



IV. Approval of Agenda for March 12, 2019 and Hold, Combine or Delete Any Items (For possible action)

V. Informational Items

1. Announcements of upcoming meetings and County and community meetings and events. (for discussion)

VI. Planning & Zoning

1. **VS-19-0088-CRP CALIDA CIMARRON OWNER, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Sunset Road and the Clark County 215 Beltway, and between Cimarron Road and Warbonnet Way within Spring Valley. MN/tk/ja (For possible action) **04/02/19 PC**

2. **VS-19-0140-CHEN, MEI TZU & TENG, PEI CHI:**

**VACATE AND ABANDON** easements of interest to Clark County located between Mohawk Street (alignment) and Edmond Street, and between Oquendo Road and Patrick Lane within Spring Valley (description on file). MN/rk/ja (For possible action) **04/02/19 PC**

3. **TM-19-500029-NEW RAINBOW, LLC:**

**TENTATIVE MAP** for a commercial subdivision on 5.0 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design and MUD-3 Overlay Districts. Generally located on the north side of Rafael Rivera Way, 1,300 feet west of Rainbow Boulevard within Spring Valley. MN/md/ja (For possible action) **03/19/19 PC**

4. **TM-19-500035-7155 S BUFFALO LAS VEGAS 294, LLC:**

**TENTATIVE MAP** for a commercial subdivision on 4.3 acres in an M-D (Designed Manufacturing District) (AE-60) Zone within the CMA Design and MUD-3 Overlay Districts. Generally located on the west side of Buffalo Drive, 650 feet north of Warm Springs Road within Spring Valley. MN/sd/ja (For possible action) **03/19/19 PC**

5. **NZC-19-0081-CRP CALIDA CIMARRON OWNER, LLC:**

**ZONE CHANGE** to reclassify 18.9 acres from R-4 (Multiple Family Residential – High Density) Zone and C-2 (General Commercial) Zone to R-4 (Multiple Family Residential - High Density) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increased building height; and **2)** allow modified driveway and security gate design standards.

**DESIGN REVIEW** for a proposed multiple family residential development in the CMA Design and MUD-3 Overlay Districts. Generally located on the south side of Sunset Road and the east side of Cimarron Road within Spring Valley (description on file). MN/dg/ja (For possible action) **04/02/19 PC**

6. **NZC-19-0139-MAROOTIAN, ANDREA GAYNE & BACKER, VANESSA RAFFI:**  
**ZONE CHANGE** to reclassify 4.8 acres from R-E (Rural Estates Residential) (AE-60) Zone to R-1 (Single Family Residential) (AE-60) Zone in the CMA Design Overlay District.  
**WAIVER OF DEVELOPMENT STANDARDS** to increase wall height.  
**DESIGN REVIEWS** for the following: **1)** proposed single family residential development; and **2)** increased finished grade on 4.8 acres. Generally located on the east side of Mohawk Street (alignment) and the north and south sides of Ponderosa Way within Spring Valley (description on file). MN/rk/ja (For possible action) **04/02/19 PC**
  
7. **TM-19-500045-MAROOTIAN, ANDREA GAYNE & BACKER, VANESSA RAFFI:**  
**TENTATIVE MAP** consisting of 20 single family residential lots on 4.8 acres in an R-1 (Single Family Residential) (AE-60) Zone in the CMA Design Overlay District. Generally located on the east side of Mohawk Street (alignment) and the north and south sides of Ponderosa Way within Spring Valley. MN/rk/ja (For possible action) **04/02/19 PC**
  
8. **WS-19-0109-GALL, STEEVEN & KARINE:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce lot size; and **2)** increase wall height in conjunction with a proposed single family residential development on 2.0 acres in an R-E (Rural Estates Residential) (AE-60) RNP-I Zone in the CMA Design Overlay District. Generally located on the northeast corner of Westwind Road and Oquendo Road within Spring Valley. MN/jor/ja (For possible action) **04/03/19 BCC**

VII. General Business

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: March 26, 2019

X. Adjournment

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

Desert Breeze Community Center, 8275 W. Spring Mountain Rd.

Helen Meyer Community Center, 4525 New Forest Dr.

Spring Valley Library, 4280 S. Jones

West Flamingo Senior Center, 6255 W. Flamingo

<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



04/02/19 PC AGENDA SHEET

EASEMENTS  
(TITLE 30)

SUNSET RD/CIMARRON RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-19-0088-CRP CALIDA CIMARRON OWNER, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Sunset Road and the Clark County 215 Beltway, and between Cimarron Road and Warbonnet Way within Spring Valley. MN/tk/ja (For possible action)

RELATED INFORMATION:

**APN:**  
176-04-501-001; 176-04-501-002; 176-04-501-010 and 176-04-501-011

**LAND USE PLAN:**  
SPRING VALLEY - COMMERCIAL GENERAL

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

The applicant is requesting to vacate and abandon the 33 foot wide patent easements that surround the north, south, east and west portions on parcels 176-04-501-001, 002 and 011. This request is necessary to fully develop the 4 lots requested in this application.

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-18-0478	Multi-family residential	Approved by BCC	June 2018
ZC-1029-96	Rural estates to	Denied by BCC	October 1996

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac)	R-2	Single family residential
South	Business and Design/Research Park	R-E & M-D	215 Beltway & undeveloped
East	Business and Design/Research Park & Commercial General	C-2 & M-D	Commercial automotive & undeveloped
West	Business and Design/Research Park	R-4 & M-D	Office & undeveloped

## Related Applications

Application Number	Request
NZC-19-0081	An application to reclassify 18.9 acres from R-3 and C-2 to R-4 zoning 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. This item will be forwarded to the Board of County Commissioners' meeting for final action on May 8, 2019, 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

- 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 of the application will expire.

#### Public Works - Development Review

- Right-of-way dedication to include 55 feet to the back of curb for Sunset Road, 35 feet to the back of curb for Cimarron Road, and additional right-of-way for Rafael Rivera Way to match the back of curb to other properties to the east and west, and the spandrel for the intersection of Cimarron Road and Sunset Road;
- If required by the Regional Transportation Commission, provide a combination bus turnout/right turn lane on the south side of Sunset Road as close as practical to Cimarron Road and include an easement for a 5 foot by 25 foot bus shelter pad behind the sidewalk;
- 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 may require dedication, or vacation, to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that an additional vacation application may be necessary for the installation of detached sidewalks on Rafael Rivera Way.

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

- The applicant is advised that CCWRD has existing or proposed assets within the area proposed to be vacated per VS-19-0088; CCWRD has no objection to the request for vacation as presented; however, CCWRD requests all existing rights granted to us within the easements/right-of-way are reserved; it is understood that this vacation shall not reduce our rights to operate and maintain our facilities; and that CCWRD also requests that drivable access be able to handle H-20 loading and is maintained by fee owner.

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

**APPLICANT:** CRP CALIDA CIMARRON OWNER, LLC  
**CONTACT:** CINDIE GEE, GCW, INC., 1555 S. RAINBOW BOULEVARD, LAS VEGAS,  
NV 89146

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04/02/19 PC AGENDA SHEET

EASEMENTS  
(TITLE 30)

PONDEROSA WY/MOHAWK ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-19-0140-CHEN, MEI TZU & TENG, PEI CHI:**

**VACATE AND ABANDON** easements of interest to Clark County located between Mohawk Street (alignment) and Edmond Street, and between Oquendo Road and Patrick Lane within Spring Valley (description on file). MN/rk/ja (For possible action)

RELATED INFORMATION:

APN:  
163-36-601-015; 163-36-601-023

LAND USE PLAN:  
SPRING VALLEY - OFFICE PROFESSIONAL

**BACKGROUND:**

**Project Description**

This application is a request to vacate and abandon patent easements on this site. The plans depict the vacation and abandonment of 33 foot wide and 3 foot wide government patent easements along the perimeter of both parcels, excepting out the 60 feet for Ponderosa Way which is needed for the dedication of a public right-of-way.

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-17-0842	Nonconforming zone change to reclassify this site to R-2 zoning for 32 single family residential lots	Denied by BCC	March 2018

**Surrounding Land Use**

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

### Related Applications

Application Number	Request
NZC-19-0139	Nonconforming zone change to reclassify this site to R-1 zoning is a companion item on this agenda.
TM-19-500045	A tentative map to subdivide this site into 20 single family residential lots on 4.8 acres 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. This item will be forwarded to the Board of County Commissioners' meeting for final action on May 8, 2019 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

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

#### Building Department - Fire Prevention

- No comment.

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

- No objection.

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

**APPLICANT:** DAVID J. CORNOYER  
**CONTACT:** ELISHA SCROGUM, TANEY ENGINEERING, 6030 S. JONES BOULEVARD,  
SUITE 100, LAS VEGAS, NV 89118

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03/19/19 PC AGENDA SHEET

NEW RAINBOW, LLC - RAINBOW/215  
(TITLE 30)

RAFAEL RIVERA WAY/RAINBOW BLVD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**TM-19-500029-NEW RAINBOW, LLC:**

**TENTATIVE MAP** for a commercial subdivision on 5.0 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design and MUD-3 Overlay Districts.

Generally located on the north side of Rafael Rivera Way, 1,300 feet west of Rainbow Boulevard within Spring Valley. MN/md/ja (For possible action)

RELATED INFORMATION:

**APN:**  
176-03-501-022

**LAND USE PLAN:**  
SPRING VALLEY - BUSINESS AND DESIGN/RESEARCH PARK

**BACKGROUND:**  
**Project Description**  
General Summary

- Site Address: 7155 Wagon Trail Avenue
- Site Acreage: 5
- Project Type: 1 lot commercial subdivision

The plans depict a 1 lot commercial subdivision for an approved office building and parking garage located on a 5 acre site. Access to this development is provided from Rafael Rivera Way and Montessouri Street.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-18-0953	Increased building height and increased the length of the roofline without articulation, with design reviews for an office building and parking garage	Approved by BCC	January 2019
VS-0421-18	Vacated and abandoned patent easements and a portion of right-of-way being Montessouri Street	Approved by PC	August 2016
WS-0035-16	Increased wall height with a design review for an equipment shelter with canopy and a CMU wall	Approved by PC	March 2016
TM-0219-15	Commercial subdivision	Approved by PC	February 2016

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-0341-15	Vacated and abandoned patent easements located along the north, west, and east property lines	Approved by BCC	July 2015
UC-0340-15	Communication tower and associated ground equipment	Approved by BCC	July 2015
WS-0607-08	Reduced separation between 2 freestanding signs with a design review for a comprehensive sign package – expired	Approved by BCC	December 2008
UC-0586-08	Increased building height and a design review for a professional office complex and parking garage – expired	Approved by BCC	July 2008
TM-0093-08	1 lot commercial subdivision map – expired	Approved by PC	July 2008
WS-1436-07	Allowed excess fill and a waiver of conditions of ZC-0803-07 – expired	Approved by BCC	January 2008
ZC-0803-07	Reclassified the northern 2.5 acres from R-E zoning to C-2 zoning with waivers of conditions of ZC-2027-97 and ZC-0759-06, increased building height, waivers of development standards for landscape and screening requirements, reduced setbacks and CMA design standards with a design review for an office complex on 5 acres	Approved by BCC	August 2007
ZC-0759-06	Reclassified the middle 1.3 acres from R-E zoning to C-2 zoning for future commercial development	Approved by BCC	July 2006
ZC-2027-97	Reclassified the southern 1.3 acres from R-E zoning to C-2 zoning for a convenience store and gasoline station	Approved by BCC	January 1998

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	M-D	Undeveloped
South	Business and Design/Research Park	C-2	215 Beltway & shopping center
East	Business and Design/Research Park	M-D	Undeveloped
West	Business and Design/Research Park	R-3	Multi-family residential development

**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;
- Full off-site improvements.

**Current Planning Division - Addressing**

- No comment.

**Building Department - Fire Prevention**

- No comment.

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

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

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

**APPLICANT:** NEW RAINBOW, LLC

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





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03/19/19 PC AGENDA SHEET

COMMERCIAL TENTATIVE MAP  
(TITLE 30)

WARM SPRINGS RD/BUFFALO DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-19-50035-7155 S BUFFALO LAS VEGAS 294, LLC:**

**TENTATIVE MAP** for a commercial subdivision on 4.3 acres in an M-D (Designed Manufacturing District) (AE-60) Zone within the CMA Design and MUD-3 Overlay Districts.

Generally located on the west side of Buffalo Drive, 650 feet north of Warm Springs Road within Spring Valley. MN/sd/ja (For possible action)

RELATED INFORMATION:

**APN:**  
176-04-801-006

**LAND USE PLAN:**  
SPRING VALLEY - COMMERCIAL GENERAL

**BACKGROUND:**  
**Project Description**  
General Summary

- Site Address: N/A
- Site Acreage: 4.3
- Project Type: Commercial subdivision

The plans depict a 1 lot commercial subdivision for an approved warehouse/office development. Access to the property will be provided from Buffalo Drive to the east.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-18-0289	Vacated and abandoned 33 foot wide government patent easements located on the north, south and west property lines	Approved by PC	June 2018
NZC-0860-17	Reclassified 5 acres from C-2 zone to M-D zone in the CMA Design and MUD-3 Overlay Districts, with a design review for office/warehouse facility	Approved by BCC	January 2018

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Business and Design/Research Park	R-4 (up to 25 du/ac)	Multi-family development
South	Commercial General	C-2	Professional Office
East	Business and Design/Research Park	C-2	Undeveloped

**Related Applications**

Application Number	Request
UC-19-0103	A special use permit for an office as a principal use and a recreational facility in an M-D Zone 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**

- No comment.

**Current Planning Division - Addressing**

- No comment.

**Building Department – Geotechnical**

- Any additional boundary lines created within 30 feet of any building will result in a reduction of allowable openings and may require fire-resistant-rated construction for the exterior walls.
- The applicant is advised that compliance with NRS 278.325(4) is required if further subdividing of the property results in creating a boundary or line within a building.

**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 #0418-2017 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** 7155 S. BUFFALO LAS VEGAS 294, LLC  
**CONTACT:** PER4MANCE ENGINEERING, LLC C/O RAY FREDERICKSEN, 4525 W HACIENDA AVE STE 1, LAS VEGAS, NV 89118

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04/02/19 PC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT  
(TITLE 30)

SUNSET RD/CIMARRON RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**NZC-19-0081-CRP CALIDA CIMARRON OWNER, LLC:**

**ZONE CHANGE** to reclassify 18.9 acres from R-4 (Multiple Family Residential - High Density) Zone and C-2 (General Commercial) Zone to R-4 (Multiple Family Residential - High Density) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following. 1) increased building height; and 2) allow modified driveway and security gate design standards.

**DESIGN REVIEW** for a proposed multiple family residential development in the CMA Design and MUD-3 Overlay Districts.

Generally located on the south side of Sunset Road and the east side of Cimarron Road within Spring Valley (description on file). MN/dg/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**

176-04-501-001; 176-04-501-002; 176-04-501-010 pta, and 176-04-501-011

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase the building height up to 39 feet where 35 feet is the standard per Table 30.40-3 (a 10.5% increase).
2. Reduce the throat depth of a call box to 66 feet along Sunset Road where a minimum of 100 feet is required per Uniform Standard Drawing 222.1 (a 34% reduction).

**LAND USE PLAN:**

SPRING VALLEY - BUSINESS AND DESIGN/RESEARCH PARK

SPRING VALLEY - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 8146 Rafael Rivera Way and 8161 Wagon Trail Avenue
- Site Acreage: 18.9
- Number of Units: 384
- Density (du/ac): 20.3
- Project Type: Multi-family residential apartments
- Number of Stories: 3

- Building Height (feet): 39
- Open Space Required/Provided: 38,400/39,883
- Parking Required/Provided: 645/655

### **Neighborhood Meeting Summary**

The applicant conducted a neighborhood meeting in January 2019, as required by the nonconforming amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. Four people attended the meeting. The neighbors expressed no concerns regarding the proposed development. The applicant has fulfilled all provisions of Title 30 regarding pre-submittal and submittal of a nonconforming zone boundary amendment.

### **Site Plan**

The plan depicts a multiple family residential development consisting of 384 units with a density of 20.3 dwelling units per acre. The proposed development consists of 16 buildings for the residential units distributed throughout the complex. There are 32 individual enclosed garages distributed between the residential buildings. The clubhouse and pool area are centrally located on the site. Parking is distributed throughout the site and includes covered parking areas, garages, and long term bicycle parking areas. Access to the site is from Sunset Road and Rafael Rivera Way and will be gated. The southwestern 2.4 acres of the site will remain in a C-2 zone and is reserved for future development. A previous nonconforming zone boundary amendment (NZC-18-0478) was approved with a mirror image of this request with the southeastern 2.4 acres of the site proposed to stay in a C-2 zone for future development. Approval of this request will void NZC-18-0478.

### **Landscaping**

A 15 foot wide landscape area with a detached sidewalk is located along both Sunset Road and Cimarron Road and a 15 foot wide landscape area adjacent to an attached sidewalk is located along Rafael Rivera Way. A 10 foot wide landscape area with intense landscaping is located along the east property line. Interior parking lot trees are distributed throughout the site and additional landscaping is located adjacent to the buildings. A total of 39,883 square feet of open space is provided including the pool area, outdoor fitness area, and BBQ area centrally located on the site. Landscape materials include trees, shrubs, and groundcover.

### **Elevations**

The residential buildings are all 3 story with flat roofs behind parapet walls and a varied roofline ranging in height from 34 feet to 39 feet. The exterior walls have a smooth plaster finish painted in shades of gray and burgundy. The residential buildings are designed with various pop-outs, recesses, metal railing, vertical details, and varying roof heights on all sides of the buildings to break-up the vertical and horizontal lines of the buildings. The clubhouse is a single story building with a flat roof behind parapet walls and a varied roofline ranging in height from 23 feet to 35 feet, 8 inches and a façade similar to the residential buildings.

### **Floor Plans**

The residential buildings consist of 48 studio units; 192, one bedroom units; 72, two bedroom units; and 72, three bedroom units. There are 3 separate garage buildings with 32 parking

spaces. The clubhouse includes a leasing office, game room, fitness area, and other accessory uses.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates the Spring Valley Land Use Plan was last updated in 2014 and there have been multiple changes in the area including multi-family projects to the east and west. The site is located at the intersection of Sunset Road which has a 100 foot right-of-way and Cimarron Road with an 80 foot right-of-way; therefore, this request is compatible with the existing development in the area. The applicant also states that public utilities and services are available and the requested use will not result in any additional impacts on the surrounding infrastructure. The applicant also indicates that the request conforms to several Urban Specific Policies related to site design that is compatible with the adjacent land use and off-site circulation patterns and access to mass transit. The waiver of development standards for increased height is minimal and will allow 3 story buildings and provide shielding for the mechanical units on the roof. The development will have many amenities and be compatible with the area.

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-18-0478	Reclassified a portion of the overall site to R-4 zoning for a proposed multiple family residential development	Approved by BCC	October 2018
VS-0482-15	Vacated rights-of-way for Valadez Street and Wagon Trail Avenue for the northeastern parcel	Approved by PC	September 2015
ZC-0528-07	Reclassified the southwest parcel to C-2 zoning	Approved by BCC	June 2007
ZC-1778-05	Reclassified the southeastern parcel and the adjacent parcel to the east to C-2 zoning	Approved by BCC	January 2006
ZC-1029-96	Reclassified the northern parcels to R-3 zoning	Approved by BCC	July 1998

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac)	R-2	Single family residential
South	Business and Design/Research Park	R-E & M-D	215 Beltway & undeveloped
East	Business and Design/Research Park & Commercial General	C-2 & M-D	Commercial automotive & undeveloped
West	Business and Design/Research Park	R-4 & M-D	Office & undeveloped

The immediate area is within the CMA Design, MUD-3 and MUD-2 Overlay Districts.

## Related Applications

Application Number	Request
VS-19-0088	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 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 that this location is an ideal transitional parcel. The nonconforming zone boundary amendment process allows for identification of land use trends or changes in a particular area that may not be consistent with the planned land use designation for the site. Although this site is planned for commercial and light industrial uses, there is a mixture of commercial, industrial, and residential uses existing in the area. In addition, no substantial or negative impacts have been associated with the multiple family developments in the area surrounding this site. Additionally, the location of this site, adjacent to a mixture of uses, and has access to an arterial street (Sunset Road), make this site suitable for multiple family uses.

- 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.*

This site is surrounded by a mixture of uses and zoning designations. The site abuts an existing automotive commercial use and undeveloped land to the east, an established multiple family development further east, vacant land zoned R-4 and an existing office complex to the west, and an established R-2 residential subdivision to the north. Additionally, the site is within the MUD-3 Overlay District that would conditionally allow higher residential densities than what is proposed with this request. Therefore, the land use and density for this application is consistent and compatible with the land uses in the 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 service providers who have replied to staff indicated that there will be no substantial adverse effects on public facilities and services. The project has fully integrated recreational facilities on-site which include a clubhouse, pool, exercise area, and open space, thus reducing impacts to Clark County recreational facilities. Urban Specific Policy 56 of the Comprehensive Master Plan specifically states that to minimize impacts on necessary public services and facilities, multiple family developments should be encouraged to locate adjacent to a mix of other land uses including commercial, office, educational, institutional, recreational, and other appropriate urban uses.

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

Land Use Goal 2 of the Comprehensive Master Plan encourages the provision of opportunities for a mix of uses such as commercial, office, recreational, entertainment, public facilities, multiple family residential and other activities within close proximity to each other, both vertically and horizontally, which are connected and integrated. This proposal is adjacent to office uses, future employment centers, and in close proximity to an entertainment/retail complex that has been approved less than half a mile to the west on Sunset Road. Additionally, this proposal is consistent with a number of Urban Specific Policies including Policy 57 which encourages multiple family developments to locate near transit (or where it may become available) along with pedestrian and road networks that can accommodate higher residential densities.

### **Summary**

#### Zone Change

The bulk and density of the proposed development is consistent with adjacent land uses and less dense than what would otherwise be permitted within the MUD-3 Overlay District. It is consistent with many of the policies of the Comprehensive Master Plan and provides for the orderly growth of the area. It provides a seamless transition between the existing single family residential homes to the north and the multi-family residential, office and retail uses to the west.

#### 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 increase in building height is minimal and will not adversely affect the area adjacent to this property as the existing buildings to the west range in height from 28 feet to 57 feet. The increase in height provides for architectural enhancements and a design element for roofline variation. Therefore, staff can support this request.

### Design Review

The plans, as submitted, depict a development that complies with the Urban Specific Goals of the Comprehensive Master Plan related to Multiple Family Residential development. The buildings and overall project are sensitive to the planned and approved land uses with regard to scale, use of materials, and bulk. The project offers recreational opportunities to the residents and a design that is seamless and cohesive.

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

#### Waiver of Development Standards #2

Staff cannot support the applicant's request to reduce the distance to the call box on the Sunset Road side of the project. Sunset Road is a 120 foot wide major arterial street that conveys a high volume of traffic. Although the applicant states that the Rafael Rivera Way entrance is going to serve as the main access to the project, the fact that Rafael Rivera Way is a one way street makes it less feasible for main traffic. If this request is approved, a queuing analysis will be required to ensure that the minimum distance provided does not create an unsafe situation.

### **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**

Approval of the zone change, waiver of development standards #1 and the design review; and denial of waiver of development standards #2. This item will be forwarded to the Board of County Commissioners' meeting for final action on May 8, 2019, 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**

If approved:

- Resolution of Intent to complete in 3 years;
- A parcel map to separate the residential zoned portion of the project from the commercial zoning shall be recorded prior to building permits being issued;
- Design review as a public hearing for significant changes to the plans;
- Design review as a public hearing for lighting and signage;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the previously approved zone boundary amendment that has not been finalized by adoption of an ordinance is void with the approval of this subsequent

amendment; 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**

- 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 Sunset Road, 35 feet to the back of curb for Cimarron Road, and additional right-of-way for Rafael Rivera Way to match the back of curb to other properties to the east and west, and the spandrel for the intersection of Cimarron Road and Sunset Road;
- If the project is gated, queuing analysis and/or gate/callbox location must be approved by Public Works - Development Review Division;
- If required by the Regional Transportation Commission, provide a bus stop on the south side of Sunset Road as close as practical to Cimarron Road and include an easement for a 5 foot by 25 foot bus shelter pad behind the sidewalk;
- The area shown as not a part must be subdivided as a large enough lot to allow the driveway approach and departure distances, per Uniform Standard Drawing 222.1, to be met.
- Applicant is advised that the plans submitted with this application do not contain enough detail to determine if Public Works' codes and standards are being met and additional land use applications may be necessary due to required changes to plans; 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; and that an additional vacation application may be necessary for the installation of detached sidewalks on Rafael Rivera Way.

#### **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.

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

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

DRAFT

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; and to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0243-2018 to obtain your POC exhibit.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** CRP/CALIDA OWNER, LLC

**CONTACT:** ANN PIERCE, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE,  
SUITE 650, LAS VEGAS, NV 89135

**DRAFT**



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04/02/19 PC AGENDA SHEET

SINGLE FAMILY DEVELOPMENT  
(TITLE 30)

PONDEROSA WY/MOHAWK ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-19-0139-MAROOTIAN, ANDREA GAYNE & BACKER, VANESSA RAFFI.

**ZONE CHANGE** to reclassify 4.8 acres from R-E (Rural Estates Residential) (AE-60) Zone to R-1 (Single Family Residential) (AE-60) Zone in the CMA Design Overlay District.

**WAIVER OF DEVELOPMENT STANDARDS** to increase wall height.

**DESIGN REVIEWS** for the following: 1) proposed single family residential development; and 2) increased finished grade on 4.8 acres.

Generally located on the east side of Mohawk Street (alignment) and the north and south sides of Ponderosa Way within Spring Valley (description on file). MN/rk/ja (For possible action)

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RELATED INFORMATION:

**APN:**

163-36-601-015; 163-36-601-023

**WAIVER OF DEVELOPMENT STANDARDS:**

Increase portions of block wall height to 12 feet (up to 6 foot retaining with 6 foot screen wall) where a maximum of 9 feet (3 foot retaining with 6 foot screen wall) is permitted per Section 30.64.050 (a 33% increase).

**DESIGN REVIEWS:**

1. Single family residential development.
2. Increase the finished grade for a single family residential development to 72 inches (6 feet) where 18 inches is the standard per Section 30.32.030 (a 300% increase).

**LAND USE PLAN:**

SPRING VALLEY - OFFICE PROFESSIONAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 4.8
- Number of Lots: 20
- Density (du/ac): 4.2
- Minimum/Maximum Lot Size (square feet): 6,051/10,462
- Project Type: Single family residential

- Number of Stories: 1 and 2
- Building Height (feet): Up to 29
- Square Feet: 2,289/3,348

### **Neighborhood Meeting Summary**

The applicant conducted a neighborhood meeting on September 10, 2018, as required by the nonconforming amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. There were 3 attendees present at the open house meeting for this item. The attendees had general questions on the design and layout of the project.

### **Site Plans**

The plans depict a residential development totaling 20 single family lots on 4.8 acres. The density of the residential subdivision is 4.2 dwelling units per acre. The site design shows Ponderosa Way separating the northern half of the development from the southern half of the development. Four lots approximately 10,000 square feet in size are located on the western side of the site adjacent to an RNP area. The remaining 16 lots range in size from a minimum of 6,051 square feet to a maximum of 8,407 square feet. The lots within the subdivision will be served by 42 feet wide internal private streets, which include an attached sidewalk on 1 side of the street. The plans also depict that the finished grade of the site will be increased up to 6 feet along the north property line and portions of the east property line in order to properly drain the site.

### **Landscaping**

Street landscaping consists of a 6 foot wide landscape area behind an attached sidewalk along north and south sides of Ponderosa Way. There is no internal open space required or provided for this development.

### **Elevations**

The development will provide both one and two story model homes with the maximum height shown at approximately 29 feet. The plans submitted by the applicant depicts 2 different models with each model type having potential elevation variations. The building materials consist of concrete tile roofs, stucco finished walls with decorative pop-outs, and fenestration on windows and doors on all sides of the models.

### **Floor Plans**

The plans consist of 2 floor models that include 3 car front loaded garages and range in size from 2,289 square feet to 3,348 square feet.

### **Applicant's Justification**

The applicant indicates that the current land use designation for the subject site is Office Professional; however, since the adoption of the Spring Valley Land Use Plan in 2014, the properties designated for office have remained undeveloped. Furthermore, the applicant also indicates that the project will provide transitional medium density residential development between the existing RNP area to the west and the more intense commercial uses to the east.



**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-17-0842	Reclassified this site to R-2 zoning for 32 single family residential lots	Denied by BCC	March 2018

**Surrounding Land Use**

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

**Related Applications**

Application Number	Request
TM-19-500045	A tentative map to subdivide the site into 20 single family residential lots on 4.8 acres is a companion item on this agenda.
VS-19-0140	A request to vacate and abandon patent 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 indicates that since the adoption of the Spring Valley Land Use Plan in 2014, the properties designated for office along the east corridor of the Mohawk Street alignment have remained undeveloped. However, staff finds there are no unique or special circumstances that have occurred in the immediate area since the adoption of the Spring Valley Land Use Plan to make this request appropriate. This site is adjacent to existing office uses to the east and to the west are properties zoned R-E/RNP-I and designated Rural Neighborhood Preservation (RNP) in the Land Use Plan. RNP areas generally contain a mix of estate lots and ranch style lots with livestock. The Land Use Plan includes policies that aid in the protection of RNP neighborhoods.

Staff finds that there have been no changes to law, policies, trends, or facts after the adoption of the Land Use Plan which makes the proposed zoning appropriate.

- 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 indicates that the project will provide a single family residential development that is 4.2 dwelling units per acres between the existing RNP area to the west and the more intense commercial uses to the east. However, the intent of a balanced Land Use Plan is to encourage an orderly development pattern with an appropriate spatial distribution of land uses that complement each other. This request for suburban medium density residential development in a neighborhood that is contiguous to a development that is zoned R-E/RNP-I (to the west) is out of character with development in the immediate 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.*

Various Clark County service departments have reviewed this development proposal and based on the information submitted by the applicant and comments received from these service providers, the project is not anticipated to have substantial adverse effects on services and facilities. Additionally, most services and infrastructure exists in the area. However, based on information received from the Clark County School District, the elementary school located within the corresponding school zone was overcapacity for the 2017-2018 school year. Staff is concerned that the cumulative impact from the individual student yield of this project and future projects in the immediate area may further exacerbate the existing capacity issue.

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

The proposed project conforms to the design policies established in the Comprehensive Master Plan and Urban Specific Policy 38 which encourages new residential developments adjacent to existing estate residential areas to transition at appropriate densities (lot sizes of 10,000 square feet or greater) and be of similar height. However, although the lots on the western portion of the site conform to Policy 38, staff finds the intrusion of higher density residential in this neighborhood may create demands that were not planned for and change the character of the planned area where undeveloped land exists.

#### **Summary**

##### Zone Change & Design Review #1

The last zone change request on this site was for R-2 zoning in 2017 which was denied by the Board of County Commissioners. Since that time, the applicant has submitted this request for a lower residential zoning district (R-1). However, staff is still concerned with the potential incompatibility between this development and existing land uses immediately adjacent to the site. Approval of this project will allow more dense zoning to intrude into an existing R-E

(RNP-I) area and will not be cohesive or functionally integrated with any adjacent parcels on the north and south sides of this site which are planned for office professional uses.

The issue of establishing an isolated stand-alone single family residential development in the immediate area through a nonconforming zone change and not part of a comprehensive land use plan update could have adverse impacts to the immediate area. Unexpected land use patterns may have significant impacts on traffic, noise, and lighting that may lead to dramatic changes in the existing area. Staff finds a more sound and predictable approach to consider this proposed zoning would be through a comprehensive land use plan update. A land use plan update allows for more public review of the proposed land use intensity and pattern and ensures a predictable consideration of the range of uses with corresponding impacts and a cohesive and uniform land use pattern in the surrounding area.

Therefore, staff finds that the applicant has neither demonstrated nor satisfied the criteria for compelling justification to merit approval of the application.

#### 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.

A waiver of development standards is needed for the proposed walls along the north and portions of the east property lines. The primary reasoning for the over height walls is the land slopes from south to north, but they are draining the proposed lots from north to south, resulting in the need for an over height retaining wall at the rear of some of the lots. However, since the overall residential subdivision design cannot function independent of the zone change and design review #1, which staff is not supporting, staff cannot support this portion of the request.

#### **Department of Aviation**

The currently planned land use designation is Office Professional (OP), which permits many airport compatible uses. The current zoning is Rural Estates Residential (R-E, up to 2 units per acre). The proposed zoning of Low Density Residential (R-1, up to 5 units per acre), would increase the number of residences impacted by aircraft overflights. There are no other parcels zoned greater than R-E in section 36. The property lies within the AE-60 (60-65 DNL) noise contour for McCarran International Airport and is subject to continuing aircraft noise and overflights. Future demand for air travel is expected to increase significantly, and the subject property lies beneath flight paths that have been used since the 1960s. Clark County intends to continue to upgrade McCarran International Airport facilities to meet future air traffic demand. Due to these facts, this nonconforming zone change is incompatible with current and future noise levels present at this location. The Department of Aviation recommends Denial.

The development will penetrate the 100:1 notification airspace surface for McCarran International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the

Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

**Staff Recommendation**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on May 8, 2019 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**

If approved:

- Resolution of Intent to complete in 4 years;
- Lots along the western boundary of the site adjacent to RNP designated land shall maintain a minimum of 10,000 square feet;
- Design review as a public hearing for any significant changes to plans.
- 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 waiver of development standards and design reviews must commence within 4 years of approval date or they will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 60 feet for Ponderosa Way.

**Department of Aviation**

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height and 25 decibels into the building construction for the habitable space that is less than 35 feet in height;
- 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;

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

**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 #0368-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: DAVID J. CORNOYER**

**CONTACT: ELISHA SCROGUM, TANEY ENGINEERING, 6030 S. JONES BOULEVARD,  
SUITE 100, LAS VEGAS, NV 89118**



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04/02/19 PC AGENDA SHEET

SINGLE FAMILY DEVELOPMENT  
(TITLE 30)

PONDEROSA WY/MOHAWK ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**TM-19-500045-MAROOTIAN, ANDREA GAYNE & BACKER, VANESSA RAFFI:**

**TENTATIVE MAP** consisting of 20 single family residential lots on 4.8 acres in an R-1 (Single Family Residential) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the east side of Mohawk Street (alignment) and the north and south sides of Ponderosa Way within Spring Valley. MN/rk/ja (For possible action)

RELATED INFORMATION:

**APN:**

163-36-601-015; 163-36-601-023

**LAND USE PLAN:**

SPRING VALLEY - OFFICE PROFESSIONAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 4.8
- Number of Lots: 20
- Density (du/ac): 4.2
- Minimum/Maximum Lot Size: 6,051/10,462
- Project Type: Single family residential development

The plans depict a residential development totaling 20 single family lots on 4.8 acres. The density of the residential subdivision is 4.2 dwelling units per acre. The site design shows Ponderosa Way separating the northern half of the development from the southern half of the development. Four lots approximately 10,000 square feet in size are located on the western side of the site adjacent to an RNP area. The remaining 16 lots range in size from a minimum of 6,051 square feet to a maximum of 8,407 square feet. The lots within the subdivision will be served by 42 foot wide internal private streets, which include an attached sidewalk on 1 side of the street.

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-17-0842	Reclassified the site to R-2 zoning for 32 single family residential lots	Denied by BCC	March 2018

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North & South	Office Professional	R-E	Undeveloped
East	Office Professional	C-P	Office development
West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I) & R-E	Undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
NZC-19-0139	A nonconforming zone change to reclassify this site to R-1 zoning is a companion item on this agenda.
VS-19-0140	A request to vacate and abandon patent 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.

**Department of Aviation**

The currently planned land use designation is Office Professional (OP), which permits many airport compatible uses. The current zoning is Rural Estates Residential (R-E, up to 2 units per acre). The proposed zoning of Low Density Residential (R-1, up to 5 units per acre), would increase the number of residences impacted by aircraft overflights. There are no other parcels zoned greater than R-E in section 36. The property lies within the AE-60 (60-65 DNL) noise contour for McCarran International Airport and is subject to continuing aircraft noise and overflights. Future demand for air travel is expected to increase significantly, and the subject property lies beneath flight paths that have been used since the 1960s. Clark County intends to continue to upgrade McCarran International Airport facilities to meet future air traffic demand. Due to these facts, this tentative map is incompatible with current and future noise levels present at this location. The Department of Aviation recommends Denial.

**Staff Recommendation**

Approval is contingent upon approval of NZC-19-0139. This item will be forwarded to the Board of County Commissioners' meeting for final action on May 8, 2019 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**

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 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 60 feet for Ponderosa Way.

### **Department of Aviation**

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height and 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

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

- Approved street name list from the Combined Fire Communications Center shall be provided;
- Streets shown as Jacana and Agama 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 #0368-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** DAVID J. CORNOYER  
**CONTACT:** ELISHA SCROGUM, TANEY ENGINEERING, 6030 S. JONES BOULEVARD,  
SUITE 100, LAS VEGAS, NV 89118

**DRAFT**

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04/03/19 BCC AGENDA SHEET

REDUCED LOT SIZE & INCREASED WALL HEIGHT WESTWIND RD/OQUENDO RD  
(TITLE 30)

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-19-0109-GALL, STEEVEN & KARINE:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce lot size; and 2) increase wall height in conjunction with a proposed single family residential development on 2.0 acres in an R-E (Rural Estates Residential) (AE-60) RNP-I Zone in the CMA Design Overlay District.

Generally located on the northeast corner of Westwind Road and Oquendo Road within Spring Valley. MN/jor/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**  
163-36-107-003

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the lot size to 15,928 square feet where 18,000 square feet is the minimum per Table 30.40-1 (a 12% reduction)
2. Increase the retaining wall height to 6 feet where 3 feet is the maximum per Section 30.64.050 (a 100% increase).

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 2
- Number of Lots: 4
- Density (du/ac): 2
- Minimum/Maximum Lot Size (square feet): 15,928 (net)/18,625 (net) and 20,161 (gross)/23,223 (gross)
- Project Type: Lot size and retaining wall height
- Wall Height (feet): 6 (retaining)/6 (block wall)

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History & Site Plan

The site plan depicts a proposed 4 lot single family residential development on the northeast corner of Westwind Road and Oquendo Road. Access to the development is from Westwind Road via a private cul-de-sac which is oriented east/west. A 10 foot wide public drainage easement is located along the north property line of Lot 1 and the west property of Lot 1 and Lot 4. In order to comply with necessary setbacks and accommodate the drainage easement, the applicant is proposing to reduce the overall buildable areas for Lot 1 and Lot 4. DR-18-0472 was previously approved to increase the finished grade to 60 inches where 18 inches is the standard per Section 30.32.030. The increase in finished grade prompted the applicant to request an increase in the retaining wall height to 6 feet along the west property line of Lot 1 only.

Landscaping

Landscaping is not a part of this request, nor is it required for this application.

Signage

Signage is not a part of this request.

Applicant's Justification

Per the applicant, the request to reduce the net lot sizes for Lot 1 and Lot 4 is due to the accommodation of the 10 foot wide private drainage easement and the required roadway and utility easements for the private cul-de-sac bulb radius. Lots 2 and 3 meet the County minimum standards for gross and net lot sizes respectively. The request to increase the retaining wall height is to accommodate the previously approved grade increase for the entire development. The increase in retaining wall height would only pertain to the west property line of Lot 1.

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-18-0472	Increased finished grade for a single family residential development	Approved by BCC	August 2018
ZC-1111-08	Reclassified approximately 207 acres from R-E to R-E (RNP-1) zoning	Approved by BCC	February 2009
WS-1337-07	Increased wall height to 16 feet (6 foot screen wall with a 10 foot retaining wall) – expired	Approved by BCC	December 2007

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Rural Neighborhood Preservation (2 du/ac)	R-E	Vacant
South & East	Rural Neighborhood Preservation (2 du/ac)	R-E	Single family residences

**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

Per the submitted plans, Lot 1 and Lot 2 do not meet the minimum lot size of 18,000 square feet (net). In order to comply with development standards and proper drainage flow, the applicant included a 10 foot wide drainage easement along the north property line of Lot 1, and along the west property line of Lot 1 and Lot 4. Accommodating the drainage easement and other necessary utility easements and minimum setbacks required per code has significantly decreased the overall area of both Lots 1 and 4. The applicant has the opportunity to redesign the overall site in order to accommodate the drainage easement without significantly reducing the lot size. Staff is not in support of this request.

#### Waiver of Development Standards #2

The applicant is proposing a 6 foot high retaining wall and a 6 foot high decorative block wall along the west property line of Lot 1. Due to the drainage easement, valley gutter, and the previously approved design review (DR-18-0472) to increase the finished grade to a maximum of 60 inches, the applicant is proposing to increase the retaining wall height. Staff finds that the requested waiver is a self-imposed hardship and the site can be mitigated to prevent an extensive retaining wall height along the street frontage. Staff cannot support this request.

#### Department of Aviation

The development will penetrate the 100:1 notification airspace surface for McCarran International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

The property lies within the AE-60 (60 - 65 DNL) noise contour for McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade McCarran International 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 required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the FAA 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.

**Building Department - Fire Prevention**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

**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 #0089-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: HAILEY SHINTON**

**CONTACT: HAILEY SHINTON, ACG DESIGN, 4310 CAMERON STREET, SUITE 12-A,  
LAS VEGAS, NV 89103**

DRAFT

