



IV. Approval of Agenda for January 29, 2020 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)

VI. Planning & Zoning

1. **ET-19-400157 (VS-0813-17)-MJSS TRUST & HEFETZ, YAKOV TRS:**  
**VACATE AND ABANDON FIRST EXTENSION OF TIME** of easements of interest to Clark County located between Silverado Ranch Boulevard and Great Duke Avenue (alignment), and between Walmer Castle Lane (alignment) and Gillespie Street and portions of a right-of-way being Walmer Castle Lane located between Silverado Ranch Boulevard and Great Duke Avenue (alignment) within Enterprise (description on file). MN/lm/jd (For possible action) **01/22/20 BCC**
2. **ET-19-400160 (UC-0669-16)-LEGACY BERMUDA, LLC:**  
**USE PERMIT FIRST EXTENSION OF TIME** for a congregate care facility with accessory commercial uses. **WAIVERS OF DEVELOPMENT STANDARDS** for the following **1)** alternative landscaping adjacent to streets; and **2)** waive off-site improvements (curbs, gutters, streetlights, sidewalks, and partial paving) for Fairfield Avenue.  
**DESIGN REVIEW** for a congregate care facility on 5.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southwest corner of Erie Avenue and Bermuda Road within Enterprise. MN/tk/jd (For possible action) **01/22/20 BCC**
3. **WS-19-0943-BLUE DIAMOND BLM, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** alternative landscaping; **2)** increase wall height; **3)** cross access; **4)** reduced driveway separation; and **5)** allow modified driveway design standards.  
**DESIGN REVIEWS** for the following: **1)** fast food restaurants with drive-thrus; and **2)** increased finished grade on 1.8 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Blue Diamond Road and the east side of Warbonnet Way (alignment) within Enterprise. JJ/pb/ja (For possible action) **01/22/20 BCC**
4. **VS-19-0933-SC GILESPIE:**  
**VACATE AND ABANDON** a portion of a right-of-way being Gillespie Street located between Richmar Avenue and Silverado Ranch Boulevard within Enterprise (description on file). MN/al/ja (For possible action) **02/05/20 BCC**
5. **ZC-19-0928-SC GILESPIE:**  
**AMENDED ZONE CHANGE** reclassify 3.8 acres from R-2 (Medium Density Residential) Zone to C-1 (Local Business) Zone.  
**USE PERMIT** for a mini-warehouse facility.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduced drive aisle width; **2)** vertical metal siding; **3)** alternative landscaping (previously not notified); and **4)** alternate driveway geometrics.

**DESIGN REVIEWS** for the following: **1)** a mini-warehouse facility; and **2)** increased finished grade. Generally located on the west side of Giles pie Street, 60 feet north of Silverado Ranch Boulevard within Enterprise (description on file). MN/al/ja (For possible action) **02/05/20 BCC**

6. **DR-19-0851-A B S MOUNTAINS EDGE ENTERPRISE, LLC:**  
**DESIGN REVIEWS** for the following: **1)** revisions to a proposed convenience store with gasoline sales; **2)** lighting; and **3)** signage in conjunction with an approved shopping center on 5.0 acres in an M-D (Designed Manufacturing) Zone. Generally located on the east side of Rainbow Boulevard and the south side of Pyle Avenue within Enterprise. JJ/pb/ja (For possible action) **02/18/20 PC**
  
7. **NZC-19-1009-USA:**  
**ZONE CHANGE** to reclassify a portion of 35.7 acres of a 50 acre site from R-E (Rural Estates Residential) Zone to R-2 (Medium Density Residential) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase wall height; and **2)** reduced street intersection off-set.  
**DESIGN REVIEWS** for the following: **1)** a proposed single family residential development; and **2)** increase finished grade on 35.7 acres. Generally located on the east side of El Capitan Way and the north side of Cactus Avenue within Enterprise (description on file). JJ/md/ja (For possible action) **02/18/20 PC**
  
8. **TM-19-500269-USA:**  
**TENTATIVE MAP** consisting of 253 lots and common lots on a portion of 35.7 acres of a 50 acre site in an R-2 (Medium Density Residential) Zone. Generally located on the east side of El Capitan Way and the north side of Cactus Avenue within Enterprise. JJ/md/ja (For possible action) **02/18/20 PC**
  
9. **UC-20-0004-SHAMIE DANIEL A:**  
**USE PERMIT** to increase the size of an accessory structure (detached garage).  
**WAIVER OF DEVELOPMENT STANDARDS** to modify driveway design standards in conjunction with a single family residence on 2.1 acres in an R-E (Rural Estates Residential) Zone. Generally located on the south side of Shelbourne Avenue and the west side of La Cienega Street within Enterprise. MN/lm/jd (For possible action) **02/18/20 PC**
  
10. **VS-19-0966-FERNANDEZ GARY LEE REVOCABLE TRUST & FERNANDEZ GARY LEE TRS:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Cactus Avenue and Rush Avenue (alignment), and between Valley View Boulevard and Polaris Avenue within Enterprise (description on file). JJ/jt/jd (For possible action) **02/18/20 PC**
  
11. **VS-19-1000-OSMAN, SAM:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Giles pie Street and La Cienega Street, and between Mesa Verde Lane and Windmill Lane within Enterprise (description on file). MN/tk/jd (For possible action) **02/18/20 PC**
  
12. **VS-20-0035-USA:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Cactus Avenue (alignment) and Mountains Edge Parkway, and between El Capitan Way (alignment) and Durango Drive (alignment) within Enterprise (description on file). JJ/md/ja (For possible action) **02/18/20 PC**

13. **WS-20-0006-KB HOME LV DOVER, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** to waive requirements for a water connection in conjunction with a minor subdivision on 32.1 acres in an R-E (Rural Estates Residential) Zone and R-2 (Medium Density Residential) Zone. Generally located on the east side of Schirlls Street and the north side of Cactus Avenue within Enterprise. JJ/al/jd (For possible action) **02/18/20 PC**
  
14. **ET-19-400170 (VS-0059-17)-LEGACY BERMUDA, LLC:**  
**VACATE AND ABANDON FIRST EXTENSION OF TIME** for easements of interest to Clark County located between Erie Avenue and Siddall Avenue, and between Fairfield Avenue and Bermuda Road within Enterprise (description on file). MN/tk/jd (For possible action) **02/19/20 BCC**
  
15. **TM-20-500001-COMEBACK TIME PHD 19, LLC:**  
**TENTATIVE MAP** consisting of 20 single family residential lots and common lots on 2.5 acres in an R-2 (Medium Density Residential) Zone. Generally located on the north side of Meranto Avenue and the west side of Tee Pee Lane (alignment) within Enterprise. JJ/al/jd (For possible action) **02/19/20 BCC**
  
16. **TM-20-500002-CFT LANDS, LLC:**  
**TENTATIVE MAP** consisting of 61 residential lots on a 15.0 acre site in an R-1 (Single Family Residential) Zone and R-D (Suburban Estates Residential) Zone. Generally located on the north side of Starr Avenue, 300 feet east of La Cienega Street within Enterprise. MN/lm/jd (For possible action) **02/19/20 BCC**
  
17. **UC-19-0991-SUMSION, DALE K. & ILENE F:**  
**USE PERMIT** for a proposed exotic animal (Capuchin monkey) in conjunction with an existing single family residence on 0.2 acres in an R-2 (Medium Density Residential) Zone. Generally located on the east side of Deer Grove Court, approximately 100 feet north of Beckinsale Avenue within Enterprise. JJ/lm/jd (For possible action) **02/19/20 BCC**
  
18. **UC-20-0007-AFFILIATE INVESTMENTS, LLC:**  
**USE PERMITS** for the following: 1) a convenience store; and 2) reduce the separation from a convenience store to a residential use.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow access to a local street; and 2) alternative driveway geometrics.  
**DESIGN REVIEWS** for the following: 1) modifications to an approved shopping center; and 2) alternative parking lot landscaping on 3.4 acres in an M-D (Designed Manufacturing) Zone. Generally located on the north side of Blue Diamond Road and the west side of Edmond Street within Enterprise. JJ/al/jd (For possible action) **02/19/20 BCC**
  
19. **VS-19-1003-TORINO 18, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Torino Avenue and Pebble Road, and between Rainbow Boulevard and Redwood Street, and a portion of right-of-way being Rainbow Boulevard between Torino Avenue and Pebble Road within Enterprise (description on file). JJ/al/jd (For possible action) **02/19/20 BCC**
  
20. **VS-20-0011-COMEBACK TIME PHD 19, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Meranto Avenue and Serene Avenue and between Newbattle Street and Tee Pee Lane (alignment) within Enterprise (description on file). JJ/al/jd (For possible action) **02/19/20 BCC**



21. **WS-20-0009-LVB MOBERLY, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce parking lot landscaping; and **2)** reduce throat depth.  
**DESIGN REVIEW** for restaurants with drive-thru on 3.2 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the north side of Moberly Avenue and the west side of Giles Street within Enterprise. MN/lm/jd (For possible action) **02/19/20 BCC**
  
22. **WS-20-0010-COMEBACK TIME PHD 19, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** for increased wall height.  
**DESIGN REVIEWS** for the following: **1)** a single family residential development; **2)** hammerhead turnaround; and **3)** increased finished grade on 2.5 acres in an R-2 (Medium Density Residential) Zone. Generally located on the north side of Meranto Avenue and the west side of Tee Pee Lane (alignment) within Enterprise. JJ/al/jd (For possible action) **02/19/20 BCC**
  
23. **WS-20-0012-CFT LANDS, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** allow an increase to street length.  
**DESIGN REVIEW** for a proposed single family residential development on a 15.0 acre site in an R-1 (Single Family Residential) Zone and R-D (Suburban Estates Residential) Zone. Generally located on the north side of Starr Avenue, 300 feet east of La Cienega Street within Enterprise. MN/lm/jd (For possible action) **02/19/20 BCC**
  
24. **ZC-19-1001-TORINO 18, LLC:**  
**ZONE CHANGE** to reclassify 2.1 acres from R-E (Rural Estates Residential) Zone to C-P (Office and Professional) Zone.  
**USE PERMITS** for the following: **1)** a day care; and **2)** a pre-school.  
**DESIGN REVIEWS** for the following: **1)** a day care and pre-school facility; and **2)** increase finished grade. Generally located on the southeast corner of Rainbow Boulevard and Torino Avenue within Enterprise (description on file). JJ/al/jd (For possible action) **02/19/20 BCC**

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's/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 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 Chair or the Board/Council by majority vote.

IX. Next Meeting Date: February 12, 2020 at 6:00p.m.

X. Adjournment

**POSTING LOCATIONS:** [This meeting was legally noticed and posted at the following locations:

BOARD OF COUNTY COMMISSIONERS  
 MARILYN KIRKPATRICK, CHAIR - LAWRENCE WEEKLY, Vice-Chair  
 LARRY BROWN - JAMES GIBSON - JUSTIN JONES - MICHAEL NAFT - TICK SEGERBLOM  
 YOLANDA KING, County Manager

Windmill Library -7060 W. Windmill Lane  
Einstein Bros Bagels- 3837 Blue Diamond Rd.  
Enterprise Library- 25 E. Shelbourne Ave.  
Whole Foods Market- 6689 Las Vegas Blvd  
<https://notice.nv.gov/>

BOARD OF COUNTY COMMISSIONERS  
MARILYN KIRKPATRICK, CHAIR - LAWRENCE WEEKLY, Vice-Chair  
LARRY BROWN - JAMES GIBSON - JUSTIN JONES - MICHAEL NAFT - TICK SEGERBLOM  
YOLANDA KING, County Manager



# Enterprise Town Advisory Board

January 15, 2020

## MINUTES

---

Board Members: Jenna Waltho, Chair - **PRESENT** Barris Kaiser, Vice Chair **PRESENT**  
Rachel Pinkston **PRESENT** David Chestnut **PRESENT**  
Kendal Weisenmiller **PRESENT**

Secretary: Carmen Hayes 702-371-7991 [chaves70@yahoo.com](mailto:chaves70@yahoo.com) **EXCUSED**

County Liaison: Tiffany Hesser 702-455-7388 [tlh@clarkcountynv.gov](mailto:tlh@clarkcountynv.gov) **PRESENT**

---

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

The meeting was called to order at 6:00 p.m.

Mark Donohue, Current Planning  
Antonio Papazian, Public Works

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 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 Chair or the Board/Council by majority vote.

None.

III. Approval of January 2, 2020 Minutes (For possible action)

Motion by Jenna Waltho  
Action: **APPROVE**  
Motion **PASSED** (5-0) / Unanimous

IV. Approval of Agenda for January 15, 2020 and Hold, Combine or Delete Any Items (For possible action)

Motion by Jenna Waltho  
Action: **APPROVE** as amended.  
Motion **PASSED** (5-0) / Unanimous

Applicant requested hold:

1. UC-19-0926-P8 W S TUSCAN HIGHLANDS, LLC: Applicant requested **HOLD** to February 12, 2020 Enterprise Town Board meeting.
10. WS-19-0943-BLUE DIAMOND BLM, LLC: Applicant requested **HOLD** to January 29, 2020 Enterprise Town Board meeting.
22. VS-19-0933-SC GILESPIE: Applicant requested **HOLD** to January 29, 2020 Enterprise Town Board meeting.
24. ZC-19-0928-SC GILESPIE: Applicant requested **HOLD** to January 29, 2020 Enterprise Town Board meeting.

Related Applications:

2. VS-19-0941-HIGHLAND PROPERTY MANAGEMENT, LLC:
3. WS-19-0940-HIGHLAND PROPERTY MANAGEMENT, LLC:
6. TM-19-500232-1984 DEVELOPMENT, LLC
8. VS-19-0878-1984 DEVELOPMENT, LLC:
12. ZC-19-0877-1984 DEVELOPMENT, LLC:
13. NZC-19-0982-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:
16. VS-19-0983-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:
19. WC-19-400169 (ZC-18-0835) -ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

V. Informational Items

1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (for discussion)
  - Bird Springs BLM Cleanup with Commissioner Justin Jones on Saturday January 18, 2020 from 9:00am to 12:00pm at Rainbow and Starr Avenue, south of Mountains Edge Master Planned Community. Sign up at <https://getoutdoorsnevada.org/events/>
  - Community Cleanup with Commissioner Michael Naft on January 25 beginning at 8 am at James Regional Park Field 1 Parking Lot at 8400 W. Robindale Road. Sign up at <https://getoutdoorsnevada.org/events/>
  - Follow up neighborhood meeting – Cactus/El Capitan (AMH Development) on Thursday, January 23<sup>rd</sup>, at 5:30 pm at Doral Academy (9025 West Cactus)
  - Enterprise Land Use Update hearings:
    - ETAB March 4, 2020 and March 5, 2020 (Wednesday and Thursday) @ 6:00 PM at the Windmill Library Auditorium
    - PC April 14, 2020 and April 16, 2020 (Tuesday and Thursday) @ 7:00 PM in the Commission Chambers
    - BCC May 13, 2020 @ (Wednesday) 9:00 AM in the Commission Chambers

VI. Planning & Zoning

1. **UC-19-0926-P8 W S TUSCAN HIGHLANDS, LLC:**  
**USE PERMITS** for the following: **1)** expand a previously approved area for outside dining and drinking; and **2)** allow live entertainment in conjunction with a multi-family complex on 15.2 acres in an H-1 (Limited Resort and Apartment) P-C (Planned Community Overlay District) Zone. Generally located on the east side of Southern Highlands Parkway and the south side of St. Rose Parkway within Enterprise. JJ/rk/jd (For possible action) **01/21/20 PC**

Applicant requested **HOLD** to February 12, 2020 Enterprise Town Board meeting.

2. **VS-19-0941-HIGHLAND PROPERTY MANAGEMENT, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Jones Boulevard and Bronco Street (alignment), and between Torino Avenue and Ford Avenue within Enterprise (description on file). JJ/pb/ja (For possible action) **01/21/20 PC**

Motion by Barris Kaiser

Action: **APPROVE**

Per staff conditions.

Motion **PASSED** (5-0) /Unanimous

3. **WS-19-0940-HIGHLAND PROPERTY MANAGEMENT, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduced parking; **2)** alternative landscaping; and **3)** alternative driveway geometrics.  
**DESIGN REVIEW** for an office/warehouse building on 5.0 acres in an M-1 (Light Manufacturing) Zone. Generally located on the west side of Jones Boulevard and the north side of Torino Avenue within Enterprise. JJ/pb/ja (For possible action) **01/21/20 PC**

Motion by Barris Kaiser

Action: **DENY**

Motion **PASSED** (5-0) /Unanimous

4. **ET-19-400157 (VS-0813-17)-MJSS TRUST & HEFETZ, YAKOV TRS:**  
**VACATE AND ABANDON FIRST EXTENSION OF TIME** of easements of interest to Clark County located between Silverado Ranch Boulevard and Great Duke Avenue (alignment), and between Walmer Castle Lane (alignment) and Giles pie Street and portions of a right-of-way being Walmer Castle Lane located between Silverado Ranch Boulevard and Great Duke Avenue (alignment) within Enterprise (description on file). MN/lm/jd (For possible action) **01/22/20 BCC**

Motion by Jenna Waltho

Action: **Request the application be returned to the TAB on January 29, 2020.** The applicant was a no show.

Motion **PASSED** (5-0) /Unanimous

5. **ET-19-400160 (UC-0669-16)-LEGACY BERMUDA, LLC:**  
**USE PERMIT FIRST EXTENSION OF TIME** for a congregate care facility with accessory commercial uses.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following **1)** alternative landscaping adjacent to streets; and **2)** waive off-site improvements (curbs, gutters, streetlights, sidewalks, and partial paving) for Fairfield Avenue.  
**DESIGN REVIEW** for a congregate care facility on 5.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southwest corner of Erie Avenue and Bermuda Road within Enterprise. MN/tk/jd (For possible action) **01/22/20 BCC**

Motion by Jenna Waltho

Action: **Request the application be returned to TAB on January 29, 2020.** The applicant was a no show.

Motion **PASSED** (5-0) /Unanimous

6. **TM-19-500232-1984 DEVELOPMENT, LLC:**  
**TENTATIVE MAP** for a commercial subdivision on 27.4 acres in an M-D (Designed Manufacturing) Zone and M-D (Designed Manufacturing) (AE-60) Zone in the MUD-3 and the CMA Design Overlay Districts. Generally located on the west side of Jones Boulevard and the north side of Maule Avenue within Enterprise. MN/pb/ja (For possible action) **01/22/20 BCC**

Motion by David Chestnut

Action: **APPROVE**

Per staff conditions.

Motion **PASSED** (5-0) /Unanimous

7. **UC-19-0944-BIG TETON, LLC:**  
**USE PERMITS** for the following: **1)** a convenience store with reduced separation to a residential use; **2)** a gasoline station with reduced separation to a residential use; and **3)** a vehicle wash.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** allow overhead service bay doors for vehicle (automobile) wash facilities to face a public street; **2)** reduced driveway separation; and **3)** alternative driveway geometrics.  
**DESIGN REVIEWS** for the following: **1)** a proposed convenience store with a gasoline station and vehicle wash; **2)** restaurant with drive-thru service; and **3)** alternative parking lot landscaping on 1.9 acres in a C-1 (Local Business) Zone. Generally located on the west side of Jones Boulevard and the north side of Pyle Avenue within Enterprise. JJ/pb/ja (For possible action) **01/22/20 BCC**

Motion by David Chestnut

Action: **APPROVE**

**ADD** Current Planning condition:

- Design Review as a public hearing for significant changes to plans.
- Design Review as a public hearing for lighting and signage.

Per staff if approved conditions.

Motion **PASSED** (4-1) / Kaiser-nay

8. **VS-19-0878-1984 DEVELOPMENT, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Jones Boulevard and Torrey Pines Drive, and between Maule Avenue and Roy Horn Way and portions of a right-of-way being Maule Avenue and an unnamed street located between Jones Boulevard and Torrey Pines Drive, and a portion of Bronco Street located between Maule Avenue and Roy Horn Way within Enterprise (description on file). MN/pb/ja (For possible action) **01/22/20 BCC**

Motion by David Chestnut  
Action: **APPROVE**  
Per staff if approved conditions.  
Motion **PASSED** (5-0) /Unanimous

9. **WS-19-0845-KULAR, GURDEV SINGH:**  
**HOLDOVER WAIVER OF DEVELOPMENT STANDARDS** for modified driveway design standards.  
**DESIGN REVIEWS** for the following: **1)** site lighting; and **2)** changes and additions to a previously approved shopping center on 3.9 acres in a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone. Generally located on the northeast corner of Gomer Road and Fort Apache Road within Enterprise. JJ/rk/jd (For possible action) **01/22/20 BCC**

Motion by David Chestnut  
Action: **DENY** Holdover Waiver of Development Standards 1a and 1b  
**APPROVE** Design Reviews  
**ADD** Current Planning conditions:

- Design Review as a public hearing for significant changes to plans.
- Design Review as a public hearing for signage.

Per staff if approved conditions.  
Motion **PASSED** (5-0) / Unanimous

10. **WS-19-0943-BLUE DIAMOND BLM, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** alternative landscaping; **2)** increase wall height; **3)** cross access; **4)** reduced driveway separation; and **5)** allow modified driveway design standards.  
**DESIGN REVIEWS** for the following: **1)** fast food restaurants with drive-thrus; and **2)** increased finished grade on 1.8 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Blue Diamond Road and the east side of Warbonnet Way (alignment) within Enterprise. JJ/pb/ja (For possible action) **01/22/20 BCC**

Applicant requested **HOLD** to January 29, 2020 Enterprise Town Board meeting.

11. **WS-19-0947-DECATUR COMMONS, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** to increase height.  
**DESIGN REVIEW** for an approved hotel in conjunction with a commercial retail center on 5.6 acres in an M-D (Design Manufacturing) (AE-60) Zone. Generally located on the east side of Decatur Boulevard and the north side of the CC 215 within Enterprise. MN/pb/jd (For possible action) **01/22/20 BCC**

Motion by Jenna Waltho  
Action: **APPROVE**  
Per staff conditions.  
Motion **PASSED** (5-0) /Unanimous

12. **ZC-19-0877-1984 DEVELOPMENT, LLC:**  
**ZONE CHANGE** to reclassify 27.4 acres from C-2 (General Commercial) Zone and C-2 (General Commercial) (AE-60) Zone to M-D (Designed Manufacturing) Zone and M-D (Designed Manufacturing) (AE-60) Zone in the CMA Design Overlay District.  
**USE PERMIT** for a communication tower.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** allow a non-subdued exterior accent color; **2)** allow a horizontal roofline without architectural articulation; **3)** increase wall height; **4)** allow monotonous block walls; **5)** allow ground mounted up-lighting; **6)** allow alternative street landscaping (no trees); **7)** waive parking lot landscaping; **8)** alternative trash enclosures; and **9)** signage.  
**DESIGN REVIEWS** for the following: **1)** data center; **2)** signage; **3)** communication tower; and **4)** increase finished grade. Generally located on the west side of Jones Boulevard and the north side of Maule Avenue within Enterprise (description on file). MN/pb/ja (For possible action) **01/22/20 BCC**

Motion by David Chestnut  
 Action: **APPROVE** Zone Change  
**APPROVE** Use Permit  
**APPROVE** Waiver of Development Standards #s 1, 2, 5, 6, 7, 8 and 9  
**DENY** Waiver of Development Standards #s 3 and 4  
**APPROVE** Design Reviews

Per staff conditions.  
 Motion **PASSED** (4-1) / Kaiser-nay

13. **NZC-19-0982-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**  
**ZONE CHANGE** to reclassify 15.0 acres from R-E (Rural Estates Residential) (RNP-I) Zone and R-E (Rural Estates Residential) Zone to R-2 (Medium Density Residential) Zone.  
**WAIVER OF DEVELOPMENT STANDARDS** to increase screen wall height.  
**DESIGN REVIEWS** for the following: **1)** single family residential subdivision; and **2)** increased finished grade on 24.8 acres. Generally located on the west side of Rainbow Boulevard and the south side of Cougar Avenue (alignment) within Enterprise (description on file). JJ/jt/ja (For possible action) **02/04/20 PC**

Motion by Barris Kaiser  
 Action: **DENY**  
 Motion **PASSED** (5-0) /Unanimous

14. **TM-19-500266-L H VENTURES, LLC:**  
**TENTATIVE MAP** consisting of 169 residential lots and common lots on 24.8 acres in an R-2 (Medium Density Residential) Zone. Generally located on the west side of Rainbow Boulevard and the south side of Cougar Avenue (alignment) within Enterprise. JJ/jt/ja (For possible action) **02/04/20 PC**

Motion by Barris Kaiser  
 Action: **DENY**  
 Motion **PASSED** (5-0) /Unanimous



15. **VS-19-0970-LEWIS INVESTMENT COMPANY NEVADA, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Gary Avenue (alignment) and Gomer Road (alignment) and between Conquistador Street (alignment) and Grand Canyon Drive (alignment) within Enterprise (description on file). JJ/nr/jd (For possible action) **02/04/20 PC**

Motion by Jenna Waltho  
Action: **APPROVE**  
Per staff conditions.  
Motion **PASSED** (5-0) /Unanimous

16. **VS-19-0983-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Rainbow Boulevard and Montessori Street (alignment), and between Cougar Avenue (alignment) and Torino Avenue (alignment) within Enterprise (description on file). JJ/jt/ja (For possible action) **02/04/20 PC**

Motion by Barris Kaiser  
Action: **DENY**  
Motion **PASSED** (5-0) /Unanimous

17. **VS-19-0984-USA:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Shelbourne Avenue and Mistral Avenue, and between Monte Cristo Way and Buffalo Drive within Enterprise (description on file). MN/pb/jd (For possible action) **02/04/20 PC**

Motion by Jenna Waltho  
Action: **APPROVE**  
Per staff conditions.  
Motion **PASSED** (5-0) /Unanimous

18. **VS-19-0989-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Haven Street and Rancho Destino Road, and between Pyle Avenue and Frias Avenue (alignment) and portions of a right-of-way being Haven Street located between Frias Avenue (alignment) and Pyle Avenue within Enterprise (description on file). MN/pb/jd (For possible action) **02/04/20 PC**

Motion by Kendal Weisenmiller  
Action: **APPROVE**  
Per staff conditions.  
Motion **PASSED** (5-0) /Unanimous

19. **WC-19-400169 (ZC-18-0835) -ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**  
**WAIVER OF CONDITIONS** of a zone change requiring the following: **1)** right-of-way dedication to include 30 feet for Rosanna Street; and **2)** full off-site improvements. Generally located on the west side of Rainbow Boulevard and the south side of Ford Avenue (alignment) within Enterprise (description on file). JJ/jt/ja (For possible action) **02/04/20 PC**

Motion by Barris Kaiser  
Action: **DENY**  
Motion **PASSED** (5-0) /Unanimous

20. **WS-19-0980-RIVERVIEW HENDERSON DEVELOPMENT, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** to increase wall height in conjunction with a previously approved multi-family development on 47.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the north side of Chartan Avenue (alignment), west of Las Vegas Boulevard South within Enterprise. MN/jor/jd (For possible action) **02/04/20 PC**

Motion by David Chestnut

Action: **APPROVE**

**ADD** Current Planning condition:

- Abutting any street, retaining and decorative wall over 9 ft to be terraced and landscaped.

Per staff conditions.

Motion **PASSED** (5-0) /Unanimous

21. **ET-19-400165 (VS-0915-17)-PARAGON LOFTS, LLC:**  
**VACATE AND ABANDON FIRST EXTENSION OF TIME** for easements of interest to Clark County located between Ensworth Street and I-15, and between Ford Avenue (alignment) and Pebble Road (alignment). Generally located on the west side of Ensworth Street, 350 feet south of Ford Avenue within Enterprise (description on file). MN/nr/jd (For possible action) **02/05/20 BCC**

Motion by Kendal Weisenmiller

Action: **APPROVE**

Per staff conditions.

Motion **PASSED** (5-0) /Unanimous

22. **VS-19-0933-SC GILESPIE:**  
**VACATE AND ABANDON** a portion of a right-of-way being Giles pie Street located between Richmar Avenue and Silverado Ranch Boulevard within Enterprise (description on file). MN/al/ja (For possible action) **02/05/20 BCC**

Applicant requested **HOLD** to January 29, 2020 Enterprise Town Board meeting.

23. **WS-19-0955-RAINSRINGS, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** to increase wall sign area.  
**DESIGN REVIEW** for increased sign area in conjunction with a previously approved marijuana establishment (retail marijuana store/dispensary) on 1.1 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the east side of Rainbow Boulevard, 220 feet north of Warm Springs Road within Enterprise. MN/sd/ja (For possible action) **02/05/20 BCC**

Motion by David Chestnut

Action: **APPROVE** Waiver of Development Standards to increase wall sign area to 87 sq. ft. with the western elevation limited to 57 sq. ft. and the southern elevation limited to 30 sq. ft.

**APPROVE** Design Review

Per staff conditions.

Motion **PASSED** (5-0) /Unanimous

24. **ZC-19-0928-SC GILESPIE:**  
**ZONE CHANGE** reclassify 3.8 acres from R-2 (Medium Density Residential) Zone to C-1 (Local Business) Zone.  
**USE PERMIT** for a mini-warehouse facility.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced drive aisle width; 2) vertical metal siding; and 3) alternate driveway geometrics.  
**DESIGN REVIEWS** for the following: 1) a mini-warehouse facility; and 2) increased finished grade. Generally located on the west side of Gilespe Street, 60 feet north of Silverado Ranch Boulevard within Enterprise (description on file). MN/al/ja (For possible action) **02/05/20 BCC**

Applicant requested **HOLD** to January 29, 2020 Enterprise Town Board meeting.

25. **ZC-19-0949-USA:**  
**ZONE CHANGE** to reclassify a 9.0 acre portion of a 22.5 acre site from R-E (Rural Estates Residential) Zone to P-F (Public Facility) Zone.  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce the width of right-of-way dedication.  
**DESIGN REVIEW** for a public park with signage and lighting. Generally located on the west side of Lindell Road and the south side of Le Baron Avenue within Enterprise (description on file). JJ/rk/xx (For possible action) **02/05/20 BCC**

Motion by Jenna Waltho  
Action: **APPROVE**  
Per staff conditions.  
Motion **PASSED** (5-0) /Unanimous

VII. General Business:

1. Review 2020 calendar and set dates for Enterprise Town Advisory Board meetings (for possible action)

Motion by Jenna Waltho  
Action: **APPROVE** Meeting dates:

- Moved Wednesday, January 1, 2020 to Thursday, January 2, 2020;
- January 15, 2020
- January 29, 2020
- February 12, 2020
- February 26, 2020
- March 4, 2020 Land Use Plan Update Only
- March 5, 2020 Land Use Plan Update Only
- March 11, 2020
- April 1, 2020
- April 15, 2020
- April 29, 2020
- May 13, 2020
- May 27, 2020
- June 10, 2020
- July 1, 2020

- July 15, 2020
- July 29, 2020
- August 12, 2020
- August 26, 2020
- September 9, 2020
- September 30, 2020
- October 14, 2020
- October 28, 2020
- Moved Wednesday, November 11, 2020 to Tuesday, November 10, 2020
- Moved Wednesday, November 25, 2020 to Tuesday, November 24, 2020
- December 9, 2020
- December 30, 2020

Motion **PASSED** (5-0) /Unanimous

VIII. Public Comment:

A period devoted to comments by the general public about matters relevant to the Board's/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 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 Chair or the Board/Council by majority vote.

- TAB member requested we work on meeting decorum.

IX. Next Meeting Date

The next regular meeting will be January 29, 2020 at 6:00 p.m.

X. Adjournment:

Motion by Jenna Waltho  
Adjourn meeting at 9:10 p.m.  
Motion **PASSED** (5-0) /Unanimous

EASEMENTS & RIGHT-OF-WAY SILVERADO RANCH BLVD/WALMER CASTLE LN  
(TITLE 30)

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-19-400157 (VS-0813-17)-MJSS TRUST & HEFETZ, YAKOV TRS:**

**VACATE AND ABANDON FIRST EXTENSION OF TIME** of easements of interest to Clark County located between Silverado Ranch Boulevard and Great Duke Avenue (alignment), and between Walmer Castle Lane (alignment) and Gilespie Street and portions of a right-of-way being Walmer Castle Lane located between Silverado Ranch Boulevard and Great Duke Avenue (alignment) within Enterprise (description on file). MN/lm/jd (For possible action)

RELATED INFORMATION:

**APN:**  
177-28-501-002 and 004; 177-28-510-039 thru 044; 177-28-511-002; and 177-28-516-013

**LAND USE PLAN:**  
ENTERPRISE - RESIDENTIAL MEDIUM (FROM 3 DU/AC TO 14 DU/AC)

**BACKGROUND:**

**Project Description**

The approved plans depict the vacation and abandonment of 3 foot to 33 foot wide easements along most property lines of the 2 parcels that comprise the project development site. Additionally, the approved application includes a request to vacate and abandon 25.5 foot and 30 foot wide half street sections with associated spandrels of Walmer Castle Lane located south of Silverado Ranch Boulevard and including the portion of the cul-de-sac at the terminus of the street.

Previous Conditions of Approval

Listed below are the approved conditions for VS-0813-17:

Current Planning

- Satisfy utility companies' requirements.
- 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 the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works – Development Review

- Applicant to execute a maintenance access easement through site to the adjacent drainage channel;

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the eastern portion of the vacated area of Walmer Castle Lane will become part of the adjacent lots in the Oaks Unit 1 and Oaks Unit 1 Amended subdivisions; that in order to purchase those areas from any of the adjacent owners a new tentative map must be approved; and that a final map must be recorded showing the new boundaries for all of the lots included in the land sale.

**Building/Fire Prevention**

- Applicant is advised that when installing streets using "L" type curbs, a minimum of 37 feet wide is required, back of curb to back of curb; if using rolled curbs, minimum 39 foot widths are required, from back of curb to back of curb are required.

**Applicant's Justification**

The applicant states that they have invested in the property with expending a significant amount of associated soft costs for the development and request the approval of the extension of time so the capital investments will not be lost.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-0812-17	Reclassified to RUD zoning for a planned unit development for triplex and townhouse residences	Approved by BCC	November 2017
VS-0813-17	Vacated easements and Walmer Castle Lane	Approved by BCC	November 2017

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Residential Suburban (up to 8 du/ac)	R-4	Multiple family residential
East	Residential Suburban (up to 8 du/ac)	R-E	Single family residential development
South & West	Commercial Neighborhood	C-P	Partially constructed office complex

**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.

**Public Works - Development Review**

There have been no significant changes in this area. Staff has no objection to this extension of time.

**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 November 21, 2021 to record;
- 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 re-approval by the utility companies will be required.

**Public Works - Development Review**

- Compliance with previous conditions.

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

- No comment.

**TAB/CAC:  
APPROVALS:  
PROTEST:**

**APPLICANT: CEO DEVELOPMENT**

**CONTACT: SUGDEN LAW, LAS VEGAS, 9728 GILESPIE STREET, LAS VEGAS, NV  
89183**







# LAND USE APPLICATION 1A

## 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 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>VS-0813-17</u> (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #) <input type="checkbox"/> DEVELOPMENT AGREEMENT (DA)	<b>STAFF</b>	DATE FILED: <u>11/20/19</u> PLANNER ASSIGNED: <u>JVM</u> ACCEPTED BY: <u>SWD</u> FEE: <u>300</u> CHECK #: <u>1288</u> COMMISSIONER: <u>M-N</u> OVERLAY(S)? <u>←</u> PUBLIC HEARING? Y <input checked="" type="checkbox"/> N TRAILS? Y <input checked="" type="checkbox"/> N PFNA? Y <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>Et-19-400157</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>1/2</u> TIME: <u>6PM</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>1/22/20</u> ZONE / AE / RNP: <u>EUD</u> PLANNED LAND USE: <u>R-TM</u> NOTIFICATION RADIUS: _____ SIGN? Y / N LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	<b>PROPERTY OWNER</b>	NAME: <u>MJSS Trust</u> ADDRESS: <u>375 Warm Springs Road, Suite 104</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>n/a</u> FAX: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u>	
	<b>APPLICANT</b>	NAME: <u>CEO Development</u> ADDRESS: <u>9728 Gilespe Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>n/a</u> FAX: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u>	
	<b>CORRESPONDENT</b>	NAME: <u>Amy Sugden - Sugden Law</u> ADDRESS: <u>9728 Gilespe Steet</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>702.307.1500</u> FAX: <u>702.507.9011</u> CELL: <u>314.283.9847</u> E-MAIL: <u>amy@sugdenlaw.com</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-28-501-002 and 004

PROPERTY ADDRESS and/or CROSS STREETS: Silverado Ranch Blvd and Walmer Castle Lane

PROJECT DESCRIPTION: Vacation Application

(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 in the course of advising the public of the proposed application.

Property Owner (Signature)\* [Signature] Property Owner (Print) Jacob Heletz, Trustee of the MJSS Trust

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 11/19/2019 (DATE)  
 By Jacob Heletz, Trustee of the MJSS Trust

NOTARY PUBLIC: [Signature]

SARAH GONDEK  
 Notary Public-State of Nevada  
 APPT. NO. 16-3009-1  
 My Appt. Expires 06-27-2020

\*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.

ET-19-400157

November 15, 2019

Clark County Department of Comprehensive Planning  
Attn: Al Laird, Principal Planner  
500 S. Grand Central Parkway, 1<sup>st</sup> Floor  
Las Vegas, NV 89106

RE: CEO Development LLC – Justification Letter for Extension of Time

Mr. Laird,

This correspondence is sent in support of CEO Development LLC (“CEO”)’s applications for extension of time for development approvals related to property situated at the southwest corner of Silverado Ranch Boulevard and Walmer Castle Lane (“Subject Property”).

CEO previously applied for and received approval from the Clark County Board of County Commissioners (“County”) for (1) a conforming zone change to RUD/PUD zoning; (2) a vacation of rights-of-way and patent easements; (3) a design review; and (4) waivers of development standards for parking, wall height, non-standard entrance, throat depth, and building setback pursuant to applications: ZC-0812-17 and VS-0813-17 (“Applications”).

On or about December 1, 2017, the County issued two Notices of Final Action approving the Applications with specified conditions.

While CEO has used its best efforts to proceed forward diligently with the its project based on the County’s approvals of its Applications, CEO is respectfully requesting an extension of time as it has not yet completed the recordation of the vacation and needs additional time to do so and move forward with construction on the site.

Unfortunately, since the original approvals were received, unanticipated changes in financial funding of CEO's project hampered progress. However, those circumstances have since been resolved and CEO is able to move forward accordingly with its project. As CEO has already invested significantly into the Subject Property along with expending associated soft costs for its development, CEO kindly requests that the County allow an extension of the Approvals so that those capital investments will not be lost. CEO is excited to move forward with construction of its high-end luxury residential units, which it believes will fulfill a void in this submarket for this particular area of the Valley.

Thank you for your time and consideration in this matter. We are happy to answer any further questions you may have or provide any other information needed in response to this matter.

Respectfully,

SUGDEN LAW

A handwritten signature in cursive script, appearing to read "Amyt Sugden".

Counsel for CEO Development, LLC



01/22/20 BCC AGENDA SHEET

CONGREGATE CARE FACILITY  
(TITLE 30)

ERIE AVE/BERMUDA RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-19-400160 (UC-0669-16)-LEGACY BERMUDA, LLC:**

**USE PERMIT FIRST EXTENSION OF TIME** for a congregate care facility with accessory commercial uses.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following 1) alternative landscaping adjacent to streets; and 2) waive off-site improvements (curbs, gutters, streetlights, sidewalks, and partial paving) for Fairfield Avenue.

**DESIGN REVIEW** for a congregate care facility on 5.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the southwest corner of Erie Avenue and Bermuda Road within Enterprise, MN/tk/jd (For possible action)

---

RELATED INFORMATION:

**APN:**  
177-33-703-004

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Permit alternative landscaping adjacent to Fairfield Avenue where landscaping is required per Figure 30.64-13.
- b. Permit alternative landscaping adjacent to Erie Avenue where landscaping is required per Figure 30.64-17.
2. Waive off-site improvements (curbs, gutters, streetlights, sidewalks, and partial paving) for Fairfield Avenue where required per Section 30.52.040.

**LAND USE PLAN:**  
ENTERPRISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**  
General Summary

- Site Address: 10935 Bermuda Road
- Site Acreage: 5
- Project Type: Congregate care facility
- Number of Beds: 143
- Number of Stories: 1
- Building Height (feet): 25
- Square Feet: 62,304

- Parking Required/Provided: 59/88

### Site Plans

The approved plans depict a congregate care facility consisting of 1 building located in the central portion of the parcel. Parking for the facility is located along the north, south, and east sides of the building. Access to the site is provided by a single driveway from Bermuda Road. The plans also depict a right turn exit only driveway onto Eric Avenue on the north side. The building is set back approximately 65 feet from Erie Avenue (north property line), 61 feet from the south property line, 57 feet from Fairfield Avenue (west property line), and 83 feet from Bermuda Road (east property line). The building is constructed around 6 courtyard areas.

### Landscaping

The approved plans depict a minimum 15 foot wide landscape area with detached sidewalks adjacent to Bermuda Road, which consists of trees, shrubs, and groundcover. The plans are depicting a meandering, approximately 6 foot high decorative block wall along the west property line adjacent to Fairfield Avenue. The wall is in sections where portions of the wall are adjacent to the property line and portions of the wall are located approximately 5 feet from the property line. This creates landscape pockets that are approximately 15 feet in length adjacent to the street. The plans indicate that an approximately 6 foot high meandering decorative fence is depicted along Erie Avenue with landscape pockets along Erie Avenue similar to Fairfield Avenue. The plans indicate that combinations of trees will be planted on both sides of these walls/fences. The landscape area along the south property line is 10 feet in width and will consist of 2 off-set rows of large evergreen trees. Additional landscape areas consisting of trees, shrubs, and groundcover are located adjacent to the building and within the courtyard areas.

### Elevations

The building is 1 story with a maximum building height of 25 feet. The building has a pitched roof with clay tile for roofing material and the roof line varies in height from approximately 19 feet to 25 feet. The exterior of the building has a stucco finish painted in earth tone colors. The main entrance of the facility faces to the east and is located in the center of the building elevation.

### Floor Plans

The plans depict a 62,304 square foot congregate care facility consisting of 143 beds. The plans depict 77 rooms for the residents, dining facilities, therapy areas, administrative office, storage and support areas, and common areas for the residents. The facility will also provide a 233 square foot beauty shop (accessory commercial use) for the residents of the facility.

### Previous Conditions of Approval

Listed below are the approved conditions for UC-0669-16:

### Current Planning

- Design review as a public hearing for significant changes to the plans;
- 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

- Execute a restrictive covenant agreement (deed restrictions);
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements along Bermuda Road and Erie Avenue, non-urban roadway standards on Fairfield Avenue;
- Right out only on Erie Avenue.
- Driveway along Erie Avenue to be clearly marked as an exit only driveway;
- Right-of-way dedication to include 45 feet to back of curb for Bermuda Road, 35 feet to back of curb for Erie Avenue, 30 feet for Fairfield Avenue, and associated spandrels;
- If required by Regional Transportation Commission, dedicate and construct right-of-way for bus turnouts including passenger loading/shelter areas in accordance with Regional Transportation Commission Standards.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

#### Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the occupant of each unit in the proposed development and is strongly encouraged to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office; 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 residents wish to have their homes purchased or soundproofed.

#### Building/Fire Prevention

- Applicant is advised that the turning radii within the site drive aisles are to have an inside radius of at least 28 feet and outside radius of at least 52 feet.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant states this request is necessary due to encountering several delays on the project: 1) the soils reports found issues with the soils; 2) off-site improvements being delayed from the Las Vegas Valley Water District; and 3) the applicant had to replace the architecture firm originally hired for the project. The applicant is currently in the construction document phase of this project and is planning to go vertical within the next 6 to 9 months.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-0059-17	Vacated and abandoned patent easements – expired	Approved by PC	January 2017
UC-0669-16	Use permit for congregate care facility with accessory commercial uses.	Approved by BCC	November 2017
WS-0321-13 (ET-0069-15)	First extension of time to waive off-site improvements along Erie Avenue and Bermuda Road	Denied by BCC	October 2015
VS-0047-15	Vacated and abandoned easements of interest to Clark County - expired	Approved by PC	March 2015
WS-0321-13	Off-site improvements along Erie Avenue and Bermuda Road	Approved by BCC	August 2013
TM-0078-13	Single family residential development	Approved by BCC	August 2013
UC-0109-04	Place of worship - expired	Approved by PC	March 2004

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residences
South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
East	City of Henderson & Residential Suburban (up to 8 du/ac)	RS-6 (City) & R-E	Single family residences & a place of worship

Application Number	Request
19-400170	Extension of time for a vacation and abandonment for patent easements for a congregate care facility is a companion item for this application.

**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. Since, the original approval the applicant has encountered several delays with the soils testing, and off-site improvements



from Las Vegas Valley Water District, thus further delaying the project towards completion. The applicant has hired a new architectural firm to continue work on the plans. The applicant hopes to go vertical on the project within the next 6 to 9 months; therefore, staff can support this request.

**Public Works - Development Review**

There have been no significant changes in this area. Staff has no objection to this extension of time.

**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 November 21, 2021 to commence
- 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; 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: LEGACY BERMUDA, LLC**

**CONTACT: BRENT LOVETT, 6877 S. EASTERN AVE, LAS VEGAS, NV 89119**





# LAND USE APPLICATION 2A

## 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 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) <u>UC-0669-16</u> (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR)  _____ (ORIGINAL APPLICATION #)	STAFF	DATE FILED: <u>11-21-19</u> APP. NUMBER: <u>ET 19-400160</u> PLANNER ASSIGNED: _____      TAB/CAC: <u>ENTERPRISE</u> ACCEPTED BY: <u>TRC</u> TAB/CAC MTG DATE: <u>1/2</u> TIME: <u>6PM</u> FEE: <u>\$900</u> PC MEETING DATE: _____ CHECK #: _____      BCC MEETING DATE: <u>1/22 9AM</u> COMMISSIONER: <u>MN</u> ZONE / AE / RNP: <u>R8 RNP I</u> OVERLAY(S)? _____      PLANNED LAND USE: <u>ENT RNP</u> PUBLIC HEARING? <u>Y</u> <input checked="" type="checkbox"/> NOTIFICATION RADIUS: <u>—</u> SIGN? <u>Y</u> <input checked="" type="checkbox"/> TRAILS? <u>Y</u> <input checked="" type="checkbox"/> PFNA? <u>Y</u> <input checked="" type="checkbox"/> LETTER DUE DATE: _____ APPROVAL/DENIAL BY: _____      COMMENCE/COMPLETE: _____
PROPERTY OWNER	NAME: <u>Legacy Bermuda LLC</u> ADDRESS: <u>6877 S Eastern Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>725-696-7777</u> CELL: <u>702-427-6657</u> E-MAIL: <u>b.lovett@nsndllc.com</u>	
APPLICANT	NAME: <u>Legacy Bermuda LLC</u> ADDRESS: <u>6877 S Eastern Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>725-696-7777</u> CELL: <u>702-427-6657</u> E-MAIL: <u>b.lovett@nsndllc.com</u> REF CONTACT ID #: <u>197607</u>	
CORRESPONDENT	NAME: <u>Brent Lovett</u> ADDRESS: <u>6877 S Eastern Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>725-696-7777</u> CELL: <u>702-427-6657</u> E-MAIL: <u>b.lovettnsndllc.com</u> REF CONTACT ID #: <u>197608</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-33-703-004

PROPERTY ADDRESS and/or CROSS STREETS: 10935 Bermuda Road

PROJECT DESCRIPTION: Skilled Nursing Facility

(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.

\_\_\_\_\_ Legacy Bermuda LLC  
 Property Owner (Signature)\*      11/21/19      LIXIN AZMEHR  
 Property Owner (Print)

STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_

SUBSCRIBED AND SWORN BEFORE ME ON \_\_\_\_\_ (DATE)  
 By \_\_\_\_\_  
 NOTARY PUBLIC: \_\_\_\_\_

\*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.

# JURAT

BT-19-400160

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

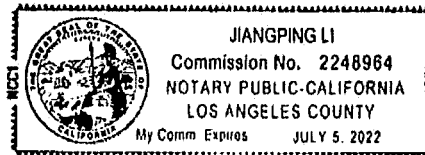
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 21st day of November,

2019 by Lixin Nan Azarmehr,

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Jiangping Li  
Signature (Seal)



## OPTIONAL INFORMATION

### DESCRIPTION OF THE ATTACHED DOCUMENT

Land Use Application

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 5 Document Date 11/21/2019

Additional Information

## INSTRUCTIONS

The wording of all Jurats completed in California after January 1, 2015 must be in the form as set forth within this Jurat. There are no exceptions. If a Jurat to be completed does not follow this form, the notary must correct the verblage by using a jurat stamp containing the correct wording or attaching a separate jurat form such as this one which does contain the proper wording. In addition, the notary must require an oath or affirmation from the document signer regarding the truthfulness of the contents of the document. The document must be signed AFTER the oath or affirmation. If the document was previously signed, it must be re-signed in front of the notary public during the jurat process.

- State and county information must be the state and county where the document signer(s) personally appeared before the notary public.
- Date of notarization must be the date the signer(s) personally appeared which must also be the same date the jurat process is completed.
- Print the name(s) of the document signer(s) who personally appear at the time of notarization.
- Signature of the notary public must match the signature on file with the office of the county clerk.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different jurat form.
  - ❖ Additional Information is not required but could help to ensure this jurat is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
- Securely attach this document to the signed document with a staple.

# CALIFORNIA ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of Los Angeles }

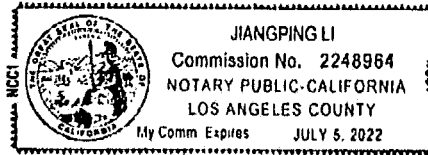
On Nov. 21, 2019 before me, Jiangping Li  
(Here insert name and title of the officer)

personally appeared Lixin Nan Azarmehr  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Jiangping Li  
\_\_\_\_\_  
Notary Public Signature (Notary Public Seal)



### ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT  
Ownership Application Disclosure Form  
(Title or description of attached document)  
(Title or description of attached document continued)  
Number of Pages 1 Document Date 11/21/2019

### CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer

\_\_\_\_\_  
(Title)

- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other \_\_\_\_\_

### INSTRUCTIONS FOR COMPLETING THIS FORM

*This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.*

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is /are ) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.



November 21, 2019

**Justification Letter – Extension of Time**

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

*ET-19-400160*

RE: UC-0669-16  
10935 Bermuda Road  
Legacy Bermuda Skilled Nursing Facility

Legacy Bermuda LLC respectfully requests an extension of time on the existing approved use permit noted above.

We are currently in the construction document phase of the project, and have secured the site with construction fencing, performed soils testing, civil surveys and are moving forward to go vertical within the next 6 to 9 months.

This is one of three like projects that we are building in Clark County, and we have encountered a number of unplanned delays, but we are now moving forward with all three projects.

Thank you for your time in this matter.

Respectfully



Brent Zovett

Project Manager

Nevada Skilled Nursing Development, LLC  
(725) 696 - 7777 | [www.nsndllc.com](http://www.nsndllc.com)  
6877 S. Eastern Ave. Las Vegas, NV 89119

RESTAURANTS  
(TITLE 30)

WARBONNET WY/BUE DIAMOND RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-19-0943-BLUE DIAMOND BLM, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) alternative landscaping; 2) increase wall height; 3) cross access; 4) reduced driveway separation; and 5) allow modified driveway design standards.

**DESIGN REVIEWS** for the following: 1) fast food restaurants with drive-thrus; and 2) increased finished grade on 1.8 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Blue Diamond Road and the east side of Warbonnet Way (alignment) within Enterprise. JJ/pb/ja (For possible action)

---

**RELATED INFORMATION:**

**APN:**  
176-21-601-031

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow a 15 foot wide landscaping area with no sidewalk along Blue Diamond Road where a 15 foot wide landscape area with a detached sidewalk is required per Figure 30.64-17 or Figure 30.64-18.
2. Increase block wall height to 19 feet (up to 13 foot retaining with a 6 foot screen wall) where a maximum of 9 feet (3 foot retaining with a 6 foot screen wall) is permitted per Section 30.64.050 (a 111% increase).
3. Waive the requirement for cross access and shared parking with the property to the east where required per Table 30.56-2.
4. Reduce the departure distance from the driveway to the intersection to 176 feet where 190 feet is required along Warbonnet Way per Uniform Standard Drawing 222.1 (a 7% reduction).
5. Reduce throat depth for the driveway along Warbonnet Way to 41 feet where 75 feet is the standard per Uniform Standard Drawing 222.1 (a 45% reduction).

**DESIGN REVIEWS:**

1. A commercial center consisting of 2 fast food restaurants with drive-thrus.
2. Increase the finished grade for a commercial center development up to 11 feet (132 inches) where a maximum of 18 inches is the standard per Section 30.32.040 (a 633% increase).

**LAND USE PLAN:  
ENTERPRISE - COMMERCIAL GENERAL**

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 1.8
- Project Type: Commercial center consisting of 2 fast food restaurants with drive thrus
- Number of Stories: 1
- Building Height (feet): 24
- Square Feet: 2,731/2,325/5,056 (total)
- Parking Required/Provided: 55/58

Site Plans

The plans depict a commercial center consisting of 2 fast food restaurants with drive-thrus. A 2,731 square foot fast food restaurant (Popeyes) is located on the southwestern portion of the site with a drive-thru aisle located on the north, west, and south sides of the building. A 2,325 square foot fast food restaurant (Chipotle) is located on the eastern portion of the site with a drive-thru aisle located on the north, east, and south sides of the building. An outside dining area is located on the south side of the building. Parking spaces are located between the buildings. The parcel has access to the adjacent parcel to the north but does not have access to the adjacent parcel to the east as required by Code. The site has access to Warbonnet Way via a driveway access on the northwestern portion of the site and the departure distance and throat depth for the driveway do not meet Code requirements.

Landscaping

There is a 15 foot wide landscape area with a detached sidewalk along the western property line adjacent to Warbonnet Way and a 15 foot wide landscape area with no sidewalk along the south property line adjacent to the Blue Diamond Road right-of-way. A 5 foot wide landscape area is located along the eastern property line and interior parking lot trees are distributed throughout the site in accordance with Code requirements. There is additional landscaping provided adjacent to the buildings. The landscape materials include trees, shrubs, and groundcover.

Elevations

The Popeyes building is between 21 feet and 24 feet high with a flat roof and parapet walls. The drive-thru window is located on the west side of the building. The Chipotle building is between 19 feet and 21 feet high with a flat roof and parapet walls. The drive-thru window is located on the east side of the building. The façades consists of stucco siding, stone veneer, and aluminum storefront window and door treatments matching their particular branding.

Floor Plans

The plans depict a 2,731 square foot building and a 2,325 square foot building each with a dining area, kitchen and service area, cooler, storage area, and restrooms. A 399 square foot outside dining area is located on the south side of the building on the eastern portion of the site.



**Signage**

Signage is not a part of this request.

**Applicant's Justification**

The applicant indicates the proposed uses are allowed in the C-2 zone and the commercial center is compatible with the existing and planned land uses in the area. There are no sidewalks along Blue Diamond Road so this request matches the existing development in the area. The waivers for wall height and cross access along the eastern property line are needed because of the grade difference between the parcels.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0001-07	Reclassified the subject site and other parcels from R-E and H-2 to C-2 zoning to allow a grocery store and convenience store	Approved by BCC	February 2007
VS-0002-07	Vacated and abandoned portions of right-of-way and patent easements.	Approved by BCC	February 2007

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Undeveloped
South	Major Development Project (Mountain's Edge)	C-2	Shopping center
East	Commercial General	H-2	Undeveloped
West	Commercial General	C-2	Shopping center

The subject site and the adjacent parcels are located in the Public Facility Needs Assessment (PFNA) area.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

**Waivers of Development Standards**

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

**Waiver of Development Standards #1**

Blue Diamond Road is controlled by the Nevada Department of Transportation and there are no sidewalks in the right-of-way in this area. The plans show a 15 foot wide landscape area along

the southern property line adjacent to the Blue Diamond Road right-of-way which is compatible with the existing development in this area. While staff has no objection to this request, staff cannot support other portions of the request and it would not be appropriate to approve this portion of the request without an approved design review.

#### Waiver of Development Standards #2

The applicant indicates the difference in grade between the subject site and the adjacent parcel to the east necessitates the installation of the requested retaining walls; however, staff finds a 111.1% increase in wall height is excessive. Additionally, the proposed retaining wall will be visible from Blue Diamond Road and conflicts with Urban Specific Policy 16 of the Comprehensive Master Plan which states, in part, that all new perimeter walls and fences should be decorative and designed to minimize the stark appearance of a monotonous block wall face. Approval of this request will constrain future development on the adjacent parcel to the east which is designated as Commercial General in the Enterprise Land Use Plan. Therefore, staff cannot support this request.

#### Waiver of Development Standards #3

The applicant indicates the difference in grade between the subject site and the adjacent parcel to the east necessitates this request and the waiver for wall height; however, staff finds the waiver for wall height excessive and the project should be designed to transition to the adjacent parcel to the east. The purpose of providing cross access with adjacent lots is to minimize curb cuts, promote public safety, efficient on-site circulation, and shared parking and this request conflicts with this purpose and Urban Specific Policy 7, which states that land uses that are complementary and are of similar scale and intensity should provide appropriate connectivity and not be segregated. Therefore, staff cannot support this request.

#### Design Review #1

The buildings have varied rooflines and architectural enhancements which comply with Policy 79 that encourages commercial developments to use visually articulated elements including, but not limited to towers, decorative fascia, pilasters, colonnades, decorative details such as tiles, fenestration, landscaped planters, pitched/hipped roofs, or other visually articulated designs utilizing harmonious volumes, spaces and materials. These enhancements are provided on all of the elevations in compliance with with Policy 78 that encourages architectural treatments on all building sides to eliminate blank building elevations along public rights-of-way and areas visible to the general public to improve visual quality. However, the site does not maintain cross access and parking requirements and conflicts with Urban Land Use Policy 65 of the Comprehensive Master Plan which encourages commercial development designs that will provide opportunities for cross access with adjoining sites to reduce or limit points of ingress and egress on arterial/collector streets to reduce on-site and off-site traffic congestion and hazards. Furthermore, the design of the site layout is contingent upon waivers of development standards which staff cannot support; therefore, staff cannot support the design review.

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

##### Waiver of Development Standards #4

Staff can support the reduced departure distance since the location of the commercial driveway is proposed as far from the intersection as the site frontage will allow.

### Waiver of Development Standards #5

Staff can support the proposed throat depth since it will allow the majority of the queuing of traffic to remain on the site.

### Design Review #2

This design review represents the maximum grade difference along the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

### **Staff Recommendation**

Approval of waivers of development standards #4 and #5; denial of waivers of development standards #1, #2, and #3, and design reviews.

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:

- 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;
- 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;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to back of curb for Warbonnet Way;
- Apply for and have approved a vacation of the Oleta Avenue right-of-way east of the subject site;
- Off-site improvements along Blue Diamond Road to be coordinated with Nevada Department of Transportation (NDOT), and applicant to provide an approved NDOT encroachment permit to Public Works Development Review Division.
- 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; and that the installation of detached sidewalks will require dedication to back

of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Building Department - Fire Prevention**

- No comment.

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0692-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** SUSAN CROSBIE

**CONTACT:** LEBENE AIDAM-OHENE, BROWN, BROWN, & PREMSRIRUT, 520 SOUTH FOURTH STREET, #200, LAS VEGAS, NV 89101

DRAFT



# LAND USE APPLICATION 3A

## 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 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>12/6/19</u> PLANNER ASSIGNED: <u>JAK</u> ACCEPTED BY: _____ FEE: <u>91325.00</u> CHECK #: _____ COMMISSIONER: <u>JJ</u> OVERLAY(S)? <u>MWJ4</u> PUBLIC HEARING? <u>YIN</u> TRAILS? Y/N _____ PFNA? <u>YIN</u> APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>WS-19-0943</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>1/15</u> TIME: <u>6:00</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>1/22/20</u> ZONE / AE / RNP: _____ PLANNED LAND USE: _____ NOTIFICATION RADIUS: <u>100</u> SIGN? <u>Y/N</u> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>BLUE DIAMOND BLM LLC</u> ADDRESS: <u>3755 BREAKTHROUGH WAY, SUITE 250</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-405-3122</u> CELL: <u>N/A</u> E-MAIL: <u>SCrosble@jakrec.com</u>	
	APPLICANT	NAME: <u>SUSAN CROSBIE</u> ADDRESS: <u>3755 BREAKTHROUGH WAY, SUITE 250</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>705-405-3122</u> CELL: <u>N/A</u> E-MAIL: <u>SCrosble@jakrec.com</u> REF CONTACT ID #: _____	
	CORRESPONDENT	NAME: <u>JAY BROWN/LEBENE OHENE</u> ADDRESS: <u>520 SOUTH FOURTH STREET</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89131</u> TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u> E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>	

ASSESSOR'S PARCEL NUMBER(S): 176-21-601-031 & 176-21-604-012

PROPERTY ADDRESS and/or CROSS STREETS: Blue Diamond Road & Warbonnet Way

PROJECT DESCRIPTION: Design Review for a commercial center

(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)\*      JOSEPH A KENNEDY, MANAGER, BLUE DIAMOND BLM, LLC  
 \_\_\_\_\_  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON October 8, 2019 (DATE)  
 By Joseph A. Kennedy

NOTARY PUBLIC: Jennifer Ferguson

Jennifer Ferguson  
 Notary Public, State of Nevada  
 My Commission Expires: 07-25-23  
 Certificate No: 03-83741-1

\*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.

LAW OFFICE

*Brown, Brown & Premsrirut*

JAY H. BROWN  
DAVID T. BROWN  
PUOY K. 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

December 6, 2019

Current Planning Division  
Department of Comprehensive Planning  
Clark County, Nevada  
500 Grand Central Pkwy  
Las Vegas, Nevada 89155-1841

WS-19-0943

**Re: Justification Letter Revised: - Waiver to provide no sidewalk along Blue Diamond Road; increase retaining wall height; and waive cross access to the parcel to the east property line and Design Reviews for the Commercial Center consisting of two fast food restaurants with drive-throughs and increase the finished floor elevation.**

**Assessor's Parcel Number: 176-21-601-031**

**To Whom It May Concern:**

On behalf of our client, Blue Diamond BLM LLC., please accept this justification letter for application waivers of development standards and design reviews for a commercial center on parcel with a total of 1.8 acres in a C-2 zone. The proposed commercial center consists of two fast food restaurants with drive-through windows.

**Project Description:**

The proposed commercial center is located on the northeast corner of Blue

Diamond Road and Warbonnet Way. The parcel is surrounded on the north, south, east and west sides by developed and undeveloped C-2 zoned parcels. An existing and developed single family residence zoned C-2 is to the northeast of the parcel. The C-2 zoning of the parcel was approved per action on ZC-0001-07 and included 3 other parcels that are not a part of this application. Access to the site is from Warbonnet Way, on the west side of the parcel. Cross access is provided to the adjacent parcel to the north. A total of 58 parking spaces are provided where 55 spaces are required. A total of 4 bicycle space are provided where 4 are required. Trash enclosure and a loading space is provided as required by Code.

The restaurant building on the southwestern portion of the site is a 2,731 square foot fast food restaurant and varies in height from 22 feet up to a maximum of 25 feet, to the top of the parapets. The second fast food restaurant is 2,325 feet with a maximum height of up to 24 feet at the highest point. Building materials consist of stucco finishes painted with contrasting colors. Accents architectural features and enhancements include a combination of the following features; parapets, architectural insets, stone veneer at the bottom of the buildings, metal windows and steel framed awnings/canopies on the facia of the buildings.

No sidewalk is depicted along Blue Diamond which will require a waiver. The required landscape area within the property line which is set back from the Blue Diamond Road right-of-way and consists of a 15 foot wide area and is the alternative design per figure 30.64-18 but without the attached sidewalk. Landscaping consisting of a 15 foot wide area with a detached sidewalk is provided along the west property line adjacent to Warbonnet way. A five foot wide landscape area is depicted along the east property line.

Signage is not a part of this application.

We respectfully request approval of the following applications for the proposed commercial center:

1. **Waivers of Development Standards for the following:**
  - a) **To not provide an attached sidewalk along Blue Diamond Road.**

**Justification:**

This waiver is required because this portion of Blue Diamond Road does not have existing attached or detached sidewalks. This request is to match the existing developments and conditions in the area.

- b) **Increase retaining wall height to 13 feet where three feet is allowed along the east property line of the parcel.**

**Justification:**

This request is due to the grade difference of the adjacent parcel to the east.

- c) **Waive cross access to the parcel to the east.**

**Justification:**

Cross access is provided to the parcel to the immediate north but cannot be provided to the parcel to the east because of the existing grade difference on the site. This grade difference is also the reasons for the requests for the proposed 13 foot high retaining wall on the east property line and the increase in the finished floor elevation of the buildings and the site.



**2. Design Reviews for the following:**

- a) A proposed commercial center with two fast food restaurants.
- b) Increase the finish floor elevation to 13 feet.

**Justification:**

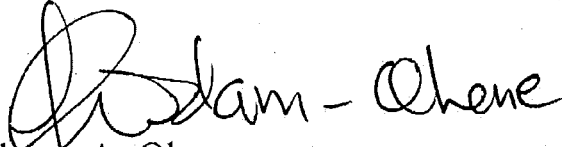
**This request is due to the existing grade difference on the site and the fact the parcel is below Blue Diamond Road.**

The uses proposed are allowed in the C-2 zone. The requested uses within the center are appropriate for and compatible with the existing and planned uses in the area. The waiver of the sidewalk is to match the existing conditions in the area. When attached sidewalk is required for the area it be provided along Blue Diamond Road. The increase in the retaining wall height is required because of the grade difference and the need to raise the finished floor elevation above the height of Blue Diamond Road. Additionally, because a 13 foot high retaining wall is required on the east property line; it is not possible to provide cross access to the parcel to the east. The requests are appropriate for the area and is similar with other requests in the area. This application as proposed meets the intent of the Code and the goals and policies of the Land Use Plan.

We appreciate your consideration in the review and recommendation of approval for the application. Please call me at 702-598-1482, if you have any questions or need additional information.

Sincerely,

BROWN, BROWN & PREMSRIRUT

A handwritten signature in black ink, appearing to read "Lebene A. Ohene". The signature is written in a cursive, flowing style with a large initial 'L'.

Lebene A. Ohene  
Land Use and Development

02/05/20 BCC AGENDA SHEET

RIGHT-OF-WAY  
(TITLE 30)

GILESPIE ST/SILVERADO RANCH BLVD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-19-0933-SC GILESPIE:**

**VACATE AND ABANDON** a portion of a right-of-way being Gillespie Street located between Richmar Avenue and Silverado Ranch Boulevard within Enterprise (description on file). MN/al/ja (For possible action)

RELATED INFORMATION:

**APN:**  
177-21-401-024

**LAND USE PLAN:**  
ENTERPRISE - COMMERCIAL NEIGHBORHOOD

**BACKGROUND:**

**Project Description**

The applicant is proposing to develop the site as a mini-warehouse facility. This request is to vacate a portion of Gillespie Street to allow for the development of detached sidewalks that are required by current Code.

**Prior Land Use Requests**

Application Number	Request	Action	Date
N/C-1076-07	Reclassified the site to a C-1 zoning for a mini-warehouse facility - expired	Approved by BCC	November 2007
ZC-1167-95	Reclassified 20.5 acres which included a portion of this site to R-2 zoning for a single family residential development	Approved by BCC	September 1995
ZC-1159-95	Reclassified 39.2 acres which included a portion of this site to R-2 zoning for a single family residential development	Approved by BCC	August 1995

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Public Facilities & Residential Suburban (up to 8 du/ac)	R-2	Single family residential development & flood control channel

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
South	Residential High (from 8 du/ac to 18 du/ac)	R-3	Multiple family residential development
East	Residential Suburban (up to 8 du/ac)	R-4	Multiple family residential development

**Related Applications**

Application Number	Request
ZC-19-0928	A zone change to reclassify the site to a C-1 zone for a mini-warehouse facility is a companion on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis****Public Works - Development Review**

Staff has no objection to the vacation right-of-way that is not necessary for site, drainage, or roadway development. However, the legal descriptions and exhibits submitted with this request will need to be amended during the recordation process to ensure that the right-of-way tapers from 35 feet to back of curb on the northern portion of the site to 40 feet or more towards the southern portion of the site. The revised vacation area will allow for dual left turn lanes on Gillespie Street. Additionally, the dedicated right turn lane will need to be removed from the vacation request since Public Works may reconstruct the existing improvement on the northwest corner of Gillespie Street and Silverado Ranch Boulevard to accommodate a full width right turn lane.

**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**

- Satisfy utility companies' requirements.
- 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 the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

**Public Works - Development Review**

- Legal descriptions shall be amended to accommodate the taper from 35 feet of right-of-way on the north end of the site to 40 feet, exclusive of the right turn lane, on the south end of the site to accommodate dual left turn lanes;
- None of the area for the current dedicated right turn lane shall be vacated;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MARK PAUL CONZELMAN

**CONTACT:** JANNA FELIPE, TANEY ENGINEERING, 6030 S. JONES BOULEVARD,  
LAS VEGAS, NV 89118

**DRAFT**





# VACATION APPLICATION 4A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS) <input type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	STAFF	DATE FILED: <u>12/4/19</u> PLANNER ASSIGNED: <u>AL</u> ACCEPTED BY: <u>SWD</u> FEE: <u>875</u> CHECK #: <u>1018</u> COMMISSIONER: <u>M-N</u> OVERLAY(S)? <u>—</u> TRAILS? <input checked="" type="checkbox"/> PFNA? <input checked="" type="checkbox"/>	APP. NUMBER: <u>VS-19-0933</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>1/22/20</u> TIME: <u>6PM</u> PC MEETING DATE: _____ BCC MTG DATE: <u>1/22/20</u> ZONE / AE / RNP: <u>R-2</u> PLANNED LAND USE: <u>C-N</u>
---	-------	---	--

PROPERTY OWNER	NAME: <u>SC Gillespie, LP</u> ADDRESS: <u>2151 Michelson Drive, Suite 140</u> CITY: <u>Irvine</u> STATE: <u>CA</u> ZIP: <u>92612</u> TELEPHONE: <u>(714)505-7090</u> CELL: <u>(714)914-1391</u> E-MAIL: <u>paul@scdevelopment.net</u>
----------------	---

APPLICANT	NAME: <u>Mark Paul Conzelman, General Partner of SC Gillespie, LP</u> ADDRESS: <u>2151 Michelson Drive, Suite 140</u> CITY: <u>Irvine</u> STATE: <u>CA</u> ZIP: <u>92612</u> TELEPHONE: <u>(714)505-7090</u> CELL: <u>(714)914-1391</u> E-MAIL: <u>paul@scdevelopment.net</u> REF CONTACT ID #: <u>196629</u>
-----------	---

CORRESPONDENT	NAME: <u>Taney Engineering / Janna Felipe</u> ADDRESS: <u>6030 S. Jones Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>(702)362-8844</u> CELL: _____ E-MAIL: <u>jannaf@taneycorp.com</u> REF CONTACT ID #: <u>132565</u>
---------------	---

ASSESSOR'S PARCEL NUMBER(S): 177-21-401-024

---

PROPERTY ADDRESS and/or CROSS STREETS: Gillespie Street, North of Silverado Ranch Blvd.

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.

\_\_\_\_\_  
 Property Owner (Signature)\*

MARK PAUL CONZELMAN  
 \_\_\_\_\_  
 Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF See Attached  
 SUBSCRIBED AND SWORN BEFORE ME ON \_\_\_\_\_ (DATE)  
 By \_\_\_\_\_  
 NOTARY PUBLIC: \_\_\_\_\_

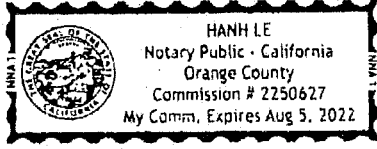
\*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Orange

Subscribed and sworn to (or affirmed) before me on this 31<sup>st</sup>  
day of December, 2019, by Mark Paul Costetman

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



(Seal)

Signature [Handwritten Signature]





**TANEY ENGINEERING**

6030 S. JONES BLVD. LAS VEGAS, NV 89118  
PHONE: (702) 362-8844 | FAX: (702) 362-5233  
TANEYCORP.COM

December 3, 2019

Al Laird, Principal Planner  
Clark County Comprehensive Planning  
500 South Grand Central Parkway  
Las Vegas, NV 89155

**Re: Gilesie & Silverado Ranch – Vacation Justification Letter**

Dear Mr. Laird:

On behalf of our client, SC Gilesie, LP, Taney Engineering is respectfully submitting a project description letter for a Right-of-way Vacation. The right-of-way vacation is being requested for a proposed detached sidewalk.

APN: 177-21-401-024

VACATE A PORTION OF THE PUBLIC RIGHT OF WAY DEDICATED PER 20081009:04850 CLARK COUNTY, NEVADA RECORDS AND A PORTION OF THE RIGHT OF WAY DEDICATED PER 19860116:00391 OF CLARK COUNTY, NEVADA RECORDS.

We are hopeful that this letter clearly describes the project and the intent of the proposed vacation. If you have any questions or require any additional information please call 702-362-8844.

Respectfully,  
**TANEY ENGINEERING**

Janna Felipe  
Project Coordinator



02/05/20 BCC AGENDA SHEET

MINI-WAREHOUSE FACILITY  
(TITLE 30)

SILVERADO RANCH BLVD/GILESPIE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-19-0928-SC GILESPIE:**

**AMENDED ZONE CHANGE** reclassify 3.8 acres from R-2 (Medium Density Residential) Zone to C-1 (Local Business) Zone.

**USE PERMIT** for a mini-warehouse facility.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced drive aisle width; 2) vertical metal siding; 3) alternative landscaping (previously not notified) and 4) alternate driveway geometrics.

**DESIGN REVIEWS** for the following: 1) a mini-warehouse facility; and 2) increased finished grade.

Generally located on the west side of Gillespie Street, 60 feet north of Silverado Ranch Boulevard within Enterprise (description on file). MN/al/ja (For possible action)

---

**RELATED INFORMATION:**

**APN:**

177-21-401-024

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce drive aisle width within a mini-warehouse facility to 21 feet where a minimum of 27 feet is required per Table 30.60-1 (a 22.2% reduction).
2. Allow the use of vertical metal siding were not permitted per Table 30.56-2.
3. Permit alternative landscaping with an attached sidewalk along a portion of Gillespie Street where landscaping with a detached sidewalk is required per Figure 30.64-17 (previously not notified).
4. Reduce driveway throat depth to zero feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).

**DESIGN REVIEWS:**

1. A mini-warehouse facility.
2. Increase finished grade up to 48 inches (4 feet) where a maximum of 18 inches (1.5 feet) is permitted per Section 30.32.040 (a 167% increase).

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL NEIGHBORHOOD

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: 9625 Giles pie Street
- Site Acreage: 3.8
- Project Type: Mini-warehouse facility
- Number of Stories: 1 & 2
- Building Height (feet): from 12 to 28
- Square Feet: 111,901
- Parking Required/Provided: 5/8

#### Site Plan

The site is a triangle shaped property located between Giles pie Street and a flood control channel approximately 60 feet north of Silverado Ranch Boulevard. The plans depict a mini-warehouse facility consisting of 5 buildings with 4 buildings adjacent to the perimeter of the site, and the fifth building located in the central portion of the site. Access to the site is provided by a single driveway from Giles pie Street. The plan depicts a gate to control access to the facility and the gate is set back approximately 61 feet from Giles pie Street. Parking for the facility is located on the north and south sides of the entrance to the site. Code requires 27 foot wide drive aisles within mini-warehouse facilities. On the southwestern portion of the site there is a drive aisle that is approximately 21 feet in width at the closest point between 2 of the buildings. All other drive aisles will be a minimum of 28 feet in width and the proposed reduction is only for a corner of 1 of the buildings.

The 5 buildings are designated as Buildings A thru Buildings E on the plans. Building A is located on the northeastern portion of the site, Building B is adjacent to Giles pie Street, Building C is along the southern property line, Building D is in the central portion of the site, and Building E is located along the flood control channel which is the western boundary of the site. The buildings are set back a minimum of 10 feet from Giles pie Street, 10 feet from the southern property line and 8 feet from the flood control channel.

#### Landscaping

The plan depicts a landscape area between 10 feet and 15 feet in width along Giles pie Street consisting of trees, shrubs and groundcover. The majority of the landscape area along Giles pie Street is 15 feet wide and has a detached sidewalk. At the southeast corner of the site there is an existing right turn lane for Giles pie Street. The waiver for alternative landscaping is for this portion of Giles pie Street adjacent to the turn lane where the width of the landscape area is reduced to 10 feet and an attached sidewalk is provided. A 10 foot wide landscape area consisting of large evergreen trees is depicted along the southern boundary of the site adjacent to an existing multiple family residential development. No landscaping is depicted adjacent to the flood control channel and a minimum set back of 8 feet is provided from the flood channel. Additional landscaping is depicted adjacent to the office and in the parking area.

Elevations

The central building (Building D) and the office portion of Building A are 2 stories; all other buildings are 1 story. The office portion of Building A is approximately 28 feet in height. The remainder of Building A is between 16 feet and 24 feet in height. Building D is 24 feet in height and the remaining buildings are between 12 feet and 22 feet in height. All of the buildings have flat roofs behind parapet walls and the building exteriors are a combination of decorative vertical siding, stucco finish painted in earth tone colors, and decorative block. The rear of Building E faces to the west toward the flood channel and an existing single family residential development on the other side of the flood channel. The rear elevation of this building is between 14 feet and 18 feet in height with this side of the building being constructed of concrete block painted in earth tone colors.

Floor Plans

The project has a total building area of 111,901 square feet, which includes a total of 786 storage units, an office and a manager's apartment. The storage units will be between 25 square feet and 560 square feet in area with a total area of 108,273 square feet. The office has an area of 2,004 square feet, and the manager's apartment, which is a second floor above the office, has an area of 1,624 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates the request to reclassify the site to a C-1 zone is in conformance to the Enterprise Land Use Plan. The site was previously approved for development as a mini-warehouse facility (NZC-1076-07); therefore, this request is consistent with past actions for the property. The waiver of the reduced drive aisle width is only for a portion of the site. The use of decorative vertical metal siding will architecturally enhance the building elevations and create a rustic contemporary design for the property. The site is an odd shaped, in-fill lot, and the increased finish grade is necessary due to site constraints from the existing developments on the abutting properties.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-1076-07	Reclassified the site to a C-1 zoning for a mini-warehouse facility - expired	Approved by BCC	November 2007
ZC-1167-95	Reclassified 20.5 acres which included a portion of this site to R-2 zoning for a single family residential development	Approved by BCC	September 1995
ZC-1159-95	Reclassified 39.2 acres which included a portion of this site to R-2 zoning for a single family residential development	Approved by BCC	August 1995

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North & West	Public Facilities & Residential Suburban (up to 8 du/ac)	R-2	Single family residential development & flood control channel
South	Residential High (from 8 du/ac to 18 du/ac)	R-3	Multiple family residential development
East	Residential Suburban (up to 8 du/ac)	R-4	Multiple family residential development

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-19-0933	A vacation and abandonment of easements and rights-of-way is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Zone Change

The site was previously approved for reclassification to a C-1 zone by a nonconforming zone change request, NZC-1076-07 which expired. Therefore, approval of this request to reclassify the site to a C-1 zone is consistent with past land use actions for the property. After the approval of NZC-1076-07 the land use designation for this site was changed to a Commercial Neighborhood. Therefore, the request to reclassify this site to a C-1 zone is in conformance to the current Enterprise Land Use Plan. The site is located in close proximity to single family and multi-family residential developments. The request complies in part with Goal 2 of the Comprehensive Master Plan to provide a mix of uses within close proximity to each other. Therefore, staff can support the zone change.

Use Permit

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 was previously approved by the Board of County Commissioners for use as a mini-warehouse facility and approval of the use permit would be consistent with past land use approvals for the site. Mini-warehouse facilities have been found to be compatible uses with abutting residential developments within the County. The site is separated from an existing single family residential development by a flood control channel, which is a substantial buffer to the residences. Therefore, staff finds the proposed use is appropriate at the proposed location and will not result in an adverse effect on adjacent properties.

### Waivers of Development Standards

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

#### Waiver of Development Standards #1

The purpose of the required 27 foot wide drive aisle in a mini-warehouse facility is to allow vehicles to be parked next to a building and have adequate space for other vehicle to drive by. The plans provide the required drive aisle width throughout the facility except for a short distance between a portion of 1 building located on the southwestern corner of the site. The parcel has an odd shape which is a unique circumstance to warrant approval of a reduction for a portion of the building. Since the reduction is for only a portion of a building on a remote portion of the facility, staff finds the reduced drive aisle will not have a adverse impact on this site or the abutting properties and can support the wavier.

#### Waiver of Development Standards #2

The Code does not allow the use of metal siding in vertical patterns for commercial zoning districts. The design of the buildings consists of a combination of decorative metal siding in a vertical pattern, stucco and decorative block. The use of the metal siding is only for portions of the building, not the entire building. The design of the building with a combination of materials will enhance the architecture of the structures, which will provide a more visually pleasing facility that will also enhance the appearance of the community; therefore, staff can support this wavier.

#### Waiver of Development Standards #3

The proposed landscape area along the majority of Giles pie Street will comply with the required design standard. The odd shape of the lot and the existing turn lanc for Giles pie Street are unique circumstances that impact the development of this site and warrant approval of a waiver for a design alternative. Since this request is to allow an alternative for only for a portion of the Giles pie Street frontage; and there are unique circumstances that impact development on this site; staff can support this request.

#### Design Review #1

The design of the buildings with combinations of materials, variations in mass complies in part with Urban Specific Policy 78 of the Comprehensive Master Plan which encourages architectural treatments to eliminate blank building elevations along public rights-of-way to improve visual quality. The buildings also comply in part with Urban Specific Policy 79 of the Comprehensive Master Plan which encourages commercial developments to use visually articulated elements in the design of the buildings. Staff is concerned with the rear elevation of Building E, which is visible from the residential development to the west across the flood channel. Additional architectural enhancements and landscaping should be provided along the west side of Building E to improve the appearance of the project for the residents of the homes on the west side of the

flood channel. With additional architectural enhancements and landscaping along Building E, staff can support the design review.

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

#### **Waiver of Development Standards #4**

Staff cannot support the reduced throat depth as it will create safety issues with vehicles entering the site. The applicant's plans show a curb return driveway that does not comply with the radii and sidewalk standards per Uniform Standard Drawing 222.1. The plans indicate that a modified 25 foot ingress radius will be provided creating a shorter distance for the required sidewalk that is required to continue to the point of curvature of the on-site curb return. This reduced driveway standard creates an even shorter throat depth that essentially reduces the depth to a negative number.

#### **Design Review #2**

This design review represents the maximum grade difference along the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

#### **Staff Recommendation**

Approval of the zone change, use permit, waivers of development standards #1, #2 and #3, and the design reviews; denial of waiver of development standards #4.

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

#### **PRELIMINARY STAFF CONDITIONS:**

##### **Current Planning**

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Provide medium trees 20 feet on center along the western property line adjacent to Building E;
- Provide additional architectural enhancements to the west side of Building E, such as variations in building height, cornices, variations in building materials, and other such enhancements to be approved by staff;
- 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 the use permit, waivers of development standards and design reviews must commence within 2 years of approval date or they will expire.



### Public Works - Development Review

- Drainage study and compliance;
- 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;
- Full off-site improvements;
- Improvements on the south side of the site shall match the curb and gutter of the existing improvements to the south;
- Any vacation of right-of-way shall take into account that dual left turn lanes are required on Gilespe Street and that no vacation of the dedicated right turn lane shall be submitted.
- Applicant is advised that driveway must comply with Uniform Standard Drawing 222.1 unless otherwise waived by this application; that any area of unimproved right-of-way with proposed landscaping or other private improvements must be approved by a waiver of development standards for non-standard improvements in the right-of-way; 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; and that the installation of detached sidewalks will require 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 completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0693-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:  
APPROVALS:  
PROTESTS:**

**APPLICANT: MARK PAUL CONZELMAN**

**CONTACT: JANNA FELIPE, TANEY ENGINEERING, 6030 S. JONES BOULEVARD,  
LAS VEGAS, NV 89118**





# LAND USE APPLICATION 5A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" 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)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  <input type="checkbox"/> APPLICATION REVIEW (AR)	<b>STAFF</b>	DATE FILED: <u>12-3-19</u> PLANNER ASSIGNED: <u>AI</u> ACCEPTED BY: <u>AI</u> FEE: <u>28750</u> CHECK # <u>1014, 1015, 1016</u> COMMISSIONER: <u>MN</u> <u>1017</u> ZONE / AE / RNP: <u>R-2</u> <u>N, DR</u> OVERLAY(S)? <u>N/A</u> PUBLIC HEARING? <input checked="" type="checkbox"/> TRAILS? <u>Y</u> PFNA? <u>Y</u> APPROVAL/DENIAL BY: _____
	<b>PROPERTY OWNER</b>	APP. NUMBER: <u>2E-19-0928</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>1-2-20</u> TIME: <u>6:00</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>1-22-20</u> PLANNED LAND USE: <u>CN</u> NOTIFICATION RADIUS: <u>100'</u> SIGN? <input checked="" type="checkbox"/> N LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	<b>APPLICANT</b>	NAME: <u>SC Gillespie, LP a California limited partnership</u> ADDRESS: <u>2151 Michelson Drive, Suite 140</u> CITY: <u>Irvine</u> STATE: <u>CA</u> ZIP: <u>92612</u> TELEPHONE: <u>714-505-7090</u> CELL: <u>714-914-1391</u> E-MAIL: <u>paul@scdevelopment.net</u>
	<b>CORRESPONDENT</b>	NAME: <u>Mark Paul Conzelman, General Partner of SC Gillespie, LP</u> ADDRESS: <u>2151 Michelson Drive, Suite 140</u> CITY: <u>Irvine</u> STATE: <u>CA</u> ZIP: <u>92612</u> TELEPHONE: <u>714-505-7090</u> CELL: <u>714-914-1391</u> E-MAIL: <u>paul@scdevelopment.net</u> REF CONTACT ID #: <u>196629</u>

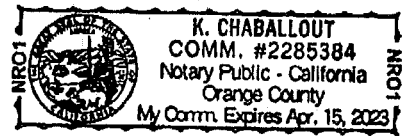
ASSESSOR'S PARCEL NUMBER(S): 177-21-401-024  
 PROPERTY ADDRESS and/or CROSS STREETS: Gillespie Street, north of Silervado Ranch Road  
 PROJECT DESCRIPTION: Mini-Storage Development

(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)\*  
 \_\_\_\_\_  
 Property Owner (Print)

STATE OF California  
 COUNTY OF Orange  
 SUBSCRIBED AND SWORN BEFORE ME ON 10-1-2019 (DATE)

By \_\_\_\_\_  
 NOTARY PUBLIC: Kenan Chaballout



\*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.

ZC-19-0928



2151 Michelson Dr., Ste 140  
Irvine, CA 92612  
[www.scdevelopment.net](http://www.scdevelopment.net)

COMPELLING JUSTIFICATION LETTER AND SITE DESCRIPTION

APN: 177-21-401-024  
9/27/19

The following are the applicable applications for the conforming rezone of the subject 3.24 acres to C-1 Commercial with a Special Use Permit for Mini-Storage:

- Zone Boundary Amendment – Conforming
- Special Use Permit for Mini-Warehouse
- Design Review
- *Waiver of Development Standards (Drive Aisle)*

Property & Location Description:

- ❖ The subject property is a 3.24 acre irregularly shaped remainder parcel that was a result of the major drainage channel developed by the Regional Flood Control District at the northeast corner of Gilespe St & E Richmar Ave. The subject property is triangular shaped and is located between Gilespe St and the Flood Control Channel. The areas surrounding this property are as follows:
    - Northwest – Contiguous to the property is the concrete flood control channel. Past the channel, approximately 80', are existing residential homes.
    - North – Given the parcels triangular shape, the property narrows down to a point on its northern edge.
    - East – Gilespe Street runs contiguous to the property's eastern edge. Across Gilespe Street is a recently constructed apartment community.
    - South – Contiguous to the south is a narrow multifamily project that consists of three buildings located between E. Silverado Ranch Blvd and the subject property.
  - ❖ Previously Approved Project – In 2007 Clark County approved a Mini-Storage project on this property. The application that was approved (NCZ-1076-07) consisted of a Non-conforming Zone Change, Special Use Permit, Design Review, and Waiver of Development Standards. The County Staff found the proposed project to be 'compatible with the surrounding area and is not detrimental to the policies in the Enterprise Land Use Plan'. Staff recommend approval of the project and the County Board of Supervisors approved the proposed Mini-Storage.
1. *The proposal will produce an environment of stable and desirable character consistent with the objectives of the surrounding area of Commercial Neighborhood and the Enterprise Planned Land Use.*
- ❖ The proposed Mini-Storage development will complete the objectives of the surrounding area by constructing enriched landscaping and walking paths along Gilespe Street consistent with the recent multifamily development located on the west side of Gilespe St. The improvements made along Gilespe St will complete the connectivity needed for the walking paths to connect the existing residential developments to the north of the subject property to the commercial area along Silverado Ranch Rd.

- ❖ The Mini-Storage use has minimal impact upon traffic, does not have any significant noise creating features, and provides a compatible use to the neighboring developments.
2. *The density and intensity of the uses allowed by the conforming zoning is compatible with the existing and planned land uses in the surrounding area.*
- ❖ This proposed mini-storage development on 3.24 acres includes a total of 104,859 square feet of self-storage that is located within two 1-story buildings and one 2-story building, plus an additional 3,600 square feet that is located within a 2-story building that comprises the leasing office and manager's living unit. The effective site coverage is 48% and will require an estimated 18" to 48" of fill. The project provides 7 parking spaces, 4 bicycle parking spaces, plus an additional 2 garage parking spaces for the manager's living unit. The property will be completely secure with gated vehicular access. The project has been designed with one point of entry for patrons located in the northern portion of the property to provide appropriate distance from the Gillespie/Silverado Ranch intersection, with a secondary emergency vehicle access only point on the southern portion near the Gillespie and Silverado intersection.
  - ❖ The current zoning classification of Medium Density Residential would require points of ingress/egress and generate significantly much more traffic in the area than the proposed mini-storage. The proposed use of mini-storage is the least intensive commercial use that is possible on this property.
3. *There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and storm water and drainage facilities, as a result of the uses allowed by the conforming zone change.*
- ❖ The proposed mini-storage development will have significantly less impacts upon public facilities and services, such as roads, access, schools, parks, fire and police facilities, and storm water and drainage facilities than any medium density residential development. There will be no impact created upon the schools. This use generates fewer daily traffic trips than medium density residential uses and the majority of all commercial uses. The development of this project will allow for the parkway and road along Gillespie St in front of this property to be constructed and provide pedestrian connectivity through the sidewalks and landscaping being completed.
4. *The proposed conforming zoning amendment conforms to other applicable plans, goals, and policies.*
- ❖ The Enterprise TAB has successfully implemented goals and standards that create a beautiful street scene throughout this area. We have researched the landscaping palate of the recently approved developments, such as the multifamily community across Gillespie from this property and ensured that we are staying consistent with the landscaping and enhancing it where possible. We have designed a meandering sidewalk with continuous landscaping along the entire Gillespie frontage. The project has also carefully taken into consideration site design in order to avoid any lighting impacts upon contiguous neighbors. Sight lighting will be located to illuminate within the property and not to have



2151 Michelson Dr., Ste 140  
Irvine, CA 92612  
[www.scdevelopment.net](http://www.scdevelopment.net)

any spillover into surrounding areas.

5. *The proposed conforming zoning does not establish an undesirable precedent.*
- ❖ The location and site geometry of this property does not create any type of precedent for other properties. These features are unique to this property within the area.

Thank you for the opportunity to submit this compelling justification letter and site description for the proposed mini-storage. We are excited to develop this Class A Mini-Storage project and to enhance the overall area.

Sincerely,

M. Paul Conzelman  
General Partner  
SC Gillespie, LP  
(714) 617-9820

02/18/20 PC AGENDA SHEET

CONVENIENCE STORE/GASOLINE SALES  
(TITLE 30)

RAINBOW BLVD/PYLE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**DR-19-0851-A B S MOUNTAINS EDGE ENTERPRISE, LLC:**

**DESIGN REVIEWS** for the following: 1) revisions to a proposed convenience store with gasoline sales; 2) lighting; and 3) signage in conjunction with an approved shopping center on 5.0 acres in an M-D (Designed Manufacturing) Zone.

Generally located on the east side of Rainbow Boulevard and the south side of Pyle Avenue within Enterprise. JJ/pb/ja (For possible action)

---

RELATED INFORMATION:

**APN:**  
176-26-301-001

**LAND USE PLAN:**  
ENTERPRISE - INDUSTRIAL

**BACKGROUND:**  
**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 5
- Project Type: Convenience store with gasoline sales, lighting, and signage
- Number of Stories: 1
- Building Height (feet): 22 (convenience store)/17 (fuel canopy)
- Square Feet: 3,000 (convenience store)
- Parking Required/Provided: 163/163 (overall shopping center)

Request

This application fulfills a portion of 2 conditions of approval. UC-0479-17, which was for a shopping center approved with a condition for "design review as a public hearing for signage and lighting." In addition, WS-18-0653, for modifications to the layout of the shopping center, was approved with a condition for "signage and lighting as a public hearing." This application is to review the lighting, signage, and revisions for the approved convenience store and gasoline sales on a portion of the shopping center only. A separate design review as a public hearing will still be required for the lighting and signage for the remainder of the shopping center.

### Site Plans

The plans depict an approved 32,600 square foot shopping center consisting of a convenience store with gasoline pumps, tavern, and an in-line retail building that includes various restaurants and personal service uses. The convenience store and gasoline pumps are located on the northern portion of the site. The tavern is located near the west center of the site along Rainbow Boulevard, and the in-line retail building is located towards the south half of the development. A total of 163 parking spaces are distributed throughout the site. The site has access to both Rainbow Boulevard and Pyle Avenue.

The pad site locations for the convenience store and gasoline pumps are being slightly revised with this application. The previously approved vehicle wash is no longer depicted on the plans. These buildings are essentially in the same approved locations within the shopping center, however, internal parking areas and drive aisles have changed slightly. The loading area for the convenience store includes an 8 foot high screen wall and is located on the eastern side of the building.

### Landscaping

A 15 foot wide landscape area with a detached sidewalk is depicted along Rainbow Boulevard and Pyle Avenue. A landscape area 10 foot wide with intense landscaping per Figure 30.64-12, is located along the eastern property line. Interior parking lot trees are distributed throughout the site.

### Elevations

The proposed convenience store is single story, will range in height from 20 feet to 22 feet, and will be similar in design to the previously approved plan. The building materials consist of painted stucco with decorative inserts, metal sheeting and band accents, decorative metal awnings, and aluminum window treatments. The roof of the building is flat with parapet walls at various heights. The fuel canopy is 17 feet high and will have similar materials and design as the convenience store.

### Floor Plans

The convenience store has an area of 3,000 square feet consisting of customer service areas, sales floor, storage areas, restrooms, and an office.

### Lighting

The lighting plan consists of 4 single head lights and 2 double head lights at a maximum height of 20 feet. All of the lighting is hooded/shielded and projected downward. The lights are distributed within the parking lot.

### Signage

The plans depict a 35 foot high, 264 square foot freestanding sign located on the northwestern portion of the site, at the intersection of Rainbow Boulevard and Pyle Avenue. The plans also depict multiple illuminated wall signs between 52 square feet and 304 square feet on the north, south, and west sides of the convenience store building and the fuel canopy. The signs are for a "U.S. Market".



**Applicant's Justification**

The applicant indicates that the general design and layout have not changed significantly from the prior approval in 2018 and are compatible with the approved shopping center. According to the applicant, the lighting and signage meets all Title 30 standards and satisfies portions of 2 previous conditions of approval. The applicant also indicates that the lighting plan and signage are for the convenience store portion of the site only, and lighting plans for the remainder of the shopping center will be submitted at a later date by future developers.

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-19-0775	Lighting for a tavern	Approved by PC	November 2019
ET-19-400121 (UC-0479-17)	First extension of time for a shopping center	Approved by PC	November 2019
WS-18-0653	Modifications to the convenience store with gasoline sales, car wash, and tavern within an approved shopping center (waiver of development standards was withdrawn)	Approved by PC	October 2018
WC-18-400195 (UC-0479-17)	Waived the condition of a use permit requiring development per revised plans submitted July 18, 2017	Approved by PC	October 2018
VS-18-0345	Vacated easements	Approved by PC	May 2018
TM-18-500056	1 lot commercial subdivision on 5 acres	Approved by PC	May 2018
UC-0479-17	Shopping center with various uses in an M-D zone (tavern, convenience store, gasoline sales, vehicle wash, personal services, offices, retail, & restaurant); waivers for reduced separation for a convenience store to a residential use, reduced separation for a vehicle wash to a residential use, allowed a vehicle wash bay to face a public street, and allowed modified commercial driveway geometrics	Approved by PC	July 2017
XC-0009-06	Reclassified the site to M-D zoning for a shopping center with various uses (retail, office, restaurant, & tavern), reduced the separation from tavern to a residential use, and a car wash bay to face a public street	Approved by BCC	February 2006

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities	R-E	Public facilities building for Clark County

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South & East	Industrial	R-2	Single family residential subdivision
West	Commercial Neighborhood	C-1	Undeveloped

### STANDARDS FOR APPROVAL:

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

#### Analysis

##### Current Planning

##### Design Review #1

A convenience store with gasoline service is permitted in an M-D zone subject to the approval of a special use permit and maintaining a 200 foot separation from a residential use. The convenience store were approved in 2018 with a 55 foot separation. Staff finds that the final design and layout of the project still meets these separations and conforms to all other Code requirements. The design of the buildings is similar to the original design and conforms to the conditions of approval from the original land use applications. The proposed buildings are constructed with decorative materials and have parapet walls at varying heights to break-up the horizontal roof line. The buildings will have architectural enhancements such as pop-outs, aluminum storefront systems, and stone veneer to enhance the visual appearance of the buildings. The request complies with Urban Land Use Policy 78 of the Comprehensive Master Plan which encourages architectural treatments on all building sides to eliminate blank elevations along public rights-of-way and areas visible to the general public to improve visual quality; therefore, staff can support this portion of the request.

##### Design Review #2

All of the lighting complies with Title 30 standards, and the photometric plan indicates that light will not spill onto adjacent properties. Staff finds that the lighting complies with Urban Specific Policy 15 of the Comprehensive Master Plan which states that lighting design should be sensitive to on-site and off-site residential uses, and all exterior light sources should be shielded; therefore, staff can support the request.

##### Design Review #3

The proposed signs meet Code requirements in terms of size and height, and staff finds that the signs will be constructed with similar materials as the building on the site in conformance with Urban Specific Policy 20 of the Comprehensive Master Plan which states all signage should be compatible with building styles on-site and also with surrounding development; 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**

- 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 55 feet to the back of curb for Rainbow Boulevard, 35 feet to the back of curb for Pyle Avenue, and the associated spandrel;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with RTC standards.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Building Department - Fire Prevention**

- No comment.

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0630-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:  
APPROVALS:  
PROTESTS:**

**APPLICANT:** ALAN PERLMUTTER  
**CONTACT:** LEBENE AIDAM-OHENE, BROWN BROWN & PREMSRIRUT, 520 SOUTH FOURTH STREET, #200, LAS VEGAS, NV 89101





# LAND USE APPLICATION 6A

## 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 checked="" 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>10/24/19</u> PLANNER ASSIGNED: <u>JMP</u> ACCEPTED BY: _____ FEE: <u>\$675.00</u> CHECK #: <u>4686</u> COMMISSIONER: <u>JS</u> OVERLAY(S)? <u>NA</u> PUBLIC HEARING? <input checked="" type="checkbox"/> IN TRAILS? Y <input checked="" type="checkbox"/> / N <input type="checkbox"/> PFNA? <input checked="" type="checkbox"/> IN APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>DR-19-0851</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>11/27</u> TIME: <u>6:00p</u> PC MEETING DATE: <u>12/17/19</u> BCC MEETING DATE: _____ ZONE / AE / RNP: <u>M15/NA</u> PLANNED LAND USE: <u>RND</u> NOTIFICATION RADIUS: <u>500</u> SIGN? Y <input checked="" type="checkbox"/> N <input type="checkbox"/> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>ABS Mountains Edge Enterprise, LLC</u> ADDRESS: <u>1633 Broadway</u> CITY: <u>New York</u> STATE: <u>NY</u> ZIP: <u>10019</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>	
	APPLICANT	NAME: <u>Alan Perlmutter/Eli Applebaum</u> ADDRESS: <u>6655 West Sahara Ave, B200-113</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>(702) 528-2301</u> CELL: <u>N/A</u> E-MAIL: <u>realestatedeveloper1@gm</u> REF CONTACT ID #: <u>172236</u>	
	CORRESPONDENT	NAME: <u>Jay Brown/Lebene Ohene</u> ADDRESS: <u>520 South Fourth Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89131</u> TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u> E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>	

ASSESSOR'S PARCEL NUMBER(S): 176-26-301-001

PROPERTY ADDRESS and/or CROSS STREETS: Rainbow Blvd & Mountains Edge Pkwy

PROJECT DESCRIPTION: Design Review as a public hearing for a gasoline station and convenience store

(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.

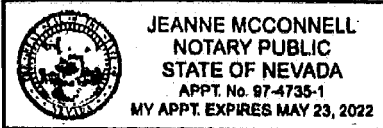
\_\_\_\_\_  
 Property Owner (Signature)\*

\_\_\_\_\_  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON Oct. 16, 2019 (DATE)  
 By Eli Applebaum

NOTARY PUBLIC: Jeanne McConnell



\*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.

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

October 24, 2019

Current Planning Division  
Department of Comprehensive Planning  
Clark County, Nevada  
500 Grand Central Pkwy  
Las Vegas, Nevada 89155-1841

**Re: ABS Mountains Edge Enterprises LLC,  
Justification Letter –Design Reviews (Public Hearing) for  
a portion of a commercial center consisting of a  
convenience store with gasoline station and A Sign and  
Lighting Plan (all per conditions of approval UC-17-0479  
and WS-18-0653)**

**Parcel #: 176-20-201-008**

To Whom It May Concern:

On behalf of our client ABS Mountains Edge Enterprises, please accept this justification letter for a proposed redesign of a portion of a commercial center consisting of a convenience store with a gasoline station on a portion of 5.0 acres in an M-D zone. The commercial center is located on the southeast corner of Rainbow Boulevard and Mountains Edge Parkway and was previously approved by action on UC-17-0479 and WS-18-0653. The original approval for use for the commercial center included special use permits for the convenience store and gasoline station, a tavern, and a retail/office building. The Tavern (Village Pub) is currently under Building Plan Review. A lighting plan (DR-19-0775) for the Village Pub located south of the subject portion of the site is going through the land use process with the Planning Department and is scheduled for the October 30, 2019 Enterprise Town Advisory Board meeting, and the November 19, 2019 Planning Commission meeting. Access to the site is from Rainbow Boulevard to the west of the site and Mountains Edge Parkway on the north side of the site.

CIVIL  
ENGINEERING

The proposed redesigned of the subject portion of the center consists of a 3,000 square foot convenience store with a height of up to 20 feet maximum at the highest points. The building has a stucco finish with architectural features and enhancements that include a combination of the following features: parapets, metal fascia, architectural insets, reveals, stone veneers on portions of the building and canopy, fenestration, pop-outs and metal awnings. The gasoline fuel canopy is up to 18 feet high and has some of the same architectural features and enhancements as the convenience store, the Tavern under plan review and the future retail/office building within the commercial center. The landscape area along Rainbow Boulevard consists of a 15 foot wide minimum area with a five foot wide landscaping area at back of curb, a five foot wide detached and attached sidewalk, and five foot or more wide landscape area behind the sidewalk. A detached and attached five foot wide sidewalk is depicted along Mountains Edge Parkway with the required landscaping consisting a 15 foot wide area along the street frontage. An up to 11 foot wide minimum landscape buffering/screening area with intense landscaping and existing six foot high zone boundary walls are depicted along the south and east property lines.

**We respectfully request approval of the following applications for the proposed uses:**

**Design Reviews:**

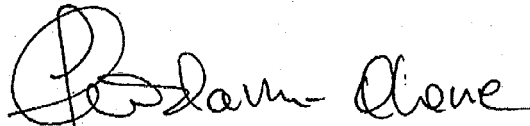
- 1) A re-designed of a previously approved commercial center consisting of a previously approved convenience store with a gasoline.
- 2) A Sign Package
- 3) A Lighting Plan

The redesign of the commercial center complies with Code requirements and complies with the goals and policies outlined in the Land Use Plan for commercial developments and complies with the conditions of approval of the previous applications for the site (UC-17-0479 and WS-18-0653).

We respectfully request your positive review and approval of the applications.  
Please let us know if you have any questions or need any further information.

Sincerely,

BROWN, BROWN & PREMSRIRUT

A handwritten signature in black ink, appearing to read "Lebene A. Ohene". The signature is written in a cursive style with a large initial "L".

Lebene A. Ohene  
Land Use and Development



02/18/20 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT EL CAPITAN WAY/CACTUS AVE  
(TITLE 30)

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**NZC-19-1009-USA:**

**ZONE CHANGE** to reclassify a portion of 35.7 acres of a 50 acre site from R-E (Rural Estates Residential) Zone to R-2 (Medium Density Residential) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase wall height; and 2) reduced street intersection off-set.

**DESIGN REVIEWS** for the following: 1) a proposed single family residential development; and 2) increase finished grade on 35.7 acres.

Generally located on the east side of El Capitan Way and the north side of Cactus Avenue within Enterprise (description on file). JJ/md/ja (For possible action)

RELATED INFORMATION:

APN:  
176-29-801-007 ptn

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase combined screen wall and retaining wall height to 11 feet (5 foot retaining wall and 6 foot screen wall) where a maximum of 9 feet (3 foot retaining wall and 6 foot screen wall) is permitted per Figure 30.64-15 (a 22.2% increase).
2. Reduce street intersection off-set to a minimum of 105 feet where a minimum of 125 feet is required per Section 30.52.052(c) (a 16% reduction).

**DESIGN REVIEWS:**

1. A proposed single family residential development.
2. Increase finished grade up to 144 inches (12 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 700% increase).

**LAND USE PLAN:**

ENTERPRISE - PUBLIC FACILITIES & RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 35.7 (single family residential development)/50 (overall) portion
- Number of Lots: 253

- Density (du/ac): 7.1
- Minimum/Maximum Lot Size (square feet): 3,455/5173 (gross and net)
- Project Type: Single family residential development
- Number of Stories: 2 (single family residences)/1 (recreation building)
- Building Height (feet): 28 (single family residences)/15 (recreation building)
- Square Feet: 1,710 to 2,099 (single family residences)/3,813 (recreation building)
- Open space: 125,498 (provided)/No open space required

### **Neighborhood Meeting Summary**

This request is to reclassify approximately 35.7 acres of a 50 acre site from an R-E zone to an R-2 zone to allow a single family residential development. The applicant conducted a neighborhood meeting at the Doral Academy of Nevada on December 16, 2019, as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site. Twenty-four persons attended the meeting expressing concerns over vehicular traffic generated by the development, on-site drainage, and the length of construction for the residential development.

### Site Plans

The plans depict a single family residential development consisting of 253 lots on 35.7 acres at a density of 7.1 dwelling units per acre. The minimum and maximum lot sizes are 3,455 square feet and 5,173 square feet, respectively. A single story recreation facility exclusively for the use of the residents is located within the southwest portion of the proposed development, at the northwest corner of 2 private streets, Bee Balm Street and Cone Flower Avenue. The primary ingress and egress to the proposed development is via a 59.5 foot wide private street, Scabiosa Drive, which connects to Cactus Avenue and El Capitan Way. A 5 foot wide attached sidewalk is provided on both sides of Scabiosa Drive. The residential development is serviced by a network of internal private streets measuring 43 feet in width. Five foot wide attached sidewalks are proposed along one side of the private streets. An existing attached 5 foot wide sidewalk is located along Cactus Avenue while a 5 foot wide detached sidewalk is proposed along El Capitan Way. The highest concentration of fill, measuring 12 feet in depth, is located between lots 109 and 192 and is centrally located within the development.

### Landscaping

A proposed landscape area measuring 15 feet in width, including a 5 foot wide detached sidewalk, is located along El Capitan Way. Twenty-four inch box trees are planted 40 feet on center within the landscape area in addition to shrubs and groundcover. A proposed landscape area measuring 15 feet in width, located behind an existing 5 foot wide attached sidewalk, is located along Cactus Avenue. Twenty-four inch box trees are planted 40 feet on center within the landscape area in addition to shrubs and groundcover. The proposed development features 15 common element lots totaling 125,498 square feet of open space. The recreation building is located on common element lot "O", consisting of 49,258 square feet. The proposed 11 foot high wall (5 foot retaining wall and 6 foot screen wall) is located within the northeastern portion of the site, along the east property line of lots 217 through 226 and common element lot "N".

Elevations

The plans depict 3 different model homes each featuring 3 varying elevation models. The 2 story models have a maximum height of up to 28 feet. The proposed models consist of a stucco exterior with a pitched, concrete tile roof. The plans depict different options on the elevations such as pop-outs, shutters, window trims, and stone veneer. The recreation building measures 15 feet in height and features a pitched, concrete tile roof. The building features a stucco exterior with decorative stone veneer.

Floor Plans

The plans depict 2 story model homes ranging in size from 1,710 square feet to 2,099 square feet depending on the option selected. The model homes have options for multiple bedrooms, loft, living room, and a great room. Two car garages are featured with each model home ranging between 466 square feet to 522 square feet. The recreation building measures 3,813 square feet and features a lounge, restrooms, conference room, and a fitness center. A 695 square foot covered outdoor patio area is featured at the rear of the building, adjacent to the pool area.

Signage

Signage is not a part of this request.

Applicant's Justification

A waiver of development standards to increase the combined retaining and screen wall height is requested as the drainage site flows from west to east within the boundaries of the project site, matching to Spanish Ridge Avenue (the street north of the site). The building pads along the east side of the site will be set higher; therefore, will be higher than the existing ground adjacent to the site. A second waiver is being requested to reduce the street off-set at the 2 entry streets to the development.

The main street through the development, Scabiosa Drive, is designed in a manner so residences do not front on the street and that it can serve more as a residential collector street to carry vehicular traffic out to the perimeter streets, Cactus Avenue and El Capitan Way. The site was also designed to match up to the existing residential homes to the east such that the total number of lots along the common line would match. The proposed configuration allows for the existing wall along the shared property line to be utilized and minimize the use of double walls abutting the existing residential development. The applicant states there is an existing large wash running through the project site that will be filled and an arch pipe installed. The proposed fill is from the flow line of the channel and is needed in order to take the existing storm drain underground. This is a general benefit for the area and will match into what is upstream and downstream from the proposed development.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-18-0926	Reclassified a 15 acre portion of the project site from R-E to a P-F zoning for an elementary school	Approved by BCC	January 2019

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Residential Suburban (up to 8 du/ac) and Major Development Project (Mountain's Edge – Suburban Residential 8 du/ac)	P-F, R-E, and R-2	Elementary school currently under construction & single family development
South	Open Land (open space/grazing/vacant land; residential up to 1 du/10 ac) and Public Facilities	R-E and P-F	Undeveloped & water reservoir and pump station with a communications tower
East & West	Major Development Project (Mountain's Edge – Suburban Residential 8 du/ac)	R-2	Single family residential development

\*The subject parcel is located within the Public Facilities Needs Assessment area.

**Related Applications**

<b>Application Number</b>	<b>Request</b>
TM-19-500269	A tentative map consisting of 253 single family residential lots is a companion item on this agenda.
VS-20-0035	A request to vacate easements is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Zone Change

The applicant shall provide Compelling Justification that approval of the nonconforming zoning boundary amendment is appropriate. A Compelling Justification means the satisfaction of the following criteria as listed below:

1. A change in law, policies, trends, or facts after the adoption, readoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate.

The applicant states the proposed development (35 acres) is a portion of a 50 acre parcel that was auctioned off by the BLM for development. Fifteen acres of this property were master planned for Public Facilities use, these are located on the portion of land being proposed for the residential subdivision. The north 15 acres of this 50 acre property is being developed as a public elementary school currently, but this portion of the 50 acres is master planned RS instead of Public Facilities. Based on this development pattern, it is believed the intent of having 15 acres of the overall 50 acres of Public Facilities (school) are met and this nonconforming zone change to R-2 zoning should be acceptable and appropriate for the area since the 50 acre site was

master planned to have 35 acres of RS land use development. In addition, it is the applicant's belief the proposed development is appropriate and compatible since most of the adjacent developed areas are constructed as single family residential subdivisions.

Immediately to the east and west of the project site are existing single family residential developments ranging between 4.6 dwelling units up to 8 dwelling units per gross acre. The trend in this area is for additional residential development and less commercial development. The proposed zone change to R-2 for single family residential development is consistent and compatible with existing and approved development in this area and is appropriate for this location.

2. The density and intensity of the uses allowed by the nonconforming zoning is compatible with the existing and planned land uses in the surrounding area.

The applicant states the proposed single family detached development is planned to be built out at a density of approximately 7.1 dwelling units per acre. The existing residential land uses in the area are located in the Mountain's Edge master planned development and range from 5 dwelling units per acre to 10 dwelling units per acre. Directly abutting this development to the east are residential developments with similar densities (over 8 dwelling units per acre and under 6 dwelling units per acre) and intensities to those proposed. The proposed density and intensity will result in a land use that is consistent with the surrounding residential area.

Immediately to the west of the project site, across El Capitan Way, is an existing single family residential development zoned R-2 with 4.6 dwelling units per acre. To the east of the site is an existing single family residential development zone R-2 with 8 dwelling units per acre. Therefore, staff finds that the density and intensity of the proposed project, a single family residential development with a density of 7.1 dwelling units per gross acre, is compatible with existing and planned land uses in the surrounding area.

3. There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed by the nonconforming zoning.

The applicant does not anticipate a substantial adverse effect on public facilities and services above what was already planned. This is based on the land use plan which has a portion of the parcel planned for Residential Suburban uses. Technical studies will be prepared to address any drainage and water related impacts as part of the civil plan review process.

There has been no indication from service providers that this request will have a substantial adverse effect on public facilities and services. The school district has indicated that this development would generate 51 additional elementary school students, 27 middle school students, and 36 high school students. Wright Elementary School would serve this development and is currently over capacity by 459 students. However, the elementary school that is currently under construction will serve this development. The school district indicates Faiss Middle School and Desert Oasis High School are both over capacity and will serve the proposed development. While no open space is required for this development, the applicant has provided

125,498 square feet of open space throughout the subdivision, including a 3,813 square foot recreation building with an outdoor pool to mitigate any impact the residential development may have on the existing park facilities in the surrounding area.

4. The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies.

Per the applicant, the Enterprise Land Use Plan Goal 4 states, "Provide opportunities for additional single family and encourage appropriate site planning and architectural design." The proposed development satisfies this goal by providing single family homes with appropriate site planning and architectural design that is compatible to the surrounding existing residential developments.

This project complies with Goal 7 of the Comprehensive Master Plan to provide housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. There are existing residential developments in this area that are developed with densities of 4.6 dwelling units per acre and 8 dwelling units per acre. The proposed project is a single family residential development with a density of 7.1 dwelling units per acre, which is a transition between these existing developments. Therefore, staff finds the project complies with Urban Specific Policy 4 of the Comprehensive Master Plan to preserve existing residential neighborhoods by encouraging vacant lots within this area to develop at similar densities as the existing area.

#### **Summary**

##### Zone Change

Staff finds that there is a trend changing the character and condition of the area which makes this request appropriate. The density and intensity of the proposed project is consistent and compatible with existing and planned developments in this area. There has been no indication that the proposed project will have an adverse effect on public services or facilities in this area. The proposed project complies with other goals and policies within the Comprehensive Master Plan. Staff finds the applicant has provided a Compelling Justification to warrant approval of the nonconforming zone boundary request.

##### Waivers of Development Standards

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

##### Waiver of Development Standards #1

Staff finds that the wall should not adversely impact the surrounding properties and that similar requests have been approved for other residential developments in Clark County. The topography and drainage of the project site warrants an increase to the retaining wall height. The additional 2 feet above the maximum allows 9 foot high combined wall/retaining wall should not negatively impact the adjacent land uses. Therefore, staff can support this request.

### Design Reviews #1

Architectural enhancements are provided on all sides of the proposed residences and recreation building. Staff finds that the design of the residences and recreation building comply with Urban Land Use Policy 43 which promotes projects that provide varied neighborhood design and/or innovative architecture that includes varied setbacks from residences to front property lines, reduced visual dominance of garages, varied rooflines, and/or architectural enhancements on all sides. Staff finds the design of the proposed development is effective for both pedestrian and vehicular safety and is compatible with the surrounding residential development within the area. Therefore, staff recommends approval of the design review.

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

#### Waiver of Development Standards #2

Staff has no objection to the reduction in street intersection off-set for both the entry street on El Capitan Way and the street on Cactus Avenue. With additional common elements adjacent to the entry streets, visibility will be improved for those entering the site.

#### Design Review #2

This design review represents the maximum grade difference along the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

### **Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on March 18, 2020 at 9:00 a.m. unless otherwise announced.

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**

- Resolution of Intent to complete in 4 years;
- Design review as a public hearing for future model homes;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- 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.

**Public Works - Development Review**

- 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;
- Full off-site improvements;
- Right-of-way dedication to include 50 feet for Cactus Avenue, 35 feet to back of curb for El Capitan Way, and the associated spandrel.
- 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; and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0554-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS: 2 protest letters**

**APPLICANT: AMH DEVELOPMENT, LLC**

**CONTACT: JANNA PELIPE, TANEY ENGINEERING, 6030 S. JONES BOULEVARD,  
LAS VEGAS, NV 89118**





# LAND USE APPLICATION

# 7A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" 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 #)	<b>STAFF</b> DATE FILED: <u>12/31/19</u> APP. NUMBER: <u>NZC-19-1009</u> PLANNER ASSIGNED: <u>MND</u> TAB/CAC: <u>ENTERPRISE</u> ACCEPTED BY: <u>MND</u> TAB/CAC MTG DATE: <u>1/29/20</u> TIME: <u>6:00PM</u> FEE: <u>\$4,735</u> PC MEETING DATE: <u>2/19/20</u> TIME: <u>7:00P.M.</u> CHECK #: <u>1303679, 1303680, 1303676</u> BCC MEETING DATE: <u>3/18/20</u> TIME: <u>9:00AM</u> COMMISSIONER: <u>JAMES 26096</u> ZONE / AE / RNP: <u>R-E TO R-2</u> OVERLAY(S)? <u>NONE</u> PLANNED LAND USE: <u>EMPP &amp; ENTERS</u> PUBLIC HEARING? <input checked="" type="checkbox"/> <u>YES</u> NOTIFICATION RADIUS: <u>1500' SIGN 1/4"</u> TRAILS? <input checked="" type="checkbox"/> <u>NO</u> PFNA? <input checked="" type="checkbox"/> LETTER DUE DATE: <u>-</u> APPROVAL/DENIAL BY: <u>-</u> COMMENCE/COMPLETE: <u>-</u>
	<b>PROPERTY OWNER</b> NAME: <u>AMH NV6 Development, LLC</u> ADDRESS: <u>30601 Agoura Road, Suite 200</u> CITY: <u>Agoura Hills</u> STATE: <u>CA</u> ZIP: <u>91301</u> TELEPHONE: <u>702-960-1575</u> CELL: <u>702-292-1733</u> E-MAIL: <u>tkolstad@ah4r.com</u>
	<b>APPLICANT</b> NAME: <u>AMH Development West GC, LLC</u> ADDRESS: <u>280 Pilot Road, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-960-1575</u> CELL: <u>702-292-1733</u> E-MAIL: <u>tkolstad@ah4r.com</u> REF CONTACT ID #: <u>183178</u>
	<b>CORRESPONDENT</b> NAME: <u>Taney Engineering Attn: Janna Felipe</u> ADDRESS: <u>6030 S. Jones Blvd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: <u>702-362-8844</u> E-MAIL: <u>jannaf@taneycorp.com</u> REF CONTACT ID #: <u>132565</u>

ASSESSOR'S PARCEL NUMBER(S): 176-29-801-007  
 PROPERTY ADDRESS and/or CROSS STREETS: Cactus & El Capitan  
 PROJECT DESCRIPTION: Residential Subdivision

(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)\*

Dana Rogers 11/6/19  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON Nov 6th, 2019 (DATE)  
 By Dana Rogers

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.

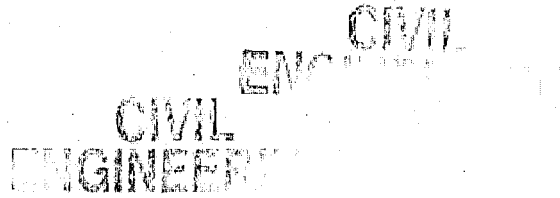


# TANEY ENGINEERING

6030 S. JONES BLVD. LAS VEGAS, NV 89118  
PHONE: (702) 362-8844 | FAX: (702) 362-5233  
TANEYCORP.COM

December 30, 2019

Clark County – Current Planning  
500 South Grand Central Parkway  
Las Vegas, NV 89155



**Re: Cactus & El Capitan – Compelling Justification (APN: 176-29-801-007)**

To Whom It May Concern:

Taney Engineering is respectfully submitting a compelling justification letter for a non-conforming zone change, for a proposed residential subdivision.

**Compelling Justification:**

The following are responses to the requirements for the compelling justification as identified in Title 30.08:

- 1. A change in law, policies, trends, or facts after the adoption, re-adoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed amendment appropriate;***

**Response:**

The proposed development (35 acres) is a portion of a 50 acre parcel that was auctioned off by the BLM for development. 15 acres of this property were master planned for public facilities use, these are located on the portion of land being proposed for the residential subdivision. The north 15 acres of this 50 acre property are being developed for a public elementary school currently, but this portion of the 50 acres is master planned RS instead of PF public facilities. Based on this development pattern, it is believe the intent of having 15 acres of the overall 50 acres for public facilities (school) are met and this non-conforming zone change to R-2 zoning should be acceptable and appropriate for the area since the 50 acre site was master planned to have 35 acres of RS land use development. In addition, it is our belief the proposed development is appropriate and compatible since most of the adjacent developed areas are constructed as single family residential subdivisions.

- 2. The density or intensity of the uses allowed by the amendment is compatible with the existing and planned land uses in the surrounding area;***

**Response:**

The proposed single family detached development is planned to be built out at a density approximately 7.3 units per acre. The existing residential land uses in



## TANEY ENGINEERING

6030 S. JONES BLVD. LAS VEGAS, NV 89118  
PHONE: (702) 362-8844 | FAX: (702) 362-5233  
TANEYCORP.COM

the area are located in Mt Edge master plan development and range from 5 units up to 10 units per acre. Directly abutting this development to the east are residential developments with similar densities (over 8 units per acre and just under 6 units per acre) and intensities to those proposed. The proposed density and intensity will result in a land use that is consistent with the surrounding residential area.

3. ***There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed;***

**Response:**

We do not believe that there will be a substantial adverse effect on public facilities and services above what was already planned. This is based on since the land use plan had the . Technical studies will be prepared to address any drainage and water related impacts as part of the civil plan review process. Impacts to the schools, parks, fire and police are part of the RISE report and included in this submittal.

4. ***The proposed amendment conforms to other applicable adopted plans, goals, and policies.***

**Response:**

The Enterprise Land Use Plan Goal 4 states, "Provide opportunities for additional single family and encourage appropriate site planning and architectural design." The proposed development satisfies this goal by providing single family homes with appropriate site planning and architectural design that is compatible to the surrounding existing residential developments.

Respectfully,  
TANEY ENGINEERING

Brian Myers, P.E.  
Project Manager



# TANEY ENGINEERING

6030 S. JONES BLVD. LAS VEGAS, NV 89118  
PHONE: (702) 362-8844 | FAX: (702) 362-5233  
TANEYCORP.COM

December 31, 2019

Clark County Comprehensive Planning  
500 South Grand Central Parkway  
Las Vegas, NV 89155

N2C-19-1009  
**PLANNER  
COPY**

**Re: Cactus and El Capitan – Project Description  
Non-Conforming Zone Change, Tentative Map, Design Review, Waiver of Development  
Standards, and Vacation (APN: 176-29-801-007)**

To whom it may concern:

On behalf of our client, AMH Development, Taney Engineering is respectfully submitting a project description letter for a Non-Conforming Zone Change, Tentative Map, Design Review, Waiver of Development Standards, and Vacation for a proposed 35.7 acres, 253 lots residential subdivision.

**Project Description:**

The project consists of a 35.7 acres, 253 lots residential subdivision with 7.1 lots per acre located at the northeast corner of Cactus & El Capitan. Currently the site is zoned R-E – Rural Estates Residential, with a planned land use RS – Residential Suburban. We are proposing to rezone to R-2 zoning. The project site is bound by properties with planned land use and zoning as follows:

- North: R-E - Residential Estates (2 units per Acre) - and R-S – Residential Suburban (Elementary School presently under construction)
- South: R-E - Residential Estates (2 units per Acre) – and O-L – Open Land
- East: R-2 - Medium Density Residential (8 units/acre) – and MDP – Major Development Project (part of Mt Edge)
- West: R-2 - Medium Density Residential (8 units/acre) – and MDP – Major Development Project (part of Mt Edge)

The subdivision will have access to the site from Cactus & El Capitan. There will be 2-car garages provided for each unit plus two guest parking spaces for a total of 506 parking spaces. In addition a small parking lot is being provided at the community center and pool area. Perimeter landscaping is being provided along Cactus (15-ft from back of attached sidewalk to perimeter wall) & El Capitan (15-ft from back of curb to perimeter wall including detached 5-ft wide sidewalk).

**Design Review**

The houses will range in size from approximately 1,907 square feet to 2,045 square feet and will consist of two-story homes (height of two-story homes will not exceed 27' ¾") with two car garages. It is the intent of the developer to also construct single story homes as well in this community, unfortunately the architecture for the single story home is not available presently, but will be similar to the two story homes being submitted. If an additional design review is required for the single story home it can be conditioned and submitted once design drawings are completed.

The proposed development is providing open space and active amenities for recreation for the residence. This area will consist of an outdoor pool and clubhouse with a small parking lot for residence to use for community meetings and gatherings. It should be noted no open space is required by title 30, but is being provided for the residence.



## TANEY ENGINEERING

6030 S. JONES BLVD. LAS VEGAS, NV 89118  
PHONE: (702) 362-8844 | FAX: (702) 362-5233  
TANEYCORP.COM

We are requesting a design review for excess fill over 18" (up to 12-ft (144-inches) of fill from the base of the existing flowline of the channel). The existing large wash running through the site will be filled and an arch pipe installed. The proposed fill is from the flow line of the channel and is needed order to take the existing storm drain underground. This is a general benefit for the area and will match into what is upstream and downstream form the proposed development.

The main street through the development is designed in a manner so no homes front this street and it can serve more as a residential collector to carry traffic out to the perimeter streets (Cactus and El Capitan). This 59.5-ft private street is designed with sidewalk on both sides of the street along with adjacent landscape buffering form the adjacent homes. The residential homes are located on private streets 38-ft in width with a 5-ft wide sidewalk along one side of each street. The site was also design to try to match up to the existing residential homes to the east such that total numbers of lots along the common property line would match. Much of this property line is abutting a proposed landscape area of at least 5-ft in width minimum, that abuts a residential street. This configuration allows for the existing wall along the shared property line to be utilized and minimize the use of double walls abutting.

It should be noted that the existing drainage easements on the property will be requested to be vacated once a drainage study is approved and new easement widths and locations are determined for proposed underground storm drain system. When the vacation is submitted it will also include any vacation of roadway easements needed for detached sidewalk as well. Other utility easements exists on the site and are in the process of being relinquished as they are no longer needed or used. A copy of the ALTA survey showing the existing easements on the property has been provided for reference.

### Waiver of Development Standards

We are requesting a waiver of development standards for wall height exceeding 9' (5' max retaining wall along east boundary with a 6' decorative wall on top, 30.64.050 a.4.A). The drainage flows from west to east of the site and we are matching to Spanish Ridge Avenue (the street north of the site). The pads along the east side of the site will be set higher therefore it will be higher than the existing ground adjacent to the site.

A waiver is also being requested at both entry streets as the street offset of 125-ft from the external street is not met at either location. The offset is approx. 105-ft at both locations.

We are hopeful that this letter clearly describes the project and the intent of the proposed development.

Respectfully,

Markella Garanyants  
Designer I  
TANEY ENGINEERING



## TANEY ENGINEERING

6030 S. JONES BLVD. LAS VEGAS, NV 89118  
PHONE: (702) 362-8844 | FAX: (702) 362-5233  
TANEYCORP.COM

CIVIL  
ENGINEERING

December 31, 2019

Clark County Comprehensive Planning  
500 South Grand Central Parkway  
Las Vegas, NV 89155

**Re: Cactus and El Capitan – Project Description  
Non-Conforming Zone Change, Tentative Map, Design Review, Waiver of Development  
Standards, and Vacation (APN: 176-29-801-007)**

To whom it may concern:

On behalf of our client, AMH Development, Taney Engineering is respectfully submitting a project description letter for a Non-Conforming Zone Change, Tentative Map, Design Review, Waiver of Development Standards, and Vacation for a proposed 35.7 acres, 253 lots residential subdivision.

### Project Description:

The project consists of a 35.7 acres, 253 lots residential subdivision with 7.1 lots per acre located at the northeast corner of Cactus & El Capitan. Currently the site is zoned R-E – Rural Estates Residential, with a planned land use RS – Residential Suburban. We are proposing to rezone to R-2 zoning. The project site is bound by properties with planned land use and zoning as follows:

- North: R-E - Residential Estates (2 units per Acre) - and R-S – Residential Suburban (Elementary School presently under construction)
- South: R-E - Residential Estates (2 units per Acre) – and O-L – Open Land
- East: R-2 - Medium Density Residential (8 units/acre) – and MDP – Major Development Project (part of Mt Edge)
- West: R-2 - Medium Density Residential (8 units/acre) – and MDP – Major Development Project (part of Mt Edge)

The subdivision will have access to the site from Cactus & El Capitan. There will be 2-car garages provided for each unit plus two guest parking spaces for a total of 506 parking spaces. In addition a small parking lot is being provided at the community center and pool area. Perimeter landscaping is being provided along Cactus (15-ft from back of attached sidewalk to perimeter wall) & El Capitan (15-ft from back of curb to perimeter wall including detached 5-ft wide sidewalk).

### Design Review

The houses will range in size from approximately 1,907 square feet to 2,045 square feet and will consist of two-story homes (height of two-story homes will not exceed 27' ¾") with two car garages. It is the intent of the developer to also construct single story homes as well in this community, unfortunately the architecture for the single story home is not available presently, but will be similar to the two story homes being submitted. If an additional design review is required for the single story home it can be conditioned and submitted once design drawings are completed.

The proposed development is providing open space and active amenities for recreation for the residence. This area will consist of an outdoor pool and clubhouse with a small parking lot for residence to use for community meetings and gatherings. It should be noted no open space is required by title 30, but is being provided for the residence.



## TANEY ENGINEERING

6030 S. JONES BLVD. LAS VEGAS, NV 89118  
PHONE: (702) 362-8844 | FAX: (702) 362-5233  
TANEYCORP.COM

We are requesting a design review for excess fill over 18" (up to 12-ft (144-inches) of fill from the base of the existing flowline of the channel). The existing large wash running through the site will be filled and an arch pipe installed. The proposed fill is from the flow line of the channel and is needed order to take the existing storm drain underground. This is a general benefit for the area and will match into what is upstream and downstream from the proposed development.

The main street through the development is designed in a manner so no homes front this street and it can serve more as a residential collector to carry traffic out to the perimeter streets (Cactus and El Capitan). This 59.5-ft private street is designed with sidewalk on both sides of the street along with adjacent landscape buffering from the adjacent homes. The residential homes are located on private streets 38-ft in width with a 5-ft wide sidewalk along one side of each street. The site was also design to try to match up to the existing residential homes to the east such that total numbers of lots along the common property line would match. Much of this property line is abutting a proposed landscape area of at least 5-ft in width minimum, that abuts a residential street. This configuration allows for the existing wall along the shared property line to be utilized and minimize the use of double walls abutting.

It should be noted that the existing drainage easements on the property will be requested to be vacated once a drainage study is approved and new easement widths and locations are determined for proposed underground storm drain system. When the vacation is submitted it will also include any vacation of roadway easements needed for detached sidewalk as well. Other utility easements exists on the site and are in the process of being relinquished as they are no longer needed or used. A copy of the ALTA survey showing the existing easements on the property has been provided for reference.

### Waiver of Development Standards

We are requesting a waiver of development standards for wall height exceeding 9' (5' max retaining wall along east boundary with a 6' decorative wall on top, 30.64.050 a.4.A). The drainage flows from west to east of the site and we are matching to Spanish Ridge Avenue (the street north of the site). The pads along the east side of the site will be set higher therefore it will be higher than the existing ground adjacent to the site.

A waiver is also being requested at both entry streets as the street offset of 125-ft from the external street is not met at either location. The offset is approx. 105-ft at both locations.

We are hopeful that this letter clearly describes the project and the intent of the proposed development.

Respectfully,

Markella Garanyants  
Designer I  
TANEY ENGINEERING





CACTUS & EL CAPITAN  
(TITLE 30)

EL CAPITAN WAY/CACTUS AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**TM-19-500269-USA:**

**TENTATIVE MAP** consisting of 253 lots and common lots on a portion of 35.7 acres of a 50 acre site in an R-2 (Medium Density Residential) Zone.

Generally located on the east side of El Capitan Way and the north side of Cactus Avenue within Enterprise. JJ/md/ja (For possible action)

---

RELATED INFORMATION:

**APN:**

176-29-801-007 ptn

**LAND USE PLAN:**

ENTERPRISE - PUBLIC FACILITIES & RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 35.7 (single family residential development)/50 (overall) portion
- Number of Lots: 253
- Density (du/ac): 7.1
- Minimum/Maximum Lot Size (square feet): 3,455/5173 (gross and net)
- Project Type: Single family residential development

The plans depict a single family residential development consisting of 253 lots on 35.7 acres at a density of 7.1 dwelling units per acre. The minimum and maximum lot sizes are 3,455 square feet and 5,173 square feet, respectively. A single story recreation facility exclusively for the use of the residents is located within the southwest portion of the proposed development, at the northwest corner of 2 private streets, Bee Balm Street and Cone Flower Avenue. The primary ingress and egress to the proposed development is via a 59.5 foot wide private street, Scabiosa Drive, which connects to Cactus Avenue and El Capitan Way. A 5 foot wide attached sidewalk is provided on both sides of Scabiosa Drive. The residential development is serviced by a network of internal private streets measuring 43 feet in width. Five foot wide attached sidewalks are proposed along one side of the private streets. An existing attached 5 foot wide sidewalk is located along Cactus Avenue, while a 5 foot wide detached sidewalk is proposed along El Capitan Way.

**Landscaping**

A proposed landscape area measuring 15 feet in width, including a 5 foot wide detached sidewalk, is located along El Capitan Way. Twenty-four inch box trees are planted 40 feet on center within the landscape area in addition to shrubs and groundcover. A proposed landscape area measuring 15 feet in width, located behind an existing 5 foot wide attached sidewalk, is located along Cactus Avenue. Twenty-four inch box trees are planted 40 feet on center within the landscape area in addition to shrubs and groundcover. The proposed development features 15 common element lots totaling 125,498 square feet of open space. The recreation building is located on common element lot "O", consisting of 49,258 square feet. The proposed 11 foot high wall (5 foot retaining wall and 6 foot screen wall) is located within the northeastern portion of the site, along the east property line of lots 217 through 226 and common element lot "N".

Application Number	Request	Action	Date
ZC-18-0926	Reclassified a 15 acre portion of the project site from R-E to a P-F zoning for an elementary school	Approved by BCC	January 2019

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac) and Major Development Project (Mountain's Edge - Suburban Residential 8 du/ac)	R-F, R-E, and R-2	Elementary school currently under construction & single family development
South	Open Land (open space/grazing/vacant land; residential up to 1 du/10 ac) and Public Facilities	R-E and P-F	Undeveloped & water reservoir and pump station with a communications tower
East & West	Major Development Project (Mountain's Edge - Suburban Residential 8 du/ac)	R-2	Single family residential development

**Related Applications**

Application Number	Request
NZC-19-1009	A nonconforming zone change to reclassify a portion of the site to an R-2 zone for a single family residential development is a companion item on this agenda.
VS-20-0035	A request to vacate easements is a companion item on this agenda.

**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. This item will be forwarded to the Board of County Commissioners' meeting for final action on March 18, 2020 at 9:00 a.m., unless otherwise announced.

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 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**

- 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;
- Full off-site improvements;
- Right-of-way dedication to include 50 feet for Cactus Avenue, 35 feet to back of curb for El Capitan Way, and the associated spandrel.
- 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; and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

#### **Current Planning Division - Addressing**

- Approved street name list from the Combined Fire Communications Center shall be provided;
- The east/west portion of the street shown as Scabiosa Drive is an extension of Great Creek Trail and shall maintain the same name.

#### **Building Department - Fire Prevention**

- No comment.

#### **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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0554-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**  
**APPROVALS:**  
**PROTESTS:**

**APPLICANT:** AMH DEVELOPMENT, LLC  
**CONTACT:** JANNA FELIPE, TANEY ENGINEERING, 6030 S. JONES BOULEVARD,  
LAS VEGAS, NV 89118

**DRAFT**





02/18/20 PC AGENDA SHEET

ACCESSORY STRUCTURE  
(TITLE 30)

SHELBOURNE AVE/LA CIENEGA ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-20-0004-SHAMIE DANIEL A:**

**USE PERMIT** to increase the size of an accessory structure (detached garage).  
**WAIVER OF DEVELOPMENT STANDARDS** to modify driveway design standards in conjunction with a single family residence on 2.1 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the south side of Shelbourne Avenue and the west side of La Cienega Street within Enterprise. MN/lm/jd (For possible action)

RELATED INFORMATION:

APN:  
177-16-601-002

**USE PERMIT:**

1. a. Increase the area of a proposed accessory structure (detached garage) to 3,600 square feet where an accessory structure with a maximum of 2,125 square feet (50% of the footprint of the principal dwelling) is permitted per Table 30.44-1 (a 69.4% increase).
- b. Allow the cumulative area of all accessory structures (7,533 square feet) to exceed the footprint of the residence (5,651 square feet) where not allowed per Table 30.44-1 (a 33.3% increase).

**WAIVER OF DEVELOPMENT STANDARDS:**

Allow alternative driveway design where Uniform Standard Drawing 222 is the standard for residential driveway geometrics (second driveway on La Cienega Street).

**LAND USE PLAN:**

ENTERPRISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 239 Shelbourne Avenue
- Site Acreage: 2.1
- Project Type: Accessory structure (detached garage)
- Number of Stories: 1

- Building Height (feet): 25
- Square Feet: 3,600 (detached garage)/5,651 (residence)/4,251 (residence footprint)/840 gym/3,093 accessory apartment with basement

Site Plan

The plan depicts a 5,651 square foot residence with a footprint of 4,251 square feet, accessory apartment with basement, and a detached gym which are currently under construction, and a proposed 3,600 square foot detached garage. The residence is located at the northeast portion of the site with the accessory apartment and gym located to the south of the residence. The proposed garage is located at the southwest portion of the site, and is set back 10 feet from the west property line, 20 feet from the south property line, and over 200 feet from the north and east property lines. There are overhead power lines and a power easement along the south property line. Primary access to the site is from a gated driveway on Shelbourne Avenue, with a secondary gated access on La Cienega Street located approximately 200 feet south of Shelbourne Avenue.

Landscaping

Existing landscaping is located at the northwest portion of the site, with a proposed 6 foot high block wall located on the west, south, and east property lines and a decorative fence in the front yard along Shelbourne Avenue.

Elevations

The plans depict a 1 story, 25 foot high accessory structure (detached garage) with 2 roll-up doors on the east elevation, and 2 roll-up doors and pedestrian door on the north elevation. The stucco finish of the garage and the color of the roof tile will match the colors and finish of the residence that is currently under construction.

Floor Plans

The 3,600 square foot garage has an open floor plan with a restroom in the west portion of the structure.

Applicant's Justification

The applicant indicates that the proposed accessory structure (hobby garage) has been designed to match the residence. Additionally, the second driveway on La Cienega Street will provide convenient access for the accessory apartment and the detached garage.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1026-05	Reclassified properties within Enterprise from R-E to R-E (RNP-I) zoning	Approved by the BCC	October 2005



### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Developed
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Developed & Undeveloped

### STANDARDS FOR APPROVAL:

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

### Analysis

#### Current Planning

##### Use Permit

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.

Urban Specific Policy 19 of the Comprehensive Master Plan states that scale relationships between buildings and adjacent developments should be carefully considered. Staff finds that the accessory structure (detached garage) meets all other code requirements, including setbacks and height. The proposed structure will be partially screened by the existing mature landscaping along the west portion of the southerly property line on the neighbor's property, along with the existing mature landscaping on the neighbor's properties to the west and southwest. Due to the overhead power lines along the south property line, staff would suggest the addition of small evergreen trees (per the Regional Plant List, okay under overhead utility lines) planted every 30 linear feet adjacent to the south elevation of the proposed garage to soften the elevation of the structure. With the additional landscaping, staff can support the request.

##### Waiver of Development Standards

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

#### Public Works - Development Review

##### Waiver of Development Standards

Staff has no objection to the second driveway on La Cienega Street as it has no direct impact on improvements within the public right-of-way.

#### 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**

- Small evergreen trees (per the Regional Plant List) planted every 30 linear feet adjacent to the south elevation of the proposed garage.
- 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.

**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: DANIEL SHAMIE  
CONTACT: ROBERT LOERWALD, 4329 COTTONTAIL LANE, LAS VEGAS, NV 89121**



# LAND USE APPLICATION

# 9A

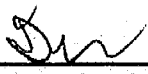
## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

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 checked="" type="checkbox"/> USE PERMIT (UC) <u>675<sup>00</sup></u> <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <u>475<sup>00</sup></u> <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 type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) <input type="checkbox"/> DEVELOPMENT AGREEMENT (DA)	<b>STAFF</b> DATE FILED: <u>1/2/2020</u> PLANNER ASSIGNED: <u>LMN</u> ACCEPTED BY: <u>LMN</u> FEE: <u>\$1150.00</u> CHECK #: <u>DEBIT</u> COMMISSIONER: <u>MN</u> OVERLAY(S)? <u>—</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N TRAILS? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N PFNA? <input type="checkbox"/> Y <input type="checkbox"/> N APPROVAL/DENIAL BY: <u>—</u>	APP. NUMBER: <u>UC/WS-20-2004</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC MTG DATE: <u>1/29/20</u> TIME: <u>6pm</u> PC MEETING DATE: <u>2/18/2020</u> BCC MEETING DATE: <u>—</u> ZONE / AE / RNP: <u>R.E</u> PLANNED LAND USE: <u>ENTRNP</u> NOTIFICATION RADIUS: <u>500</u> SIGN? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N LETTER DUE DATE: <u>—</u> COMMENCE/COMPLETE: <u>—</u>	
	<b>PROPERTY OWNER</b> NAME: <u>Daniel Shamie</u> ADDRESS: <u>239 E. Shelbourne</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: <u>—</u> FAX: <u>—</u> CELL: <u>818-825-1990</u> E-MAIL: <u>dshamie@gmail.com</u>	<b>APPLICANT</b> NAME: <u>Daniel Shamie</u> ADDRESS: <u>239 E. Shelbourne</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: <u>—</u> FAX: <u>—</u> CELL: <u>818-825-1990</u> E-MAIL: <u>dshamie@gmail.com</u>	<b>CORRESPONDENT</b> NAME: <u>Robert Loerwald</u> ADDRESS: <u>4329 Cottontail Ln</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: <u>702-869-6088</u> FAX: <u>702-869-6085</u> CELL: <u>702-493-0023</u> E-MAIL: <u>—</u>

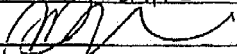
ASSESSOR'S PARCEL NUMBER(S): 177-16-601-002  
 PROPERTY ADDRESS and/or CROSS STREETS: 319 E. Shelbourne Ave  
 PROJECT DESCRIPTION: Detached garage/Hobby Room

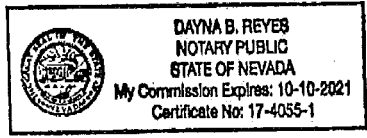
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Daniel Shamie  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON Oct 23, 2019 (DATE)  
 By Daniel A. Shamie  
 NOTARY PUBLIC: 



\*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.

**Letter of Support**

**To Clark County,**

This letter shall serve the purpose of detailing the justification for my request of an exemption in permitting me to build a second driveway as well as a supplemental garage/hobby room that exceeds the 100% rule for an accessory structure.

The parcel at 239 E Shelbourne Ave, Las Vegas, NV 89123 is exceptionally large, in excess of 2 acres, with less than 10% of the parcel's foot-print being utilized for a single family residence (BD19-05339), a detached gym (BD19-05344) and an accessory apartment (BD19-05343). The proposed garage/hobby room structure will have a footprint of 3,600 sqft. The exterior design will conform in its entirety with the residence on the property. The parcel is located in a rural area with similar sized parcels and accessory structures throughout the neighborhood.

The parcel is located on a corner, with approximately 600 feet total of street frontage evenly divided on both the north and east sides of the parcel. This is double the length of street frontage of most parcels in the area. A second driveway is being requested which will be used for vehicle access to both the permitted accessory apartment and the proposed garage, providing more convenient access and a second potential entrance/exit route in case of emergency. Uniform standard DWG 222 for driveway is allowed.

We are requesting accessory structures to exceed the footprint of the main residence. The single family residence has a footprint of 4,251 square feet, and the combined total of the 3 other structures is 5,924 square feet.

In addition, there is presently an existing temporary tent that will be removed on January 6<sup>th</sup> 2020.

Property Owner: Daniel Shamie

Signature: 

Date: 1-2-2020

**CIVIL  
ENGINEERING**

Escrow No. 00052629 - 002 - HC  
*Short Form Deed of Trust and Assignment of Rents....Continued*

**EXHIBIT A**

**GOVERNMENT LOT SEVENTY-THREE (73) IN SECTION 16, TOWNSHIP 22 SOUTH, RANGE 61  
EAST M.D.B. & M. (PORTION SW4 NE4). COMMONLY KNOWN AS THE SW CORNER OF  
SHELLBORNE AND LA CIENGA STREETS, LAS VEGAS, NEVADA.**



02/18/20 PC AGENDA SHEET

EASEMENTS  
(TITLE 30)

CACTUS AVE/VALLEY VIEW BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-19-0966-FERNANDEZ GARY LEE REVOCABLE TRUST & FERNANDEZ GARY LEE TRS:**

**VACATE AND ABANDON** easements of interest to Clark County located between Cactus Avenue and Rush Avenue (alignment), and between Valley View Boulevard and Polaris Avenue within Enterprise (description on file). JJ/jt/jd (For possible action)

RELATED INFORMATION:

**APN:**  
177-29-404-002

**LAND USE PLAN:**  
ENTERPRISE - COMMERCIAL NEIGHBORHOOD

**BACKGROUND:**

**Project Description**

The plans depict the vacation and abandonment of 33 foot wide government patent easements on the east and north sides of the parcel. Clark County Public Works purchased property for the Cactus Avenue right-of-way from the owner of the subject parcel. As part of the purchase agreement, Clark County Public Works agreed to apply for the vacation and abandonment of the unnecessary government patent easements.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-0280-16	Vacation of the government patent easements - expired	Approved by PC	June 2016

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Neighborhood	R-E	Undeveloped
South	Residential Suburban (up to 8 du/ac)	R-3	Multiple family residential development
East	Commercial Neighborhood	C-2	Retail center
West	Commercial General	R-E	Undeveloped

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

Staff has no objection to the vacation of easements that are not necessary for site, drainage, or roadway development.

**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**

- Satisfy utility companies' requirements.
- 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 the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

**Public Works - Development Review**

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

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

- No objection.

**TAB/CAC:  
APPROVALS:  
PROTESTS:**

**APPLICANT:** CLARK COUNTY PUBLIC WORKS

**CONTACT:** IRISH GONSALVES, CLARK COUNTY PUBLIC WORKS, 500 S. GRAND CENTRAL PARKWAY, LAS VEGAS, NV 89155





# VACATION APPLICATION 10A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

<b>APPLICATION TYPE</b> <input type="checkbox"/> VACATION & ABANDONMENT (VS) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	STAFF	DATE FILED: <u>12/16/19</u> PLANNER ASSIGNED: <u>JVM</u> ACCEPTED BY: <u>MUD</u> FEE: <u>EXEMPT</u> CHECK #: <u>EXEMPT</u> COMMISSIONER: <u>JONES</u> OVERLAY(S)? <u>NONE</u> TRAILS? <input checked="" type="checkbox"/> PFNA? <input checked="" type="checkbox"/>	APP. NUMBER: <u>VS-19-0966</u> TAB/CAC <u>ENTERPRISE</u> TAB/CAC DATE: <u>1/29/20</u> TIME: <u>6:00 PM</u> PC MEETING DATE: <u>2/18/20 7:00 AM</u> BCC MTG DATE: <u>-</u> ZONE / AE / RNP: <u>R-E/</u> PLANNED LAND USE: <u>FVTCN</u>
--	-------	---	---

PROPERTY OWNER	NAME: <u>Gary Lee Fernandez, as Trustee of the Gary Lee Fernandez Revocable Trust</u> ADDRESS: <u>2400 Plaza Del Grande</u> CITY: <u>Las Vegas</u> STATE: <u>Nevada</u> ZIP: <u>89102</u> TELEPHONE: <u>661-808-0574</u> CELL: <u>702-560-7234</u> E-MAIL: _____
----------------	--

APPLICANT	NAME: <u>Clark County Public Works</u> ADDRESS: <u>500 S. Grand Central Parkway</u> CITY: <u>Las Vegas</u> STATE: <u>Nevada</u> ZIP: <u>89155</u> TELEPHONE: <u>702-455-6000</u> CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____
-----------	--

CORRESPONDENT	NAME: <u>Trish Gonsalves, Clark County Public Works</u> ADDRESS: <u>500 S. Grand Central Parkway</u> CITY: <u>Las Vegas</u> STATE: <u>Nevada</u> ZIP: <u>89155</u> TELEPHONE: <u>702-455-6098</u> CELL: _____ E-MAIL: <u>pkg@clarkcountynv.gov</u> REF CONTACT ID #: _____
---------------	--

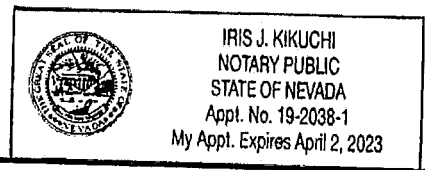
ASSESSOR'S PARCEL NUMBER(S): 177-29-404-002

PROPERTY ADDRESS and/or CROSS STREETS: Northeast corner of Cactus and Valley View Boulevard.

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.

Gary Lee Fernandez  
 Property Owner (Signature)\*  
 STATE OF NEVADA  
 COUNTY OF CLARK  
 SUBSCRIBED AND SWORN BEFORE ME ON 12<sup>th</sup> Dec 2019 (DATE)  
 By \_\_\_\_\_  
 NOTARY PUBLIC: \_\_\_\_\_

GARY LEE FERNANDEZ  
 Property Owner (Print)



\*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.



# Department of Public Works

500 S Grand Central Pky • Box 554000 • Las Vegas NV 89155-4000  
(702) 455-6000 • Fax (702) 455-6040

Denils Cederburg, P.E., Director • E-Mail: dlc@ClarkCountyNV.gov

December 16, 2019

Clark County Comprehensive Planning  
500 S. Grand Central Parkway  
P.O. Box 55174  
Las Vegas, NV 89155-1744

## JUSTIFICATION LETTER – VACATION AND ABANDONMENT OF PATENT EASEMENTS LOCATED ALONG THE NORTH AND EAST BOUNDARIES OF ASSESSOR'S PARCEL NUMBER 177-29-404-002

To Whom It May Concern:

A request for the vacation and abandonment of patent easements, located along the north and east boundaries of Assessor's Parcel Number 177-29-404-002 is respectfully submitted. Clark County Public Works purchased property for Cactus Avenue right-of-way from the owner of Assessor's Parcel Number 177-29-404-002. As part of the negotiated purchase of the property, Clark County Public Works agreed to apply for the vacation of the patent easements along the north and east boundaries of Assessor's Parcel Number 177-29-404-002.

The patent easements are 33 feet in width and are described in that certain, Bureau of Land Management Patent Number 1223463 being recorded in Book 373, Instrument 301182, on file in the Official Records of the Clark County Recorder, Clark County, Nevada, lying within the Southwest Quarter (SW ¼ ) of the Southwest Quarter (SW ¼ ) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section 29, Township 22 South, Range 61 East, M.D.M., Clark County, Nevada.

Sincerely,

Denis Cederburg  
Director of Public Works

Enclosures

DC:PKG:pkg

cc: Bob Leuck, Deputy Director Public Works  
Dustin Crowther, County Surveyor  
Trish Gonsalves, Design Engineering Division

**PLANNER  
COPY**

02/18/20 PC AGENDA SHEET

EASEMENTS  
(TITLE 30)

GILESPIE ST/MESA VERDE LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-19-1000-OSMAN, SAM:

VACATE AND ABANDON easements of interest to Clark County located between GilesPie Street and La Cienega Street, and between Mesa Verde Lane and Windmill Lane within Enterprise (description on file). MN/tk/jd (For possible action)

RELATED INFORMATION:

APN:  
177-09-801-014

LAND USE PLAN:  
ENTERPRISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

This request is to vacate and abandon existing 33 foot wide patent easements that are located on the east and south portions of the subject parcel. The applicant states this is necessary to improve the lot and construct an accessory building, and the vacation will not have a negative impact on the surrounding neighbors. These patent easements are no longer needed, since the adjacent streets are fully improved.

Prior Land Use Requests

Application Number	Request	Action	Date
WC-0095-93 (VS-0144-92)	Waiver requiring a notarized statement from an adjacent property owner	Approved by BCC	January 1994
VS-0144-92	Vacated and abandoned a portion of public right of way	Approved by PC	January 1993

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

Staff has no objection to the vacation of easements that are not necessary for site, drainage, or roadway development.

**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**

- Satisfy utility companies' requirements.
- 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 the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

**Public Works - Development Review**

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

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

- No objection.

TAB/CAC:  
APPROVALS:  
PROTESTS:

**APPLICANT:** SAM OSMAN

**CONTACT:** MICHAEL HOLTON, 800 N RAINBOW BLVD, #144, LAS VEGAS, NV 89107



# VACATION APPLICATION 11A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	<b>STAFF</b>	DATE FILED: <u>12/30/19</u> PLANNER ASSIGNED: <u>JVM</u> ACCEPTED BY: <u>NR</u> FEE: <u>875</u> CHECK #: <u>2816</u> COMMISSIONER: <u>MN</u> OVERLAY(S)? <u>RNP-1</u> TRAILS? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N PFNA? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	APP. NUMBER: <u>VS-19-1000</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>1/29/20</u> TIME: <u>6pm</u> PC MEETING DATE: <u>2/18/20</u> BCC MTG DATE: _____ ZONE / AE / RNP: <u>RE/RNP</u> PLANNED LAND USE: <u>RNP</u>
---	--------------	---	---

<b>PROPERTY OWNER</b>	NAME: <u>Sam Osman</u> ADDRESS: <u>7970 Gillespie St.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89123</u> TELEPHONE: <u>702-616-3502</u> CELL: <u>702-375-3858</u> E-MAIL: <u>SamOsmanFilm@gmail.com</u>
-----------------------	--

<b>APPLICANT</b>	NAME: <u>SAME AS ABOVE</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____
------------------	--

<b>CORRESPONDENT</b>	NAME: <u>Michael L. Holton</u> ADDRESS: <u>800 N. Rainbow Blvd. #144</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89107</u> TELEPHONE: _____ CELL: <u>702-415-8337</u> E-MAIL: <u>michael.holton@hauntec.com</u> REF CONTACT ID #: _____
----------------------	---

ASSESSOR'S PARCEL NUMBER(S): 177-09-801-014

PROPERTY ADDRESS and/or CROSS STREETS: 7970 Gillespie St., Las Vegas, NV 89123

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.

Property Owner (Signature)\*

STATE OF NEVADA  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON December 13, 2019 (DATE)  
 By Sam Osman\*\*\*

NOTARY PUBLIC: [Signature]

Sam Osman

Property Owner (Print)

CRISTINA A. ESPINOSA  
 Notary Public - State of Nevada  
 County of Clark  
 APPT. NO. 19-1191-1 AMENDED  
 My App. Expires June 15, 2022

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

HLS Surveying

800 N. Rainbow Blvd. #144  
Las Vegas, NV 89107  
(702) 415-8337

**Justification Letter**

**A.P.N. 177-09-801-014**

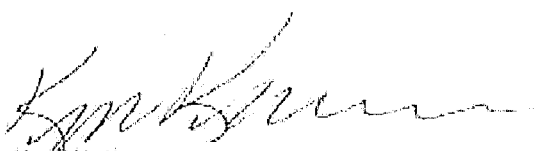
**Request for:**

**VACATION OF PATENT EASEMENTS**

This is a justification letter for the vacation of certain patent easements for the proposed Commercial development at 7970 Gillespie Street., A.P.N. 176-15-501-008

**Reason for request:** The owner of the above referenced parcel seeks to improve this lot and construct an accessory building. Vacation of said patent easement is being requested by the owner.

The Patent Easements are no longer needed since all the adjacent off-site streets, Gillespie Street and private drive, are both fully improved.



**Ken W. Kraemer**  
HLS Surveying  
800 N. Rainbow Blvd. #144  
Las Vegas, Nevada 89107  
[www.HauntecEng.com](http://www.HauntecEng.com)

02/18/20 PC AGENDA SHEET

EASEMENTS  
(TITLE 30)

EL CAPITAN WAY/CACTUS AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-20-0035-USA:**

**VACATE AND ABANDON** easements of interest to Clark County located between Cactus Avenue (alignment) and Mountains Edge Parkway, and between El Capitan Way (alignment) and Durango Drive (alignment) within Enterprise (description on file). JJ/md/ja (For possible action)

RELATED INFORMATION:

**APN:**  
176-29-801-007

**LAND USE PLAN:**  
ENTERPRISE - PUBLIC FACILITIES & RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

This application is a request to vacate and abandon a 50 foot wide BLM right-of-way grant located adjacent to El Capitan Way (alignment), recorded via document 20050329:05153. A request to vacate and abandon an additional 5 foot wide BLM right-of-way grant, adjacent to El Capitan Way, is also a part of this application. The applicant is also proposing to eliminate a third BLM right-of-way grant measuring 120 feet in width, recorded via document 20040122:00918, reserved for drainage facilities that bisects the project site. The applicant is requesting to vacate the easements as they are no longer needed for development purposes.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-18-0926	Reclassified a 15 acre portion of the project site from R-E to a P-F zoning for an elementary school	Approved by BCC	January 2019

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac) and Major Development Project (Mountain's Edge - Suburban Residential 8 du/ac)	P-F, R-E, and R-2	Elementary school currently under construction & single family development

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
South	Open Land (open space/grazing/vacant land; residential up to 1 du/10 ac) and Public Facilities	R-E and P-F	Undeveloped & water reservoir and pump station with a communications tower
East & West	Major Development Project (Mountain's Edge - Suburban Residential 8 du/ac)	R-2	Single family residential development

**Related Applications**

<b>Application Number</b>	<b>Request</b>
NZC-19-1009	A nonconforming zone change to reclassify a portion of the site to an R-2 zone for a single family residential development is a companion item on this agenda.
TM-19-500269	A tentative map consisting of 253 single family residential lots is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

Staff has no objection to the vacation of easements that are not necessary for site, drainage, or roadway development.

**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**

- Satisfy utility companies' requirements.
- 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 the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.



**Public Works - Development Review**

- Drainage study and compliance;
- Right-of-way dedication to include 50 feet for Cactus Avenue, 35 feet to back of curb for El Capitan Way, and the associated spandrel.
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** AMH DEVELOPMENT WEST GC, LLC

**CONTACT:** JANNA FELIPE, TANEY ENGINEERING CORP, 6030 S. JONES BOULEVARD, SUITE 100, LAS VEGAS, NV 89118

**DRAFT**



02/18/20 PC AGENDA SHEET

WATER CONNECTION  
(TITLE 30)

SCHIRLLS ST/CACTUS AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-20-0006-KB HOME LV DOVER, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** to waive requirements for a water connection in conjunction with a minor subdivision on 32.1 acres in an R-E (Rural Estates Residential) Zone and R-2 (Medium Density Residential) Zone.

Generally located on the east side of Schirlls Street and the north side of Cactus Avenue within Enterprise. JJ/al/jd (For possible action)

---

RELATED INFORMATION:

**APN:**  
177-30-801-004; 177-30-801-026

**LAND USE PLAN:**  
ENTERPRISE - COMMERCIAL GENERAL  
ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 10395 Schuster Street
- Site Acreage: 32.1
- Number of Lots: 3
- Minimum/Maximum Lot Size (acres): 2.0/15.8
- Project type: Minor subdivision

Request

This request is to waive the water connection requirement associated with a minor subdivision (MSM-19-600041) which is intended to split the property into smaller parcels for sale and future development. The applicant indicates that the water connections will be provided when the parcels are developed and/or further subdivided in the future.

Site Plan

The minor subdivision map indicates that the site will be divided into 3 parcels. Parcel 1 along the north side of the site is 15.4 acres and was approved for R-2 zoning with a 126 lot residential subdivision. This is the only portion of the site that the applicant intends to develop at this time.

Parcel 2 is located on the east and south sides of the site and is 15.8 acres. Parcel 3 is located on the southwest portion of the site and is 2 acres.

Applicant's Justification

The applicant indicates that a portion of this site has been reclassified to an R-2 zone and is in the process of being developed as a single family residential development. The purpose of the minor subdivision map is to split the parcel into smaller parts to create the appropriate boundary for the portion of the property that has been approved for the residential development, and to sell the other parcels for future development. The required water connections will be provided with the future development of the parcels

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-19-0790	Waive requirements for a drainage study and off-site improvements in conjunction with a minor subdivision map MSM-19-900041	Approved by BCC	November 2019
ZC-19-0390	Reclassified 15.7 acres to R-2 zoning for a single family subdivision	Approved by BCC	August 2019
TM-19-500106	126 lots	Approved by BCC	August 2019
VS-19-0461	Vacated and abandoned right-of-way and easements	Approved by BCC	August 2019
PA-17-700005	Plan amendment to the Enterprise Land Use Plan on 35 acres from PF and RL districts to CG and RS districts with portions of the subject property within the RNP-1 Overlay District	Approved by BCC	March 2018

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities & Residential Low (up to 3.5 du/ac)	R-E (RNP-1)	Undeveloped
South	Major Development Project (Southern Highlands), Residential Suburban (up to 8 du/ac), & Residential Low (up to 3.5 du/ac)	R-E & R-2	Single family residences & single family subdivisions
East	Commercial General, Commercial Neighborhood, & Residential Low (up to 3.5 du/ac)	R-E & R-E (RNP-1)	Single family residences & undeveloped
West	Commercial Neighborhood & Public Facilities	R-E, R-E (RNP-1), & C-2	Undeveloped & single family residences

**Related Applications**

<b>Application Number</b>	<b>Request</b>
MSM-19-600041	Minor subdivision map under review by Public Works Mapping Team.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

The applicant has submitted an application for a minor subdivision map to split this parcel into smaller parts for future development. The request is to waive the requirement for water connection to the proposed lots with the intention of providing the water connection when the proposed parcels are further subdivided and/or developed in the future. The Code requires that every lot shall be supplied with water service adequate for domestic use and fire protection. Given current development trends in this area, the proposed lots could be developed within the next year or so; however, there is no way to state for sure when the parcels would be developed. There is a risk that by not providing a water connection with the proposed lots now, if the future water service and the ability to connect to it may not be available in the future, then these parcels would become non-buildable; therefore, staff does not support this request.

**Department of Aviation**

The property lies just outside the AE-60 (60-65 DNL) noise contour for the 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 the McCarran International Airport facilities to meet future air traffic demand.

**Staff Recommendation**

Denial.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

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

**Public Works - Development Review**

- No comment.

**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 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 funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: KB HOME**

**CONTACT: WLB GROUP, INC., 3663 E SUNSET RD, STE 204, LAS VEGAS, NV 89120**



# LAND USE APPLICATION 13A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

- TEXT AMENDMENT (TA)
- ZONE CHANGE
  - CONFORMING (ZC)
  - NONCONFORMING (NZC)
- USE PERMIT (UC)
- VARIANCE (VC)
- WAIVER OF DEVELOPMENT STANDARDS (WS)
- DESIGN REVIEW (DR)
  - PUBLIC HEARING
- ADMINISTRATIVE DESIGN REVIEW (ADR)
- STREET NAME / NUMBERING CHANGE (SC)
- WAIVER OF CONDITIONS (WC)
  - \_\_\_\_\_  
(ORIGINAL APPLICATION #)
- ANNEXATION REQUEST (ANX)
- EXTENSION OF TIME (ET)
  - \_\_\_\_\_  
(ORIGINAL APPLICATION #)
- APPLICATION REVIEW (AR)
  - \_\_\_\_\_  
(ORIGINAL APPLICATION #)

<b>STAFF</b>	DATE FILED: <u>1-3-20</u> PLANNER ASSIGNED: <u>AL</u> ACCEPTED BY: <u>AL</u> FEE: <u>475.00</u> CHECK #: <u>20358149</u> COMMISSIONER: <u>JJ</u> OVERLAY(S)? <u>NA</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N TRAILS? Y <input checked="" type="checkbox"/> N PFNA? Y <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>WS-20-0006</u> TAB/CAC: <u>Entire pm</u> TAB/CAC MTG DATE: <u>1-29</u> TIME: <u>6P</u> PC MEETING DATE: <u>3-18</u> <u>7</u> BCC MEETING DATE: _____ ZONE / AE / RNP: <u>R2 N3 R2</u> PLANNED LAND USE: <u>R-S</u> NOTIFICATION RADIUS: <u>50</u> SIGN? Y <input checked="" type="checkbox"/> N LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
<b>PROPERTY OWNER</b>	NAME: <u>K B HOME L V DOVER L L C</u> ADDRESS: <u>5795 W. Badura #180</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-266-8512</u> CELL: _____ E-MAIL: <u>pchao@kbhome.com</u>	
<b>APPLICANT</b>	NAME: <u>KB HOME</u> ADDRESS: <u>5795 W. BADURA # 180</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>(702)266-8512</u> CELL: _____ E-MAIL: <u>pchao@kbhome.com</u> REF CONTACT ID #: _____	
<b>CORRESPONDENT</b>	NAME: <u>THE WLB GROUP, INC.</u> ADDRESS: <u>3663 E. SUNSET # 204</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>(702)458-2551</u> CELL: _____ E-MAIL: <u>khalpin@wlbgroup.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 177-30-801-026 & 004  
 PROPERTY ADDRESS and/or CROSS STREETS: CACTUS & VALLEY VIEW  
 PROJECT DESCRIPTION: Water Connection Waiver

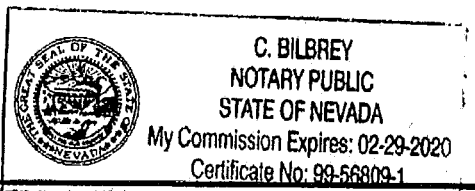
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

BRIAN KUNEC  
 \_\_\_\_\_  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 1/13/19 (DATE)  
 By Brian Kuneč  
 NOTARY PUBLIC: C. Bilbrey



\*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.

December 24, 2019

Clark County Comprehensive Planning  
500 South Grand Central Parkway  
P.O. Box 551744  
Las Vegas, NV 89155

WS-20-0006

***RE: Justification Letter for  
Waiver of Development Standards  
for Cactus and Valley View***

Clark County Planning Staff,

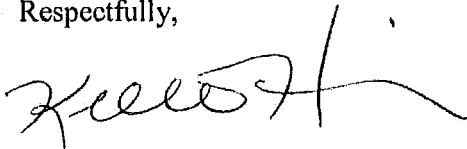
On behalf of KB Home, The WLB Group respectfully submits the attached Waiver of Development Standards for Assessor Parcels 177-30-801-026 and 177-30-801-004 totaling 15.7 acres. The proposed development will consist of 126 single family residential units for a density of 8.0 units/acre, conforming to an R-2 zoning.

**Waiver of Development Standards**

1. A request for a Waiver of Development Standards for a Water Connection, as required for Parcel Map MSM 19-600041. This Waiver is being requested as it is a requirement of the Parcel Map to satisfy Parcel Map Development Standards. This map is being done for land sell purposes only, and all development requirements will be satisfied with prospective project, but will be completed in conjunction with the improvement plans for the site development. KB Homes is developing a portion of site and splitting up the property.

We are hopeful that the information as provided meets with your favorable consideration. Should you have any questions or need any further information, please feel to contact me at 702-379-2658.

Respectfully,



Kellie Halpin  
Project Coordinator  
3663 E. Sunset Road, #204  
Las Vegas, NV 89120  
702-379-2658  
khalpin@wlbgroup.com



EASEMENTS  
(TITLE 30)

ERIE AVE/BERMUDA RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-19-400170 (VS-0059-17)-LEGACY BERMUDA, LLC:**

**VACATE AND ABANDON FIRST EXTENSION OF TIME** for easements of interest to Clark County located between Erie Avenue and Siddall Avenue and between Fairfield Avenue and Bermuda Road within Enterprise (description on file). MN/tk/jd (For possible action)

RELATED INFORMATION:

APN:  
177-33-703-004

LAND USE PLAN:  
ENTERPRISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

This application is a request to vacate and abandon 33 foot wide patent easements on the south and east property lines, and the east 3 feet of the west 33 feet of APN 177-33-703-004.

The applicant stated they have been encountering issues such as 1) soil issues causing retesting; 2) architectural firm had to be replaced; and 3) delays from the Las Vegas Valley Water District which have caused major delays for the project.

Previous Conditions of Approval

Listed below are the approved conditions for VS-0059-17:

Current Planning

- Satisfy utility companies' requirements.
- 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 the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works – Development Review

- Drainage study and compliance;
- Right-of-way dedication to include 35 feet to back of curb for Erie Avenue, 45 feet to back of curb for Bermuda Road, 30 feet for Fairfield Avenue and associated spandrels;

- If required by Regional Transportation Commission, dedicate and construct right-of-way for bus turnouts including passenger loading/shelter areas in accordance with Regional Transportation Commission standards;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-0059-17	Vacated and abandoned patent easements - expired	Approved by PC	January 2017
UC-0669-16	Congregate care facility with accessory commercial uses	Approved by BCC	November 2017
WS-0321-13 (ET-0069-15)	First extension of time to waive off-site improvements along Erie Avenue and Bermuda Road	Denied by BCC	October 2015
VS-0047-15	Vacated and abandoned easements of interest to Clark County - expired	Approved by PC	March 2015
WS-0321-13	Off-site improvements along Erie Avenue and Bermuda Road	Approved by BCC	August 2013
TM-0078-13	Single family residential development	Approved by BCC	August 2013
UC-0109-04	Place of worship - expired	Approved by PC	March 2004

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residence
South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
East	City of Henderson & Residential Suburban (up to 8 du/ac)	RS-6 (City) & R-E	Single family residence & place of worship

**Related Applications**

Application Number	Request
ET-19-400160 (UC-0669-16)	A use permit for a congregate care facility is a companion item on this agenda.

**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. The applicant stated they have been encountering issues which have caused major delays for the project. They have also recently applied for an extension of time on their use permit (IST-19-400160 (UC-0669-16)) due to these delays. Therefore, staff can support this request.

**Public Works - Development Review**

There have been no significant changes in this area. Staff has no objection to this extension of time.

**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 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 the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

**Public Works - Development Review**

- Compliance with previous conditions.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: LEGACY BERMUDA, LLC**

**CONTACT: BRENT LOVETT, 6877 S. EASTERN AVE, LAS VEGAS, NV 89119**

**DRAFT**



# LAND USE APPLICATION

# 14A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

- TEXT AMENDMENT (TA)
- ZONE CHANGE
  - CONFORMING (ZC)
  - NONCONFORMING (NZC)
- USE PERMIT (UC)
- VARIANCE (VC)
- WAIVER OF DEVELOPMENT STANDARDS (WS)
- DESIGN REVIEW (DR)
  - PUBLIC HEARING
- ADMINISTRATIVE DESIGN REVIEW (ADR)
- STREET NAME / NUMBERING CHANGE (SC)
- WAIVER OF CONDITIONS (WC)
- ANNEXATION REQUEST (ANX)
- EXTENSION OF TIME (ET)
  - (ORIGINAL APPLICATION #) 15-0059-17
- APPLICATION REVIEW (AR)
  - (ORIGINAL APPLICATION #)

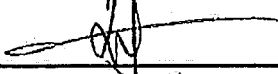
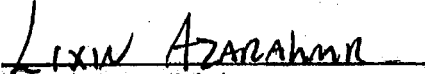
STAFF	DATE FILED: <u>12-26-19</u>	APP. NUMBER: <u>ET 19-400170</u>
	PLANNER ASSIGNED: <u>TK</u>	TAB/CAC: <u>EXT 09 215</u>
	ACCEPTED BY: <u>TK</u>	TAB/CAC MTG DATE: <u>1/29</u> TIME: <u>6PM</u>
PROPERTY OWNER	FEE: <u>300</u>	PC MEETING DATE: <u>—</u>
	CHECK #: <u>1442</u>	BCC MEETING DATE: <u>2/19 9AM</u>
	COMMISSIONER: <u>MN</u>	ZONE / AE / RNP: <u>R2 RNP I</u>
APPLICANT	OVERLAY(S)? <u>—</u>	PLANNED LAND USE: <u>EXT RWR</u>
	PUBLIC HEARING? <u>0/N</u>	NOTIFICATION RADIUS: <u>—</u> SIGN? <u>Y/N</u>
	TRAILS? <u>Y/N</u> PFNA? <u>Y/N</u>	LETTER DUE DATE: <u>—</u>
CORRESPONDENT	APPROVAL/DENIAL BY: <u>—</u>	COMMENCE/COMPLETE: <u>—</u>
	NAME: <u>Legacy Bermuda LLC</u>	ADDRESS: <u>6877 S Eastern Ave</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u>	TELEPHONE: <u>725-696-7777</u> CELL: <u>702-427-6657</u>
	E-MAIL: <u>b.lovett@nsndllc.com</u>	
	NAME: <u>Legacy Bermuda LLC</u>	ADDRESS: <u>6877 S Eastern Ave</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u>	TELEPHONE: <u>725-696-7777</u> CELL: <u>702-427-6657</u>
	E-MAIL: <u>b.lovett@nsndllc.com</u> REF CONTACT ID #: <u>197607</u>	
	NAME: <u>Brent Lovett</u>	ADDRESS: <u>6877 S Eastern Ave</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u>	TELEPHONE: <u>725-696-7777</u> CELL: <u>702-427-6657</u>
	E-MAIL: <u>b.lovett@nsndllc.com</u> REF CONTACT ID #: <u>197608</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-33-703-004

PROPERTY ADDRESS and/or CROSS STREETS: 10935 Bermuda Road

PROJECT DESCRIPTION: Skilled Nursing Facility      Extension of Vacation of Easement

(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)\*      Property Owner (Print)

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

SUBSCRIBED AND SWORN BEFORE ME ON \_\_\_\_\_ (DATE)

By \_\_\_\_\_

NOTARY PUBLIC: \_\_\_\_\_

\*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.

# CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of Los Angeles }

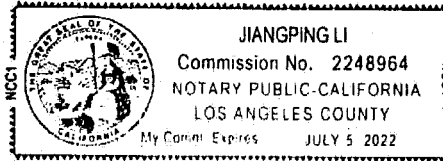
On Dec. 24, 2019 before me, Jiangping Li  
(Here insert name and title of the officer)

personally appeared Lixin Azarmehr,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Jiangping Li  
Notary Public Signature (Notary Public Seal)



### ADDITIONAL OPTIONAL INFORMATION

#### DESCRIPTION OF THE ATTACHED DOCUMENT

Land Use Application  
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 1 Document Date 12/24

#### CAPACITY CLAIMED BY THE SIGNER

- Individual (s)  
 Corporate Officer

- \_\_\_\_\_  
(Title)  
 Partner(s)  
 Attorney-in-Fact  
 Trustee(s)  
 Other \_\_\_\_\_

### INSTRUCTIONS FOR COMPLETING THIS FORM

*This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.*

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they- is /are ) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

# JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

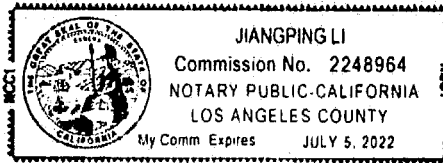
State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 24<sup>th</sup> day of December,  
2019 by Lixin Azarmehr

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Jiangping Li  
Signature \_\_\_\_\_ (Seal)



## OPTIONAL INFORMATION

### DESCRIPTION OF THE ATTACHED DOCUMENT

Land Use Application  
(Title or description of attached document)

\_\_\_\_\_  
(Title or description of attached document continued)

Number of Pages 1 Document Date 12/24

\_\_\_\_\_  
Additional information

## INSTRUCTIONS

The wording of all Jurats completed in California after January 1, 2015 must be in the form as set forth within this Jurat. There are no exceptions. If a Jurat to be completed does not follow this form, the notary must correct the verbiage by using a jurat stamp containing the correct wording or attaching a separate jurat form such as this one which does contain the proper wording. In addition, the notary must require an oath or affirmation from the document signer regarding the truthfulness of the contents of the document. The document must be signed AFTER the oath or affirmation. If the document was previously signed, it must be re-signed in front of the notary public during the jurat process.

- State and county information must be the state and county where the document signer(s) personally appeared before the notary public.
- Date of notarization must be the date the signer(s) personally appeared which must also be the same date the jurat process is completed.
- Print the name(s) of the document signer(s) who personally appear at the time of notarization.
- Signature of the notary public must match the signature on file with the office of the county clerk.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different jurat form.
  - ❖ Additional information is not required but could help to ensure this jurat is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
- Securely attach this document to the signed document with a staple.

# NEVADA SKILLED NURSING DEVELOPMENT

December 24, 2019

## Justification Letter – Extension of Time Vacate and Abandon of a Patent Easement

ET-19-400170

Clark County  
Department of Comprehensive Planning  
Tabitha Kast, Planning Technician  
500 S Grand Central Parkway  
Las Vegas, Nevada 89155

RE: VS-0059-17 and to run concurrently with UC-0669-16  
10935 Bermuda Road  
Legacy Bermuda Skilled Nursing Facility

Legacy Bermuda LLC respectfully requests an extension of time on the existing approved **Vacate and Abandon of a Patent Easement** noted above.

We are currently in the construction document phase of the project, and have secured the site with construction fencing, performed soils testing, civil survey and are moving forward to go vertical within the next 6 to 9 months.

We have encountered the following issues which have delayed the project:

- a. Soils report denoted soils issues which required additional soils testing.
- b. Architectural firm had to be replaced, and new company hired.
- c. Off-site improvement plans, and delays from the Las Vegas Water District.

This is one of three like projects that we are building in Clark County, and we have encountered a number of unplanned delays, but we are now moving forward with all three projects.

Thank you for your time in this matter.

Respectfully

  
Brent Lovett

Project Manager

Nevada Skilled Nursing Development, LLC  
(725) 696-7777 | www.nsndllc.com  
6877 S. Eastern Ave. Las Vegas, NV 89119



02/19/20 BCC AGENDA SHEET

MERANTO & TEE PEE  
(TITLE 30)

MERANTO AVE/TEE PEE LN

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-20-500001-COMEBACK TIME PHD 19, LLC:**

**TENTATIVE MAP** consisting of 20 single family residential lots and common lots on 2.5 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the north side of Meranto Avenue and the west side of Tee Pee Lane (alignment) within Enterprise. JJ/al/jd (For possible action)

---

**RELATED INFORMATION:**

**APN:**  
176-19-701-006

**LAND USE PLAN:**  
ENTERPRISE - RESIDENTIAL MEDIUM (FROM 8 DU/AC TO 14 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 2.5
- Number of Lots: 20
- Density (du/ac): 8
- Minimum/Maximum Lot Size (square feet): 3,303/5,022
- Project Type: Single family residential development

**Site Plans**

The plans depict a detached single family residential development consisting of 20 lots on 2.5 acres with a density of 8 dwelling units per acre. The plans depict 2 of the lots on the southeast corner of the site having direct access from Meranto Avenue. Access to the remainder of the lots will be provided by two, 43 foot private streets which will include a 5 foot wide sidewalk on 1 side of the streets. The first private street starts at the entrance of the subdivision and goes north where it terminates in a stub street on the northwestern portion of the site. This stub street will provide access to 2 lots. The second private street is perpendicular to the first and terminates in a hammerhead turnaround that is located on the northeast portion of the site. The plan depicts a common lot on the southeast corner of the site to be used as a detention basin for drainage.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0781-17	Reclassified the site to an R-2 zoning for future residential development	Approved by BCC	November 2017
VS-0782-17	Vacated and abandoned government patent easements - expired	Approved by BCC	November 2017

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Residential Medium (from 3 du/ac to 14 du/ac)	R-2	Single family residence
East	Residential Suburban (up to 8 du/ac)	R-E	Undeveloped

**Related Applications**

Application Number	Request
WS-20-0010	A single family residential development with a waiver for wall height is a companion item on this agenda.
VS-20-0011	A request for a vacation and abandonment of easements is a companion item on this agenda.

**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 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**

- 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;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Meranto Avenue.
- 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.

**Current Planning Division - Addressing**

- Approved street name list from the Combined Fire Communications Center shall be provided;
- The street shown as Alyssum shall have the suffix of Court.

**Building Department - Fire Prevention**

- No comment.

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0521-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** SUMMIT HOMES OF NEVADA

**CONTACT:** JANNA FELIPE, TANEY ENGINEERING, 6030 S. JONES BOULEVARD,  
LAS VEGAS, NV 89118





# TENTATIVE MAP APPLICATION 15A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

<b>APPLICATION TYPE</b>  <input checked="" type="checkbox"/> TENTATIVE MAP (TM)	STAFF	DATE FILED: <u>1-3-20</u> PLANNER ASSIGNED: <u>AI</u> ACCEPTED BY: <u>AI</u> FEE: <u>750</u> CHECK #: <u>180912</u> COMMISSIONER: <u>JT</u> OVERLAY(S)? <u>—</u> TRAILS? Y/ <input checked="" type="checkbox"/> PFNA <input checked="" type="checkbox"/> /N	APP. NUMBER: <u>TM-20-500001</u> TAB/CAC: <u>Endupme</u> TAB/CAC MTG DATE: <u>129</u> TIME: <u>6P</u> PC MEETING DATE: <u>—</u> BCC MEETING DATE: <u>2-19 9A</u> ZONE / AE / RNP: <u>R-2 N/AE</u> PLANNED LAND USE: <u>RM</u> NOTES: _____
---	-------	--	---

PROPERTY OWNER	NAME: <u>Comeback Time PHD 19 LLC</u> ADDRESS: <u>10450 W Cheyenne Ave #130</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u> TELEPHONE: <u>702-873-1167</u> CELL: _____ E-MAIL: <u>philephdpropertiesinc.com</u>
----------------	---

APPLICANT	NAME: <u>Summit Homes of Nevada, Attn: Andrew Acuna</u> ADDRESS: <u>3425 Cliff Shadows Parkway #110</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u> TELEPHONE: <u>702.365.8588</u> CELL: _____ E-MAIL: <u>AndrewA@summithomesnv.com</u> REF CONTACT ID #: <u>170565</u>
-----------	---

CORRESPONDENT	NAME: <u>Taney Engineering, Attn: Janna Felipe</u> ADDRESS: <u>6030 S. Jones Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: _____ E-MAIL: <u>jannaf@taneycorp.com</u> REF CONTACT ID #: <u>132565</u>
---------------	---

ASSESSOR'S PARCEL NUMBER(S): 176-19-701-006

PROPERTY ADDRESS and/or CROSS STREETS: W. Meranto Ave and S. Tee Pee Ln

TENTATIVE MAP NAME: Meranto & Tee Pee

NUMBER OF LOTS: 20 GROSS/NET ACREAGE 2.57 Gross / 2.33 Net GROSS/NET DENSITY 7.8 Lots/Acre

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)* STATE OF <u>Nevada</u> COUNTY OF <u>Clark</u>	Property Owner (Print) <u>Philip H. Davis, MANAGER - PHD 19 LLC</u> <u>MANAGER</u>	DONNA ROCK NOTARY PUBLIC STATE OF NEVADA APPT. NO. 11-5638-1 MY APPT. EXPIRES SEPTEMBER 15, 2023
SUBSCRIBED AND SWORN BEFORE ME ON <u>12/10/19</u> (DATE) By <u>Philip H. Davis</u>		
NOTARY PUBLIC:		

\*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.



**TANEY ENGINEERING**

6030 S. JONES BLVD. LAS VEGAS, NV 89118  
PHONE: (702) 362-8844 | FAX: (702) 362-5233  
TANEYCORP.COM

January 3, 2020

Al Laird, Principal Planner  
Clark County Comprehensive Planning  
500 S. Grand Central Pkwy  
Las Vegas, NV 89155

**Re: Meranto & Tee Pee (APN 176-19-701-006) – Tentative Map Hold Letter**

Dear Mr. Laird:

Taney Engineering, on behalf of our client, Summit Homes of Nevada LLC, realizes the tentative map will not be acted within NRS time frames. We respectfully request that the tentative map is submitted concurrently with our other land use applications (Waiver, Design Review and Vacation).

Thank you for your attention to this request. Please feel free to give us a call should you have any questions.

Sincerely,

Janna Felipe  
Project Coordinator

02/19/20 BCC AGENDA SHEET

SILVERADO COURT VIII  
(TITLE 30)

STARR AVE/LA CIENEGA ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**TM-20-500002-CFT LANDS, LLC:**

**TENTATIVE MAP** consisting of 61 residential lots on a 15.0 acre site in an R-1 (Single Family Residential) Zone and R-D (Suburban Estates Residential) Zone.

Generally located on the north side of Starr Avenue, 300 feet east of La Cienega Street within Enterprisc. MN/lm/jd (For possible action)

RELATED INFORMATION:

**APN:**  
177-33-801-019

**LAND USE PLAN:**  
ENTERPRISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 15
- Number of lots: 61 (single family residential lots)/3 (common element)
- Density (du/ac): 4.8 (R-1 zone)/3.2 (R-D zone)
- Minimum/Maximum Lot Size:
  - R-1 zone: 5,330/6,915 (gross) and 4,738/6,070 (net)
  - R-D zone: 10,354/13,146 (gross) and 9,013/13,003 (net)
- Project Type: Single family residential development

History

The subject property was approved for a single family residential development; however, it was limited to R-1 zoning on the east and south portions of the parcel (approximately 6.0 acres) and R-D zoning on the remainder of the site (approximately 8.4 acres).

Site Plans

The plans depict a proposed single family residential subdivision consisting of 61 lots. The area for the R-1 zoned lots along Starr Avenue includes a landscape easement between the walls of the subdivision and Starr Avenue. Additionally, a 6 foot wide landscape easement is shown adjacent to the corner lots within the interior of the site. Therefore, the net lot area (the useable area) of these lots range from a minimum of 4,738 square feet to a maximum of 6,070 square feet. The area of the R-D zoned lots includes the adjacent private streets so that the net lot area ranges from a minimum of 9,013 square feet to a maximum of 13,003 square feet. Access to the

project is from Starr Avenue to the south and Terrill Avenue to the northeast. The lots are served by 38 foot wide internal private streets with an attached sidewalk on 1 side of the street. The historical drainage flows traditionally crosses the property from south to north, and those flows are directed through a proposed underground drainage channel contained within 2 common elements (Common Element B and Common Element C) where Common Element B includes a pedestrian path that will connect the northerly internal street to the southerly internal street. There is a connection of streets (Wakefield Avenue, Alloroestate Street, and Cantiga Avenue) surrounding 20 R-D zoned lots that is 1,645 feet in length.

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-19-0546	Design Review for a proposed single family residential development on a portion of the site	Withdrawn by BCC	October 2019
TM-19-500142	29 single family residential lots on a portion of the site	Withdrawn by BCC	October 2019
NZC-18-1028	Reclassified the site to R-1 & R-D zoning (this request was limited to R-1 zoning on the east and south portions of the parcel and reduced to R-D zoning on the remainder of the site)	Approved by BCC	April 2019
VS-18-1029	Vacated and abandoned easements and rights-of-way	Approved by BCC	April 2019
TM-18-500243	75 single family residential lots	Denied by BCC	April 2019
NZC-18-0055	Reclassified the site to R-2 zoning for a single family residential development	Withdrawn at BCC	June 2018
VS-18-0056	Vacated and abandoned easements and rights-of-way	Withdrawn at BCC	June 2018
TM-18-500009	86 single family residential lots	Withdrawn at BCC	June 2018

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-1)	Single family residence & undeveloped
South	Residential Suburban (up to 8 du/ac) & Public Facilities	R-E & P-F	Schorr Elementary school, single family residence & undeveloped
East	Residential Suburban (up to 8 du/ac)	R-2	Undeveloped
West	Rural Neighborhood Preservation (up to 2 du/ac) & Residential Low (up to 3.5 du/ac)	R-E (RNP-1)	Single family residence & undeveloped

This site and the surrounding area are located in the Public Facilities Needs Assessment (PFNA) area.



### Related Applications

Application Number	Request
WS-20-0012	A waiver to increase the block length is a companion item on this agenda.

### 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.

##### Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Henderson Executive Airport, and is subject to potentially significant aircraft noise and continuing over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Airport 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, and/or the Nevada Revised Statutes.

### PRELIMINARY STAFF CONDITIONS:

#### Current Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- 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 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

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 55 feet to back of curb for Starr Avenue and all portions of the cul-de-sac that are necessary to provide a complete County approved turnaround on Placid Street;
- If required by the Regional Transportation Commission (RTC), relocate the 10 foot by 25 foot bus shelter pad that is shown adjacent to Lot 1 to an area adjacent to Lots 5, 6 or 7;

- Fire Department approval of all over-length streets;
- Prior to the approval of the off-site improvement plans, the applicant shall provide a written notarized letter from the owner of APN: 177-33-801-012 approving the proposed access to his or her property.
- Applicant is advised that this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA); and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Current Planning Division - 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 is strongly encouraged; and 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 funds will not be available in the future should the residents wish to have their homes purchased or soundproofed.

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0003-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:  
APPROVALS:  
PROTESTS:**

**APPLICANT:** AMERICAN WEST DEVELOPMENT, INC  
**CONTACT:** ALYSIA HARRIS, WESTWOODS PS, 5740 ARVILLE STREET, SUITE 216,  
LAS VEGAS, NV 89118



# TENTATIVE MAP APPLICATION 16A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

<b>APPLICATION TYPE</b>  <input checked="" type="checkbox"/> TENTATIVE MAP (TM)	STAFF	DATE FILED: <u>1/3/2020</u> PLANNER ASSIGNED: <u>LMN</u> ACCEPTED BY: <u>LMN</u> FEE: <u>\$750</u> CHECK #: <u>99981</u> COMMISSIONER: <u>MN</u> OVERLAY(S)? <u>N/A</u> TRAILS? Y/ <input checked="" type="checkbox"/> PFNA? <input checked="" type="checkbox"/> /N	APP. NUMBER: <u>TM-20-500002</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC MTG DATE: <u>1/29/20</u> TIME: <u>6pm</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>2/19/20</u> ZONE / AE / RNP: <u>RD/R-1</u> PLANNED LAND USE: <u>ENTRL</u> NOTES: <u>WS-20-0012</u> <u>companion</u>
---	-------	--	---

PROPERTY OWNER	NAME: <u>CFT Lands, LLC</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>kendra.saffle@pultegroup.com</u>
----------------	--

APPLICANT	NAME: <u>American West Development, Inc.</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>kendra.saffle@pultegroup.com</u> REF CONTACT ID #: _____
-----------	---

CORRESPONDENT	NAME: <u>Westwood</u> ADDRESS: <u>5740 South Arville, Suite 216</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: <u>cjensen@shg-inc.com</u> REF CONTACT ID #: <u>188046</u>
---------------	---

ASSESSOR'S PARCEL NUMBER(S): 177-33-801-019

PROPERTY ADDRESS and/or CROSS STREETS: Starr Ave / Fairfield Ave

TENTATIVE MAP NAME: Silverado Court VIII

NUMBER OF LOTS: 61, 3 CL GROSS/NET ACREAGE \_\_\_\_\_ GROSS/NET DENSITY \_\_\_\_\_

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.

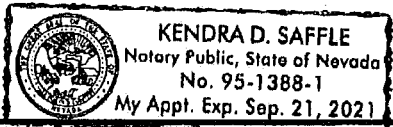
\_\_\_\_\_  
 Property Owner (Signature)\*

Lawrence D. Canarelli  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON October 14, 2019 (DATE)  
 By Lawrence D. Canarelli

NOTARY PUBLIC:



\*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.



AWD1705.000

Ty-20-500002

October 14, 2019

Clark County Comprehensive Planning  
500 South Grand Central Parkway  
Las Vegas, NV 89155-4000

**SUBJECT: Tentative Map for Silverado Court VIII**

To Whom it May Concern:

On behalf of our client American West Development, Inc. we respectfully request the Tentative Map to be heard at the Planning Commission meeting concurrently with the Design Review. It is our understanding per Nevada Revised Statutes that Tentative Maps are required to have Commission actions within 45 days. However, American West Development, Inc., would like the applications to go concurrent since they are companion items on the same site.

Sincerely,  
**Slater Hanifan Group, Inc.**

Alysha Harris  
Project Coordinator II

02/19/20 BCC AGENDA SHEET

EXOTIC ANIMAL  
(TITLE 30)

DEER GROVE COURT/BECKINSALE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-19-0991-SUMSION, DALE K. & ILENE F:**

**USE PERMIT** for a proposed exotic animal (Capuchin monkey) in conjunction with an existing single family residence on 0.2 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the east side of Deer Grove Court, approximately 100 feet north of Beckinsale Avenue within Enterprise. JJ/lm/jd (For possible action)

---

RELATED INFORMATION:

**APN:**  
176-22-210-012

**LAND USE PLAN:**  
ENTERPRISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 9106 Deer Grove Court
- Site Acreage: 0.2
- Project Type: Exotic animal (Capuchin monkey)
- Number of Stories: 1
- Square Feet: 1,748

**Request**

This application is to allow an exotic animal (Capuchin monkey) within an existing single family residence. There are no accessory structures proposed, and the monkey will be kept indoors.

**Site Plan**

The plan depicts a newly constructed single family residence on a lot at the end of a hammerhead cul-de-sac. The residence is set back a minimum of 20 feet from the private street with a 5 foot setback to the south property line, 23 feet to the north property line, and a minimum of 20 feet from the rear property line. There is a 15 foot wide common element between the north property line and Agate Avenue.

**Landscaping**

No changes to the existing landscaping are required or proposed with this application.

Elevations

The plan depicts an existing single story residence with painted stucco, tile roof, and stone veneer and shutter accents.

Floor Plans

The plan depicts a 1,748 square foot single family residence with 3 bedrooms, living room, kitchen, and 2 bathrooms. A 46 inch by 36 inch by 78 inch high cage for the Capuchin monkey is provided in the nook area.

Applicant's Justification

The applicant indicates that the Capuchin monkey has been with the family for 4 years, prior to Clark County requirements for permits were required. The monkey is kept as an emotional support animal for the owner and is seen by veterinarian care twice a year along with testing for tuberculosis which is required by the State of Washington where the owners travel often to visit family. Prior to the current monkey, the owner had another monkey for 24 years for the owner's emotional support. A security and emergency plan will be filed with Clark County Animal Control as required for that permitting process, and the Capuchin monkey has been micro-chipped.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-18-0026	Waivers development standards in conjunction with a single family residential development	Approved by BCC	March 2018
DR-0931-17	Proposed single family residential development on 18.8 acres and increased finished grade	Approved by BCC	December 2017
TM-0179-17	112 residential lots and common lots on 18.8 acres	Approved by BCC	December 2017
NZC-0600-17	Reclassified the site to R-2 zoning for a proposed single family residential development	Approved by BCC	October 2017
VS-0601-17	Vacated and abandoned easements and rights-of-ways on this site	Approved by BCC	October 2017

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation	R-E	Undeveloped
South, East & West	Residential Low (up to 3.5 du/ac)	R-2	Adjoining portions of the same single family residential subdivision

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Current Planning**

#### **Use Permit**

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 can support the use permit for the exotic animal for the following reasons: 1) applicant must comply with all Clark County Animal Control regulations, including but not limited to an enclosure approved by Animal Control and annual inspections by Animal Control; 2) the Capuchin monkey is small (approximately 6 to 8 pounds) and will be kept indoors; and 3) the animal is necessary for the emotional health of the applicant. Additionally, staff has found no current or past complaints about the care of animals by the property owners with Clark County Animal Control. The proposed use should not result in substantial of undue adverse effect on adjacent properties or character of the neighborhood, and by allowing an exotic animal in a manner that does not jeopardize the health, safety, and welfare of the community, as a result, 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**

- No replacement of the subject Capuchin monkey or additional exotic animals without an additional land use application.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

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

- No comment.

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

- No comment.

**TAB/CAC:  
APPROVALS:  
PROTESTS:**

**APPLICANT: DALE SUMSION  
CONTACT: DALE SUMSION, 9106 DEER GROVE COURT, LAS VEGAS, NV 89113**

**DRAFT**





# LAND USE APPLICATION 17A

## 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 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"/> 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 #)	<b>STAFF</b>	DATE FILED: <u>12/24/2019</u> PLANNER ASSIGNED: <u>LMN</u> ACCEPTED BY: <u>LMN</u> FEE: <u>\$675.00</u> CHECK #: <u>2215</u> COMMISSIONER: <u>JJ</u> OVERLAY(S)? <u>N/A</u> PUBLIC HEARING? <u>Y/N</u> TRAILS? <u>Y/N</u> PFNA? <u>Y/N</u> APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>UC19-0991</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC MTG DATE: <u>1/29/20</u> TIME: <u>10pm</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>2-19-20</u> ZONE / AE / RNP: <u>R2/RL</u> PLANNED LAND USE: <u>ENT</u> NOTIFICATION RADIUS: <u>500</u> SIGN? <u>Y/N</u> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	<b>PROPERTY OWNER</b>	NAME: <u>DALE SUMSION</u> ADDRESS: <u>9106 DEER GROVE CT</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: <u>509-528-3481</u> E-MAIL: <u>dfsumsion@charter.net</u>	
	<b>APPLICANT</b>	NAME: <u>DALE SUMSION</u> ADDRESS: <u>9106 DEER GROVE CT</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: <u>509-528-3481</u> E-MAIL: <u>dfsumsion@charter.net</u> REF CONTACT ID #: _____	
	<b>CORRESPONDENT</b>	NAME: <u>DALE SUMSION</u> ADDRESS: <u>9106 DEER GROVE CT</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: <u>509-528-3481</u> E-MAIL: <u>dfsumsion@charter.net</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 176-22-210-012

PROPERTY ADDRESS and/or CROSS STREETS: 9106 DEER GROVE CT

PROJECT DESCRIPTION: SPECIAL USE PERMIT FOR AN EMOTIONAL SUPPORT EXOTIC ANIMAL

(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.

Dale Sumsion \_\_\_\_\_  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 12-16-19 (DATE)  
 By Dale Keith Sumsion  
 NOTARY PUBLIC: \_\_\_\_\_



\*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.

# Justification Letter

To whom it may concern,

We are requesting a land use permit for an Emotional Support Capuchin Monkey (exotic animal).

I would like to give some history. We obtained our first capuchin monkey in 1988 (Crystal). She was a loving and good monkey. In 2003 Dale's Doctor diagnosed him with debilitating PTSD and severe depression. He has been disabled ever since and remains in a Doctor's care. Crystal became an emotional support animal at that time. Sadly in 2013 Chrystal passed away at the age of 24 ½ years old. Dale tried to deal with her death but his condition deteriorated. In April of 2015 we welcomed Ruby (second capuchin monkey) into our family, when permits were not required by Clark County. Ruby has been a tremendous help to Dale for the past four years and his condition has improved. We became aware of the permit requirement this past month during the process of buying this new home. Ruby is a good companion to Dale and is required for his mental health, which is why we are requesting the use permit. Thank you.

Sincerely,  
Dale and Ilene Sumsion

*We have supporting documents from medical providers dating back to 2015 documenting the need of an emotional support animal.*

*Please see the 2018 + 2019 attached letters from Dale's current care provider.*

*Ruby receives veterinary care at least 2 times per year and is annually tested for TB which is required by the state of Washington where we travel often to see extended family.*

over



We have included a letter of support from a neighbor at our last home located at 9617 Greensburg Ave Las Vegas NV.

Additionally we have included a Security and Emergency Plan

Ruby has been trained to keep a collar on + on leash (see photo)



02/19/20 BCC AGENDA SHEET

SHOPPING CENTER  
(TITLE 30)

BLUE DIAMOND RD/EDMOND ST

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-20-0007-AFFILIATE INVESTMENTS, LLC:**

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

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow access to a local street; and 2) alternative driveway geometrics.

**DESIGN REVIEWS** for the following: 1) modifications to an approved shopping center; and 2) alternative parking lot landscaping on 3.4 acres in an M-D (Designed Manufacturing) Zone.

Generally located on the north side of Blue Diamond Road and the west side of Edmond Street within Enterprise. JJ/al/jd (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-13-801-047

**USE PERMITS:**

1. A convenience store.
2. Reduce the separation from a convenience store to a residential use to 98 feet where a minimum of 200 feet is required per Table 30.44-1 (a 51% reduction).

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow access to a local street (Ford Avenue) where not permitted per Table 30.56-2.
2. Reduce throat depth for a proposed driveway to 21 feet where previously approved at 23 feet and where a minimum of 75 feet is required per Uniform Standard Drawing 222.1 (a 69.3% reduction from required).

**DESIGN REVIEWS:**

1. A shopping center.
2. Permit alternative parking lot landscaping where landscaping per Figure 30.64-11 is required.

**LAND USE PLAN:**

ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: N/A
- Site Acreage: 3.4
- Project Type: Shopping center
- Number of Stories: 1
- Building Height (feet): 38 maximum
- Square Feet: 25,094
- Parking Required/Provided: 126/127

#### Site Plan

The site was previously approved as a 26,794 square foot shopping center consisting of 3 buildings and a pad site with access from Blue Diamond Road and Edmond Street with no access to Ford Avenue. Due to concerns from the Nevada Department of Transportation, the access from Blue Diamond Road was moved farther west, and the access from Edmond Street was removed and access from Ford Avenue has been added. The proposed shopping center consists of 5 buildings and structures which include a day care facility, an in-line retail building, a standalone commercial/retail building, a convenience store, and a canopy over fuel pump islands for a gasoline station. The prior approval for the shopping center included an automobile maintenance facility, which is no longer part of the project and is being replaced with the convenience store and gasoline station. The day care building is located on the northwest portion of the site and will have a 5,800 square foot outdoor play area directly west of the building. The in-line retail and standalone buildings are located along the west property line, south of the day care facility. The convenience store and gasoline station are located on the eastern portion of the property. Parking is located adjacent to the buildings and between the in-line retail and standalone buildings and the gasoline station. The reduced separation for the convenience store to a residential use is to an undeveloped parcel to the north across Ford Avenue that is designated as Residential Suburban (up to 8 du/ac) in the Enterprise Land Use Plan.

#### Landscaping

The site is bounded by 3 rights-of-way with Ford Avenue to the north, Edmond Street to the east, and Blue Diamond Road to the south. Along Blue Diamond Road, the plans depict a 10 foot wide landscape area which was previously approved with UC-0553-16. Between the subject property line and an existing attached sidewalk is an additional 25 feet of Nevada Department of Transportation right-of-way (no trees will be planted in this area since, there is an existing utility power easement along the south property line). Along Edmond Street, the plans depict an 11 foot wide landscape area with an attached sidewalk. The landscaping along Edmond Street will consist of trees, shrubs and groundcover. Along Ford Avenue, the plans depict a 20 foot wide landscape area with an attached sidewalk. Along portions of the west property line the plans depict a 3 foot wide landscape area with shrubs, and groundcover. The applicant is requesting an alternative to the required parking lot landscaping design. The proposed plan does not depict landscape islands and landscaped fingers within the parking areas as required by Figure 30.64-14; however, the required amounts of plant material for the parking area is equitably distributed throughout the site.

### Elevations

The plans depict 1 story buildings at a maximum height of 38 feet. The rooflines are a combination of pitched roof and parapet walls with variations in height between 18 feet and 37 feet. The major portions of the buildings are shown at a height of 28 feet. The exterior of the buildings have a stucco finish with an aluminum storefront window system, and accent metal canopies. The canopy over the fuel pump islands for the gasoline station is 21 feet in height and covers an area of approximately 5,080 square feet.

### Floor Plans

The shopping center has a total area of 25,094 square feet. The buildings will be between 4,300 square feet (standalone building) and 10,000 square feet (day care) in area.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant indicates that this property is a suitable location for these uses and is adequately parked. The proposed development is less intense than what was previously approved and the subject property is located along a major commercial corridor.

### Prior Land Use Requests

Application Number	Request	Action	Date
WS-19-0097	Retail center with a day care facility; automobile maintenance facility with waivers for modified driveway design standards	Approved by BCC	April 2019
UC-18-0437	Retail center and day care facility and restaurant with waivers for landscaping	Approved by BCC	July 2018
UC-0553-16	Retail and auto center with various reductions of separation requirements to a residential use; waivers for landscaping and non-standard driveway and waiver of conditions from 2 zone changes	Approved by BCC	September 2016
VS-0552-16	Vacated and abandoned patent easements	Approved by BCC	September 2016
VS-0453-10	Vacated and abandoned patent easements - expired	Approved by PC	November 2010
UC-0973-08	Automobile and retail center in an M-D zone; various reductions of separations requirements to a residential use; allow overhead doors to face a public street; waivers for landscaping and non-standard driveways; waiver of conditions from 2 zone changes - expired	Approved by BCC	December 2008
ZC-0269-05	Reclassified a portion of this site to M-D zoning for future development	Approved by BCC	April 2005

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-1584-98	Reclassified 91 acres to M-D zoning for a large retail and office/warehouse complex which included a portion of this site	Approved by BCC	November 1998

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac)	H-2	Undeveloped
East	Residential Suburban (up to 8 du/ac)	M-D	Commercial building
South	Commercial Neighborhood	R-2 & C-1	Undeveloped & medical office building
West	Business and Design/Research Park & Residential Suburban (up to 8 du/ac)	M-D	Undeveloped

The site and the surrounding area are located in the Public Facilities Needs Assessment (PFNA) area.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

**Use Permits**

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

This portion of the Blue Diamond Road corridor is in transition with approved and existing projects with a similar intensity of uses. Directly to the east is a retail building and farther east is an existing shopping center. To the west is an undeveloped M-D zoned parcel and farther west is an existing restaurant/tavern site and retail plant nursery. This site is located at the southwest corner of Ford Avenue and Edmond Street. The land use plan designates all 4 corners of this intersection as Residential Suburban (up to 8du/ac). This site has been reclassified to an M-D zone, the southeast corner has developed with a commercial building in an M-D zone, and the northeast corner has been reclassified to a C-P zone. The northwest corner is undeveloped and currently zoned H-2. It is unlikely at this time that the northwest corner of this intersection would develop prior than the subject site. It is also possible that the northwest corner of this intersection could be developed with a commercial use, given the trend for non-residential development for the other corners of this intersection. Therefore, staff finds the use permits for the convenience store are appropriate and consistent with the developing and planned uses along this corridor. Staff finds the proposed request is in compliance with Land Use Goal 9 of the



Comprehensive Master Plan which encourages providing for commercial development that is integrated in appropriate locations throughout the community.

#### Waivers of Development Standards

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

#### Waiver of Development Standards #1

The previously approved design for the site depicted access to the property from Blue Diamond Road and Edmond Street. Blue Diamond Road is a state right-of-way and the applicant indicates that the Nevada Department of Transportation (NDOT) required the driveway on Blue Diamond Road to be moved farther to the west and that the driveway on Edmond Street be removed due to impacts the driveway would have on the Edmond Street and Blue Diamond Road intersection. This required a redesign of the site and a driveway from Ford Avenue was added to improve access to the site. Farther to the west there are existing nonresidential developments that have access from Ford Avenue. To the east of this site are an existing commercial building with access from Edmond Street, another local street. Since there are other nonresidential developments in the area that have access from local streets, and since the driveway from Edmond Street was removed because of NDOT concerns, staff can support allowing access to the site from Ford Avenue.

#### Design Reviews

Staff finds this request is compliant with the Enterprise Land Use Plan and goals and policies within the Comprehensive Master Plan. Furthermore, the uses requested and the design of the project are compatible with the existing and proposed zoning and development in the area. The parking lot landscaping proposed by the applicant is consistent with landscaping provided within parking lots of other commercial developments located along Blue Diamond Road. Therefore, staff supports the design reviews.

#### Public Works - Development Review

##### Waiver of Development Standards #2

Staff has no objection to the reduced throat depth since the addition of the exclusive right turn lane along Blue Diamond Road should act as an extension of the throat depth, further mitigating potential impacts from the reduction.

#### **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

- 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 30 feet for Ford Avenue, the spandrel at the intersection of Ford Avenue and Edmond Street, and, if required by the Nevada Department of Transportation or Clark County, the spandrel at the intersection of Edmond Street and Blue Diamond Road;
- If required by the Regional Transportation Commission, provide a combination right turn lane/bus turnout at the proposed driveway on Blue Diamond Road and include provisions for a 5 foot by 25 foot bus shelter pad behind the sidewalk.
- Off-site improvements along Blue Diamond Road to be coordinated with Nevada Department of Transportation (NDOT), and applicant to provide an approved NDOT encroachment permit to Public Works Development Review Division.

### 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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0005-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:  
APPROVALS:  
PROTESTS:

APPLICANT: AFFILIATE INVESTMENTS, LLC

CONTACT: BAUGHMAN & TURNER, INC., 1210 HINSON STREET, LAS VEGAS, NV 89102



# LAND USE APPLICATION 18A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

- TEXT AMENDMENT (TA)
- ZONE CHANGE
  - CONFORMING (ZC)
  - NONCONFORMING (NZC)
- USE PERMIT (UC) 67500
- VARIANCE (VC)
- WAIVER OF DEVELOPMENT STANDARDS (WS) 47500
- DESIGN REVIEW (DR)
- PUBLIC HEARING 8500
- ADMINISTRATIVE DESIGN REVIEW (ADR)
- STREET NAME / NUMBERING CHANGE (SC)
- WAIVER OF CONDITIONS (WC)
 

(ORIGINAL APPLICATION #)
- ANNEXATION REQUEST (ANX)
- EXTENSION OF TIME (ET)
 

(ORIGINAL APPLICATION #)
- APPLICATION REVIEW (AR)
 

(ORIGINAL APPLICATION #)

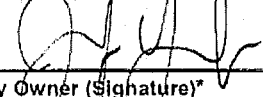
<b>STAFF</b>	DATE FILED: <u>1-3-20</u> APP. NUMBER: <u>UC 20-0007</u> PLANNER ASSIGNED: <u>AI</u> TAB/CAC: <u>Entupme</u> ACCEPTED BY: <u>AI</u> TAB/CAC MTG DATE: <u>1-29</u> TIME: <u>6P</u> FEE: <u>2000</u> PC MEETING DATE: <u>-</u> CHECK #: <u>2111, 2120</u> BCC MEETING DATE: <u>2-19 9A</u> COMMISSIONER: <u>JJ</u> ZONE / AE / RNP: <u>MD N2R4</u> OVERLAY(S)? <u>-</u> PLANNED LAND USE: <u>RS</u> PUBLIC HEARING? <u>Q/N</u> NOTIFICATION RADIUS: <u>100</u> SIGN? <u>Y/N</u> TRAILS? <u>Y/N</u> PFNA? <u>Q/N</u> LETTER DUE DATE: _____ APPROVAL/DENIAL BY: _____      COMMENCE/COMPLETE: _____
<b>PROPERTY OWNER</b>	NAME: <u>Affiliate Investments, LLC</u> ADDRESS: <u>6345 Balboa Blvd. #220</u> CITY: <u>Encino</u> STATE: <u>CA</u> ZIP: <u>91316</u> TELEPHONE: <u>213-494-4900</u> CELL: <u>213-494-4900</u> E-MAIL: <u>may@corewellpartners.com</u>
<b>APPLICANT</b>	NAME: <u>Affiliate Investments, LLC</u> ADDRESS: <u>6345 Balboa Blvd. #220</u> CITY: <u>Encino</u> STATE: <u>CA</u> ZIP: <u>91316</u> TELEPHONE: <u>213-494-4900</u> CELL: <u>213-494-4900</u> E-MAIL: <u>may@corewellpartners.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>	NAME: <u>Baughman &amp; Turner, Inc.</u> ADDRESS: <u>1210 Hinson St.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89102</u> TELEPHONE: <u>702-870-8771</u> CELL: <u>702-870-8772</u> E-MAIL: <u>joshh@baughman-turner.com</u> REF CONTACT ID #: <u>137071</u>

ASSESSOR'S PARCEL NUMBER(S): 176-13-801-047

PROPERTY ADDRESS and/or CROSS STREETS: Blue Diamond/Edmond

PROJECT DESCRIPTION: Commercial Development

(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)\*  
 STATE OF CALIFORNIA  
 COUNTY OF LOS ANGELES  
 SUBSCRIBED AND SWORN BEFORE ME ON 12/05/2019 (DATE)  
 By JUSTIN YASHOUAFAR  
 NOTARY PUBLIC: FRED K. JACOBSON

Justin Yashouafar, Authorized Signatory  
 \_\_\_\_\_  
 Property Owner (Print)



\*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.

**Baughman & Turner, Inc.**

Consulting Engineers & Land Surveyors

1210 HINSON ST  
LAS VEGAS, NEVADA 89102-1604

PHONE (702) 870-8771  
FAX (702) 878-2695

December 23, 2019

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

UC-20-0007

RE: The Commons on Blue Diamond

To Whom It May Concern:

This letter is being submitted to provide justification for a development application on a 3.38-acre site in an existing M-D Zone. The proposed project is a commercial development including general retail and a Convenience Store/gas station. The site was previously approved, but significant changes have been made requiring an additional design review of the site plan. Additionally, as part of this application, we are requesting a Special Use permit for development of a C-Store/gas station in an M-D zone, a Design Review for alternative parking lot landscaping and a Waiver of development standards for a reduced throat depth on the driveway on Blue Diamond.

As mentioned above, a site plan was previously submitted and a design review was completed for this site. The previous site plan included a driveway from Blue Diamond Road on the south and a driveway from Edmond Street on the east. NDOT initially denied the driveway on Blue Diamond Road but then agreed to allow it to be installed under the conditions that 1) the Blue Diamond driveway be moved as far to the west end of the site as possible and 2) the Edmond driveway be eliminated and a driveway installed on Ford Avenue on the north side of the site instead.

The revised site plan meets the majority all development criteria, with the exception of the required throat depth of the Blue Diamond Road driveway. Currently there is 21 feet where 100 feet is required. Although we are not meeting the criteria for throat depth, we are constructing an exclusive right turn lane for ingress to the site. This exclusive turn lane will provide more than 100 feet of storage for any cars making a right turn in to the site. This exclusive turn lane will prevent excessive queuing on Blue Diamond and can be utilized in lieu of the required throat depth for the storage of traffic entering the site.

Additionally, a portion of the site that was previously planned as retail/commercial is now proposed to be a Circle K convenience store and gas station. Development of a gas station in an M-D zone requires a Special Use Permit. This development meets all of the criteria for a gas station special use permit as outlined in Section 30.44-1. Additionally, it is anticipated that this will require an updated traffic mitigation plan submitted to Clark County Traffic Division as well as an updated traffic study required by NDOT to ensure that traffic in the area is not negatively impacted. This type of development is also consistent with other adjacent commercial development on the north side of Blue Diamond Road.

We are also requesting a design review for an alternative design for parking lot landscaping. The required landscaping for this development is 1 large tree per 6 spaces or 1 medium tree per 4 spaces. We currently

**Baughman & Turner, Inc.**

*Consulting Engineers & Land Surveyors*

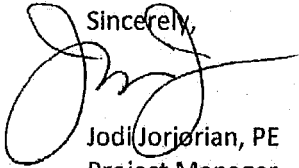
1210 HINSON ST.  
LAS VEGAS, NEVADA 89102-1604

PHONE (702) 870-8771  
FAX (702) 878-2695

have 127 parking spaces proposed for the site. Therefore, the required trees are as follows: large trees  $127/6 = 22$  trees or  $127/4 = 32$  trees. When parking is adjacent to perimeter landscaping, perimeter landscape trees can be counted toward the tree ratio requirements. We are currently proposing 29 trees in the landscape fingers, long landscape medians and/or adjacent to parking rows. In addition, we have another 29 trees proposed in the perimeter landscaping area along Blue Diamond Road and Edmond. Therefore, we have nearly double the amount of trees required. Since we are meeting the requirement for overall trees and providing an adequate buffer along all public rights-of-way, we are asking that our site plan be approved as shown.

Thank you for your consideration of our application. Should you need any additional information, please do not hesitate to call me at 702-683-5172, or email me at [jodij@baughman-turner.com](mailto:jodij@baughman-turner.com).

Sincerely,



Jodi Jorjorian, PE  
Project Manager  
Baughman & Turner, Inc.



EASEMENTS/RIGHT-OF-WAY  
(TITLE 30)

RAINBOW BLVD/TORINO AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-19-1003-TORINO 18, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Torino Avenue and Pebble Road, and between Rainbow Boulevard and Redwood Street, and a portion of right-of-way being Rainbow Boulevard between Torino Avenue and Pebble Road within Enterprise (description on file). JJ/al/jd (For possible action)

RELATED INFORMATION:

APN:  
176-14-401-010

LAND USE PLAN:  
ENTERPRISE - OFFICE PROFESSIONAL

**BACKGROUND:**

**Project Description**

The applicant is proposing to develop the site as a day care and pre-school facility. The request is to vacate easements the applicant indicates are not needed for the development of the site and any required right-of-way dedications or easements will be provided with the development of the parcel. In addition, a portion of Rainbow Boulevard will be vacated to accommodate a detached sidewalk.

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Office Professional	R-2	Undeveloped
South	Commercial Neighborhood	C-1	Undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residence
West	Commercial General	C-2	Undeveloped

This site and the surrounding area are located in the Public Facilities Needs Assessments (PFNA) area.

**Related Applications**

Application Number	Request
ZC-19-1001	A request to reclassify the site to a C-P zone for a day care and pre-school facility is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

Staff has no objection to the vacation of easements and right-of-way that are not necessary for site, drainage, or roadway development.

**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**

- Satisfy utility companies' requirements.
- 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 the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

**Public Works - Development Review**

- Right-of-way dedication to include 30 feet for Torino Avenue, and associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

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

- No objection.

**TAB/CAC:  
APPROVALS:  
PROTESTS:**

**APPLICANT:** JASE PROPERTIES, LLC  
**CONTACT:** RIETZ CONSULTING, 3203 E. WARM SPRINGS RD, STE 400, LAS VEGAS, NV 89120





# VACATION APPLICATION 19A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

<b>APPLICATION TYPE</b>	<b>STAFF</b>	DATE FILED: <u>12-30-19</u>	APP. NUMBER: <u>US-19-1003</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (VSA) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: <u>AD</u> ACCEPTED BY: <u>AD</u> FEE: <u>875</u> CHECK #: _____ COMMISSIONER: <u>JJ</u> OVERLAY(S)? <u>-</u> TRAILS? Y/N _____ PFNA? Y/N _____	TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>1-29</u> TIME: <u>6</u> PC MEETING DATE: _____ BCC MTG DATE: <u>2-19-19</u> ZONE / AE / RNP: <u>RE NBE</u> PLANNED LAND USE: <u>CP</u>

<b>PROPERTY OWNER</b>	NAME: <u>Torino 18, LLC</u> ADDRESS: <u>828 Vegas Valley Dr.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u>
-----------------------	--

<b>APPLICANT</b>	NAME: <u>Jase Properties, LLC</u> ADDRESS: <u>2936 Valley Basin Ave</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: <u>408-477-6439</u> CELL: <u>000-000-0000</u> E-MAIL: <u>castronv@gsi-ano.com</u> REF CONTACT ID #: <u>n/a</u>
------------------	---

<b>CORRESPONDENT</b>	NAME: <u>Eric Rietz Rietz Consulting</u> ADDRESS: <u>3203 E Warm Springs # 400</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702-521-3355</u> CELL: <u>000-000-0000</u> E-MAIL: <u>eric.rietz@rietzconsulting.com</u> REF CONTACT ID #: _____
----------------------	---

ASSESSOR'S PARCEL NUMBER(S): Rainbow & Torino

PROPERTY ADDRESS and/or CROSS STREETS: Rainbow & Torino

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.

\_\_\_\_\_

LEE ZUCKER

Property Owner (Signature)\*  
 STATE OF NEVADA  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON December 11, 2019 (DATE)  
 By Lee Zucker  
 NOTARY PUBLIC: Elide Vazquez

Property Owner (Print)

**ELIDE VAZQUEZ**  
 NOTARY PUBLIC  
 STATE OF NEVADA  
 My Commission Expires: 12-12-2022  
 Certificate No: 19-1069-1

\*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

ATTORNEYS AT LAW  
LAS VEGAS OFFICEANTHONY J. CELESTE  
aceleste@kcnvlaw.com  
702.693.4215LAS VEGAS OFFICE  
8345 West Sunset Road  
Suite 250  
Las Vegas, NV 89113  
Tel: 702.792.7000  
Fax: 702.796.7181RENO OFFICE  
5585 Kietzke Lane  
Reno, NV 89511  
Tel: 775.852.3900  
Fax: 775.852.3982CARSON CITY OFFICE  
510 W. Fourth Street  
Carson City, NV 89703  
Tel: 775.884.8300  
Fax: 775.882.0257

December 23, 2019

**VIA HAND DELIVERY**CLARK COUNTY COMPREHENSIVE PLANNING  
500 S. Grand Central Parkway, 1<sup>st</sup> Floor  
Las Vegas, NV 89106

**Re: Jase Properties, LLC  
Justification Letter – Conforming Zone Change and Design Reviews for (1)  
Daycare/Preschool and (2) Increase Grading Above 18 inches and a Vacation  
APN: 176-14-401-010**

To Whom It May Concern:

Please be advised our office represents Jase Properties, LLC (the "Applicant") in the above-referenced matter. The Applicant is proposing to develop a daycare/preschool on approximately 1.8 acres located on the southeast corner of Rainbow Boulevard and Torino Avenue. The property is more particularly described as APN: 176-14-401-010 (the "Site"). In conjunction with the design review for the daycare/preschool, the Applicant is requesting a conforming zone change.

**Conforming Zone Change**

The Applicant is requesting a zone change from R-E to C-P. The Site is master planned Office Professional (O-P). With a master plan designation of O-P, a zone change to C-P conforms to the master plan. In addition to the request conforming to the master plan; (1) a zone change to C-P is compatible to the area as immediately to the south is property zoned C-1 and approved for a mini-storage facility use, (2) to the west is properties zoned C-2 and planned for commercial general, and (3) to the north and east are properties zoned and planned residential. As such, a zone change to C-P conforms to the existing commercial uses and is an appropriate buffer to the adjacent residential uses.

**Design Review for Daycare/Preschool and Increase in Grading**

The Applicant is proposing an 11,005 square foot daycare/preschool use on the Site. A daycare/preschool use is a permitted use in a C-P zoned district. After consultation with the cul de sac neighborhood immediately to the east of the Site, the Applicant is proposing access to the Site only from Rainbow Boulevard. The Applicant is not requesting access to Torino Avenue. As such, the Applicant is designing the Site to accommodate a radius turn around area in the parking lot area. The Applicant is proposing a building height of approximately 22'. The

Applicant is providing a nearly 30' wide intense landscape buffer between the proposed building and the residential neighborhood to the east. The Applicant is satisfying all parking and landscaping requirements as well as meeting all other Title 30 requirements.

Additionally, the Applicant is requesting a design review to increase the finished grade above 18". Here, the Site needs to match the Rainbow Boulevard elevation to accommodate drainage. As such, the Applicant is requesting to increase the finished grade by approximately 5.5'.

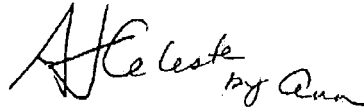
### Vacation

The Applicant is also requesting a vacation of patent easements as they are no longer needed along Torino Avenue and the North and East property lines as well as a request to vacate a portion of right-of-way along Rainbow to allow for detached sidewalks.

We thank you in advance for your time and consideration. If need anything else, please do not hesitate to contact me.

Sincerely,

KAEMPFER CROWELL RENSHAW  
GRONAUER & FIORENTINO

Handwritten signature of Anthony J. Celeste in black ink, with the name written in a cursive style.

Anthony J. Celeste

AJC/MAO



02/19/20 BCC AGENDA SHEET

EASEMENTS  
(TITLE 30)

MERANTO AVE/TEE PEE LN

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-20-0011-COMEBACK TIME PHD 19, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Meranto Avenue and Serene Avenue and between Newbattle Street and Tee Pee Lane (alignment) within Enterprise (description on file). JJ/al/jd (For possible action)

RELATED INFORMATION:

APN:  
176-19-701-006

LAND USE PLAN:  
ENTERPRISE - RESIDENTIAL MEDIUM (FROM 3 DU/AC TO 14 DU/AC)

**BACKGROUND:**

**Project Description**

The applicant is proposing to develop this site as a single family residential development. The request is to vacate easements located along the boundaries of the parcel that the applicant indicates are not necessary for development of the site. Any required rights-of-way or utility easements will be provided with the future subdivision of the site.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0781-17	Reclassified the site to R-2 zoning for future residential development	Approved by BCC	November 2017
VS-0782-17	Requested to vacate government patent easements - expired	Approved by BCC	November 2017

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Residential Medium (from 3 du/ac to 14 du/ac)	R-2	Single family residence
East	Residential Suburban (up to 8 du/ac)	R-E	Undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
WS-20-0010	A single family residential development with a waiver for wall height is a companion item on this agenda.
TM-20-500001	A tentative map for a single family residential development is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

Staff has no objection to the vacation of easements that are not necessary for site, drainage, or roadway development.

**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**

- Satisfy utility companies' requirements.
- 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 the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

**Public Works - Development Review**

- Right-of-way dedication to include 30 feet for Meranto Avenue;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** SUMMIT HOMES OF NEVADA  
**CONTACT:** JANNA FELIPE, TANEY ENGINEERING, 6030 S. JONES BOULEVARD,  
LAS VEGAS, NV 89118

DRAFT







# VACATION APPLICATION 20A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	STAFF	DATE FILED: <u>1-3-20</u> PLANNER ASSIGNED: <u>AI</u> ACCEPTED BY: <u>AI</u> FEE: <u>875</u> CHECK #: <u>1804125</u> COMMISSIONER: <u>JT</u> OVERLAY(S)? <u>—</u> TRAILS? <u>Y</u> PFNA? <u>N</u>	APP. NUMBER: <u>13-20-0001</u> TAB/CAC: <u>Entupone</u> TAB/CAC DATE: <u>1-29</u> TIME: <u>6P</u> PC MEETING DATE: <u>—</u> BCC MTG DATE: <u>2-19 9A</u> ZONE / AE / RNP: <u>R-2 NA</u> PLANNED LAND USE: <u>RM</u>
---	-------	---	---

PROPERTY OWNER	NAME: <u>Comeback Time PHD 19 LLC</u> ADDRESS: <u>10450 W Cheyenne Ave #130</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u> TELEPHONE: <u>702-873-1167</u> CELL: _____ E-MAIL: <u>phil@phdpropertiesinc.com</u>
----------------	---

APPLICANT	NAME: <u>Summit Homes of Nevada</u> ADDRESS: <u>3425 Cliff Shadows Parkway #110</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u> TELEPHONE: <u>702.365.8588</u> CELL: _____ E-MAIL: <u>AndrewA@summithomesnv.com</u> REF CONTACT ID #: <u>170565</u>
-----------	---

CORRESPONDENT	NAME: <u>Taney Engineering, Attn: Janna Felipe</u> ADDRESS: <u>6030 S. Jones Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: _____ E-MAIL: <u>jannaf@taneycorp.com</u> REF CONTACT ID #: <u>132565</u>
---------------	---

ASSESSOR'S PARCEL NUMBER(S): 176-19-701-006

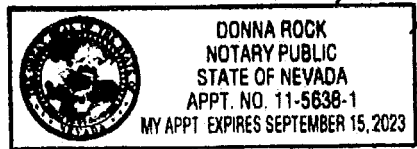
PROPERTY ADDRESS and/or CROSS STREETS: W. Meranto Ave and S. Tee Pee Ln

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.

\_\_\_\_\_  
 Property Owner (Signature)\*

Philip Davis; Manager  
 Property Owner (Print) PHD 19 LLC  
manager

STATE OF NEVADA COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 12/10/19 (DATE)  
 By Philip H. Davis  
 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.



**TANEY ENGINEERING**

6030 S. JONES BLVD. LAS VEGAS, NV 89118  
PHONE: (702) 362-8844 | FAX: (702) 362-5233  
TANEYCORP.COM

January 3, 2020

Al Laird, Principal Planner  
Clark County Comprehensive Planning  
500 S. Grand Central Pkwy  
Las Vegas, NV 89155

VS-20-0011

**Re: Meranto & Tee Pee – Vacation of Right of Way  
(APN: 176-19-701-006)**

Dear Mr. Laird,

On behalf of our client, Summit Homes of Nevada LLC, Taney Engineering is respectfully submitting a project description letter for a Patent Easement Vacation. With our concurrent submittal of a Tentative Map, Waiver and Design Review for a residential subdivision, we will need to submit a vacation for our proposed residential subdivision; the patent easements are no longer needed.

Patent Vacation:

The purpose is to vacate all of the patent easements along the north, east and west boundary of our site and a portion of the patent easement along the south boundary reserved by the United States of America per that certain document recorded June 12, 1961 in Book 302, Page No. 244462, Patent No. 1208576 of Official Clark County, Nevada Records.

A legal description, exhibit and supporting documents have been provided, as part of this package, for your review.

Please let us know if you have any questions or require any additional information.

Respectfully,

Janna Felipe  
Project Coordinator



# VACATION APPLICATION 20A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	STAFF	DATE FILED: <u>1-3-20</u> PLANNER ASSIGNED: <u>AI</u> ACCEPTED BY: <u>AI</u> FEE: <u>875</u> CHECK #: <u>1804125</u> COMMISSIONER: <u>JT</u> OVERLAY(S)? <u>—</u> TRAILS? <u>Y</u> PFNA? <u>N</u>	APP. NUMBER: <u>V3-20-001</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>1-29</u> TIME: <u>6P</u> PC MEETING DATE: <u>—</u> BCC MTG DATE: <u>2-19 9A</u> ZONE / AE / RNP: <u>R-2 NR</u> PLANNED LAND USE: <u>RM</u>
---	-------	---	--

PROPERTY OWNER	NAME: <u>Comeback Time PHD 19 LLC</u> ADDRESS: <u>10450 W Cheyenne Ave #130</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u> TELEPHONE: <u>702-873-1167</u> CELL: _____ E-MAIL: <u>phil@phdpropertiesinc.com</u>
----------------	---

APPLICANT	NAME: <u>Summit Homes of Nevada</u> ADDRESS: <u>3425 Cliff Shadows Parkway #110</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u> TELEPHONE: <u>702.365.8588</u> CELL: _____ E-MAIL: <u>AndrewA@summithomesnv.com</u> REF CONTACT ID #: <u>170565</u>
-----------	---

CORRESPONDENT	NAME: <u>Taney Engineering, Attn: Janna Felipe</u> ADDRESS: <u>6030 S. Jones Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: _____ E-MAIL: <u>jannaf@taneycorp.com</u> REF CONTACT ID #: <u>132565</u>
---------------	---

ASSESSOR'S PARCEL NUMBER(S): 176-19-701-006

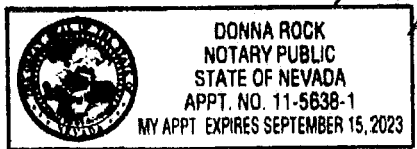
PROPERTY ADDRESS and/or CROSS STREETS: W. Meranto Ave and S. Tee Pee Ln

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.

\_\_\_\_\_  
 Property Owner (Signature)\*

Philip Davis; MANAGER  
 Property Owner (Print) PHD 19 LLC  
MANAGER

STATE OF NEVADA COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 12/10/19 (DATE)  
 By Philip H. Davis  
 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.



**TANEY ENGINEERING**

6030 S. JONES BLVD. LAS VEGAS, NV 89118  
PHONE: (702) 362-8844 | FAX: (702) 362-5233  
TANEYCORP.COM

January 3, 2020

Al Laird, Principal Planner  
Clark County Comprehensive Planning  
500 S. Grand Central Pkwy  
Las Vegas, NV 89155

VS-20-0011

**Re: Meranto & Tee Pee – Vacation of Right of Way  
(APN: 176-19-701-006)**

Dear Mr. Laird,

On behalf of our client, Summit Homes of Nevada LLC, Taney Engineering is respectfully submitting a project description letter for a Patent Easement Vacation. With our concurrent submittal of a Tentative Map, Waiver and Design Review for a residential subdivision, we will need to submit a vacation for our proposed residential subdivision; the patent easements are no longer needed.

Patent Vacation:

The purpose is to vacate all of the patent easements along the north, east and west boundary of our site and a portion of the patent easement along the south boundary reserved by the United States of America per that certain document recorded June 12, 1961 in Book 302, Page No. 244462, Patent No. 1208576 of Official Clark County, Nevada Records.

A legal description, exhibit and supporting documents have been provided, as part of this package, for your review.

Please let us know if you have any questions or require any additional information.

Respectfully,

Janna Felipe  
Project Coordinator

02/19/20 BCC AGENDA SHEET

RESTAURANTS WITH DRIVE-THRU  
(TITLE 30)

LAS VEGAS BLVD S/MOBERLY AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-20-0009-LVB MOBERLY, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce parking lot landscaping; and 2) reduce throat depth.

**DESIGN REVIEW** for restaurants with drive-thru on 3.2 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the north side of Moberly Avenue and the west side of Giles Street within Enterprise. MN/lm/jd (For possible action)

**RELATED INFORMATION:**

**APN:**

177-09-311-001

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate a landscape finger in a portion of the parking lot (north) per Figure 30.64.14.
2. Reduce throat depth to 32.01 feet on Las Vegas Boulevard South where 75 feet is required per Uniform Standard Drawing 222.1 (a 57.3% reduction).

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 7740 Las Vegas Boulevard South
- Site Acreage: 3.2
- Project Type: Restaurants with drive-thru
- Number of Stories: 1
- Building Height: 20 feet, 1 inch
- Square Feet: 1,805 (Building 1)/1,810 (Building 2)
- Parking Required/Provided: 157/157

### History

This site was previously approved for a hotel with kitchens in rooms and a pad site. The current application will in-fill the undeveloped pad site.

### Site Plan

The plan depicts 2 proposed drive-thru restaurant buildings located on an undeveloped pad site on the westerly portion of an existing hotel site. Access to the site is from existing driveways on Las Vegas Boulevard South and Moberly Avenue, and via cross access through the existing convenience store site to the south, and the retail center to the north. The buildings are set back over 100 feet from Las Vegas Boulevard South with drive aisles and parking is located on the west, north, and east sides of the buildings. Cross access is provided at the southwest corner of the site with a 43 foot wide drive aisle connecting the site to the convenience store, and 24 foot wide drive aisles to the retail center to the north. Additionally, bicycle parking is located on the north side of northerly building (Building 2). The restaurants face Las Vegas Boulevard South with the drive-thru entrances located between the convenience store to the south and the southerly side of the restaurant Building 1. The shared drive-thru entrances will split for the 2 proposed users with the southerly restaurant (Building 1) having the lane run from the south of Building 1 then north along the east side of the building and then traverse between the buildings to the pick-up service window on the north side of the building, and exit to the west of the buildings. The drive-thru lane for Building 2 will run from the south of Building 1 then north along the east side of both buildings to the pick-up service window and exit at the northeast corner of Building 1. The order call boxes are located on the east and southerly ends of the corresponding drive-thru lanes. A covered trash enclosure is located on the north side of Building 2 along with a loading zone located in the parking area to the east of Building 2. Additional parking will be constructed to the east of the buildings for the benefit of the restaurants and the hotel guests. The existing parking area adjacent to Las Vegas Boulevard South will be re-stripped to provide pedestrian access from Las Vegas Boulevard South to the entrances of the restaurants.

### Landscaping

Street landscaping exists along Las Vegas Boulevard South, with parking lot trees added to the parking lot finger and northerly portion of the parking area. Parking lot landscaping is provided along the west sides of the buildings as well as in the new easterly parking area. Parking lot landscaping is provided along the northerly parking area; however, it is deficient by 1 landscape finger as required by Figure 30.64-14. Between the eastern parking lot and the drive-thru lane for Building 2 is a narrow landscape planter with a 42 inch high block wall and shrubbery. Landscape planters with shrubbery are provided along the south and east elevations of Building 1, and along the north, west, and south sides of Building 2.

### Elevations

The front (west) elevation includes a variety of exterior materials, various roof elements at different heights (maximum height of 20 feet 1 inch), and off-set surface planes. Materials include painted stucco with stone cladding, metal awning over the storefront entries and windows. The building accent materials are visible from all elevations; however the south and east elevations have limited visual enhancements and represent the rear of the buildings. Additionally, the drive-thru between the buildings is partially covered over the service window

with the cover being an extension of the awning on the west side of the northerly building (Building 2) and connects the buildings visually. Each building face includes shielded lighting with complementary accent fixtures to the exterior materials.

**Floor Plans**

The southerly building (Building 1) consists of 1,805 square feet and the northerly building (Building 2) consists of 1,810 square feet, both for a future drive-thru restaurant.

**Signage**

Signage is not a part of this request.

**Applicant's Justification**

The applicant indicates that at the time of submittal there are no specific proposed tenants. The proposed connecting roof structure covering the drive-thru is designed to complement the existing businesses along Las Vegas Boulevard South between Moberly Avenue and Warm Springs Road. Additionally, the future uses will provide an added benefit to the existing hotel guests to provide additional dining options within walking distance.

**Prior Land Use Requests**

Application Number	Request	Action	Date
TM-500130-16	1 lot commercial subdivision	Approved by PC	October 2016
VS-0439-15	Vacated and abandoned rights-of-way for Giles Street and Moberly Avenue	Approved by BCC	September 2015
DR-0437-15	120 room hotel with kitchens in rooms	Approved by BCC	September 2015
DR-1863-97	A 184 unit hotel	Withdrawn by Applicant	November 1997

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Shopping center
South	Commercial Tourist	H-1 & C-1	Hotel, convenience store, & restaurant
East	Office Professional	R-E	Single family residential & undeveloped
West	Commercial Tourist	H-1	Undeveloped

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Current Planning**

#### Waivers of Development Standards

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

#### Waiver of Development Standards #1

Although the project does not include the necessary landscape fingers required by Title 30, the design does allocate additional landscaping along the west elevation of the buildings with 4 landscape fingers where 2 are required, with large trees along the north and west parking areas. As a result, the alternative design standard does provide acceptable landscaping on the site to comply with Urban Specific Policy 67 in the Comprehensive Master Plan, which encourages, in part, appropriate landscaping with all commercial developments.

#### Design Review

Overall, the design complies with several goals and policies in the Comprehensive Master Plan. For example, Goal 9 encourages commercial development integrated in appropriate locations throughout the community (the site is located on Las Vegas Boulevard South); Urban Specific Policy 65 encourages commercial development with cross access (the site incorporates cross access to the north, south, and east). Lastly, Urban Specific Policy 78 encourages architectural treatments on all sides of the building. Although the east and south elevations are designed with more limited architectural cladding materials and architectural features, these back sides of the buildings contain sufficient design elements and materials to satisfy Policy 78; therefore, staff can support the design review.

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

#### Waiver of Development Standards #2

The commercial driveway is already existing on this site and staff recommended alternatives to help minimize the conflicts with the site design. The site is still designed to have ingress traffic turning off of Las Vegas Boulevard South into immediate conflict with cross access, parking stalls and the drive-thru exit; therefore, staff cannot support the reduction in the throat depth.

#### **Staff Recommendation**

Approval of waiver of development standards #1 and the design review; denial of waiver of development standards #2.

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:

- 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;
- 6 months to perform and have recorded a Record of Survey to determine the underlying title rights in relationship to "as built" improvements on Las Vegas Boulevard South.

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0006-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: SUN WEST CUSTOM HOMES**

**CONTACT: SUN WEST CUSTOM HOMES, 6675 CIMARRON RD #100, LAS VEGAS, NV 89113**





# LAND USE APPLICATION 21A

## 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 checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <i>1/21/20</i> <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <i>5/17/20</i> <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 #)	<b>STAFF</b>	DATE FILED: <u>1/3/2020</u> PLANNER ASSIGNED: <u>LHN</u> ACCEPTED BY: <u>LHN</u> FEE: <u>3975</u> CHECK #: <u>10323</u> COMMISSIONER: <u>MJ</u> OVERLAY(S)? <u>NA MUDI</u> PUBLIC HEARING? <u>Y/N</u> TRAILS? <u>Y/N</u> PFNA? <u>Y/N</u> APPROVAL/DENIAL BY: _____  APP. NUMBER: <u>WS-20-0009</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC MTG DATE: <u>1/28/20</u> TIME: <u>6 p.m.</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>2/19/20</u> ZONE / AE / RNP: <u>H-1</u> PLANNED LAND USE: <u>ENT CT</u> NOTIFICATION RADIUS: <u>500</u> SIGN? <u>Y/N</u> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	<b>PROPERTY OWNER</b>	NAME: <u>L V B MOBERLY L L C</u> ADDRESS: <u>6675 S CIMARRON RD #100</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-363-8060</u> CELL: _____ E-MAIL: <u>DAN@SUNWESTCUSTOMHOMES.COM</u>
	<b>APPLICANT</b>	NAME: <u>LEE NAVE,</u> ADDRESS: <u>6675 S CIMARRON RD #100</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-363-8060</u> CELL: _____ E-MAIL: <u>LEE@SUNWEST...</u> REF CONTACT ID #: _____ <u>LEE@SUNWESTCUSTOMHOMES.COM</u>
	<b>CORRESPONDENT</b>	NAME: <u>LEE NAVE,</u> ADDRESS: <u>6675 S CIMARRON RD #100</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-363-8060</u> CELL: _____ E-MAIL: <u>...CUSTOMHOMES.COM</u> REF CONTACT ID #: _____ <u>LEE@SUNWESTCUSTOMHOMES.COM</u>

ASSESSOR'S PARCEL NUMBER(S): 177-09-311-001  
 PROPERTY ADDRESS and/or CROSS STREETS: LAS VEGAS BLVD S & MOBERLY AVE  
 PROJECT DESCRIPTION: LVB FRONT PAD

(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)\* DAN COLETTI  
 Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF CLARK  
 SUBSCRIBED AND SWORN BEFORE ME ON SEPT 30 2019 (DATE)  
 By CHRISTINE A. ALAIMO  
 NOTARY PUBLIC: Christine A. Alaimo

**CHRISTINE A. ALAIMO**  
 Notary Public State of Nevada  
 No. 03-84988-1  
 My appl. exp. Dec. 20, 2021

\*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.

WS-20-0009

SUN WEST  
C O M M E R C I A L L L C

6675 Cimarron St. #100 Las Vegas, NV 89113 p. 702.363.8060 Lic. #62690

1/2/2020

Clark County Nevada  
Building Department  
500 S. Grand Central Parkway  
Las Vegas, NV 89155-1810

RE: APN 177-09-311-001

To Whom It May Concern:

DL

We are asking permission to build 2 one-story commercial buildings. At the time of this submittal we do not have any tenants. The buildings however will be used for fast food restaurants and both will have a drive-thru window. The buildings will have a connecting roof structure covering the drive-thru window for building #1. We believe this project would complement the existing businesses along Las Vegas Blvd between Moberly and Warm Springs. The project will also benefit the existing hotel located within the same parcel. These two buildings would also provide guests staying at the hotel additional dining options within walking distance. We are providing an additional 37 parking spaces for these new buildings. These spaces along with the existing 120 spaces for the hotel will meet the required 157 spaces overall for the parcel.

WS

As there are there are two existing entrances on to the parcel along with a cross access easement for the entry from Las Vegas Blvd., we would ask for a waiver for the throat depth if it is found that it does not meet the required length.

WS

We also would ask for a waiver at the northern parking lot landscape as we do not meet the finger reduction of 1:7 where 1:6 is required.

Thank you,

Daniel S. Coletti  
Owner  
Sun West Commercial, LLC

02/19/20 BCC AGENDA SHEET

RESIDENTIAL DEVELOPMENT  
(TITLE 30)

MERANTO AVE/TEE PEE LN

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-20-0010-COMEBACK TIME PHD 19, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** for increased wall height.  
**DESIGN REVIEWS** for the following: 1) a single family residential development; 2) hammerhead turnaround; and 3) increased finished grade on 2.5 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the north side of Meranto Avenue and the west side of Tee Pee Lane (alignment) within Enterprise. JJ/al/jd (For possible action)

RELATED INFORMATION:

APN:  
176-19-701-006

**WAIVER OF DEVELOPMENT STANDARDS:**  
Increase wall height to 11 feet (6 foot screen wall with up to 5 foot retaining walls) where a wall height of 9 feet (6 foot screen wall) with a 3 foot retaining wall) is permitted per Section 30.64.050 (a 22.2% increase).

- DESIGN REVIEWS:**
1. A detached single family residential development.
  2. Permit a hammerhead turnaround at the terminus of a street where radius cul-de-sac per Uniform Standard Drawing 212 is the County's preferred design.
  3. Increased finished grade for homes within a proposed single family residential development to 60 inches (5 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 233% increase).

**LAND USE PLAN:**  
ENTERPRISE - RESIDENTIAL MEDIUM (FROM 3 DU/AC TO 14 DU/AC)

- BACKGROUND:**  
**Project Description**  
General Summary
- Site Address: N/A
  - Site Acreage: 2.5
  - Number of Lots: 20

- Density (du/ac): 8
- Minimum/Maximum Lot Size (square feet): 3,303/5,022
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): 30
- Square Feet: 1,908 to 2,512

#### Site Plans

The plans depict a detached single family residential development consisting of 20 lots on 2.5 acres with a density of 8 dwelling units per acre. The plans depict 2 of the lots on the southeast corner of the site having direct access from Meranto Avenue. Access to the remainder of the lots will be provided by two, 43 foot private streets which will include a 5 foot wide sidewalk on 1 side of the streets. The first private street starts at the entrance of the subdivision and goes north where it terminates in a stub street on the northwestern portion of the site. This stub street will provide access to 2 lots. The second private street is perpendicular to the first and terminates in a hammerhead turnaround that is located on the northeast portion of the site. The plan depicts a common lot on the southeast corner of the site to be used as a detention basin for drainage.

#### Landscaping

Typical front yard landscaping will be provided by the future home owners. The development is designed so that the rear property lines of the lots are not adjacent to streets; therefore, additional landscaping is not required within the proposed development.

#### Elevations

The plans depict 2 story homes with a maximum height of 30 feet. The homes will have pitched roofs with concrete tile roofing material. The exterior of the homes will consist of a stucco finish painted in earth tone colors with combinations of brick, stone veneer, different window fenestrations, and other architectural elements to enhance the structures.

#### Floor Plans

The plans depict single family homes between 1,908 square feet and 2,512 square feet in area with options for 3 to 5 bedrooms. Each home will have a 2 car garage.

#### Applicant's Justification

The applicant indicates that the proposed residential development is similar in density and intensity as the existing single family developments abutting this site. The proposed use of the property complies with the land use plan and is consistent and compatible with existing and planned land uses in this area. The property is adjacent to existing development to the north, south and west. The increased fill and retaining wall heights are necessary for the proposed development to match the existing conditions in this area. The applicant indicates the site is limited in size and the proposed hammerhead turnaround will take up less area than the preferred radius cul-de-sac design. Additionally, the existing residential developments abutting this site use the hammerhead turnaround design at the end of the streets.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0781-17	Reclassified the site to R-2 zoning for future residential development	Approved by BCC	November 2017
VS-0782-17	Vacated and abandoned government patent easements - expired	Approved by BCC	November 2017

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Residential Medium (from 3 du/ac to 14 du/ac)	R-2	Single family residence
East	Residential Suburban (up to 8 du/ac)	R-E	Undeveloped

**Related Applications**

Application Number	Request
VS-20-0011	A request for a vacation and abandonment of easements is a companion item on this agenda.
TM-20-500001	A tentative map for a single family residential development is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Waiver of Development Standards

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

There are existing single family residential developments to the north, south, and west that abut this site. These existing developments have established existing conditions for the area which impact the design of this site for drainage and off-site improvements. These are unique circumstances that impact the property and can warrant an increase in retaining wall heights to allow the development of this site to transition into these existing conditions. Therefore, staff has no objection to this request.

### Design Reviews #1 & #2

The proposed development is similar in density and intensity as the existing single family residential developments in this area. The site is limited in area and a hammerhead turnaround would take less area away from the proposed lots within the development as a radius cul-de-sac. Additionally, the existing residential developments in this area all use the hammerhead turnaround rather than the radius cul-de-sac design. Therefore, the proposed development is consistent and compatible with the existing residential developments in this area and staff can support the design reviews.

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

#### Design Review #3

This design review represents the maximum grade difference along the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

### **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 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 4 years of approval date or it will expire.

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

- 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;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Meranto Avenue.
- 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.



**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0521-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** SUMMIT HOMES OF NEVADA

**CONTACT:** JANNA FELIPE, TANEY ENGINEERING, 6030 S. JONES BOULEVARD,  
LAS VEGAS, NV 89118

**DRAFT**





# LAND USE APPLICATION 22A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <u>475</u> <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <u>\$8500</u> <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 #)	<b>STAFF</b>	DATE FILED: <u>1-3-20</u> PLANNER ASSIGNED: <u>PA</u> ACCEPTED BY: <u>PA</u> FEE: <u>1325<sup>00</sup></u> CHECK #: <u>1807123/1807124/</u> COMMISSIONER: <u>JT 1001152</u> OVERLAY(S)? _____ PUBLIC HEARING? <u>Y/N</u> TRAILS? <u>Y/N</u> PFNA? <u>Y/N</u> APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>WS-20-0010</u> TAB/CAC: <u>Entropia</u> TAB/CAC MTG DATE: <u>1-29</u> TIME: <u>6P</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>2-19 9A</u> ZONE / AE / RNP: <u>R-2 N/AE</u> PLANNED LAND USE: <u>Rm</u> NOTIFICATION RADIUS: <u>100</u> SIGN? <u>Y/N</u> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	<b>PROPERTY OWNER</b>	NAME: <u>Comeback Time PHD 19 LLC</u> ADDRESS: <u>10450 W Cheyenne Ave #130</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u> TELEPHONE: <u>702-873-1167</u> CELL: _____ E-MAIL: <u>phitephdpropertiesinc.com</u>	
	<b>APPLICANT</b>	NAME: <u>Summit Homes of Nevada</u> ADDRESS: <u>3425 Cliff Shadows Parkway #110</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89129</u> TELEPHONE: <u>702.365.8588</u> CELL: _____ E-MAIL: <u>AndrewA@summithomes</u> REF CONTACT ID #: <u>170565</u>	
	<b>CORRESPONDENT</b>	NAME: <u>Taney Engineering, Attn: Janna Felipe</u> ADDRESS: <u>6030 S. Jones Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: _____ E-MAIL: <u>jannaf@taneycorp.com</u> REF CONTACT ID #: <u>132565</u>	

ASSESSOR'S PARCEL NUMBER(S): 176-19-701-006

PROPERTY ADDRESS and/or CROSS STREETS: W. Meranto Ave and S. Tee Pee Ln

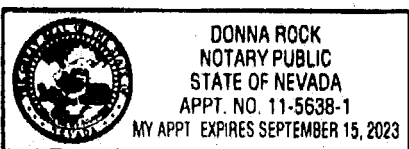
PROJECT DESCRIPTION: Single Family Residential Subdivision

(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)\* Philip Davis Property Owner (Print) Philip Davis, Manager - PHD 19 LLC

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 12/10/19 (DATE)  
 By Philip H Davis  
 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.



January 3, 2020

Al Laird, Principal Planner  
Clark County Comprehensive Planning  
500 South Grand Central Parkway  
Las Vegas, NV 89155

**Re: Meranto and Tee Pee – Justification Letter**  
**APN: 176-19-701-006**

Dear Mr. Laird:

On behalf of our client, Summit Homes of Nevada, LLC, Taney Engineering is respectfully submitting a project description letter for a Tentative Map, Design Review, Waiver of Standards, and Vacation of Patent Easement for a proposed 2.57-acre, 20 lot residential subdivision.

**Project Description:**

The project consists of a 2.57-acre, 20 lot residential subdivision with 7.8 lots per acre located along Meranto Avenue west of Tee Pee Lane. Currently the site is zoned R-2 – Medium Density Residential, with a planned land use RM – Residential Medium. We are requesting the site to remain zoned R-2.

Our project will consist of entry level, affordable housing by current market conditions. For pedestrian safety we will provide sidewalks on one side of the street. In addition to stylish exteriors, the homes will include full length 20' paver driveways with 2-car garages.

The project site is bound by properties with planned land use and zoning as follows:

- South: R-2 Medium Density Residential (8 units/acre); RM – Residential Medium
- West R-2 Medium Density Residential (8 units/acre); RM – Residential Medium
- North: R-2 Medium Density Residential (8 units/acre); RM – Residential Medium
- East: R-E Rural Estates Residential (2 units/acre); RS – Residential Suburban

The subdivision will have access to the site from Meranto Ave. There will be 2-car garages provided for each unit for a total of 40 parking spaces. 2 additional parking spaces are provided adjacent to the Hammerhead. Landscaping will not be provided along Meranto Ave since it is not required to provide landscaping along a side street as per Title 30.

The houses will range in size from approximately 1,908 square feet to 2,358 square feet and will consist of two-story homes (height of two-story homes will not exceed 29'-6") with two car garages.

Due to the presence of several localized low points found along the eastern boundary of the site, a design review for excess fill and a waiver of standards for wall heights will need to be applied for.



## TANEY ENGINEERING

6030 S. JONES BLVD. LAS VEGAS, NV 89118  
PHONE: (702) 362-8844 | FAX: (702) 362-5233  
TANEYCORP.COM

### Waiver of Standards – Wall Height

On behalf of our client, we would like to request waiver of standards for retaining walls ranging from 4 to 5 feet with a 6-foot screen wall on top of the retaining for a total wall height not to exceed 11 feet. Based on our analysis lots 1 through 7 will be affected.

### Waiver of Standards – Street Intersections Off-set

We are requesting a waiver of standards for the street intersection offset (30.52.025.c). We proposed the access to the subdivision in the SE side of the site to drain the storm water. Therefore, we are requesting to reduce the street intersection offset from the required 125-ft to 55.47-ft for a reduction of 55.6%. In addition, Tee Pee & Meranto have residential homes fronting them and behave as residential streets making this offset condition similar to internal street of subdivision.

### Design Review – Excess Fill

We are applying for a design review for the excess fill at our edge conditions along the eastern boundary. We believe that the difference in elevation between the proposed and existing grade will range from 4 to 5 feet around the existing localized low points. Based on our analysis lots 1 through 7 will be affected.

Furthermore, in discussions with Clark County Public Works, Common Element A is to serve as a storm drain detention basin to mitigate any increase in storm drain runoff created by this development.

### Design Review – Hammerhead Design

Per title 30.56.080.o, factors to be considered in determining whether a hammerhead design is appropriate include the following along with the justification for the use on this project site in italics, underlined, and in parenthesis following:

1. The number and layout of on-site parking spaces (*Each home will provide two parking spaces (40 spaces) plus 2 parking spaces adjacent to the hammerhead. In addition, parking can be provided on the street in front of the homes.*)
2. Driveway length (*All lots will have a minimum of 20-ft / 18-ft in hammerhead, driveway lengths capable of 2 vehicles parking*)
3. The number of hammerheads (*Only one hammerhead design is proposed for the entire site*)
4. Size of lots (*The lot sizes varies with the minimum width of 35-ft and minimum depth of 81-ft. There is only one lot adjacent to the hammerhead with parking restriction and 2 parking spaces are provided opposite this lot to compensate for this*)
5. Shape and other constraints of the property (*The property is 2.57 acres, very small and an infill site, the design proposed matches into the adjacent properties developed in similar manner*)

### Patent Easement Vacation:

The purpose is to vacate all of the patent easements along the north, east and west boundary of our site and a portion of the patent easement along the south boundary reserved by the United States of America per that certain document recorded June 12, 1961 in Book 302, Page No. 244462, Patent No. 1208576 of Official Clark County, Nevada Records.



## TANEY ENGINEERING

6030 S. JONES BLVD. LAS VEGAS, NV 89118  
PHONE: (702) 362-8844 | FAX: (702) 362-5233  
TANEYCORP.COM

We are hopeful that this letter clearly describes the project and the intent of the proposed development. If you have any questions or require any additional information please call 702-362-8844.

Respectfully,

Brian Myers, P.E.  
Project Manager

02/19/20 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL  
(TITLE 30)

STARR AVE/LA CIENEGA ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-20-0012-CFT LANDS, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** allow an increase to street length.  
**DESIGN REVIEW** for a proposed single family residential development on a 15.0 acre site in an R-1 (Single Family Residential) Zone and R-D (Suburban Estates Residential) Zone.

Generally located on the north side of Starr Avenue, 300 feet east of La Cienega Street within Enterprise. MN/lm/jd (For possible action)

---

RELATED INFORMATION:

**APN:**  
177-33-801-019

**WAIVER OF DEVELOPMENT STANDARDS:**  
Increase street length to 1,645 feet where a maximum length of 1,500 feet is permitted per Figure 30.52-2 (a 9.7% increase).

**LAND USE PLAN:**  
ENTERPRISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC)

**BACKGROUND:**

**Project Description**  
General Summary

- Site Address: N/A
- Site Acreage: 15
- Number of Lots: 61 (single family residential lots)/3 (common element)
- Density (du/ac): 4.8 (R-1 zone)/3.2 (R-D zone)
- Minimum/Maximum Lot Size:
  - R-1 zone: 5,330/6,915 (gross) and 4,738/6,070 (net)
  - R-D zone: 10,354/15,146 (gross) and 9,013/13,003 (net)
- Project Type: Single family residential development
- Number of Stories: 2 and 3
- Building Height (feet): Up to 35
- Square Feet: 2,940/4,217

### History

The subject property was approved for a single family residential development; however, it was limited to R-1 zoning on the east and south portions of the parcel (approximately 6.0 acres) and R-D zoning on the remainder of the site (approximately 8.4 acres).

### Site Plans

The plans depict a proposed single family residential subdivision consisting of 61 lots. The area for the R-1 zoned lots along Starr Avenue includes a landscape easement between the walls of the subdivision and Starr Avenue. Additionally, a 6 foot wide landscape easement is shown adjacent to the corner lots within the interior of the site. Therefore, the net lot area (the useable area) of these lots range from a minimum of 4,738 square feet to a maximum of 6,070 square feet. The area of the R-D zoned lots includes the adjacent private streets so that the net lot area ranges from a minimum of 9,013 square feet to a maximum of 13,003 square feet. Access to the project is from Starr Avenue to the south and Terrill Avenue to the northeast. The lots are served by 38 foot wide internal private streets with an attached sidewalk on 1 side of the street. The historical drainage flows traditionally crosses the property from south to north, and those flows are directed through a proposed underground drainage channel contained within 2 common elements (Common Element B and Common Element C) where Common Element B includes a pedestrian path that will connect the northerly internal street to the southerly internal street. There is a connection of streets (Wakefield Avenue, Alloroestate Street, and Cantiga Avenue) surrounding 20 R-D zoned lots that is 1,645 feet in length.

### Landscaping

A 15 foot wide landscape area which includes a detached sidewalk is shown along Starr Avenue. Internal to the development are additional street landscape buffers along corner side lots, and a landscaped common element along the west property line (Common Element A). The 2 common elements over the proposed underground drainage channel will be finished in rock mulch fill. The landscape easements and common lots will be maintained by Landscape Maintenance Corporation (Homeowners Association).

### Elevations

Four different model home plans with 4 separate elevations per plan are offered by the developer. Of these 4 plans, 3 are 2 stories while the remaining plan is a 3 story model. The 3 story model is within the height requirements of the R-1 zoning district (35 feet), and offers an optional roof deck. The building materials consist of concrete tile roofs, stone veneer, and stucco finished walls with decorative pop-outs, wrought iron railing, and fenestration on windows and doors on all sides of the residential models.

### Floor Plans

The plans consist of 4 floor models that include 2 and 3 car front loaded garages and range in size from 2,940 square feet to 4,217 square feet.

### Applicant's Justification

The applicant indicates the proposed community will blend well with surrounding neighborhoods, and is designed to be a suitable transition between the existing rural neighborhood to the north and the higher density residential to the south and east. Additionally,



a common element will serve as a pedestrian corridor to connect the 2 main streets within the subdivision with the entry street which also serves as a drainage easement for an underground drainage facility in lieu of 2 long dead-end streets. The proposed pedestrian walk connects the 2 east/west streets along the same alignment as the entry street and eliminates the concern about pedestrian circulation and access to the entrance of the parcel.

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-19-0546	Design Review for a proposed single family residential development on a portion of the site	Withdrawn at BCC	October 2019
TM-19-500142	29 single family residential lots on a portion of the site	Withdrawn At BCC	October 2019
NZC-18-1028	Reclassified the site to R-1 & R-D zoning (this request was limited to R-1 zoning on the east and south portions of the parcel and reduced to R-D zoning on the remainder of the site)	Approved by BCC	April 2019
VS-18-1029	Vacated and abandoned easements and rights-of-way	Approved by BCC	April 2019
TM-18-500243	75 single family residential lots	Denied by BCC	April 2019
NZC-18-0055	Reclassified the site to R-2 zoning for a single family residential development	Withdrawn at BCC	June 2018
VS-18-0056	Vacated and abandoned easements and rights-of-way	Withdrawn at BCC	June 2018
TM-18-500009	86 single family residential lots	Withdrawn at BCC	June 2018

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residence & undeveloped
South	Residential Suburban (up to 8 du/ac) & Public Facilities	R-E & P-F	Schorr Elementary school, single family residence & undeveloped
East	Residential Suburban (up to 8 du/ac)	R-2	Undeveloped
West	Rural Neighborhood Preservation (up to 2 du/ac) & Residential Low (up to 3.5 du/ac)	R-E (RNP-I)	Single family residence & undeveloped

This site and the surrounding area are located in the Public Facilities Needs Assessment (PFNA) area.

## Related Applications

Application Number	Request
TM-20-500002	A tentative map for a 61 lot residential subdivision is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

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

#### Analysis

##### Current Planning

###### Waiver of Development Standards

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

###### Design Review

The current request is consistent with Policy 38 of the Comprehensive Master Plan which encourages new residential development adjacent to RNP areas to transition with appropriate lot sizes. Staff also finds the layout and design of this proposal will be compatible with the surrounding area. However, staff finds the lack of landscaping or pedestrian amenities within pedestrian walk (Common Element B) deficient to support the applicant's justification for pedestrian connections. Pedestrian amenities are encouraged by Growth Management Community Design Policies of the Comprehensive Master Plan Policy 2, and new development is encouraged to incorporate ample active and passive open space per the Urban Specific Policy 17. Pedestrian scale site furnishings provided along open spaces to create visual continuity, reinforce the pedestrian character, and provide outdoor use areas as encouraged in Urban Specific Policy 18. Staff can support the design with the addition of pedestrian amenities (i.e. benches, waste/pet waste receptacles, public art) provided within the Common Element.

##### Public Works - Development Review

###### Waiver of Development Standards

Staff has no objection to the over-length street as long as the Fire Department approved the request.

##### Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Henderson Executive Airport, and is subject to potentially significant aircraft noise and continuing over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Airport 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**

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Provide several pedestrian amenities within Common Element B;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised to provide landscaping per Figure 30.64-5 or Figure 30.64-6 along Placid Street termination; 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 4 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 55 feet to back of curb for Starr Avenue and all portions of the cul-de-sac that are necessary to provide a complete County approved turnaround on Placid Street;
- If required by the Regional Transportation Commission (RTC), relocate the 10 foot by 25 foot bus shelter pad that is shown adjacent to Lot 1 to an area adjacent to Lots 5, 6 or 7;
- Fire Department approval of all over-length streets;
- Prior to the approval of the off-site improvement plans, the applicant shall provide a written notarized letter from the owner of APN: 177-33-801-012 approving the proposed access to his or her property.
- Applicant is advised that this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA); and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**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 is strongly encouraged; and 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 funds will not be available in the future should the residents wish to have their homes purchased or soundproofed.

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0003-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**  
**APPROVALS:**  
**PROTESTS:**

**APPLICANT:** AMERICAN WEST DEVELOPMENT, INC  
**CONTACT:** ALYSHA HARRIS, WEST WOODS PS, 5740 ARVILNE STREET, SUITE 216,  
LAS VEGAS, NV 89118

DRAFT



# LAND USE APPLICATION 23A

## 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 checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WSH 73) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) 1000 <input checked="" 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 #) <input type="checkbox"/> DEVELOPMENT AGREEMENT (DA)	<b>STAFF</b>	DATE FILED: <u>1/3/2020</u> PLANNER ASSIGNED: <u>LMN</u> ACCEPTED BY: <u>LMN</u> FEE: <u>\$1475</u> CHECK #: <u>099782 E. Cash</u> COMMISSIONER: <u>MN</u> OVERLAY(S)? <u>N/A</u> PUBLIC HEARING? <u>Y/N</u> TRAILS? <u>Y/N</u> PFNAT? <u>Y/N</u> APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>WS-20-0012</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC MTG DATE: <u>1/29/20</u> TIME: <u>6:00</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>2/19/20</u> ZONE / AE / RNP: <u>RD/R-1</u> PLANNED LAND USE: <u>ENTRPL</u> NOTIFICATION RADIUS: <u>1500</u> SIGN? <u>Y/N</u> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	<b>PROPERTY OWNER</b>	NAME: <u>CFT Lands, LLC</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>kendra.saffle@pultegroup.com</u>	
	<b>APPLICANT</b>	NAME: <u>American West Development, Inc.</u> ADDRESS: <u>250 Pilot Road, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-736-6434</u> CELL: _____ E-MAIL: <u>kendra.saffle@pultegroup</u> ACA CONTACT ID #: _____	
	<b>CORRESPONDENT</b>	NAME: _____ <u>Westwood</u> ADDRESS: <u>5740 South Arville, Suite 216</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: <u>cjensen@shg-inc.com</u> ACA CONTACT ID #: <u>188046</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-33-801-019  
 PROPERTY ADDRESS and/or CROSS STREETS: Starr Ave / Fairfield Ave  
 PROJECT DESCRIPTION: Single Family Residential Subdivision

(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.

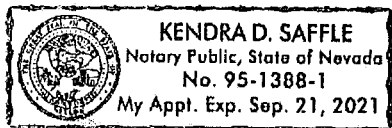
\_\_\_\_\_  
 Property Owner (Signature)\*

Lawrence D. Canarelli  
 \_\_\_\_\_  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON October 14, 2019 (DATE)  
 By Lawrence D. Canarelli

NOTARY PUBLIC:



\*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.

# Westwood

5740 S. Arville St., Suite 216  
Las Vegas, NV 89118

Main (702) 284-5300

westwoodps.com  
(888) 937-5150

December 30, 2019

Current Planning Division  
500 South Grand Central Parkway  
Las Vegas, NV 89155-4000

WS-20-0012

RE: **Silverado Court VIII**  
**Westwood Project No. AWD1705-000**  
**Justification Letter for Waiver of Design Standards & Design Review**

Westwood Professional Services, on behalf of our client, American West Development, respectfully submits this justification application for a Waiver of Design Standards and Design Review.

The project site associated with the subject application is approximately 15.0+ gross acres and covers APN 177-33-801-019. It is located in a portion of the South  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 33, Township 22 South, Range 61 East, M.D.M., Clark County, Nevada.

The proposed community is a residential subdivision on approximately 15+ gross acres with 58 lots and a density of 3.9 du/ac. In this development, American West Development will offer 4 different house plans with 4 separate elevations per plan. Of these four house plans, one is 3-stories tall and three are 2-stories tall. House sizes range from 5,330 gross SF to 6,915 gross SF, with the target buyer being established families, 2nd upgrades homes and multi-gen residences. This subdivision is designed with private streets with sidewalk on one side that are in compliance with the CCAUSD. There is a proposed 15-foot landscape easement with detached sidewalk along Starr Ave. that will be landscaped in compliance with Title 30 requirements. This project also proposes a 9,900 s.f. Common Element to serve as a pedestrian corridor to connect the two main streets in line with the entry street, that will also serve as a drainage easement for an underground drainage facility. Legal ingress/egress access will be provided to the property to the north from Terrill Ave at the northeast corner of the development. The proposed community is designed to be a suitable transition between the existing rural neighborhood to the north and the higher density residential to the south and east. We feel that the proposed project will blend well with the surrounding neighborhood by appropriately transitioning from a low density residential to the higher density residential to the south and the more intense St. Rose corridor.

## Waiver of Standards

The project is being developed as a Single Family Detached Residential development in accordance with Title 30. This request is to define waivers of Title 30 for the project needed to develop the site and anticipated product.

Multi-Disciplined Surveying & Engineering  
westwoodps.com

**1. Section 30.52.052 – Street Configuration in Residential Subdivisions**

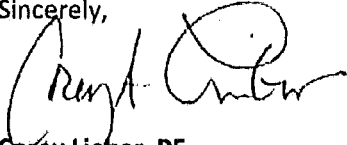
**Standard:** Streets shall not exceed one thousand five hundred (1,500') feet in length

**Request:** Allow 1,645' in length

**Justification:** This waiver will promote connectivity through the site, making it more efficient design, in lieu of 2 long dead-end streets that would be in compliance with Title 30. There is a proposed pedestrian walk that connects the two east/west streets along the same alignment as the entry street and eliminates the concern for poor pedestrian circulation and access to the entrance of the parcel.

Thank you for the opportunity to submit this application for your review. Please contact me at (702) 284-5300 if you have any questions regarding this application.

Sincerely,



**Corey Lieber, PE**  
**Project Manager**  
Westwood Professional Services

Cc: Kendra Saffle, American West Development;  
Chelsea Jensen, Westwood Professional Services





02/19/20 BCC AGENDA SHEET

DAY CARE & PRE-SCHOOL  
(TITLE 30)

RAINBOW BLVD/TORINO AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ZC-19-1001-TORINO 18, LLC:**

**ZONE CHANGE** to reclassify 2.1 acres from R-E (Rural Estates Residential) Zone to C-P (Office and Professional) Zone.

**USE PERMITS** for the following: 1) a day care; and 2) a pre-school.

**DESIGN REVIEWS** for the following: 1) a day care and pre-school facility; and 2) increase finished grade.

Generally located on the southeast corner of Rainbow Boulevard and Torino Avenue within Enterprise (description on file). JJ/al/jd (For possible action)

---

**RELATED INFORMATION:**

**APN:**  
176-14-401-010

**DESIGN REVIEWS:**

1. A day care and pre-school facility.
2. Increased finished grade for a day care and pre-school facility to 66 inches (5.5 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.52.040 (a 266.7% increase).

**LAND USE PLAN:**  
ENTERPRISE - OFFICE PROFESSIONAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 2.1
- Project Type: Day care and pre-school
- Number of Stories: 1
- Building Height (feet): 22
- Square Feet: 11,005
- Parking Required/Provided: 18/44

Site Plan

The request is for a day care and pre-school facility consisting of 1 building located on the southeastern portion of the site with access to the site from Rainbow Boulevard. Playground areas are located to the north and south of the building and parking is along the north and west sides of the parcel. The building is set back approximately 39 feet from the east (rear) property line, 80 feet from Rainbow Boulevard, 38 feet from the south property line, and 165 feet from Torino Avenue.

Landscaping

A minimum 10 foot wide landscape area consisting of 2 off-set rows of large evergreen trees is located along the eastern property line adjacent to existing single family residences. A minimum 15 foot wide landscape area consisting of trees, shrubs and groundcover with detached sidewalk is located along Rainbow Boulevard. A 6 foot wide landscape area adjacent to an attached sidewalk is located along Torino Avenue. Additional landscaping is located within the parking areas and adjacent to the building.

Elevations

The building is 1 story with a maximum height of 22 feet. The building has a flat roof behind a parapet wall. Variations in the height of the parapet walls, pop-outs, and recesses will break-up the vertical and horizontal surfaces of the building. The exterior of the building will have a stucco finish painted in earth tone colors.

Floor Plans

The proposed facility has an area of 11,005 square feet. The building is divided into offices, staff areas, a kitchen, restrooms, storage areas, a multi-purpose room, and 10 classroom areas. The plans indicate that 5 of the classrooms are for children ages 3 to 5. The other classrooms will be used for children 6 weeks to 36 months with the children placed in a classroom based on age.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed zone change is in conformance to the land use plan. The proposed use as a day care and pre-school is compatible with the existing planned land uses in this area and the site will provide a transition area between the planned commercial development to the west and south and the residential developments to the north and east.

Surrounding Land Use

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Office Professional	R-2	Undeveloped
South	Commercial Neighborhood	C-1	Undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residence

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
West	Commercial General	C-2	Undeveloped

This site and the surrounding area are located in the Public Facilities Needs Assessment (PFNA) area.

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-19-1003	A request for a vacation and abandonment of easements is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Zone Change

The proposed reclassification of this site to a C-P zone is in conformance with the Enterprise Land Use Plan. The proposed C-P zoning is compatible with the existing commercial zoning to the south and west and will provide a transition area to the existing residential development to the north and east. The request complies in part with Goal 1 of the Comprehensive Master Plan to implement a comprehensive land use plan to promote economic viability and employment opportunities with development that is compatible with adjacent land uses.

Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Day care and pre-schools are special uses that are allowed in both commercial and residential zoning districts. The site is located on and will take access from Rainbow Boulevard, an arterial street located along the west side of the site; therefore, traffic from this development would have limited impacts on the existing residential developments to the east. The proposed facility would act as a transition area between the more intense commercial developments planned and approved to the south and west to the residential developments to the north and east. Staff finds that the proposed facility will not have an adverse effect on adjacent properties and supports the use permits.

### Design Review #1

The proposed building design breaks-up the vertical and horizontal surfaces of the structure which gives the structure a more visually appealing look. The design of the site makes use of landscaping to buffer the facility from the existing single family homes to the east, break-up the parking areas, and to improve the appearance of the site. Therefore, staff supports the design review.

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

#### Design Review #2

This design review represents the maximum grade difference along the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

### **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**

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- 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 the use permits and design reviews must commence within 2 years of approval date or they will expire.

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

- 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;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Torino Avenue, and associated spandrel.
- Applicant is advised that the installation of detached sidewalks will 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; and 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.

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0007-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:  
APPROVALS:  
PROTESTS:**

**APPLICANT: JASE PROPERTIES, LLC  
CONTACT: ANTHONY CELESTE, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA  
DR., SUITE 650, LAS VEGAS, NV 89135**

**DRAFT**





# LAND USE APPLICATION 24A


## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT


SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION


<input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <u>\$10500</u> <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <u>675</u> <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <u>\$675</u> <input checked="" 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)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  <input type="checkbox"/> APPLICATION REVIEW (AR)	STAFF	DATE FILED: <u>12-30-19</u> PLANNER ASSIGNED: <u>BT</u> ACCEPTED BY: <u>BT</u> FEE: <u>\$2,900</u> CHECK #: COMMISSIONER: <u>JT</u> OVERLAY(S)? <u>NA</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N TRAILS? Y <input checked="" type="checkbox"/> N PFNA? <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY:	APP. NUMBER: <u>ZC-19-1001</u> TAB/CAC: <u>Entworne</u> TAB/CAC MTG DATE: <u>1-24</u> TIME: <u>6 P</u> PC MEETING DATE: BCC MEETING DATE: <u>2-17 9A</u> ZONE / AE / RNP: <u>RE N3BE</u> PLANNED LAND USE: <u>OP</u> NOTIFICATION RADIUS: <u>100'</u> SIGN? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N LETTER DUE DATE: COMMENCE/COMPLETE:
	PROPERTY OWNER	NAME: <u>Torino 18, LLC</u> ADDRESS: <u>828 Vegas Valley Dr.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u>	
	APPLICANT	NAME: <u>Jase Properties, LLC</u> ADDRESS: <u>2936 Valley Basin Avenue</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: <u>408-477-6439</u> CELL: <u>000-000-0000</u> E-MAIL: <u>castronv@gsi-ano.com</u> REF CONTACT ID #: <u>n/a</u>	
CORRESPONDENT	NAME: <u>Kaempfer Crowell -- Tony Celeste</u> ADDRESS: <u>1980 Festival Plaza Dr. #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>ajc@kcnvlaw.com</u> REF CONTACT ID #: <u>175451</u>		

ASSESSOR'S PARCEL NUMBER(S): 176-14-401-010  
 PROPERTY ADDRESS and/or CROSS STREETS: Rainbow & Torino  
 PROJECT DESCRIPTION: Conforming zone change to C-P for a daycare/pre-school

(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)\*  
 STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 11/12/2019 (DATE)  
 By Lee Zucker  
 NOTARY PUBLIC: Anaiss Klein

  
 Property Owner (Print)

  
 ANAISS KLEIN  
 NOTARY PUBLIC  
 STATE OF NEVADA  
 My Commission Expires: 04-30-2023  
 Certificate No: 19-2679-1

\*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****KAEMPFER CROWELL RENSHAW  
GRONAUER & FIORENTINO**ATTORNEYS AT LAW  
LAS VEGAS OFFICEANTHONY J. CELESTE  
aceleste@kcnvlaw.com  
702.693.4215LAS VEGAS OFFICE  
8345 West Sunset Road  
Suite 250  
Las Vegas, NV 89113  
Tel: 702.792.7000  
Fax: 702.796.7181RENO OFFICE  
5585 Kietzke Lane  
Reno, NV 89511  
Tel: 775.852.3800  
Fax: 775.852.3982CARSON CITY OFFICE  
510 W. Fourth Street  
Carson City, NV 89703  
Tel: 775.884.8300  
Fax: 775.882.0257

December 23, 2019

**VIA HAND DELIVERY**CLARK COUNTY COMPREHENSIVE PLANNING  
500 S. Grand Central Parkway, 1<sup>st</sup> Floor  
Las Vegas, NV 89106

**Re: Jase Properties, LLC  
Justification Letter – Conforming Zone Change and Design Reviews for (1)  
Daycare/Preschool and (2) Increase Grading Above 18 inches and a Vacation  
APN: 176-14-401-010**

To Whom It May Concern:

Please be advised our office represents Jase Properties, LLC (the "Applicant") in the above-referenced matter. The Applicant is proposing to develop a daycare/preschool on approximately 1.8 acres located on the southeast corner of Rainbow Boulevard and Torino Avenue. The property is more particularly described as APN: 176-14-401-010 (the "Site"). In conjunction with the design review for the daycare/preschool, the Applicant is requesting a conforming zone change.

**Conforming Zone Change**

The Applicant is requesting a zone change from R-E to C-P. The Site is master planned Office Professional (O-P). With a master plan designation of O-P, a zone change to C-P conforms to the master plan. In addition to the request conforming to the master plan; (1) a zone change to C-P is compatible to the area as immediately to the south is property zoned C-1 and approved for a mini-storage facility use, (2) to the west is properties zoned C-2 and planned for commercial general, and (3) to the north and east are properties zoned and planned residential. As such, a zone change to C-P conforms to the existing commercial uses and is an appropriate buffer to the adjacent residential uses.

**Design Review for Daycare/Preschool and Increase in Grading**

The Applicant is proposing an 11,005 square foot daycare/preschool use on the Site. A daycare/preschool use is a permitted use in a C-P zoned district. After consultation with the cul de sac neighborhood immediately to the east of the Site, the Applicant is proposing access to the Site only from Rainbow Boulevard. The Applicant is not requesting access to Torino Avenue. As such, the Applicant is designing the Site to accommodate a radius turn around area in the parking lot area. The Applicant is proposing a building height of approximately 22'. The



Applicant is providing a nearly 30' wide intense landscape buffer between the proposed building and the residential neighborhood to the east. The Applicant is satisfying all parking and landscaping requirements as well as meeting all other Title 30 requirements.

Additionally, the Applicant is requesting a design review to increase the finished grade above 18". Here, the Site needs to match the Rainbow Boulevard elevation to accommodate drainage. As such, the Applicant is requesting to increase the finished grade by approximately 5.5'.

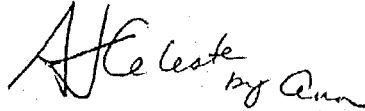
### Vacation

The Applicant is also requesting a vacation of patent easements as they are no longer needed along Torino Avenue and the North and East property lines as well as a request to vacate a portion of right-of-way along Rainbow to allow for detached sidewalks.

We thank you in advance for your time and consideration. If need anything else, please do not hesitate to contact me.

Sincerely,

KAEMPFER CROWELL RENSCHAW  
GRONAUER & FIORENTINO

Handwritten signature of Anthony J. Celeste in black ink, with the name written in a cursive style.

Anthony J. Celeste

AJC/MAO

