inflatables	Approved by ZA	March 2023
UC-22-0081	Recreational facility, allowed customers on-site, retail, farmer markets for crops not grown on-site, allowed live entertainment, major training facility, temporary events without timeframe, with waiver for reduced separation, landscaping, on-site loading requirements, reduced parking, paving, and off-site improvements, with design review for recreational facility, and finished grade on 25 acres	Approved by BCC	April 2022
TC-21-900224	Outdoor picnic in the farm, catered food and drinks, and selling florals	Approved by ZA	May 2021
VC-1377-99	Allowed an 8 foot high block wall (accessory structure) prior to a principal structure and increased the wall height to 8 feet - maximum 6 foot high block wall on property line	Approved by PC	October 1999
VS-1561-94	Vacated and abandoned patent easements and public rights-of-way being a portion of Rainbow Boulevard - recorded	Approved by BCC	December 1994

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North & West	City of Las Vegas	R-PD2 & R-D	Single-family residential
South	Ranch Estate Neighborhood (up 2 du/ac)	RS20 (NPO-RNP)	Single-family residential
East	Ranch Estate Neighborhood (up 2 du/ac)	RS20 (NPO-RNP)	Single-family residential & undeveloped

**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 second application for review was required for UC-22-0081. The applicant has demonstrated compliance with conditions.

Staff finds there are 3 approved building permits for Greengale Farms. One is for commercial grading (BD23-09161), 1 is for a commercial fence (BD23-08763), and 1 for a solar powered



access gate (BD23-17578). Also, there are 3 approved business licenses including 1 for a recreational facility, ticket sales in conjunction to a recreational facility, and retail, all of which were approved after the first review. The event calendar that the applicant provided includes weddings, baby showers, and photoshoots booked through the upcoming months of 2024. Staff can support this application without any further reviews.

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

There have been no significant changes in this area. Staff has no objection to this application for review.

### **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**

- Remove the time limit.

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

- Compliance with previous conditions.

#### **Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated County; and to inquire with the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

**TAB/CAC:** Lone Mountain - approval (annual review every year for the next 5 years; sound plan prior to each event to show decibels will not exceed Code requirement; height of structures shall not exceed 35 feet).

**APPROVALS:** 2 cards

**PROTEST:** 31 cards, 7 letters

**COUNTY COMMISSION ACTION:** June 18, 2024 – HELD – To 07/17/24 – per the applicant.

**APPLICANT:** HARRISON GALE

**CONTACT:** LEBENE AIDAM-OHENE, BROWN BROWN & PREMSRIRUT, 520 SOUTH FOURTH STREET, LAS VEGAS, NV 89101