

- III. Approval of Minutes for March 30, 2022. (For possible action)
- IV. Approval of the Agenda for April 13, 2022 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
 - 1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
- VI. Planning and Zoning
 - 1. **TM-22-500049-HAAR MARIA C REV LIV TR 2000 & HAAR MARIA CORAZON TRS: TENTATIVE MAP** consisting of 18 residential lots and common lots on 1.4 acres in an RUD (Residential Urban Density) Zone. Generally located 350 feet east of Decatur Boulevard approximately 300 feet south of Ford Avenue within Enterprise. JJ/md/xx (For possible action) **04/19/22 PC**
 - 2. **NZC-22-0137-RAD-FAR LTD: ZONE CHANGE** to reclassify 7.0 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone. **WAIVER OF DEVELOPMENT STANDARDS** to increase wall height. **DESIGN REVIEWS** for the following: 1) a single family residential development; and 2) finished grade. Generally located on the northeast corner of Durango Drive and Agate Avenue within Enterprise (description on file). JJ/al/jo (For possible action) **05/03/22 PC**
 - 3. **VS-22-0138-RAD-FAR LTD: VACATE AND ABANDON** easements of interest to Clark County located between Durango Drive and Gagnier Boulevard (alignment), and between Agate Avenue and Raven Avenue (alignment), and a portion of a right-of-way being Durango Drive located between Agate Avenue and Pebble Road, and a portion of Lisa Lane located between Agate Avenue and Raven Avenue within Enterprise (description on file). JJ/al/jo (For possible action) **05/03/22 PC**
 - 4. **TM-22-500045-RAD-FAR LTD: TENTATIVE MAP** consisting of 50 single family residential lots and common lots on 7.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the northeast corner of Durango Drive and Agate Avenue within Enterprise. JJ/al/jo (For possible action) **05/03/22 PC**

5. **NZC-22-0149-DAF HOLDING, LLC:**
ZONE CHANGE to reclassify 3.3 acres from an R-3 (Multiple Family Residential) Zone to an R-5 (Apartment Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking; 2) alternative street landscaping; 3) reduce throat depth; and 4) allow non-standard improvements within the right-of-way.
DESIGN REVIEWS for the following: 1) multiple family development; and 2) alternative parking lot landscaping on 3.5 acres in an R-5 (Apartment Residential) Zone and H-1 (Limited Resort and Apartment) P-C (Planned Community Overlay District) Zone. Generally located on the east side of Southern Highlands Parkway, 645 feet north of Bruner Avenue (alignment) within Enterprise (description on file). JJ/md/jo (For possible action) **05/03/22 PC**

6. **UC-22-0153-4965 BLUE DIAMOND HOLDINGS, LLC:**
USE PERMITS for the following: 1) an outside dining and drinking area; and 2) eliminate the required minimum 48 inch wide pedestrian access around the perimeter of an outside dining area.
DESIGN REVIEW for an outside dining and drinking area in conjunction with an existing restaurant on a 1.0 acre portion of a 13.0 acre site in a C-2 (General Commercial) Zone. Generally located on the south side of Blue Diamond Road, 175 feet west of Decatur Boulevard within Enterprise. JJ/al/syp (For possible action) **05/03/22 PC**

7. **VC-22-0122-HAGHI ALI A & KERRI:**
VARIANCE to reduce the front yard setback for a pool deck and associated structures in conjunction with a proposed single family residence on 0.7 acres in an R-2 (Medium Density Residential) P-C (Planned Community Overlay District) Zone in the Southern Highlands Master Planned Community. Generally located on the south side of Olympia Canyon Way, 400 feet west of Augusta Canyon Way within Enterprise. JJ/rk/syp (For possible action) **05/03/22 PC**

8. **VS-22-0132-RICHMOND AMERICAN HOMES NEVADA INC:**
VACATE AND ABANDON easements of interest to Clark County located between Grand Canyon Drive and Conquistador Street, and between Meranto Avenue and Iron Creek Avenue within Enterprise (description on file). JJ/lm/jo (For possible action) **05/03/22 PC**

9. **VS-22-0145-DEAN DAVID & SARAH:**
VACATE AND ABANDON easements of interest to Clark County located between Mardon Avenue and Eldorado Lane and between and Valley View Boulevard within Enterprise (description on file). MN/jor/jo (For possible action) **05/03/22 PC**

10. **WS-22-0142-D R HORTON INC:**
WAIVER OF DEVELOPMENT STANDARDS for reduced setbacks in conjunction with single family residences on 0.5 acres in an R-2 (Medium Density Residential) Zone. Generally located on the north side of Oleta Avenue and east and west of Burrows Drive within Enterprise. JJ/jgh/syp (For possible action) **05/03/22 PC**

11. **ET-22-400023 (UC-0061-17)-ABC PARADISE, LLC:**
USE PERMITS THIRD EXTENSION OF TIME for the following: 1) permit a proposed multiple family residential development; and 2) increase building height.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce front setback; 2) reduce side (corner) setback; 3) reduce height/setback ratio adjacent to single family residential uses; 4) allow balconies to overlook single family residential uses; and 5) reduce height/setback ratio from an arterial street (Windmill Lane).
DESIGN REVIEW for a proposed multiple family residential development on 5.1 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the northeast corner of Windmill Lane and Giles Street within Enterprise. MN/jud/syp (For possible action) **05/04/22 BCC**
12. **ZC-22-0143-LACONIC, LP:**
ZONE CHANGE to reclassify 1.7 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; 2) reduced height setback ratio; 3) reduced driveway departure distance; and 4) reduced driveway throat depth.
DESIGN REVIEWS for the following: 1) a proposed retail center; and 2) finished grade. Generally located on the north side of Cactus Avenue and the west side of Bermuda Road within Enterprise (description on file). MN/jor/jo (For possible action) **05/04/22 BCC**
13. **VS-22-0144-LACONIC, LP:**
VACATE AND ABANDON easements of interest to Clark County located between Bermuda Road and Forest Sword Street and between Cactus Avenue and Rush Avenue (alignment) and portion of a right-of-way being Bermuda Road located between Cactus Avenue and Rush Avenue within Enterprise (description on file). MN/jor/jo (For possible action) **05/04/22 BCC**
14. **ZC-22-0151-COUNTY OF CLARK (AVIATION):**
ZONE CHANGE to reclassify 18.7 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increased retaining wall height; 2) increased building height; and 3) reduced residential driveway separation.
DESIGN REVIEWS for the following: 1) a single family residential subdivision; and 2) finished grade. Generally located on the east side of Pioneer Way (alignment) and the south side of Warm Springs Road within Enterprise (description on file). MN/jor/jo (For possible action) **05/04/22 BCC**
15. **VS-22-0152-COUNTY OF CLARK (AVIATION):**
VACATE AND ABANDON a portion of right-of-way located between Warm Springs Road and Eldorado Lane (alignment) and between Pioneer Way (alignment) and Tenaya Way within Enterprise (description on file). MN/jor/jo (For possible action) **05/04/22 BCC**
16. **TM-22-500050-COUNTY OF CLARK(AVIATION):**
TENTATIVE MAP consisting of 147 single family residential lots and 8 common lots on 18.7 acres in an R-2 (Medium Density Residential) Zone. Generally located on the east side of Pioneer Way (alignment) and the south side of Warm Springs Road within Enterprise. MN/jor/jo (For possible action) **05/04/22 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/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 (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: April 27, 2022.

X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
Windmill Library – 7060 W. Windmill Lane
Clark County Government Center – 500 S. Grand Central Pkwy
<https://notice.nv.gov>



Enterprise Town Advisory Board

March 30, 2022

MINUTES

Board Members	David Chestnut, Chair PRESENT Tanya Behm PRESENT Justin Maffett PRESENT	Barris Kaiser, Vice Chair PRESENT Joseph Throneberry PRESENT
Secretary:	Carmen Hayes 702-371-7991 chaves70@yahoo.com PRESENT	
County Liaison:	Tiffany Hesser 702-455-7388 TLH@clarkcountynv.com 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.

Lorena Phegley, Current Planning

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 Minutes for March 9, 2022. (For possible action)

Motion by David Chestnut

Action: **APPROVE** Minutes as published for March 9, 2022

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

IV. Approval of Agenda for March 30, 2022 and Hold, Combine or Delete Any Items (For possible action)

Motion by David Chestnut

Action: **APPROVE** as amended

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

Related applications to be heard together:

3. NZC-22-0101-NEVADA CENTRAL ENTPRS LLCC:
4. VS-22-0102-NEVADA CENTRAL ENTPRS LLCC:
5. TM-22-500035-NEVADA CENTRAL ENTPRS LLCC:

6. ZC-22-0094-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:
7. VS-22-0095-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:
8. TM-22-500034-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

9. ZC-22-0105-AGATE VALADEZ, LLC:
10. VS-22-0108-AGATE VALADEZ, LLC:
11. TM-22-500036-AGATE VALADEZ, LLC:

12. ZC-22-0110-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:
13. VS-22-0111-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:
14. TM-22-500037-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

15. ZC-22-0092-MARES INC 2015, LLC:
16. VS-22-0093-MARES INC 2015, LLC:

V. Informational Items

1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)

- **NDOT SR-160 and SR -159 Corridor Studies**

The Nevada Department of Transportation (NDOT) will host a series of in-person and online public meetings to discuss long-term needs and a vision for State Routes 160 and 159 in southern Nevada. NDOT is working with local governments and the traveling public to focus on safety and access during ongoing growth and development along corridors in Pahrump and southwest Las Vegas.

In-person meetings are an open house format from 4:00-7:00 p.m. with a formal presentation at 5:30 p.m.

- April 4, 2022 – Nye Communities Coalition: 1020 E Wilson Rd. Pahrump
- April 5, 2022 – Blue Diamond Recreation Center: 2 Village Blvd. Blue Diamond
- April 6, 2022 – Veterans Memorial Leisure Center: 101 S Pavilion Center Dr. Las Vegas
- April 7, 2022 – Mountain’s Edge Master Association: 8015 Blue Diamond Rd., Ste 120, Las Vegas

The virtual meeting will be available 24 hours a day via the internet at www.ndotsr160.com from March 28 through April 27, 2022.

- **School Crossing Guards**

The crossing guards are needed for elementary school routes in the ZIP codes 89141, 89139, 89178 and 89179. Crossing guards are paid \$15-per-hour and typically work about one hour in the morning and one hour in the afternoon. However, those able to work a more limited schedule are also encouraged to apply as about 10 regular or substitute guards are needed at this time.

Anyone interested in working as a crossing guard should email their name and phone number to LasVegasJobs@TheCrossingGuardCompany.com or apply online at <https://acmssafety.com/careers/>.

VI. Planning & Zoning

1. **DR-22-0072-DIAMOND VALLEY VIEW LTD:**
DESIGN REVIEWS for the following: **1)** distribution center; **2)** lighting plan; and **3)** alternative parking lot landscaping on 4.3 acres in an M-D (Designed Manufacturing) (AE-60) Zone. Generally located on the east side of Valley View Boulevard, 700 feet north of Blue Diamond Road within Enterprise. MN/al/jo (For possible action) **04/05/22 PC**

Motion by David Chestnut

Action: **APPROVE**

ADD Current Planning Conditions:

- Design review as a public hearing for signage
- Design review as a public hearing for significant change to plans

Per staff conditions

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

2. **ET-22-400001 (VS-0813-17)-CEO DEVELOPMENT, LLC:**
HOLDOVER VACATE AND ABANDON SECOND 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/jvm/jo (For possible action) **04/06/22 BCC**

Motion by David Chestnut

Action: **APPROVE** per staff conditions

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

3. **NZC-22-0101-NEVADA CENTRAL ENTPRS LLCC:**
ZONE CHANGE to reclassify 2.5 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase wall height; and **2)** eliminate landscaping adjacent to a less intensive use.
DESIGN REVIEWS for the following: **1)** single family residential development; and **2)** finished grade. Generally located on the west side of Durango Drive, 310 feet north of Wigwam Avenue within Enterprise (description on file). JJ/md/jo (For possible action) **04/19/22 PC**

Motion by David Chestnut

Action: **APPROVE**

ADD Current Planning Conditions:

- Increase fenestrations on elevations facing public roads
- Every two driveways to be adjacent where possible

Per staff if approved conditions

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

4. **VS-22-0102-NEVADA CENTRAL ENTPRS LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Wigwam Avenue and Camero Avenue (alignment), and between Durango Drive and Riley Street (alignment) within Enterprise (description on file). JJ/md/jo (For possible action) **04/19/22 PC**

Motion by David Chestnut
Action: **APPROVE** per staff conditions
Motion **PASSED** (5-0) /Unanimous

5. **TM-22-500035-NEVADA CENTRAL ENTPRS LLC:**
TENTATIVE MAP consisting of 19 lots and common lots on 2.5 acres in an R-2 (Medium Density Residential) Zone. Generally located on the west side of Durango Drive, 310 feet north of Wigwam Avenue within Enterprise. JJ/md/jo (For possible action) **04/19/22 PC**

Motion by David Chestnut
Action: **DENY**
Motion **PASSED** (5-0) /Unanimous

6. **ZC-22-0094-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**
ZONE CHANGE to reclassify 4.4 acres from an R-E (Rural Estates Residential) (RNP-I) Zone to an R-1 (Single Family Residential) Zone.
DESIGN REVIEWS for the following: **1)** a proposed single family residential development; and **2)** finished grade. Generally located on the east side of Haven Street and the north side of Frias Avenue within Enterprise (description on file). MN/rk/jo (For possible action) **04/20/22 BCC**

Motion by Barris Kaiser
Action: **APPROVE**
ADD Current Planning Conditions:

- Terrace and landscape any combination of retaining and screen wall over 9 ft adjacent to public right of way
- Increase fenestrations on elevations facing public roads.

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

7. **VS-22-0095-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 Frias Avenue (alignment) and Pyle Avenue and a portion of right-of-way being a remnant spandrel located between Haven Street and Rancho Destino Road within Enterprise (description on file). MN/rk/jo (For possible action) **04/20/22 BCC**

Motion by Barris Kaiser
Action: **APPROVE** per staff conditions
Motion **PASSED** (5-0) /Unanimous

8. **TM-22-500034-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**
TENTATIVE MAP consisting of 21 single family residential lots and common lots on 4.4 acres in an R-1 (Single Family Residential) Zone. Generally located on the east side of Haven Street and the north side of Frias Avenue within Enterprise. MN/rk/jo (For possible action) **04/20/22 BCC**

Motion by Barris Kaiser
Action: **APPROVE** per staff if approved conditions
Motion **PASSED** (5-0) /Unanimous

9. **ZC-22-0105-AGATE VALADEZ, LLC:**
ZONE CHANGE to reclassify 12.3 acres from a C-2 (General Commercial) Zone, an H-2 (General Highway Frontage) Zone, and an R-E (Rural Estates Residential) Zone to an R-3 (Multiple Family Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce rear setback; **2)** perimeter wall height; **3)** throat depth; and **4)** non-dedication of Valadez Street.
DESIGN REVIEWS for the following: **1)** proposed single family residential development; and **2)** finished grade. Generally located on the northeast corner of Blue Diamond Road and Cimarron Road within Enterprise (description on file). JJ/sd/jo (For possible action) **04/20/22 BCC**

Motion by Tanya Behm
Action: **APPROVE**: Zone Change;
DENY: Waiver of Development Standards #s 1 and 3;
APPROVE: Waiver of Development Standards #s 2 and 4
DENY: Design Review # 1
APPROVE: Design Review # 2
Per staff if approved conditions
Motion **PASSED** (5-0) /Unanimous

10. **VS-22-0108-AGATE VALADEZ, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Pebble Road (alignment) and Blue Diamond Road, and between Cimarron Road and Buffalo Drive within Enterprise. (description on file). JJ/sd/xx (For possible action) **04/20/22 BCC**

Motion by Tanya Behm
Action: **APPROVE** per staff conditions
Motion **PASSED** (5-0) /Unanimous

11. **TM-22-500036-AGATE VALADEZ, LLC:**
TENTATIVE MAP consisting of 97 single family residential lots and common lots on 12.3 acres in an R-3 (Multiple Family Residential) Zone. Generally located on the northeast corner of Blue Diamond Road and Cimarron Road within Enterprise. JJ/sd/xx (For possible action) **04/20/22 BCC**

Motion by Tanya Behm
Action: **DENY**
Motion **PASSED** (5-0) /Unanimous

12. **ZC-22-0110-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**
ZONE CHANGE to reclassify 5.0 acres from an R-E (Rural Estates Residential) Zone to an R-3 (Multiple Family Residential) Zone.
USE PERMIT for an attached (townhouse) planned unit development.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setback for residential units to a street; **2)** reduce private street width; **3)** reduce street intersection off-set; and **4)** reduce back of curb radii for private streets.
DESIGN REVIEWS for the following: **1)** an attached single family residential planned unit development; and **2)** finished grade. Generally located on the south side of Warm Springs Road, 600 feet east of Buffalo Drive within Enterprise (description on file). MN/rk/jo (For possible action) **04/20/22 BCC**

Motion by Joseph Throneberry
Action: **APPROVE** per staff conditions
Motion **PASSED** (5-0) /Unanimous

13. **VS-22-0111-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**
VACATE AND ABANDON easements of interest to Clark County located between Warm Springs Road and Eldorado Lane, and between Buffalo Drive and Pioneer Way within Enterprise (description on file). MN/rk/jo (For possible action) **04/20/22 BCC**

Motion by Joseph Throneberry
Action: **APPROVE** per staff conditions
Motion **PASSED** (5-0) /Unanimous

14. **TM-22-500037-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**
TENTATIVE MAP consisting of 82 single family residential lots and common lots on 5.0 acres in an R-3 (Multiple Family Residential) Zone. Generally located on the south side of Warm Springs Road, 600 feet east of Buffalo Drive within Enterprise. MN/rk/jo (For possible action) **04/20/22 BCC**

Motion by Joseph Throneberry
Action: **APPROVE** per staff conditions
Motion **PASSED** (5-0) /Unanimous

15. **ZC-22-0092-MARES INC 2015, LLC:**
ZONE CHANGE to reclassify 0.9 acres from an R-E (Rural Estates Residential) Zone to an M-D (Designed Manufacturing) Zone.
USE PERMITS for the following: **1)** retail as a principal use; and **2)** allow kennels outside in an M-D Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** permit outside commercial use; **2)** reduce setback; **3)** allow access to a residential local street (Ullom Drive); **4)** modified street landscaping; and **5)** allow modified driveway design standards.
DESIGN REVIEW for an outside dog run in conjunction with a proposed kennel (dog daycare and boarding) with retail. Generally located on the north side of Pyle Avenue and the east side of Ullom Drive within Enterprise (description on file). JJ/lm/jo (For possible action) **04/20/22 BCC**

Motion by Joseph Throneberry
Action: **APPROVE** per staff conditions
Motion **PASSED** (5-0) /Unanimous

16. **VS-22-0093-MARES INC 2015, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Pyle Avenue and Le Baron Avenue, and between Ullom Drive and Cameron Street within Enterprise (description on file). MN/lm/jo (For possible action) **04/20/22 BCC**

Motion by Joseph Throneberry
Action: **APPROVE** per staff conditions
Motion **PASSED** (5-0) /Unanimous

17. **WC-22-400026 (ZC-0871-03) RAINBOW 215 PROPERTIES, LLC:**
WAIVER OF CONDITIONS of a zone change requiring recording perpetual cross access, ingress/egress, and parking easements with the parcels to the east and west for future commercial development on 5.0 acres in a C-2 (General Commercial) Zone within the CMA Design Overlay District. Generally located on the south side of Arby Avenue, 280 feet east of Rainbow Boulevard within Enterprise. MN/md/syp (For possible action) **04/20/22 BCC**

Motion by David Chestnut
Action: **APPROVE** per staff conditions
Motion **PASSED** (5-0) /Unanimous

18. **ZC-22-0103-CLARK JOANN TRUST & CLARK JOANN TRS:**
ZONE CHANGE to reclassify 5.0 acres from an H-1 (Limited Resort and Apartment) Zone to a C-2 (General Commercial) Zone.
WAIVER OF DEVELOPMENT STANDARDS for reduced driveway departure distances.
DESIGN REVIEW for a proposed mini-warehouse building. Generally located on the north side of Ford Avenue and the east side of Las Vegas Boulevard South within Enterprise (description on file). MN/jor/xx (For possible action) **04/20/22 BCC**

Motion by David Chestnut
Action: **APPROVE** per staff conditions
Motion **PASSED** (5-0) /Unanimous

VII. General Business:

1. None

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.

- None

IX. Next Meeting Date

The next regular meeting will be April 13, 2022 at 6:00 p.m.

X. Adjournment:

Motion by David Chestnut

Action: **ADJOURN** meeting at 8:24 p.m.

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

DRAFT

04/19/22 PC AGENDA SHEET

DIAMOND TORINO
(TITLE 30)

DECATUR BLVD/FORD AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

TM-22-500049-HAAR MARIA C REV LIV TR 2000 & HAAR MARIA CORAZON TRS:

TENTATIVE MAP consisting of 18 residential lots and common lots on 1.4 acres in an RUD (Residential Urban Density) Zone.

Generally located 350 feet east of Decatur Boulevard approximately 300 feet south of Ford Avenue within Enterprise. JJ/md/xx (For possible action)

RELATED INFORMATION:

APN:

177-18-401-010

LAND USE PLAN:

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.4
- Number of Lots: 18
- Density (du/ac): 13.6
- Minimum/Maximum Lot Size (square feet): 2,009/2,342 (gross and net)
- Project Type: Single family residential development
- Open Space Required/Provided: 3,600/3,600

The plans depict a single family residential development consisting of 18 lots on 1.4 acres with a density of 13.6 dwelling units per acre. The minimum and maximum lot sizes are 2,009 and 2,342 square feet, respectively. The primary ingress and egress to the proposed development is via a private street, which connects to the Torino Avenue alignment. The private street servicing the development, measuring 39 feet in width, is a north/south alignment terminating as a hammerhead design within the interior of the development, between Lot 9 and Lot 10. A 5 foot wide attached sidewalk is located immediately adjacent to Torino Avenue. The proposed development requires 3,600 square feet of open space where 3,600 square feet of open space is provided.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-21-0396	Reclassified the project site to RUD zoning; waiver for modified driveway design standards; and design reviews for a single family residential development and finished grade	Approved by BCC	October 2021
VS-21-0397	Vacated patent easements	Approved by BCC	October 2021

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	R-E	Undeveloped
South & West	Compact Neighborhood (up to 18 du/ac)	R-4	Undeveloped

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 Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Harry Reid International Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of

time; 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.

Current Planning Division - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

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)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0267-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: PETERSEN MANAGEMENT LLC
CONTACT: DC PETERSEN PROFESSIONAL CONSULTANTS, LLC, 5052 S. JONES
BLVD. SUITE 110, LAS VEGAS, NV 89118**

See
Attached
PW
Conditions

202
Larbolet
C. J. G.
Larbolet

**CLARK COUNTY
COMPREHENSIVE PLANNING LAND USE APPLICATIONS
LAND USE APPLICATION ANALYSIS/CONDITIONS**

APPLICATION NUMBER/OWNER

TM-22-500049/HAAR MARIA C REV LIV TR 2000 & HAAR MARIA CORAZON TRS

The following has been entered to Accela for the above referenced land use application for **Public Works - Development Review**.

Preliminary Conditions

- 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;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Torino Avenue;
- Provide paved legal access;
- Applicant shall apply for a Bureau of Land Management (BLM) grant for Torino 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. /jo

Applied by: Jorge Orozco

Date entered: 3/28/2022

APN(s):

177-18-401-010



TENTATIVE MAP APPLICATION 1A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-22-500049</u>	DATE FILED: <u>3/4/22</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>MNO</u>	TAB/CAC DATE: <u>4/13/22</u>
		TAB/CAC: <u>ENTERPRISE</u>	PC MEETING DATE: <u>4/19/22 @ 7:00 P.M.</u> @ <u>6:00 P.M.</u>
		BCC MEETING DATE: <u>-</u>	
		FEE: <u>\$750.00</u>	

PROPERTY OWNER	NAME: <u>MARIA CORAZON HAAR REVOCABLE LIVING TRUST 2000</u>
	ADDRESS: <u>7040 MOUNTAIN MASS DRIVE</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89147</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>PETERSEN MANAGEMENT LLC</u>
	ADDRESS: <u>5052 S JONES BLVD SUITE 110</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-734-9393</u> CELL: <u>702-236-1802</u>
	E-MAIL: <u>cpetersen@visiconlv.com</u> REF CONTACT ID #: <u>188247</u>

CORRESPONDENT	NAME: <u>RICHARD GALLEGOS DC PETERSEN PROFESSIONAL CONSULTANTS</u>
	ADDRESS: <u>5052 S. JONES BLVD. SUITE 110</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-524-0054</u> CELL: <u>702-524-0054</u>
	E-MAIL: <u>rgallegos@visiconlv.com</u> REF CONTACT ID #: <u>168799</u>

ASSESSOR'S PARCEL NUMBER(S): 177-18-401-010

PROPERTY ADDRESS and/or CROSS STREETS: North side of Torino Ave . approximately 350 feet east of Decatur Blvd.

TENTATIVE MAP NAME: DIAMOND TORINO SINGLE FAMILY

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)*	<u>MARIA CORAZON HAAR, TRUSTEE</u> Property Owner (Print)
STATE OF <u>Nevada</u>	
COUNTY OF <u>Clark</u>	
SUBSCRIBED AND SWORN BEFORE ME ON <u>9/17/2021</u> (DATE)	
By: <u>Maria Haar</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.

05/03/22 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT
(TITLE 30)

DURANGO DR/AGATE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-22-0137-RAD-FAR LTD:

ZONE CHANGE to reclassify 7.0 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

WAIVER OF DEVELOPMENT STANDARDS to increase wall height.

DESIGN REVIEWS for the following: 1) a single family residential development; and 2) finished grade.

Generally located on the northeast corner of Durango Drive and Agate Avenue within Enterprise (description on file). JJ/al/jo (For possible action)

RELATED INFORMATION:

APN:

176-21-101-015 through 176-21-101-017

WAIVER OF DEVELOPMENT STANDARDS:

Increase wall height to a maximum of 12 feet (6 foot screen wall with a 6 foot retaining wall) where a maximum height of 9 feet (6 foot screen wall with a 3 foot retaining wall) is permitted per Section 30.64.050 (a 33.3% increase).

DESIGN REVIEWS:

1. A single family residential development.
2. Increase finished grade to 72 inches (6 feet) where 36 inches (3 feet) is the standard per Section 30.32.040 (a 100% increase)

LAND USE PLAN:

ENTERPRISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 8596 W. Agate Avenue
- Site Acreage: 7
- Number of Lots: 50 residential/4 common elements
- Density (du/ac): 7.2
- Minimum/Maximum Lot Size (square feet): 3,303/6,595

- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): 27
- Square Feet: 1,478 to 1,913
- Open Space Required/Provided: 0/13,971 square feet

Neighborhood Meeting Summary

This request is for a nonconforming zone change to reclassify approximately 7 acres from an R-E zone to an R-2 zone for a single family residential development. The applicant conducted a virtual neighborhood meeting on December 8, 2021, 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 and 11 neighbors attended the meeting. Concerns raised at the meeting included traffic, project density, lot sizes and construction allergens.

Site Plan

The plan depicts a single family residential development consisting of 50 lots with a density of 7.2 dwelling units per acre. The site has frontage along Agate Avenue to the south and Durango Drive to the west. Access to the development is from Agate Avenue and access within the subdivision is provided by 43 foot wide private streets with a 4 foot wide sidewalk located on 1 side of the streets. The private streets terminate as stub streets and the stub streets will provide access to a maximum of 5 lots. The plan depicts 4 common lots, which are located along the public streets, a portion of the eastern boundary of the site, and along the side street of a corner lot on the eastern portion of the site. The portion of the site with the most fill and increased retaining wall height is along the eastern property line.

Landscaping

The plans depict 4 common lots with a total area of 13,971 square feet which are used for landscape area and drainage easements. Along Durango Drive the plans depict a minimum 15 foot wide landscape area consisting of trees, shrubs, groundcover, and a detached sidewalk. A portion of the sidewalk meanders around an existing utility pole. A minimum 6 foot wide landscape area is depicted along Agate Avenue consisting of trees, shrubs, groundcover, and an attached sidewalk along the street. Additional landscaping is depicted within 15 foot wide landscape areas located along the entrance of the development consisting of trees, shrubs, groundcover and detached sidewalks.

Elevations

The plans depict 4 home models that are all 2 stories with a maximum building height of approximately 27 feet. All of the homes have pitched roofs with concrete tile roofing materials. The exterior of the homes will consist of combinations of a stucco finish painted in earth tone colors, stone veneer, various window treatments, and architectural enhancements.

Floor Plans

The proposed homes will be between 1,478 square feet to 1,913 square feet in area. Each home will have 3 to 4 bedrooms and a 2 car garage.

Applicant's Justification

The applicant indicates that the proposed development is consistent and compatible with existing development in the area. The increase in finished grade and retaining wall height is necessary due to existing contours, drainage patterns, and sewer service issues. The finished grade is not being artificially elevated to enhance views.

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial & Ranch Estate Neighborhood (up to 2 du/ac)	R-E & R-E (RNP-I)	Undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Compact Neighborhood (up to 18 du/ac)	R-3	Single family residential
West	Corridor Mixed-Use	R-2	Single family residential

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

Related Applications

Application Number	Request
VS-22-0138	A request to vacate and abandon easements and rights-of-way is a companion item on this agenda.
TM-22-500045	Tentative map for a 50 lot single family 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

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.*

There has been an increased demand for single family residential development in the Enterprise Planning area in recent years. Several projects of various densities and intensities have been approved, constructed, and units occupied. The site was designated Corridor Mixed-Use in the

Master Plan. This designation allows reclassification to commercial zoning districts, which would not be as compatible with the existing abutting residential developments as the proposed residential development. Therefore, staff finds there has been a change in trends and facts that have changed the character of the area which makes the proposed request 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 proposed development is of similar density and intensity to the existing single family residential developments to the west and south, which are in an R-2 zone. To the east is a residential development in an R-3 zone which is of slightly higher density and intensity but is still a single family residential development. Therefore, the project is compatible with existing 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.*

There has been no indication from public services and facility providers that this development would have an adverse effect on public facilities and services in this area. The Clark County School District has indicated that this development would increase student yield by 20 students for the schools that serve this area (8 elementary students, 5 middle school students, and 7 high school students). The School District also indicates that 2 schools that would serve this area (Sierra Vista High School & Steele Elementary School) are over capacity with current enrollment.

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

The proposed development does comply with Goal 1.1 of the Master Plan to provide opportunities for diverse housing options to meet the needs of residents of all ages, income levels and abilities. The project complies with Policy 1.3.2 of the Master Plan which encourages a mix of housing options, product types, and unit sizes. Therefore, the project complies with other applicable goals and policies.

Summary

Zone Change

Staff finds that there has been changes in law, policies, trends, or facts 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 proposed development is compatible in density or intensity with existing land uses in the surrounding area. The project will not have an adverse effect on public facilities and services; and the project complies with other applicable adopted plans and goals. Therefore, staff finds the applicant has provided a Compelling Justification to warrant approval of this nonconforming zone change.

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.

The applicant states the increase in the height of retaining walls and increased finished grade is needed due to the existing topography of the site. The walls and increased fill are needed to balance the site for drainage and sewer issues and not to improve views for future residents. The existing grade of the site can be a unique or special circumstance to warrant the requested waiver in order to address drainage and sewer issues based on existing development constraints. In addition, it appears that the lower retaining walls are adjacent to the existing residential to the east; therefore, staff can support this request.

Design Review #1

The proposed development is of similar density and intensity with existing developments in the area. The lot sizes are similar to other residential developments in the area and the proposed homes are architecturally compatible with the abutting developments. However, the site does have frontage along Durango Drive, but no access is depicted on the plans. To improve pedestrian circulation, a pedestrian access should be provided to Durango Drive.

Public Works - Development Review

Design Review #2

This design review represents the maximum grade difference within 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 June 8, 2022, 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Resolution of Intent to complete in 4 years;
- 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 pedestrian access to Durango Drive;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; 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;
- 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 Agate Avenue, 45 feet to the back of curb for Durango Drive, 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 and reference POC Tracking #0041-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: ANGELA PINLEY

CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVE., SUITE 100, LAS VEGAS, NV 89118



LAND USE APPLICATION

2A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <u>190000</u> <input checked="" type="checkbox"/> NONCONFORMING (NZC) <u>6.9750 34500</u> <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <u>47500</u> <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) (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 APP. NUMBER: <u>NZC-22-0137</u> DATE FILED: <u>3-7-22</u> PLANNER ASSIGNED: <u>AI</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>4-13-22</u> PC MEETING DATE: <u>5-3-22</u> BCC MEETING DATE: <u>6-8-22</u> FEE: <u>\$ 3,395.00</u>
	PROPERTY OWNER NAME: <u>Rad-Far, LLC</u> ADDRESS: <u>P.O. Box 570594</u> CITY: <u>Tarzana</u> STATE: <u>CA</u> ZIP: <u>91359</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: <u>Richmond American Homes of Nevada, Inc.</u> ADDRESS: <u>7770 S. Dean Martin Drive, Suite 308</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u> TELEPHONE: <u>702-617-8464</u> CELL: _____ E-MAIL: <u>angela.pinley@mdch.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>Westwood Professional Services</u> ADDRESS: <u>5725 W. Badura Ave., Suite 100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: <u>lvproc@@westwoodps.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 176-21-101-016 & 017 015
 PROPERTY ADDRESS and/or CROSS STREETS: Durango/Agate
 PROJECT DESCRIPTION: Residential Subdivision

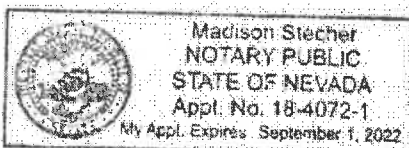
I, We, the undersigned swear and say that I am, We are, the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings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

Gilbert Farzadfar GILBERT FARZADFAR (Treasurer)
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 9/19/21 (DATE)

By _____
 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. Page 1 of 5

RAH2108

October 27th, 2021

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

NZC-22-0137

**RE: Compelling Justification Letter for a Non-Conforming Zone Change, Design Review, Tentative Map, and Waiver of Standards
50 lots; 6.7+/- acres; APN: 176-21-101-015, -016, -017**

To Whom It May Concern:

Westwood Professional Services, on behalf of the applicant, Richmond American Homes of Nevada, Inc respectfully submits this compelling justification letter with an application for a non-conforming zone change (NCZC), Design Review (DR), Tentative Map (TM), and Waiver (WS) for the proposed community.

We have received a letter from Michael Shannon on behalf of Justin Jones allowing us to submit entitlements. Richmond American Homes is no longer under escrow on the Roohani Khusrow Family Trust and Precious Raven Ruby parcels (APNs: 176-21-101-010 and 176-21-101-011). The entitlements submitted reflect the revised project boundary.

Project Description

The subject parcels, within the Enterprise Jurisdiction, are located at the northeast corner of the South Durango Drive and West Agate Avenue intersection. The proposed residential subdivision is approximately 6.7 gross acres with 50 single family residential dwelling units, resulting in a density of 7.5 dwelling units per gross acre.

Design Review

Site Plan

The project is composed of 35'x95' lots. The lots are laid out in an east to west and north to south orientation. The storm drain outlet under Durango Drive is north of our site and no improvements are proposed within the existing wash. The inundation area will be analyzed to determine if any mitigation along the north edge of the project will be needed to protect the site.

The project is proposed to be constructed as one phase. The subdivision will have interior private street that are 43 foot wide including an attached 4 foot sidewalk. The project will not be gated and will include a single entrance off Agate Avenue. The interior streets that terminate in stubs are a maximum of 150 foot long and serve a maximum of 6 houses. Perimeter public streets include Agate Avenue which is a 55 foot right-of-way with 6 feet landscaping and attached sidewalk and Durango Drive which is a 90 foot right-of-way with 15 foot landscaping and detached sidewalk. These public streets will include full offsite improvements including curb, gutter, and sidewalks.

Architecture

The planned architecture for the project includes 4 two story plans. They range in size of livable area from 1,478 to over 1,913 square feet. The homes range in height from ~25ft to ~27ft. Each

house will have a two car garage and a 20-ft driveway. Proposed floor plans and elevations are included with the submittal package. The proposed development and building architecture will be designed with consideration of the existing surrounding communities to ensure there is minimal impact to existing neighborhoods.

Grade Difference

A maximum grade difference of 6 feet is being requested where 18 inches is allowed per section 30.32.040.a.9 of Title 30 due to existing contours, drainage patterns and sewer service issues. The site will be elevated to work with civil engineering constraints; the site will not be artificially elevated to enhance views.

Setbacks

The setbacks for the proposed project are as follows:

- Front (Living): 10 feet (for up to 50% of building width)
- Front (Garage): 20 feet
- Side (interior): 5 feet
- Side (corner): 10 feet
- Rear (living): 15 feet

Tentative Map

The associated Tentative Map (TM) will establish the layout of the 50-residential lots, four (4) common lots, and the interior street network. The TM also includes street sections for the interior private streets and adjacent public roads, cross-sections showing preliminary grading across the site from north to south and east to west, width, and locations of utility and drainage easements.

Waiver of Development Standards

A waiver of development standards application is being submitted to request the following:

Title 30 Section 30.64.050.4 – Site Landscape and Screening Standards

Standard: Retaining walls shall not exceed a maximum height of 3 feet

Requested Waiver: Increase perimeter retaining walls to 6ft where needed.

Justification: The waiver is being requested due to site development constraints requiring an increase in perimeter retaining wall height from the allowable 3ft to a maximum of 6ft. The increased heights will fluctuate from a screen wall with no retaining wall to a screen wall with 6ft of retaining wall around the perimeter of the site as needed. The increased retaining wall heights allow the project to meet minimum interior street slopes and maintain drainage patterns. A decorative screen wall will be provided per Title 30 requirements.

Compelling Justification for NZC

The existing landuse for the parcels is commercial general (CG). All the parcel's current zoning classification is Rural Estates Residential (R-E).

The proposed residential subdivision is approximately 6.7 gross acres with 50 single family residential dwelling units, resulting in a density of 7.5 dwelling units per gross acre. Therefore, to rezone the parcels to Residential Medium (R-2) zoning, a Non-Conforming Zone Change is required. The project site is surrounded by a single-family residential subdivision with R-1 zoning to the north, a multi-family residential subdivision with R-3 zoning to the east, a single-family residential subdivision with R-2 zoning across Agate Avenue to the south, and a single-family residential subdivision with R-2 and an apartment complex with R-3 zoning across Durango Drive to the west. The minimum lot square footage for the project exceeds the minimum required (3,300 square feet) per Clark County Development Code for R-2 zoning.

The following is a detailed response to the requirements specified for a "Compelling Justification" under Chapter 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 nonconforming zone boundary amendment appropriate.

Response: The current zoning of Rural Estates Residential (R-E) was established for areas suited to low density residential uses with consideration for raising crops and a limited number of animals. Per the Demographics section of the 2014 Enterprise Land Use Plan, there was an increase of over 154,000 persons in Enterprise from 2000 to 2014 or approximately 700% growth over those 14 years. Future projections show Enterprise will continue to have population growth and demand single family detached housing. As of 2014, more than 72% of the housing in Enterprise was single family detached versus less than 60% for the Las Vegas Valley Urban Area. The applicant is proposing Residential Medium (R-2) zoning, which was established to provide compact single-family residential use, and allows a suitable density for the surrounding area to support the continual growth of Enterprise.

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

Response: The proposed development requires a zone change from R-E to R-2. There are existing residential neighborhoods with either R-1, R-2, or R-3 zoning in all directions surrounding the proposed site. A zone change to R-2 will blend with the surrounding existing and planned communities.

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.

Response: A technical analysis will be done for the drainage and water/sewer facilities before the Civil Improvement Plans are submitted. The Police Department, School District, and Fire Department that service this area will be contacted for the preparation of the reports which are required for the non-conforming zone change. The following infrastructure and services are in the area:

- a. The project will be adjacent to Durango Drive and Agate Avenue.

- b. Public utility infrastructure is in the area. Water and sewer will be extended to connect to the nearest available source or outfall.
- c. A police station located approximately 3.3 miles northwest at Rainbow Blvd and Windmill Ln.
- d. Fire stations located approximately 2.5 miles southeast near intersection of Mountains Edge Parkway and Buffalo Drive.
- e. An existing library located approximately 3.3 miles northwest at Rainbow Blvd and Windmill Ln.
- f. Desert Oasis High School is located within approximately 4.7 miles southeast, Mountains Edge Middle School located within approximately 2.6 miles southeast, and the William V. Wright Elementary School is located within approximately 0.8 miles south.
- g. Several hospitals and medical complexes in the area.
- h. Multiple churches within a 3.0 mile radius.
- i. Several parks, trails and a water park in the area.

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

Response: The southern area of the Las Vegas Valley currently demands additional residential homes with pedestrian-friendly neighborhoods, which the proposed community will provide. The target home buyers will be a combination of first time homebuyers and move-up buyers, bringing younger families to the area that will be walking to schools and serving nearby commercial centers.

The proposed development will provide a desirable residential neighborhood that promotes the development of other vacant properties in the area, while meeting the growth demand in Enterprise.

Thank you for considering this application request. Please contact me at (702) 284-5300 if you have any questions.

Sincerely,

WESTWOOD PROFESSIONAL SERVICES



Emily Hoy, PE
Assistant Project Manager

CC:

Angela Pinley, Richmond American Homes
Roxanne Leigh, Westwood

05/03/22 PC AGENDA SHEET

EASEMENTS & RIGHT-OF-WAY
(TITLE 30)

DURANGO DR/AGATE AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-22-0138-RAD-FAR LTD:

VACATE AND ABANDON easements of interest to Clark County located between Durango Drive and Gagnier Boulevard (alignment), and between Agate Avenue and Raven Avenue (alignment), and a portion of a right-of-way being Durango Drive located between Agate Avenue and Pebble Road, and a portion of Lisa Lane located between Agate Avenue and Raven Avenue within Enterprise (description on file). JJ/al/jo (For possible action)

RELATED INFORMATION:

APN:
176-21-101-010; 176-21-101-011; 176-21-101-015 through 176-21-101-017

LAND USE PLAN:
ENTERPRISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

The applicant is proposing to develop the site as a single family residential development and is requesting to vacate easements and rights-of-way that are not needed for development in the area. All necessary utility easements and rights-of-way will be dedicated with the future subdivision of the site.

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial & Ranch Estate Neighborhood (up to 2 du/ac)	R-E & R-E (RNP-I)	Undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Compact Neighborhood (up to 18 du/ac)	R-3	Single family residential
West	Corridor Mixed-Use	R-2	Single family residential

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

Related Applications

Application Number	Request
NZC-22-0137	A nonconforming zone change to reclassify the site to an R-2 zone for a single family residential development is a companion item on this agenda.
TM-22-500045	Tentative map for a 50 lot single family 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

Public Works - Development Review

Staff has no objection to the vacation of patent easements and right-of-way 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 June 8, 2022, 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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 45 feet to the back of curb for Durango Drive adjacent to APN 176-21-101-015, 30 feet for Agate 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.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ANGELA PINLEY

CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVE., SUITE
100, LAS VEGAS, NV 89118

DRAFT



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

3A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	DEPARTMENT USE	APP. NUMBER: <u>VS-72-0138</u> PLANNER ASSIGNED: <u>PI</u> TAB/CAC: <u>Enterprise</u> PC MEETING DATE: <u>5-3-22</u> BCC MEETING DATE: <u>6-8-22</u> FEE: <u>\$875.00</u>	DATE FILED: <u>3-7-22</u> TAB/CAC DATE: <u>4-13-22</u>
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PROPERTY OWNER	NAME: <u>Rad-Far, LLC</u> ADDRESS: <u>P.O. Box 570594</u> CITY: <u>Tarzana</u> STATE: <u>CA</u> ZIP: <u>91359</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
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APPLICANT	NAME: <u>Richmond American Homes of Nevada, Inc.</u> ADDRESS: <u>7770 S. Dean Martin Drive, Suite 308</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u> TELEPHONE: <u>702-617-8464</u> CELL: _____ E-MAIL: <u>angela.pinley@mdch.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Westwood Professional Services</u> ADDRESS: <u>5725 W. Badura Ave., Suite 100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: <u>lvproc@westwoodps.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 176-21-101-016 & 017 015 + 010, 011

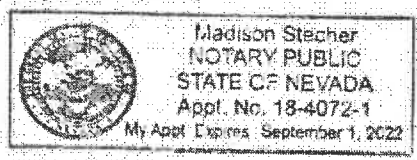
PROPERTY ADDRESS and/or CROSS STREETS: Durango/Agate

I, We, the undersigned swear and say that I am, We are, the owner(s) or record on the Tax Rolls of the property involved in this application or (am, are) otherwise qualified to file 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.

Gilbert Farzad Far
 Property Owner (Signature)*

GILBERT FARZAD FAR (Treasurer)
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 9/19/21 (DATE)
 By _____
 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.

RAH2108

October 27th, 2021

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

RE: Justification Letter in Support of Multiple Vacations for Durango Agate Project
50 lots; 6.7+/- acres; APN: 176-21-101-015, -016, -017

+ 176-21-101-010 and all for Lisa House

To Whom It May Concern:

Westwood Professional Services, on behalf of the applicant, Richmond American Homes respectfully submits this justification letter in support of Multiple Vacations (VS). The subject parcels, within the Enterprise Jurisdiction, are located at the northeast corner of the South Durango Drive and West Agate Avenue intersection. The proposed residential subdivision is approximately 6.7 gross acres with 50 single family residential dwelling units.

Vacation of Patent Easements, BLM Grants, and Right-of-Way

This application proposes to vacate multiple patent easements and a portion of Durango Drive that conflict with the proposed site. These patent easements no longer need to provide a reservation for public roads or utilities. The easements to be vacated include patent easements 1222881, 1166703, and 1166461 and right-of-way that was previously dedicated for the Durango Drive alignment across the frontage of part of the proposed site. The existing Durango Drive right-of-way was dedicated per document number 0184:0146475. An exhibit has been provided showing the proposed vacations along with supporting legal descriptions and exhibits.

Thank you for considering this application request. Please contact me at (702) 284-5300 if you have any questions.

Sincerely,

WESTWOOD PROFESSIONAL SERVICES



Emily Hoy, PE
Assistant Project Manager

CC:
Angela Pinley, Richmond American Homes
Roxanne Leigh, Westwood

05/03/22 PC AGENDA SHEET

DURANGO AGATE
(TITLE 30)

DURANGO DR/AGATE AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

TM-22-500045-RAD-FAR LTD:

TENTATIVE MAP consisting of 50 single family residential lots and common lots on 7.0 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the northeast corner of Durango Drive and Agate Avenue within Enterprise. JJ/al/jo (For possible action)

RELATED INFORMATION:

APN:

176-21-101-015 through 176-21-101-017

LAND USE PLAN:

ENTERPRISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 8596 W. Agate Avenue
- Site Acreage: 7
- Number of Lots: 50 residential/4 common elements
- Density (du/ac): 7.2
- Minimum/Maximum Lot Size (square feet): 3,303/6,595
- Project Type: Single family residential development

The plan depicts a single family residential development consisting of 50 lots with a density of 7.2 dwelling units per acre. The site has frontage along Agate Avenue to the south and Durango Drive to the west. Access to the development is from Agate Avenue and access within the subdivision is provided by 43 foot wide private streets with a 4 foot wide sidewalk located on 1 side of the streets. The private streets terminate as stub streets and the stub streets will provide access to a maximum of 5 lots. The plan depicts 4 common lots, which are located along the public streets, a portion of the eastern boundary of the site, and along the side street of a corner lot on the eastern portion of the site.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial & Ranch Estate Neighborhood (up to 2 du/ac)	R-E & R-E (RNP-I)	Undeveloped

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Compact Neighborhood (up to 18 du/ac)	R-3	Single family residential
West	Corridor Mixed-Use	R-2	Single family residential

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

Related Applications

Application Number	Request
NZC-22-0137	A nonconforming zone change to reclassify the site to an R-2 zone for a single family residential development is a companion item on this agenda.
VS-22-0138	A request to vacate and abandon 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

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 June 8, 2022, 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 Master Plan, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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 Agate Avenue, 45 feet to the back of curb for Durango Drive, 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.

Current Planning Division - Addressing

- Streets shall have approved street names and suffixes;
- Street A is an extension of Alderstone Street and shall assume the same name;
- Approved street name list from the Combined Fire Communications Center shall be provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0041-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ANGELA PINLEY

CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVE., SUITE 100, LAS VEGAS, NV 89118



TENTATIVE MAP APPLICATION 4A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-22-500045</u>	DATE FILED: <u>3-7-22</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>AI</u>	TAB/CAC DATE: <u>4-13-22</u>
		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: <u>5-3-22</u>	
		BCC MEETING DATE: <u>6-8-22</u>	
		FEE: <u>750⁰⁰</u>	

PROPERTY OWNER	NAME: <u>Rad-Far, Ltd</u>
	ADDRESS: <u>P.O. Box 570594</u>
	CITY: <u>Tarzana</u> STATE: <u>CA</u> ZIP: <u>91359</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Richmond American Homes of Nevada, Inc.</u>
	ADDRESS: <u>7770 S. Dean Martin Drive, Suite 308</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u>
	TELEPHONE: <u>702-617-8464</u> CELL: _____
	E-MAIL: <u>angela.pinley@mdch.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Westwood Professional Services</u>
	ADDRESS: <u>5725 W. Badura Ave., Suite 100</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-284-5300</u> CELL: _____
	E-MAIL: <u>lvproc@@westwoodps.com</u> REF CONTACT ID #: <u>132024</u>

ASSESSOR'S PARCEL NUMBER(S): 176-21-101-015 016 017

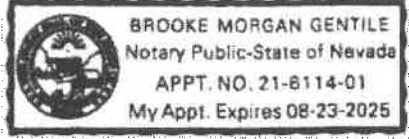
PROPERTY ADDRESS and/or CROSS STREETS: Durango/Agate

TENTATIVE MAP NAME: Durango Agate

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 (arr, 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.

Gilbert Farzad Far GILBERT FARZAD FAR (Treasurer)
 Property Owner (Signature) Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON September 23, 2021 (DATE)
 By _____
 NOTARY PUBLIC: Brooke Morgan



*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.

05/03/22 PC AGENDA SHEET

MULTIPLE FAMILY DEVELOPMENT SOUTHERN HIGHLANDS PKWY/BRUNER AVE
(TITLE 30)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-22-0149-DAF HOLDING, LLC:

ZONE CHANGE to reclassify 3.3 acres from an R-3 (Multiple Family Residential) Zone to an R-5 (Apartment Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking; 2) alternative street landscaping; 3) reduce throat depth; and 4) allow non-standard improvements within the right-of-way.

DESIGN REVIEWS for the following: 1) multiple family development; and 2) alternative parking lot landscaping on 3.5 acres in an R-5 (Apartment Residential) Zone and H-1 (Limited Resort and Apartment) P-C (Planned Community Overlay District) Zone.

Generally located on the east side of Southern Highlands Parkway, 645 feet north of Bruner Avenue (alignment) within Enterprise (description on file). JJ/md/jo (For possible action)

RELATED INFORMATION:

APN:

191-05-401-008 & 191-05-401-014 ptr

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce parking to 171 parking spaces where 178 parking spaces are required per Table 30.60-1 (a 4% reduction).
2. Permit alternative street landscaping where landscaping including a detached sidewalk is required per Figure 30.64-17 is required.
3. Reduce the throat depth to 27 feet where a minimum of 100 feet is required per Uniform Standard Drawing 222.1 (a 73% reduction).
4. Allow non-standard improvements (landscaping and detached sidewalk) within the right-of-way (Southern Highlands Parkway) where not permitted per Chapter 30.52.

DESIGN REVIEWS:

1. Multiple family residential development.
2. Permit alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.

LAND USE PLAN:

ENTERPRISE - COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 3.5 (3.3 (R-5)/0.2 (H-1))
- Number of Units: 109
- Density (du/ac): 33.6
- Project Type: Multiple family development
- Number of Stories: 4
- Building Height (feet): 50
- Square Feet: 157,115
- Open Space Required/Provided: 10,900/15,300
- Parking Required/Provided: 178/171

Neighborhood Meeting Summary

This request is for a nonconforming zone change to reclassify 3.3 acres from an R-3 zoning district to an R-5 zoning district to allow a multiple family development. The applicant conducted a neighborhood meeting on November 1, 2021. Three neighbors attended the meeting and expressed concerns regarding the height of the building. As a result of neighborhood meeting, the height of the building was lowered to 50 feet, complying with the maximum permitted height within the R-5 zoning district.

Site Plans

The plans depict a multiple family residential development on an overall project site consisting of 3.5 acres. The proposed multiple family development, including the associated parking, landscaping, and open space, is located on a 3.3 acre parcel (APN 191-05-401-008) and consists of 109 dwelling units with a density of 33.6 dwelling units per acre. Access to the project site is granted via Southern Highlands Parkway; however, the driveway located at the southwest corner of the project site is located on a separately owned H-1 zoned parcel, APN 191-05-401-014. The H-1 zoned parcel features a secured 0.2-acre area measuring 20 feet in width that will be utilized as both a dog run for the development and a utility access easement. The H-1 zoned parcel does not require a zone change as the subject acreage is not counted towards the overall density of the project and is not required for the open space requirement for the development. The development consists of a single, 4 story multiple family building centrally located within the project site with the following setbacks: 1) 49 feet from the west property line, adjacent to Southern Highlands Parkway; 2) 55 feet from the south property line; 3) 60 feet from the north property line; and 4) 130 feet from the east property line, adjacent to I-15. Open space is centrally located within the project site consisting of a swimming pool, courtyard, clubhouse, sky deck (roof of building), and a dog run, located along the south boundary of the project site. The multiple family development requires 10,900 square feet of open space where 15,300 square feet of open space is provided. An existing 5 foot wide detached sidewalk is provided within the right-of-way, along Southern Highlands Parkway. A second access driveway is located at the northwest corner of the project site, adjacent to Southern Highlands Parkway. A waiver of development standards is required to reduce the throat depth for the second driveway located along Southern Highlands Parkway. The project site requires 178 parking spaces where 171

spaces are provided, necessitating a waiver of development standards to reduce on-site parking. There is an existing off-premises sign located at the southeast corner of the project site, adjacent to I-15, that will remain in place with no alterations.

Landscaping

The plans depict a landscape area ranging between 8 feet to 26.5 feet in width along Southern Highlands Parkway, adjacent to an existing 35 foot wide landscape area within the right-of-way that includes a 5 foot wide detached sidewalk. Waivers are required for the non-standard improvements (landscaping) within the right-of-way, in addition to alternative street landscaping along Southern Highlands Parkway. Twenty-four inch box trees will be planted 20 feet on center, in addition to shrubs and groundcover, within the street landscape area adjacent to the existing landscaping and detached sidewalk along Southern Highlands Parkway. A 10 foot wide landscape area, with 24 inch box trees planted 20 feet on center, is proposed along the east property line adjacent to I-15. A 12-foot high decorative freeway buffer wall, per Code requirements, is also proposed along the east property line adjacent to I-15. An 8 foot wide landscape area, with 24 inch box trees planted 20 feet on center is located along the north property line, adjacent to the existing commercial development. A 5 foot wide landscape area with 24 inch box trees planted 20 feet on center is located along the south property line, adjacent to the existing multiple family development. A dog run area (APN 191-05-401-014) measuring 6 feet in width, is located between the south property of the project site and the north property line of the existing multiple family development. The dog run area will be enclosed by a proposed 6 foot high decorative tubular steel fence and an existing CMU block wall adjacent to the H-1 zoned multiple family development. In lieu of providing the required amount of landscape finger islands within the boundaries of the site, additional trees will be planted throughout the interior and perimeter of the development. The multiple family development requires a total of 26 trees within the interior of the parking lot where 23 trees are provided. However, the 3 additional trees that are required shall be located outside of the parking lot but within the boundaries of the site, requiring a design review for alternative parking lot landscaping.

Elevations

The plans depict a 4 story building extending up to 50 feet in height to the top of the parapet wall. The exterior of the building consists of stucco, stone veneer, and an aluminum storefront window system. A pitched concrete tile roof is located above the 4th floor balconies at various intervals along the east, west, north, and south elevations of the building. The elevations also depict first floor enclosed garage units located on the north, south, and east elevations. All rooftop mounted equipment will be screened from public view and the right-of-way by parapet walls. The building is painted with neutral, earth tone colors. The carport structures measure up to 9.5 feet in height and will be painted to match the building.

Floor Plans

The plans consist of 81, one bedroom and 28, two bedroom units distributed throughout the 4 story building. The first floor of the building contains a 6,600 square foot clubhouse area, while the 4th floor features a 1,600 square foot skydeck, located at the northeast portion of the building orientated towards I-15.

Signage

Signage is not a part of this request.

Applicant's Justification

Based upon existing apartment complexes throughout the Las Vegas Valley, this slight parking reduction will not negatively impact the project or surrounding areas. As shown with other developments, the amount of parking required by Code is generally much higher than what is used or needed with multiple family developments. The project includes 2 driveways to assist with traffic circulation and to reduce the number of cars funneling into a single access point. Additionally, the northern driveway is not the main entry for residents (gate is exit only) and will, therefore, not be utilized as often as the southern driveway where the call box is located. Moreover, both driveways will be right in/right out due to the existing median located within the right-of-way. The required 15 feet of landscaping, including a 5 foot wide detached sidewalk, will be located within the boundaries of the project site. The off-sites, including the landscaping and detached sidewalk, already exist in front of the site. In order to justify the request for alternative parking lot landscaping, the applicant is providing the 3 trees that would be located within those fingers in various other locations within the site to ensure the overall requirement is met.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-18-0028	Vacated and abandoned patent easements - expired	Approved by PC	March 2018
ZC-17-0130	Reclassified to R-3 zoning for a congregate care and assisted living facility with a waiver to increase building height	Approved by BCC	April 2017

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	C-2 (P-C)	Commercial development
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	H-1 (P-C)	Multiple family development
East	Entertainment Mixed-Use	H-1 (P-C) & R-4 (P-C)	I-15 & undeveloped
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential

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 there have been multiple changes the last several years within the southwest sector. Large employment centers have been developed and now are operating in the southwest portion of the valley. A byproduct of the increased employment opportunities is a sharp increase in housing demand for the area. By way of example, many multiple family residential developments have recently been approved along Las Vegas Boulevard South, between St. Rose Parkway and Cactus Avenue. Even more recently, an R-5 multiple family residential development was approved just south of the site via application NZC-19-0528. This project is currently under construction. There are several other examples of multiple family developments recently approved throughout the south and southwest area of the valley, including the Zone5 Apartment complex located at the northwest corner of the 215 and Buffalo Drive. The Zone5 Apartment complex was approved by the Board of County Commissioners in 2013, via NZC-0633-12, for a nonconforming zone change to R-4 for a multiple family complex. The Zone5 Apartment complex was ultimately finished around the early part of 2016 and today is currently at a 98 percent occupancy rate. In addition to the Zone5, the following multiple family developments are between 95 percent and 100 percent occupancy: 1) Level 25 at Durango (Durango Drive & Post Road); 2) The Wyatt (Buffalo Drive and Badura Avenue); 3) South Beach (Russell Road and CC 215); and 4) Aspire (Tropicana Avenue and CC 215). Based on these recent apartment developments in the valley, and the overwhelming demand for additional housing, these trends support the request for the proposed development.

Immediately to the north of the proposed development is a C-2 zoned commercial development with a planned land use of Mid-Intensity Suburban Neighborhood. To the east of the project site is I-15. To the west of the proposed development, across Southern Highlands Parkway, is an existing single family residential development zoned R-2 with a planned land use of Mid-Intensity Suburban Neighborhood. To the south of the project site is an existing multiple family development zoned H-1 with a planned land use of Mid-Intensity Suburban Neighborhood. The proposed zone change to R-5 zoning for the multiple family development is inconsistent and incompatible with the existing R-2 zoning district to the west and the planned land use to the west and south.

- 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.*

According to the applicant, with the existing multiple family development adjacent to the south of the site, the commercial to the north and the I-15 to the east, the density or intensity of this proposed use is compatible with the surrounding area. The location of the project site is an ideal transitional parcel to the single family residential across Southern Highlands Parkway to the west. The site is located adjacent to existing multiple family residential, commercial, and I-15. With the existing and recent commercial/multiple family projects, the requested zone change is compatible with the surrounding area. Additionally, the existing single family to the west is approximately 170 feet away from the proposed project, property line to property line. Included with this submittal are drone photos taken from the top balcony on the 4th level to show the site line view to the residential homes across Southern Highlands Parkway. As shown on these photos, visibility into the backyards of the residential is not possible. Further, multiple family is the ideal type of residential development for an area surrounded by other multiple family property and commercial uses. Multiple family developments typically have larger setbacks and thus an increased ability to buffer from adjacent uses. In addition, relatively dense multiple family is generally planned for more urban intense areas. Thus, overall, the density and intensity is compatible with the area and the site is the ideal transitional piece as it is located between the I-15, existing multiple family, commercial uses, and single family to the west, across Southern Highlands Parkway.

The existing community character within the surrounding area consists of both multiple family and single family residential developments. The existing H-1 zoned multiple family development to the south of the project site was approved for 255 residential units at a density of 9.9 dwelling units per acre. The existing R-2 zoned single family residential development to the west of the project site was approved for 292 residential lots at a density of 6.7 dwelling units per gross acre. The proposed multiple family development consists of 109 units at a density of 33.6 dwelling units per acre. The intrusion of higher density and intensity multiple family uses can potentially create demands that were not planned for, such as a significant increase in vehicular traffic, which may lead to dramatic changes in existing neighborhoods.

- 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 states the proposed zone change will not result in any additional impacts on surrounding infrastructure not already contemplated in the area. The site will provide recreational amenities which will not burden Clark County recreation facilities. Additionally, providing only 1 and 2 bedroom units discourages families with school aged children to limit impacts on nearby schools. Finally, the applicant will mitigate any impacts the proposed development may have.

There has been no indication from service providers that this request will have an adverse or substantial effect on public facilities and services. The school district has indicated that this development would generate 15 additional elementary school, 7 middle school, and 8 high school students. The school district indicates Stuckey Elementary School and Tarkanian Middle School are under capacity by 152 and 232 students, respectively while Desert Oasis High School is over capacity by 687 students.

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

The applicant states the proposed development meets the goals and policies of the Master Plan due to the following reasons: 1) The site is located adjacent to existing multiple family residential and commercial uses with quick access to the I-15 and St. Rose Parkway. The site is located near public facilities and mass transit stops necessary to support multiple family development and it is near other multiple family development residential neighbors and commercial uses; 2) The multiple family units will have complete use of the clubhouse, pool, and other usable open space amenities; 3) Parking is placed around the building in small courts of parking throughout the site; and 4) The landscaping complies with all Title 30 requirements. Not only is the proposed development compatible with the general policies of the Master Plan, but it is also compatible with the more specific Multiple Family Residential policies of the Plan.

Staff finds the isolated nature of the requested R-5 zoning, in relation to the surrounding zoning districts, is not compatible with the existing land uses.

Summary

Zone Change

Staff finds that there has not been a change in law and policies that make this request appropriate for the area. The reclassification of this site to an R-5 zoning district for the proposed project would allow a density up to a maximum of 33.6 dwelling units per acre that is incompatible with the developed R-2 zoning district to the west, across Southern Highlands Parkway, and the H-1 zoning district to the south. Staff finds that the proposed request does not satisfy all of the requirements of a compelling justification to warrant approval of the nonconforming zone boundary amendment to R-5 zoning; therefore, staff recommends denial.

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 reduction to on-site parking is minimal, staff finds the requested waiver is a self-imposed burden. Furthermore, since staff is not supporting the nonconforming zone boundary amendment, waivers of development standards and design reviews, staff cannot support this request.

Waiver of Development Standards #2

The request for alternative street landscaping should have minimal to no impact on the surrounding land uses and properties. However, since staff is not supporting the nonconforming zone boundary amendment, waivers of development standards, and design reviews, staff cannot support this request.

Design Reviews #1 and #2

The multiple family project provides several amenities including open space, swimming pool, clubhouse, and a sky deck. Furthermore, the building includes off-set surface planes, an aesthetically pleasing color palette, and parapet walls along the roofline at various heights. However, staff is concerned with the overall height, bulk, and mass of the building, as there is an existing R-2 single family residential development immediately to the west of the project site, across Southern Highlands Parkway, and an existing 2 story multiple family development south of the project. Staff finds the proposed alternative parking lot landscaping, including the distribution of the trees within the interior of the site complies with the Master Plan by encouraging screened parking areas and extensive landscaping. However, since staff is not supporting the nonconforming zone boundary amendment and waivers of development standards, staff cannot support the design reviews.

Public Works - Development Review

Waiver of Development Standards #3

Staff can support the request to reduce the throat depth for the driveway on Southern Highlands Parkway as the applicant has reduced the potential conflicts by providing extra landscape planters on the drive aisles to provide drivers more distance before they encounter any conflicting parking spaces.

See Revised

Waiver of Development Standards #4

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any improvements placed in the right-of-way. Staff can support Waiver of Development Standards #4 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 8, 2022 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 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;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified

CLARK COUNTY COMPREHENSIVE PLANNING LAND USE APPLICATIONS LAND USE APPLICATION ANALYSIS/CONDITIONS

APPLICATION NUMBER/OWNER

NZC-22-0149/SOUTHERN HIGHLANDS HOUSING PARTNERS L L C & SOUTH CREST
SOUTHERN HIGHLANDS HOUSING PTNRS L L C

The following has been entered to Accela for the above referenced land use application for **Public Works - Development Review**.

Analysis

Waiver of Development Standards #3

Staff can support the request to reduce the throat depth for the driveway on Southern Highlands Parkway as the applicant has reduced the potential conflicts by providing extra landscape planters on the drive aisles to provide drivers more distance before they encounter any conflicting parking spaces. However, since Planning is recommending denial of the application, staff cannot support this waiver.

Waiver of Development Standards #4

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any improvements placed in the right-of-way. Staff can support Waiver of Development Standards #4 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way. However, since Planning is recommending denial of the application, staff cannot support this waiver.

Recommendation:

Denial of Waivers of Development Standards #3 and #4.

Applied by: Jorge Orozco

Date entered: 4/5/2022

Preliminary Conditions

- Drainage study and compliance;
- Traffic study and compliance;
- Demonstrate legal access;
- Apply for a vacation of APN 191-05-499-004 and easements to Clark County that are no longer necessary;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Applicant is advised that the back of curb radius for the ingress side of the northern driveway must be a minimum of 25 feet; that off-site improvement permits may be required; and that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones. /jo

**CLARK COUNTY
COMPREHENSIVE PLANNING LAND USE APPLICATIONS
LAND USE APPLICATION ANALYSIS/CONDITIONS**

Applied by: Jorge Orozco
Date entered: 3/28/2022

APN(s):
191-05-401-008; 191-05-401-014

in the future; 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;
- Demonstrate legal access;
- Apply for a vacation of APN 191-05-499-004 and easements to Clark County that are no longer necessary;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised that the back of curb radius for the ingress side of the northern driveway must be a minimum of 25 feet; that off-site improvement permits may be required; and that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

See Revised

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0391-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LOGAN CAPITAL ADVISORS

CONTACT: LINDSAY KAEMPFER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135

2008/09/02

2008/09/02



LAND USE APPLICATION

5A


DEPARTMENT OF COMPREHENSIVE PLANNING

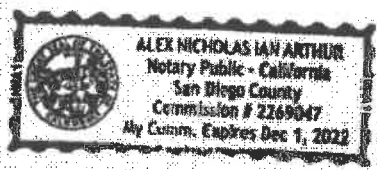
APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <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 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 APP. NUMBER: <u>NZC-22-0149</u> DATE FILED: <u>3/8/22</u> PLANNER ASSIGNED: <u>MNO</u> TAB/CAC: <u>ENTERDATE</u> TAB/CAC DATE: <u>4/12/22</u> PC MEETING DATE: <u>5/13/22 @ 7:00 AM</u> @ <u>6:00 PM</u> BCC MEETING DATE: <u>6/8/22 @ 9:00 AM</u> FEE: <u>13,212.50</u>
	PROPERTY OWNER NAME: <u>Southern Highlands Housing Partners, LLC</u> ADDRESS: <u>PO Box 880367</u> CITY: <u>San Diego</u> STATE: <u>CA</u> ZIP: <u>92168</u> TELEPHONE: <u>n/a</u> CELL: _____ E-MAIL: <u>n/a</u>
	APPLICANT NAME: <u>Logan Capital Advisors</u> ADDRESS: <u>PO Box 880367</u> CITY: <u>San Diego</u> STATE: <u>CA</u> ZIP: <u>92168</u> TELEPHONE: <u>619-260-5562</u> CELL: _____ E-MAIL: <u>fernando@loganpm.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Liz Olson/Bob Gronauer - Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: _____ E-MAIL: <u>eolson@kcnvlaw.com</u> REF CONTACT ID #: <u>166096</u>

ASSESSOR'S PARCEL NUMBER(S): 191-05-401-014
 PROPERTY ADDRESS and/or CROSS STREETS: Southern Highlands/Dancing Winds
 PROJECT DESCRIPTION: NZC and DR for multi family

(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)* Ruben Islas, Jr.
 Property Owner (Print)
 STATE OF California
 COUNTY OF San Diego
 SUBSCRIBED AND SPOKE BEFORE ME ON December 23, 2021 (DATE)
 by Ruben Islas Jr
 NOTARY PUBLIC: Alex Nicholas Ian Arthur



*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.



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE

- TEXT AMENDMENT (TA)
- ZONE CHANGE
 - CONFORMING (ZC)
 - NONCONFORMING (NZC)
- USE PERMIT (UC)
- VARIANCE (VC)
- WAIVER OF DEVELOPMENT STANDARDS (WS)
- DESIGN REVIEW (DR)
 - PUBLIC HEARING
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- 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 #)

STAFF

APP. NUMBER: N2C-22-0149 DATE FILED: 3/8/22
 PLANNER ASSIGNED: MNO
 TAB/CAC: ENTERPRISE TAB/CAC DATE: 4/13/22
 PC MEETING DATE: 5/13/22 @ 7:00 P.M. @ 5:10
 BCC MEETING DATE: 6/8/22 @ 9:00 A.M.
 FEE: \$3211.50

PROPERTY OWNER

NAME: DAF Holding, LLC
 ADDRESS: 1412 Cento Court Drive
 CITY: LAS VEGAS STATE: NV ZIP: 89117
 TELEPHONE: n/a CELL: _____
 E-MAIL: n/a

APPLICANT

NAME: Logan Capital Advisors
 ADDRESS: PO Box 880367
 CITY: San Diego STATE: CA ZIP: 92168
 TELEPHONE: 619-260-5562 CELL: _____
 E-MAIL: fernando@loganpm.com REF CONTACT ID #: _____

CORRESPONDENT

NAME: Liz Olson/Bob Gronauer - Kaempfer Crowell
 ADDRESS: 1980 Festival Plaza Drive, Suite 650
 CITY: Las Vegas STATE: NV ZIP: 89135
 TELEPHONE: 702-792-7000 CELL: _____
 E-MAIL: eolson@kcnvlaw.com REF CONTACT ID #: 166096

ASSESSOR'S PARCEL NUMBER(S): 191-05-401-008

PROPERTY ADDRESS and/or CROSS STREETS: Southern Highlands/Dancing Winds

PROJECT DESCRIPTION: NZC and DR for multi family

(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.

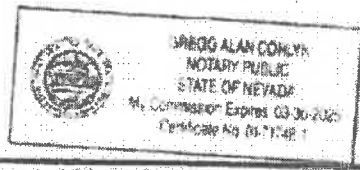
Joseph G. Fabrizio
Property Owner (Signature)*

Joseph G. Fabrizio
Property Owner (Print)

STATE OF NEVADA
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 07/29/2021 (DATE)

By Joseph G. Fabrizio
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.

**KAEMPFER
CROWELL**

**KAEMPFER CROWELL RENSHAW
GRONAUER & FIORENTINO**

ATTORNEYS AT LAW
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March 1, 2022

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Fax: 775.852.3982

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Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0267

VIA ONLINE SUBMITTAL

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

Re: *Compelling Justification Letter – Nonconforming Zone Change, Design Review and Waiver of Development Standards for Multi-Family Development Logan Capital Advisors*
APN: 191-05-401-008 and 014

To Whom It May Concern:

Please be advised our office represents Logan Capital Advisors (the "Applicant") in the above-referenced matter. The proposed project is located on approximately 3.25 acres located on Southern Highlands Parkway, west of Interstate 15 and south of Dancing Winds Place. The property is more particularly described as Assessor's Parcel Numbers 191-05-401-008 and 014 (the "Site"). The Site is not located within the Southern Highlands Master Planned community. The Applicant is requesting a nonconforming zone change from R-3 to R-5, a design review and waiver of development standards to allow for a 109 unit multi-family residential development.

The current zoning of R-3, coupled with the size of the Site, is not sufficient to develop at a density that would be sustainable. Therefore, the Applicant is requesting a zone change to R-5 to allow for additional units. The current zoning would allow for up to 79 units on the Site. The requested zoning of R-5 would allow for 109 units, only 30 units more.

A virtual neighborhood meeting was held November 17, 2021. Liz Olson from Kaempfer Crowell represented the application. Two neighbors attended. Building height waiver was a concern raised by the neighbors. Since the neighborhood meeting, the Applicant has revised the elevations and reduced the height from 58-feet to 50-feet to remove the height waiver request. General questions were asked relating to the overall project and landscaping maintenance.

Nonconforming Zone Change:

The Site is master planned Residential High (RH) and zoned R-3. This request for a zone change to R-5 for the Site satisfies the criteria for a nonconforming zone change with the compelling justification required by Title 30 as follows:

1. **A change in law, policies, trends, or facts after the adoption 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 Enterprise Land Use Plan was last amended in September of 2014. There have been multiple changes the last several years within the southwest sector. Large employment centers have been developed and now are operating in the southwest portion of the valley. A byproduct of the increased employment opportunities is a sharp increase in housing demand for the area. By way of example, many multi-family residential developments have recently been approved along Las Vegas Boulevard, between St. Rose Parkway and Cactus Avenue. Even more recently, an R-5 multi-family residential development was approved just south of the Site via application NZC-19-0528. This project is currently under construction.

There are several other examples of multi-family developments recently approved throughout the south and southwest area of the valley, including the Zone5 Apartment complex located at the northwest corner of the 215 and Buffalo Drive. The Zone5 Apartment complex was approved by the Board of County Commissioners in 2013, via NZC-0633-12, for a non-conforming zone change to R-4 for a multi-family complex. The Zone5 Apartment complex was ultimately finished around the early part of 2016 and today is currently at a 98% occupancy rate. In addition to the Zone5, the below multi-family developments are between 95% and 100% occupancy:

- Level 25 at Durango (Durango & Post)
- The Wyatt (Buffalo and Badura)
- South Beach (Russell and 215)
- Aspire (Tropicana and 215)

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Based on these recent apartment developments in the valley, and the overwhelming demand for additional housing, these trends support the request for the proposed development.

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

With the existing multi-family development adjacent to the south of the Site, the commercial to the north and the Interstate-15 to the east, the density or intensity of this proposed use is compatible with the surrounding area.

The Site's location is an ideal transitional parcel to the single family residential across Southern Highlands Parkway to the west. The Site is located adjacent to existing multi-family residential, commercial and I-15. With the existing and recent commercial/multi-family projects,

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the requested zone change is compatible with the surrounding area. Additionally, the existing single family to the west is approximately 170-feet away, property line to property line. Included with this submittal are drone photos taken from the top balcony on the 4th level to show the site line view to the residential homes across Southern Highlands Parkway. As shown on these photos, visibility into the backyards of the residential is not possible.

Further, multi-family is the ideal type of residential development for an area surrounded by other multi-family property and commercial uses. Multi-family developments typically have larger setbacks and thus an increased ability to buffer from adjacent uses. In addition, relatively dense multi-family is generally planned for more urban intense areas.

Thus, overall, the density and intensity is compatible with the area and the Site is the ideal transitional piece as it is located between the I-15, existing multi-family, commercial uses and single family to the west, across Southern Highlands Parkway

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 nonconforming zone change:**

The proposed zone change will not result in any additional impacts on surrounding infrastructure not already contemplated in the area. The Site will provide recreational amenities which will not burden Clark County recreation facilities. Additionally, providing only 1 and 2-bedroom units discourages families with school aged children to limit impacts on nearby schools. Finally, the Applicant will mitigate any impacts the proposed development may have.

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

Pursuant to the general policies of the new Urban Land Use Policies, Policy 10 "encourage[s] site design to be compatible with adjacent land use and off-site circulation patterns." Here, the Site is located adjacent to existing multi-family residential and commercial uses with quick access to the I-15 and St. Rose Parkway. The Site is located near public facilities and mass transit stops necessary to support multi-family development and it is near other multi-family development residential neighbors and commercial uses. Not only is the proposed development compatible with the general policy of the Urban Land Use Policies, but it is also compatible with the more specific Multiple Family Residential policies of the Urban Land Use Policies, including, but not limited to the following policies:

- Policy 51 encourages multi-family projects to provide several amenities including usable open space, swimming pools, barbeque pits, and community centers. Here, the multi-family units will have complete use of the clubhouse, pool and other usable open space amenities.

- Policy 54 encourages the arrangement of parking areas into courts to avoid long concrete corridors of parking. Here, the parking is placed around the building in small courts of parking throughout the Site.
- Policy 53 encourages the use of drought-tolerant landscaping. Here, the landscaping complies with all Title 30 requirements.

As such, the Site design meets the goals and policies set forth in the Urban Land Use Policies.

Design Review:

The Applicant is proposing a 109 unit development dispersed among 4-stories of a single building. The bedroom mix is as follows: 81 one bedroom units and 28 two bedroom units. The project is not including any 3-bedroom units, which will significantly reduce the number of families with school aged children to address the current occupancy of nearby schools.

The main entry is located on the southwest corner of the Site through a gated access, with an exit only driveway on the northwest corner. The Site will provide outdoor amenities such as a pool/spa area and BBQ area; and indoor amenities with a recreation/clubhouse building consisting of meeting rooms and social gatherings areas, a gym and business center.

The building elevations provide enhanced architectural enhancements such as balconies, building articulation and varying coloring scheme and architectural pop outs. The Applicant has reduced the overall height of the building to 50-feet and no longer requires a waiver for increased building height.

The Applicant is requesting a parking waiver to provide 171 spaces as discussed below, which include a total of 23 garage spaces and 87 covered parking spaces. Landscaping will be provided along the entire perimeter of the Site to assist with buffering, and well as landscaping throughout the parking area to provide shade and visual relief.

The Applicant is also requesting a design review to allow for alternative parking lot landscaping to allow for the termination of 3 landscape fingers. In order to justify this request, the Applicant is providing the 3 trees that would be located within those fingers in various other locations within the Site to ensure the overall requirement is met.

Waiver of Development Standards

The Applicant is requesting a waiver to allow reduced parking to 171 parking spaces where 178 spaces are required. Based upon existing apartment complexes throughout the Las Vegas Valley, this slight reduction will not negatively impact the project or surrounding areas. As shown with other developments, the amount of parking required by Code is generally much

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COPY

higher than what is used or needed with multi-family developments. Therefore, we respectfully request the waiver for this reduction.

The Applicant is also requesting a reduced throat depth of 27-feet 10-inches on the northern most driveway. The project includes two driveways to assist with traffic circulation and to reduce the number of cars funneling into a single access point. Additionally, the northern driveway is not the main entry for residents (gate is exit only) and will therefore not be utilized as often as the southern driveway where the call box is located. Moreover, both driveways will be right in/right out due to the existing median located within the right of way.


The Applicant is also requesting a waiver for alternative landscaping to allow for the required 15-foot or landscaping, including a 5-foot wide detached sidewalk, to be located within the boundaries of the project Site. The off-sites, including the landscaping and detached sidewalk, already exist in front of the Site. A license and maintenance agreement will justify this request.

Finally, the Applicant is requesting a waiver to allow for non-standard improvements within the right-of-way, specifically, the landscape median at the southwest portion of the Site. This request will also fall under the license and maintenance agreement as noted above.

Thank you in advance for your time and consideration regarding this application. Please feel free to contact me should you have any questions or concerns.

Sincerely,

KAEMPFER CROWELL RENSHAW
GRONAUER & FIORENTINO



Robert J. Gronauer

PLANNER
COPY

05/03/22 PC AGENDA SHEET

OUTSIDE DINING & DRINKING AREA
(TITLE 30)

BLUE DIAMOND RD/DECATUR BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0153-4965 BLUE DIAMOND HOLDINGS, LLC:

USE PERMITS for the following: 1) an outside dining and drinking area; and 2) eliminate the required minimum 48 inch wide pedestrian access around the perimeter of an outside dining area.

DESIGN REVIEW for an outside dining and drinking area in conjunction with an existing restaurant on a 1.0 acre portion of a 13.0 acre site in a C-2 (General Commercial) Zone.

Generally located on the south side of Blue Diamond Road, 175 feet west of Decatur Boulevard within Enterprise. JJ/al/syp (For possible action)

RELATED INFORMATION:

APN:

176-13-713-001; 176-13-801-049; 176-13-801-050; 176-13-813-002 through 176-13-813-011 ptn

LAND USE PLAN:

ENTERPRISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description:

General Summary

- Site Address: 4965 Blue Diamond Road
- Site Acreage: 1.0 (portion)
- Project Type: Outside dining and drinking area in conjunction with an existing restaurant
- Square Feet: 974 (outside dining area)

Site Plan

The site is on an approximately 1 acre parcel that is within an existing shopping center. Access to the shopping center is provided from Blue Diamond Road, Decatur Boulevard, and Edmond Street. The plan shows an existing outside dining and drinking area that has been provided in conjunction with an existing restaurant (Bella Vita). The restaurant is located in the north end of an in-line retail building located along the west side of the parcel. The outside dining area is located on the northeast corner of the building. Access to the outside dining and drinking area is provided from the interior of the restaurant. There is a secondary access gate located on the northwest corner of the outside dining and drinking area located west of a secondary door from the dining room. The plan shows the outside dining and drinking area has seating for

approximately 51 customers within an area of 974 square feet. There is a 67 inch high fence around the perimeter of the outside dining area. This fence is constructed of split face concrete block, metal rails and tempered glass plates. The Code requires a minimum 48 inch wide pedestrian access (sidewalk) around the perimeter of an outside dining area, which is not provided.

Landscaping

No changes are proposed or required to existing landscape areas within the shopping center with this request.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the existing restaurant is currently operating out of a 3,800 square foot lease space within the existing in-line retail building. The owners of the restaurant desire to offer outside dining and drinking for customers. The owner of the restaurant had a contractor construct the outside dining and drinking area; however, the contractor did not construct the required pedestrian access around the perimeter of the outside dining area. The outside dining and drinking area complies with all other required conditions. The outside dining and drinking area will be operated in a harmonious manner with the surrounding land uses and will not compromise public health, safety, and welfare. Similar requests have been approved for other restaurants with outside dining and drinking areas in the county.

Prior Land Use Requests

Application Number	Request	Action	Date
WC-19-400124 (ZC-18-0256)	Waived conditions of a zone change requiring a design review as a public hearing for lighting	Approved by BCC	November 2019
ADR-19-900608	Redesigned drive-thru for an approved restaurant (Burger King)	Approved by ZA	September 2019
DR-19-0462	Signage	Approved by BCC	August 2019
DR-19-0334	Parking lot and building lighting	Approved by BCC	June 2019
VS-18-0854	Vacated and abandoned easements for detached sidewalks	Approved by PC	December 2018
TM-18-500169	1 lot commercial subdivision	Approved by PC	October 2018
VS-18-0279	Vacated and abandoned government patent easements	Approved by BCC	May 2018
ZC-18-0256	Reclassified the subject property to C-2 zoning	Approved by BCC	May 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Corridor Mixed-Use	C-2	Commercial development

This 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 and Design Review

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 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 proposed outside dining and drinking area will not incorporate a pedestrian sidewalk around the outside where required, but it should not have an adverse impact to the site or reduce pedestrian safety, as the area is adjacent to a drive aisle and patrons will not be walking from adjacent parked cars. The outside dining and drinking area is harmonious with the existing restaurant and the immediate area. The proposed outside dining and drinking area are internal to the shopping center and will aid in providing additional amenities to patrons of the restaurant and shopping center. Pedestrian walkways currently exist throughout the complex; 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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.

Fire Prevention Bureau

- No comment.

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: BELLA VITA WEST LLC

**CONTACT: ARGENTUM LAW, 6037 S. FORT APACHE RD., STE. 130, LAS VEGAS, NV
89148**

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

6A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input checked="" type="checkbox"/> USE PERMIT (UC) <u>675⁰⁰</u></p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR) <u>675⁰⁰</u></p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>UC-22-0153</u> DATE FILED: <u>3-9-2022</u></p> <p>PLANNER ASSIGNED: <u>AI</u></p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>4-13-22</u></p> <p>PC MEETING DATE: <u>5-3-22</u></p> <p>BCC MEETING DATE: <u>NA</u></p> <p>FEE: <u>\$ 1,350⁰⁰</u></p>
	PROPERTY OWNER	<p>NAME: <u>Sunset-Decatur LLC c/o Yair Ben-Moshe</u></p> <p>ADDRESS: <u>522 E. Twain Ave.</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89169</u></p> <p>TELEPHONE: <u>(702) 471-1118</u> CELL: <u>(702) 471-1118</u></p> <p>E-MAIL: <u>Benmoshe@MYDCcompanies.com</u></p>
	APPLICANT	<p>NAME: <u>Bella Vita West LLC c/o Sergio Montegrando</u></p> <p>ADDRESS: <u>2718 King Luls St.</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89044</u></p> <p>TELEPHONE: <u>(702) 275-4260</u> CELL: <u>(702) 275-4260</u></p> <p>E-MAIL: <u>sergio@bellavitalasvegas.com</u> REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>Argentum Law c/o Jeff Donato</u></p> <p>ADDRESS: <u>6037 S. Fort Apache Rd., Ste. 130</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u></p> <p>TELEPHONE: <u>(702) 997-0063</u> CELL: <u>(702) 610-9482</u></p> <p>E-MAIL: <u>jeff@argentumnv.com</u> REF CONTACT ID #: <u>172156</u></p>

ASSESSOR'S PARCEL NUMBER(S): ptn. of 176-13-813-002

PROPERTY ADDRESS and/or CROSS STREETS: 4965 Blue Diamond Rd., Suite 130 - 140, Las Vegas, NV 89139

PROJECT DESCRIPTION: SUP for outdoor dining/drinking, SUP to reduce pedestrian access

(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.

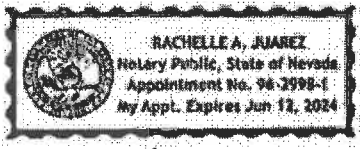
Property Owner (Signature)* [Signature]

Yair Ben-Moshe, Its Managing Member
Property Owner (Print)

STATE OF NV
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 11/29/21 (DATE)

By Yair Ben Moshe
NOTARY PUBLIC: Rachelle A. Juarez



*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.

APR-21-10379

ARGENTUM LAW

Jeff Donato
Director of Licensing & Regulatory Compliance
Phone: (702) 997-0063
Fax: (702) 997-0038
Email: jeff@argentumnv.com

Law Offices
Las Vegas (702) 997-0066
Reno (775) 473-7444

October 7, 2021

Clark County Comprehensive Planning
500 S. Grand Central Pkwy., 1st Floor
Las Vegas, Nevada 89030

Re: Justification Letter for Outside Dining and Drinking

To Whom It May Concern:

This law firm represents Bella Vita West, LLC, a Nevada limited liability company (the "**Company**"), with regard to its request for a Special Use Permit ("**SUP**") and Design Review related to Outside Dining and Drinking (the "**Proposed Use**") for its existing business known as "Bella Vita" located at 4965 Blue Diamond Rd., Suites 130 and 140, Las Vegas, Nevada and more particularly described as a portion of APN 176-13-813-002 (the "**Property**"). The Property is part of an existing shopping center in a C-2 (General Commercial) zoning district.

OUTSIDE DINING AND DRINKING AREA

The Company currently operates an approximate 3,800 square foot restaurant known as "Bella Vita" on a portion of the Property and holds active Clark County Business Licenses for the same, which includes a restaurant license and liquor license. The Clark County Business License Numbers are: 2004663.072-101 (Food Services - Restaurant), and 2004919.LIQ-103 (Liquor - Restaurants - Supper Clubs). The current hours of operation for the restaurant are Sunday through Thursday from 11:00 am to 9:00 pm and Friday and Saturday from 11:00 am to 10:00 pm. In conjunction with the restaurant, the Company desired to offer outside dining and drinking for its customers. Accordingly, the Company had its contractor construct an approximate 974 square foot outside dining and drinking area, which included a protective barrier that is approximately 37 inches in height, made of split face concrete masonry unit (CMU) block and steel railing, between the outside dining area and sidewalk and parking areas. Atop the protective barrier are three-eighths (3/8) tempered glass plates that are approximately 30 inches in height, which brings the total height of the barrier to approximately 67 inches from the ground. For additional safety, there are steel posts with vertical railings that run along the front of the protective barrier facing the parking lot. In addition, the primary means of access to

the outside dining and drinking area is through the interior of the restaurant and as shown on the plans. There are secondary swinging gates installed for the outside dining and drinking area as shown on the plans and renderings included herewith.

Since this is an existing shopping center, there is sufficient parking to accommodate the uses within the shopping center, including the Proposed Use. Other than constructing the protective barrier for the outside dining and drinking area as shown on the plans, no other changes are being proposed to the exterior of the existing shopping center building and no proposed changes to the landscaping. Furthermore, there is no additional signage being proposed for this application.

SPECIAL USE PERMIT

Pursuant to Clark County Code, an Outside Dining and Drinking use is a conditional use in a C-2 zoning district, subject to: (1) must have a minimum separation of 200 feet from any residential use, unless separated by a collector or arterial street or buffered from the residential use by a building; (2) a protective barrier shall be constructed between the outside dining area and any sidewalk and parking areas; (3) a minimum 48 inch wide pedestrian access shall be maintained around the perimeter of the outside dining area; (4) must be in conjunction with a supper club, tourist club, mixed use development, or restaurant; and (5) on-premises consumption of alcohol (outside) shall require primary means of access through the interior of the supper club, tourist club, mixed use development, or restaurant (secondary gate access is permitted). The Company relied upon its contractor to construct the outside dining and drinking area to be in compliance with the aforementioned conditions; however, the contractor did not include a 48 inch wide pedestrian access around the perimeter of the outside dining and drinking area (Condition No. 3). Other than Condition No. 3, the Proposed Use is in compliance with all conditions required for an outside dining and drinking use. As a result of the contractor's failure to satisfy Condition No. 3, the Company now finds itself in need of a Special Use Permit to reduce the minimum pedestrian access around the perimeter of the outside dining area to zero (0) inches where forty-eight (48) inches are required. Since the area immediately adjacent to the outside dining and drinking is designated as "no parking", there is no need to maintain a minimum pedestrian access around the perimeter of the outside dining area.

It should be noted that approving the Company's Special Use Permit to reduce the minimum pedestrian access to zero (0) inches would not be setting any precedents as similar requests have been previously approved by the County, including, without limitation, UC-21-0169 approved on June 1, 2021. The applicant for UC-21-0169 was requesting approval of a special use permit to allow an outside dining, drinking, and cooking area (founge) without pedestrian access around the perimeter. In the Staff Report for UC-21-0169, Staff recommended approval stating the proposed outside dining will not incorporate a pedestrian sidewalk around the outdoor dining area where required, but it should not have an adverse impact to the site or reduce pedestrian safety as pedestrian walkways currently exist throughout the complex and around the exterior of the tavern per Code. Similar to Staff's finding for UC-21-0169, the

ARGENTUM LAW

Clark County Comprehensive Planning

October 7, 2021

Page 3

Company's request to eliminate the pedestrian access would not have an adverse impact to the site and would not reduce pedestrian safety.

DESIGN REVIEW

In conjunction with the existing restaurant (Bella Vita), the Company is requesting a Design Review for its proposed outside dining and drinking area as described above and shown in the plans submitted herewith. Per the licensed contractor who completed the work on the outside dining and drinking area, the TI building permit number is C21-03119.

Based upon the foregoing, the Proposed Use can be conducted in a harmonious manner with surrounding land uses and will not compromise the public health, safety and welfare. Therefore, the Company hereby respectfully requests the approval of its Design Review for a proposed outside dining and drinking area in conjunction with an existing restaurant, and Special Use Permit to reduce the minimum pedestrian access to zero (0) inches where forty-eight (48) inches is required.

If you should have any questions, please do not hesitate to contact me.

Sincerely,

ARGENTUM LAW



Jeff Donato

JDON/jjd

Enclosures

05/03/22 PC AGENDA SHEET

ACCESSORY STRUCTURES
(TITLE 29)

OLYMPIA CANYON WY/AUGUSTA CANYON WY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VC-22-0122-HAGHI ALI A & KERRI:

VARIANCE to reduce the front yard setback for a pool deck and associated structures in conjunction with a proposed single family residence on 0.7 acres in an R-2 (Medium Density Residential) P-C (Planned Community Overlay District) Zone in the Southern Highlands Master Planned Community.

Generally located on the south side of Olympia Canyon Way, 400 feet west of Augusta Canyon Way within Enterprise. JJ/rk/syp (For possible action)

RELATED INFORMATION:

APN:

191-06-316-009

VARIANCE:

Reduce the front yard setback to 19 feet where 20 feet is required per the residential modified standards in Southern Highlands (a 5% reduction).

LAND USE PLAN:

ENTERPRISE - MAJOR PROJECT (SOUTHERN HIGHLANDS) - SINGLE FAMILY RESIDENTIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 57 Olympia Canyon Way
- Site Acreage: 0.7
- Project Type: Pool deck and associated structures

Site Plan

The submitted plan depicts a proposed single family home that is centrally located on the lot. The proposed residence would be oriented so that the length of the home is parallel to the street and the front faces what traditionally would be the side property line. Due to the configuration of the lot and the constraints created by grade differences behind the house, the only area on the lot that can accommodate a pool would be in the front of the property along Olympia Canyon Way.

Landscaping

The pool deck is approximately 12 feet above the grade of the street (Olympia Canyon Way). The landscape plan depicts the area between the street and the pool deck with numerous trees, shrubs, and groundcover to buffer this area from the public street.

Elevations

The pool area consists of deck, pool, spa, fire pit, barbeque with cooktop, hardscape, and partition walls.

Applicant's Justification

The applicant indicates due to the nature of the lot's grade difference and the constraints created by the setbacks make it difficult to fit an adequately sized pool within the given parameters.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0075-07	Modified development standards within common element lots and increased wall height	Approved by PC	February 2007
VC-1373-05	Increased wall height and reduced fence setback to zero feet	Approved by PC	October 2005
TM-0035-05	Subdivided this development into 78 single family residential lots on 78.2 acres	Approved by PC	February 2005
ZC-1604-99	Mixed use zone change request for Southern Highlands Master Planned Community with a use permit for modified residential development standards	Approved by BCC	December 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Major Development Project - Single Family Residential	R-2	Partially developed residential subdivision

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 29.

Analysis

Current Planning

Staff finds the proposed request will not adversely impact the surrounding area. The proposed pool deck area is approximately 12 feet above Olympia Canyon Drive. In addition, the residential property will provide a street landscape buffer with trees, shrubs, and groundcover. Therefore, due to the encumbrance (the lack of lot depth) to allow for an adequate rear yard; staff can support the variance request since the alternative proposed by the applicant mitigates any potential impact of the relaxed standard.

Staff Recommendation
Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 29, 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

- No comment.

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: VICTOR HERNANDEZ
CONTACT: VICTOR HERNANDEZ, 8890 SPANISH RIDGE AVE, LAS VEGAS, NV
89148



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <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 checked="" type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <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 APP. NUMBER: <u>VC-22-0122</u> DATE FILED: <u>2-24-22</u> PLANNER ASSIGNED: <u>PK</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>4-13-22</u> PC MEETING DATE: <u>5-3-22</u> <u>R-2</u> BCC MEETING DATE: <u>—</u> <u>Medium Density Res. SOHI</u> FEE: <u>\$475.00</u> <u>JJ</u>
	PROPERTY OWNER NAME: <u>All Haghi and Kerri Haghi</u> ADDRESS: <u>57 Olympia Canyon Way</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89141</u> TELEPHONE: _____ CELL: <u>702-836-9836</u> E-MAIL: _____
	APPLICANT NAME: <u>Victor Hernandez</u> ADDRESS: <u>8890 Spanish Ridge Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-2789191</u> CELL: <u>702-278-9191</u> E-MAIL: <u>vidadesigns@live.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Victor Hernandez</u> ADDRESS: <u>8890 Spanish Ridge Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-278-9191</u> CELL: <u>702-278-9191</u> E-MAIL: <u>vidadesigns@live.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 19106316009

PROPERTY ADDRESS and/or CROSS STREETS: 57 OLYMPIA CANYON WAY

PROJECT DESCRIPTION: Single Family Residence - Front Pool Variance

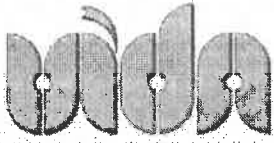
I, (We) the undersigned swear and say that I (am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

All Haghi
 Property Owner (Signature)* Property Owner (Print)

STATE OF Arizona
 COUNTY OF Maricopa
 SUBSCRIBED AND SWORN BEFORE ME ON 12-22-2021 (DATE)
 By All Haghi
 NOTARY PUBLIC: Hailey Thayer



*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.



Design Studio LLC

8890 Spanish Ridge Av. Las Vegas, NV. 89148 Ph. 702.278.9191 email: Vidadesigns@live.com

January 31, 2022

To: Clark County Comprehensive Planning
500 S Grand Central Parkway #1
Las Vegas, NV. 89155

VC-22-0122

RE: 22-100043 (In conjunction with building permit BD21-19431)
57 Olympia Canyon Way, Las Vegas, NV 89141

LAND USE JUSTIFICATION LETTER & NARRATIVE

We are requesting a variance for the pool to be located at the side yard facing the street as opposed to the rear. This is due to the nature of the lot's grade difference and the constraints created by the setbacks which makes it difficult to fit an adequately sized pool within the given parameters.

Please do not hesitate to call if there are any questions or comments at your convenience.

Thank you

Sincerely

Victor Hernandez / Vidadesigns@live.com / 702.278.9191

EASEMENTS
(TITLE 30)

GRAND CANYON DR/MERANTO AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0132-RICHMOND AMERICAN HOMES NEVADA INC:

VACATE AND ABANDON easements of interest to Clark County located between Grand Canyon Drive and Conquistador Street, and between Meranto Avenue and Iron Creek Avenue within Enterprise (description on file). JJ/lm/jo (For possible action)

RELATED INFORMATION:

APN:

176-19-301-018; 176-19-301-019

LAND USE PLAN:

ENTERPRISE - OPEN LANDS

BACKGROUND:

Project Description

The plans depict 2 public drainage easements to be vacated. The applicant indicates that the public drainage easements are no longer necessary for the development of the site for residential housing as previously approved.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-21-0140	Waived standards to reduce street intersection off-sets with design reviews for a single family residential development and to increase finished grade	Approved by BCC	May 2021
TM-21-500035	332 single family residential lots	Approved by BCC	May 2021
ET-21-400042 (NZA-0802-16)	Second extension of time to complete a single family residential development	Approved by BCC	May 2021
ADET-20-900076 (NZA-0802-16)	First extension of time to complete a single family residential development	Approved by ZA	February 2020
NZA-0802-16	Reclassified the site to R-2 zoning for a single family residential development	Approved by BCC	February 2017
TM-0163-16	Single family residential development	Approved by BCC	February 2017

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0803-16	Vacated and abandoned easements of interest	Approved by BCC	February 2017

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Open Lands	R-2	Undeveloped
South	Open Lands	R-E & R-2	Undeveloped
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-E & R-2	Undeveloped & single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Undeveloped & single family residential

This 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

Public Works - Development Review

Staff has no objection to the vacation of drainage 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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

- Comply with approved drainage study PW21-18717;
- 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: RICHMOND AMERICAN HOMES NEVADA INC

CONTACT: KAITLYN KOLE, GCW, 1555 S. RAINBOW BLVD, LAS VEGAS, NV 89146



VACATION APPLICATION 8A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	DEPARTMENT USE	APP. NUMBER: <u>VS-22-032</u> PLANNER ASSIGNED: <u>LUN</u> TAB/CAC: <u>ENTERPRISE</u> PC MEETING DATE: <u>5/3/2022</u> BCC MEETING DATE: _____ FEE: <u>\$875-</u>	DATE FILED: <u>3/8/2022</u> TAB/CAC DATE: <u>4/13/22</u>
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PROPERTY OWNER	NAME: <u>Richmond American Homes Nevada</u> ADDRESS: <u>7770 S. Dean Martin Drive</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u> TELEPHONE: <u>702-617-8464</u> CELL: _____ E-MAIL: <u>angela.pinley@mdch.com</u>
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APPLICANT	NAME: <u>Richmond American Homes Nevada</u> ADDRESS: <u>7770 S. Dean Martin Drive</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u> TELEPHONE: <u>702-617-8464</u> CELL: _____ E-MAIL: <u>angela.pinley@mdch.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>GCW, Inc./Brandl Reid</u> ADDRESS: <u>1555 S. Rainbow Boulevard</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>702-804-2109</u> CELL: <u>702-780-9188</u> E-MAIL: <u>breid@gcwengineering.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 176-19-301-018 and -019

PROPERTY ADDRESS and/or CROSS STREETS: Conquistador Street and Meranto Avenue

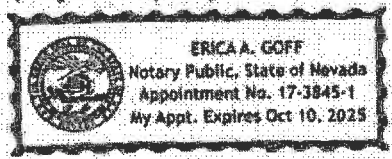
I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

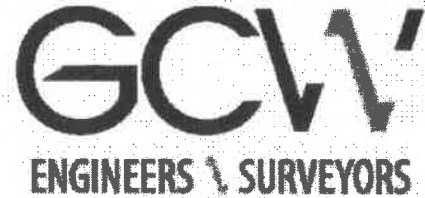
John Prlina

 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON December 6, 2021 (DATE)
 By JOHN PRILINA
 NOTARY PUBLIC: Erica A. Goff



*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.



427-008

March 1, 2022

Clark County Comprehensive Planning
500 S. Grand Central Pkwy.
Las Vegas, NV 89155

**PLANNER
COPY**

**Re: Meranto / Grand Canyon
Easement Vacations
APN No. 176-19-301-018 and 176-19-301-019**

VS-22-0132

To Whom It May Concern:

On behalf of the property owner, Richmond American Homes, GCW, Inc. (GCW) respectfully submits the attached application package for a Vacation of Drainage Easements for portions of the project site on APNs 176-19-301-018 and 176-19-301-019. Please see the previously approved TM-21-500035.

The property owner would like to develop this site with graded pads for single-family residential homes. The site is generally located between S. Conquistadors Street at the west side of the site and Grand Canyon Drive at east side of the site and between W. Meranto Ave at the north side of the site within Clark County. The site is currently comprised of two parcels (APNs 176-19-301-018 and 176-19-301-019). A Final Map for these sites will create 83 (for parcel: 176-19-301-018) & 77 (for parcel: 176-19-301-019) lots for the single-family residential development.

To allow for development of the proposed 160 lots on this site, we are requesting to vacate the Drainage Easements on APNs 176-19-301-018 and 176-19-301-019. It is our opinion these easements are no longer needed and drainage will be routed through a new streets as shown on the Site Plan.

The vacations described above will allow for the development of the site as proposed. We appreciate your consideration in reviewing and approving this request to vacate easements. If you have any questions please call me at 702-804-2123.

Cordially,

GCW, Inc.

John Grujicic
John Grujicic, PhD, P.E.
Senior Project Manager

1555 South Rainbow Boulevard
Las Vegas, Nevada 89146

702.804.2000
702.804.2299

info@gcwengineering.com
gcwengineering.com

05/03/22 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

SCHUSTER ST/MARDON AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0145-DEAN DAVID & SARAH:

VACATE AND ABANDON easements of interest to Clark County located between Mardon Avenue and Eldorado Lane and between and Valley View Boulevard within Enterprise (description on file). MN/jor/jo (For possible action)

RELATED INFORMATION:

APN:

177-07-508-004

LAND USE PLAN:

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

BACKGROUND:

Project Description

The site plan depicts a 1 acre parcel located on the east side of Schuster Street, 150 feet south of Mardon Avenue. The applicant is requesting to vacate existing 33 foot wide patent easements located on the east and south property lines. In addition, this request also includes vacating a 3 foot wide patent easement along the west property line. Per the applicant, these easements are no longer needed for future development of the parcel and any utility and/or drainage easements required will be properly retained.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-21-0691	Allowed an accessory use (horses and shade structure) prior to the principal use (dwelling)	Approved by PC	January 2022
ZC-1026-05	Reclassified 3,800 parcels from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, West, South, & East	Ranch Estate Neighborhood (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 patent 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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 the issuance of the Certificate of Occupancy for the principal structure;
- Revise legal description, if necessary, prior to recording.

Clark County Water Reclamation District (CCWRD)

- No objection.

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

APPLICANT: DAVID DEAN
CONTACT: BAUGHMAN & TURNER, INC., 1210 HINSON ST, LAS VEGAS, NV 89102



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

9A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>VS-22-0145</u> PLANNER ASSIGNED: <u>JOK</u> TAB/CAC: <u>Centerpiece</u> PC MEETING DATE: <u>5/3/22</u> BCC MEETING DATE: _____ FEE: <u>\$875</u>	DATE FILED: <u>3/8/22</u> TAB/CAC DATE: <u>4/13/22</u>
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PROPERTY OWNER	NAME: <u>David & Sarah Dean</u> ADDRESS: <u>479 Opal Dr.</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89015</u> TELEPHONE: <u>702-330-7078</u> CELL: _____ E-MAIL: <u>msgdean81@gmail.com</u>
----------------	--

APPLICANT	NAME: <u>David & Sarah Dean</u> ADDRESS: <u>479 Opal Dr.</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89015</u> TELEPHONE: <u>702-330-7078</u> CELL: _____ E-MAIL: <u>msgdean81@gmail.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Baughman & 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>
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ASSESSOR'S PARCEL NUMBER(S): 177-07-508-004

PROPERTY ADDRESS and/or CROSS STREETS: 7440 SCHUSTER ST

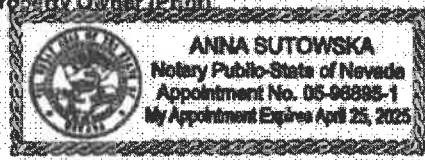
I (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

David Dean, Owner

Property Owner (Print)

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON January 20, 2022 (DATE)
 By David Dean
 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.

Baughman & Turner, Inc.
Consulting Engineers & Land Surveyors

1210 Hinson Street
Las Vegas, Nevada 89102-1604

Phone (702) 870-8771
Fax (702) 878-2695

VS-22-0145

March 1, 2022

Clark County Current Planning
500 S Grand Central Parkway
Las Vegas, Nevada 89155

Re: Vacation of Government Patent Easements
APN 177-07-508-004 (David and Sarah Dean)

To Whom It May Concern,

Please let this letter serve as a request and justification for a Vacation and Abandonment of government patent easements. The 33' Patent Easement lies along the easterly and southerly property lines, and 3' on the westerly property line of the 1.03-acre residential lot.

Per the County's request we are vacating any unnecessary patent easements lying outside the right-of-way of Schuster Street and the 33' along the south and east property lines. Any utility and/or drainage easements required will be retained.

The approval of this request will not have a negative effect on the neighborhood or surrounding areas.

Should you have any questions or concerns, please feel free to contact me at this office.

Sincerely,

Baughman & Turner, Inc.


David Turner
President

DT/jh

05/03/22 PC AGENDA SHEET

SETBACKS
(TITLE 30)

OLETA AVE/BURROWS DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0142-D R HORTON INC:

WAIVER OF DEVELOPMENT STANDARDS for reduced setbacks in conjunction with single family residences on 0.5 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the north side of Oleta Avenue and east and west of Burrows Drive within Enterprise. JJ/jgh/syp (For possible action)

RELATED INFORMATION:

APN:

176-19-211-001; 176-19-211-005; 176-19-211-006; 176-19-211-015 through 176-19-211-016

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce the interior side yard setback to 3 feet where 5 feet is required per Table 30.40-2 (Lot 155 and Lot 170) (a 40% decrease).
- b. Reduce the side street corner setback and setback from a street to 7 feet where 10 feet is required per Table 30.40-2 and Section 30.56.040 (Lot 159, Lot 160, and Lot 169) (a 30% decrease).

LAND USE PLAN:

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Acreage: 0.5
- Number of Lots/Units: 5 out of 23 lots
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): 35 feet
- Square Feet: 1,616 to 1,966

Site Plans

The plans depict the 5 lots along Oleta Avenue, Magnus Court, and Burrows Drive within a new single family residential development. Lot 155 and Lot 159 have access to Oleta Avenue, Lot 160 and Lot 169 have access to Magnus Court, and Lot 170 has access from Burrows Drive. The

internal streets consist of a 41 foot wide private street with a 4 foot wide sidewalk on 1 side of the street. Lot 155 has a 4.5 foot side setback and Lot 170 has a 3.7 foot side setback. Lot 159, Lot 160 and Lot 169 have a 7.5 foot side street corner setback.

Landscaping

Landscaping is not required nor a part of this application.

Elevations

The plans submitted by the applicant depict 3 different models with each model having potential variations. All elevations on all plans depict fenestration on windows and doors and enhanced architectural elements.

Floor Plans

The plans depict 3 different models comprised of 2 story floor plans that have a 2 car garage (front loaded) and range between 1,616 and 1,966 square feet (livable area) with available options.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates the side reduction in setbacks will allow the developer to offer the "Falls" product on the subject lots which will be consistent with the product used on all other lots within the subdivision.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0555-16	Vacated easements of interest to Clark County located between Blue Diamond Road and Serene Avenue	Approved by PC	September 2016
ZC-0030-15	Reclassified 35.7 acres from R-E and H- to R-2 zoning	Approved by BCC	March 2015
VS-0031-15	Vacated and abandoned patent easements and a right-of-way (portion of Jensen Street)	Approved by BCC	March 2015
TM-0007-15	244 single family residential lots	Approved by PC	March 2015

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Mid-Intensity Suburban Neighborhood (up to du/ac)	R-2 & H-2	Undeveloped & single family residential
South & West	Mid-Intensity Suburban Neighborhood (up to du/ac)	R-2	Undeveloped & single family residential

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.

Staff reviews waiver of development standards to ensure compatibility with existing and planned development in the surrounding area. Setbacks and separations help to preserve the appeal and integrity of an area and to moderate visual impacts and possible safety issues. The subject residences are in a developing 244 lot subdivision. Staff finds that the proposed reduction in the side setback is internal to the subdivision and will not have any negative impacts on the property adjacent to the subdivision; therefore, 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that architectural intrusions may not be closer than 3 feet to the property line; that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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: D R HORTON INC
CONTACT: THOMASON CONSULTING ENGINEERS, 7080 LA CIENEGA ST, STE 200,
LAS VEGAS, NV 89119

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

10A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>WS-22-0142</u> DATE FILED: <u>3/7/22</u></p> <p>PLANNER ASSIGNED: <u>JCH</u></p> <p>TAB/CAC: <u>enterprise</u> TAB/CAC DATE: <u>4/13/22</u></p> <p>PC MEETING DATE: <u>5/3/22</u> <u>6PM</u></p> <p>BCC MEETING DATE: _____</p> <p>FEE: <u>\$475</u></p>
	PROPERTY OWNER	<p>NAME: <u>DR Horton Inc.</u></p> <p>ADDRESS: <u>1081 Whitney Ranch Drive</u></p> <p>CITY: <u>Henderson</u> STATE: _____ ZIP: <u>89014</u></p> <p>TELEPHONE: _____ CELL: _____</p> <p>E-MAIL: <u>NPBouvet@drhorton.com</u></p>
	APPLICANT	<p>NAME: <u>DR Horton Inc.</u></p> <p>ADDRESS: <u>1081 Whitney Ranch Drive</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89014</u></p> <p>TELEPHONE: _____ CELL: _____</p> <p>E-MAIL: <u>NPBouvet@drhorton.com</u> REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>Sonia Macias @ TCE</u></p> <p>ADDRESS: <u>7080 La Cienega St. #200</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u></p> <p>TELEPHONE: <u>702-932-6125</u> CELL: <u>702-336-4071</u></p> <p>E-MAIL: <u>smacias@tce-lv.com</u> REF CONTACT ID #: <u>170761</u></p>

ASSESSOR'S PARCEL NUMBER(S): 178-19-211-001, 005, 006, 015, 016 Lots 155, 159, 160, 169, 170

PROPERTY ADDRESS and/or CROSS STREETS: Burrows Drive / Oleta Ave.

PROJECT DESCRIPTION: Waiver of setbacks for Lots 155, 159, 160, 169, 170

(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.

PHIL BAILEY
Property Owner (Signature) Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON January 07, 2022 (DATE)
By Phil Bailey

NOTARY PUBLIC: Christina Minnis

CHRISTINA MINNIS
Notary Public, State of Nevada
Appointment No. 21-7322-01
My Appl. Expires Aug 24, 2025

*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.

PLANNER
COPY

January 13, 2022

Clark County Current Planning
500 S. Grand Central Parkway
Las Vegas, NV 89155

NS-22-0142

Re: **Blue Diamond West 3**
Waiver of Standards
APNs# 176-19-211-001/005/006/015/016
Project#: 126-21016

On behalf of DR Horton Inc, we respectfully request approval of Waivers of Standards for setbacks for the proposed project.

Location: The project is an existing 23 lot subdivision that is currently under construction located north of Oleta Avenue and west of Grand Canyon Road within the Enterprise Land Use planning area in Section 19, Township 22 South, Range 60 East.

Waiver of Standards:

1. Allow a minimum interior side yard setback of 3.7' where 5' is required per Table 30.40-2 on lot 155 and lot 170 as shown on the waiver exhibit. The side yard reduction occurs on one side yard only as noted on the exhibit.

Justification: The reduced sideyard setbacks occur at locations that are interior to the site. The interior sideyard reduction on Lot 155 will allow a minimum 4.5' sideyard (a 10% reduction). The sideyard reduction on Lot 170 will allow a minimum 3.7' sideyard (a 30% reduction). These sideyard reductions allow the developer to offer their 'Falls' product on these lots which will be consistent with the product used on all other lots within this subdivision. The requested reduction will not adversely affect existing homes located outside of the subdivision.

2. Allow a minimum side street (corner) setback of 7.5' where 10' is required per Table 30.40-2 on lots 159, 160, and 169 as shown on the waiver exhibit.

Justification: The reduced sideyard setbacks occur at locations that are interior to the site. The interior sideyard reduction on the requested lots allow a minimum 7.5' sideyard (a 25% reduction). These sideyard reductions allow the developer to offer their 'Falls' product on these lots which will be consistent with the product used on all other lots within this subdivision. The homes on these lots are located on the lots in a manner that will not impact the site visibility zones at the intersections. The requested setback reduction will not adversely affect existing homes located outside of the subdivision.


3. Allow a minimum side setback from a street of 7.5' where 10' is required per Table 30.56.040 (d.) on lots 159, 160, and 169 as shown on the waiver exhibit.

Justification: The reduced setback (a 25% reduction) occurs on the interior of the site along the private subdivision street (Burrows Drive). This reduced setback allows the developer to offer their 'Falls' product on these lots which will be consistent with the product used on all other lots within this subdivision. The homes on these lots are located on the lots in a manner that will not impact the site visibility zones at the intersections. The requested setback reduction will not adversely affect existing homes located outside of the subdivision.

If you have any questions or require additional information, please feel free to contact us.

Sincerely,

Thomason Consulting Engineers


Sonia Macias
Project Coordinator

MULTIPLE FAMILY RESIDENTIAL
(TITLE 30)

WINDMILL LN/GILES ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-22-400023 (UC-0061-17)-ABC PARADISE, LLC:

USE PERMITS THIRD EXTENSION OF TIME for the following: **1)** permit a proposed multiple family residential development; and **2)** increase building height.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce front setback; **2)** reduce side (corner) setback; **3)** reduce height/setback ratio adjacent to single family residential uses; **4)** allow balconies to overlook single family residential uses; and **5)** reduce height/setback ratio from an arterial street (Windmill Lane).

DESIGN REVIEW for a proposed multiple family residential development on 5.1 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the northeast corner of Windmill Lane and Giles Street within Enterprise. MN/jud/syp (For possible action)

RELATED INFORMATION:

APN:

177-09-401-008; 177-09-401-011; 177-09-401-015; 177-09-401-020

USE PERMITS:

1. Permit a proposed multiple family residential development in the H-1 Zone.
2. Increase building height to 60 feet where a maximum of 50 feet is permitted per Table 30.40-3 and Table 30.40-7 (a 20% increase).

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the front setback to 12 feet where a minimum of 20 feet is required per Table 30.40-3 and Table 30.40-7 (a 40% reduction).
2. Reduce the side (corner) setback to 15 feet where a minimum of 20 feet is required per Table 30.40-3 and Table 30.40-7 (a 25% reduction).
3.
 - a. Reduce the height/setback ratio adjacent to a single family residential use to the east to 47 feet where a minimum of 162 feet is required per Figure 30.56-10 (a 71% reduction).
 - b. Reduce the height/setback ratio adjacent to a single family residential use to the north to 41 feet where a minimum of 162 feet is required per Figure 30.56-10 (a 75% reduction).
4. Allow balconies to overlook single family residential uses to the east and north where not permitted per Figure 30.56-10.
5. Reduce the height/setback ratio from an arterial street (Windmill Lane) to 15 feet where a minimum of 18 feet is required per Figure 30.56-4 (a 17% reduction).

LAND USE PLAN:
ENTERPRISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 8060, 8080, & 8090 Giles Street
- Site Acreage: 5.1
- Number of Units: 235
- Density: 46.5 (du/ac)
- Project Type: Multiple family residential development
- Number of Stories: 4
- Building Height (feet): 60
- Square Feet: 301,344 (multiple family residential buildings)/117,890 (parking garage)
- Parking Required/Provided: 383/414
- Open Space Required/Provided (square feet): 23,500/24,578

Site Plans

The previously approved plans show a proposed multiple family residential development consisting of 235 units (153, one bedroom and 82, two bedroom) for an overall density of 46.5 dwelling units per acre. The development consists of 2 buildings with a parking garage located between the buildings. The south building is located 15 feet from the south (corner side) property line, 17 feet from the west (front) property line (setback is 12 feet since setback is measured 5 feet from back of curb where a detached sidewalk exists), and 47 feet from the east (rear) property line. The north building is located 41 feet from the north (interior side) property line, 19 feet from the west (front) property line, and 47 feet from the east (rear) property line. Access to the site is via 2 driveways from Giles Street and 1 driveway from Windmill Lane. A total of 414 parking spaces are provided where 383 parking spaces are required. A total of 24,578 square feet of open space is provided, where 23,500 square feet of open space is required. The site consists of a courtyard with a pool at the center of the north building, a "zen" courtyard at the center of the south building, a landscaped area between the buildings, and an outdoor terrace on the fourth floor of the north building. The landscaped area between the buildings is gated on both ends.

Landscaping

A 15 foot wide landscape area with an existing attached sidewalk is depicted in the previously approved plans, along Windmill Lane. A 17 foot wide pedestrian realm is shown with a detached sidewalk along Giles Street. A 5.5 foot wide landscape area with a 6 foot high block wall is shown along the east and north property lines per Figure 30.64-11. The landscape palette consists of Shoestring Acacia, Chinese Pistache, Mexican Fan Palm, Mediterranean Fan Palm, Crape Myrtle, Japanese Blueberry, Holly Oak, Bottle trees, and various shrubs and groundcover.

Elevations

The previously approved plans depict 2, four story, 60 foot high multiple family residential buildings constructed of painted stucco, stone veneer, painted metal rails, and concrete tile roofing. The main roof ridgeline is approximately 54 feet, but several architectural towers on the

buildings increase the height of the buildings to 60 feet. The architectural façade design of the southern building is extended as part of the parking garage façade. Open walkways connect each floor of both buildings over the landscape area between the buildings. Balconies associated with individual units are shown on all sides of the buildings. An outdoor terrace is shown on the fourth floor of the northwest corner of the northern building.

Floor Plans

The previously approved plans depict that all 4 floors will have a mix of 1 bedroom and 2 bedroom units that equal 235 units. Additionally, the fourth floor shows a leasing office, clubhouse, fitness area, and outdoor terrace. Two model units are shown on the first floor. The ground level of the parking garage also shows a storage area for residents. The residential units range in size from 812 square feet to 1,657 square feet.

Previous Conditions of Approval

Listed below are the approved conditions for ET-20-400115 (UC-0061-17):

Current Planning

- Until April 5, 2022 to commence.
- 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.

Listed below are the approved conditions for ADET-19-900215 (UC-0061-17):

Current Planning

- Until April 5, 2020 to commence.
- 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.

Listed below are the approved conditions for UC-0061-17:

Current Planning

- Amenities shall be provided within the pedestrian realm along Giles Street such as decorative waste receptacles, benches, public art, bike racks, etc.;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that any request for accessory commercial uses would require a special use permit, and may not exceed 2,400 square feet; 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 Giles Street (25 feet to back of curb with detached sidewalk).
- 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 which may require a vacation of excess right-of-way or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

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 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; the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; 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; 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/Fire Prevention

- Applicant shall submit plans for review and approval prior to installing any gates, speed humps (speed bumps not permitted), and any other fire apparatus access roadway obstructions.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is seeking a 2 year extension of time, they are in the process of working with staff on the submittal of a High Impact Project (HIP) for an R-3 multiple family development. Also, the applicant states that the traffic study for the HIP was submitted to Public Works in September 2021 and is requesting to keep all the approvals active (at least until entitlements for the eastern portion works its way through the public hearing process).

Prior Land Use Requests

Application Number	Request	Action	Date
ET-20-400115 (UC-0061-17)	Second extension of time to increase building height for a multiple family residential development, waivers for a reduced front setback, and reduced height/setback ratio from an arterial street (Windmill Lane)	Approved by BCC	November 2020
ADET-19-900215 (UC-0061-17)	Increased building height for a multiple family residential development, waivers for a reduced front setback, and reduced height/setback ratio from an arterial street (Windmill Lane)	Approved by ZA	April 2019
ET-19-400049 (VS-0062-17)	Vacated and abandoned easements located between Santoli Avenue and Windmill Lane	Approved by BCC	June 2019
UC-0061-17	Increased building height for a multiple family residential development, waivers for a reduced front setback, and reduced height/setback ratio from an arterial street (Windmill Lane)	Approved by BCC	April 2017
VS-0062-17	Vacated and abandoned easements located between Santoli Avenue and Windmill Lane and between Giles Street and Haven Street - expired	Approved by BCC	April 2017
VS-0318-08	Vacated and abandoned a portion of right-of-way being Santoli Avenue (formerly Geonry Avenue) between Giles Street and Haven Street - expired	Approved by PC	July 2008
UC-0277-05 (ET-0074-07)	First extension of time to commence a hotel condominium on the 3 southernmost parcels - expired	Approved by BCC	May 2007

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0977-06	Allowed a residential condominium development and a waiver to reduce the height/setback ratio from a single family residential use - expired	Approved by BCC	August 2006
VS-1632-05	Vacated and abandoned a portion of right-of-way being Santoli Avenue (formerly Geonry Avenue) between Giles Street and Haven Street - expired	Approved by PC	January 2006
UC-0277-05	Allowed a hotel condominium on the 3 southernmost parcels subject to a maximum height of 65 feet - expired	Approved by BCC	June 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	H-1	Undeveloped
South	Neighborhood Commercial	H-1	Senior housing
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac), Corridor Mixed-Use, & Neighborhood Commercial	R-E & C-P	Undeveloped & single family residential
West	Entertainment Mixed-Use	C-1, H-1, & C-2	Mini-warehouse, telecommunication facility, & undeveloped

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. There have been no studies submitted and no requests for grading or building permits. In addition, if this project is incorporated into a larger overall development, the design of this project may change significantly; therefore, staff cannot support an extension of time on this project.

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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Until April 5, 2023 to commence.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and 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.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: ABC PARADISE, LLC

CONTACT: LINDSAY KAEMPFER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135



LAND USE APPLICATION

11A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <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"/> 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) ET-20-400115 (UC-0081-17) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>22-400023</u> DATE FILED: <u>3/7/2022</u> PLANNER ASSIGNED: <u>JUD</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>4/13/2022</u> PC MEETING DATE: <u> </u> <u>6:00 pm</u> BCC MEETING DATE: <u>5/4/2022</u> FEE: <u>\$900.00</u>
	PROPERTY OWNER NAME: <u>ABC Paradise, LLC</u> ADDRESS: <u>2010 Valley View Land, Suite 145</u> CITY: <u>Farmers Branch</u> STATE: <u>TX</u> ZIP: <u>75234</u> TELEPHONE: <u> </u> CELL: <u> </u> E-MAIL: <u> </u>
	APPLICANT NAME: <u>ABC Paradise, LLC</u> ADDRESS: <u>2010 Valley View Land, Suite 145</u> CITY: <u>Farmers Branch</u> STATE: <u>TX</u> ZIP: <u>75234</u> TELEPHONE: <u> </u> CELL: <u> </u> E-MAIL: <u> </u> REF CONTACT ID #: <u> </u>
	CORRESPONDENT NAME: <u>Tony Celeste - Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u> </u> E-MAIL: <u>ajc@kcrvlaw.com</u> REF CONTACT ID #: <u> </u>

ASSESSOR'S PARCEL NUMBER(S): 177-09-401-008, 011, 015, and 020

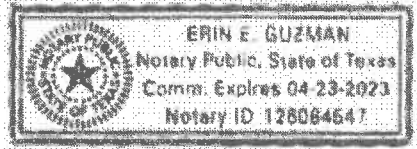
PROPERTY ADDRESS and/or CROSS STREETS: Windmill/Giles

PROJECT DESCRIPTION: Extension of time for ET-20-400115

(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] R. Neil Crouch
 Property Owner (Signature)* Property Owner (Print)

STATE OF Texas
 COUNTY OF Dallas
 SUBSCRIBED AND SWORN BEFORE ME ON January 12, 2022 (DATE)
 By R. Neil Crouch
 NOTARY PUBLIC: Erin E. Guzman



*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**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE
aceleste@kcnvlaw.com
702.693.4215

**PLANNER
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Carson City, NV 89703
Tel: 775.884.6300
Fax: 775.882.0257

January 28, 2022

VIA UPLOAD

Clark County
Department of Planning
500 S. Grand Central Parkway, 3rd Floor
Las Vegas, Nevada 89106

Re: *Extension of Time Request for UC-0061-17
Windmill/Giles Southwest Phase Tower One
APNs: 177-09-401-008, 011, 015, & 020*

To Whom It May Concern:

Our Firm represents the Applicant in the above-referenced matter. The Applicant is seeking a two year extension of time. By way of background, this Site along with the properties to the immediate north are approved for multi-family uses. The Applicant is in the process of working with Jared Tasko on the submittal of the properties to the immediate east (APN: 177-09-402-002, 004, 005, 177-09-401-009, 012, 016, 017, 021, 022, and 023) for an R-3 multi-family development. Because of the prior approvals and the proposed approvals, a HIP (High Impact Project) process is required. The traffic study for the HIP project was submitted to Public Works in September, 2021 and the request for the HIP was submitted in November, 2021.

We are respectfully requesting to keep all the approvals active (or at least until the entitlements for the eastern portion works its way through the public hearing process) therefore we are asking for consideration of a two year extension of time.

We thank you in advance for your consideration. Please do not hesitate to contact Ann Pierce or me with any questions.

Sincerely,
KAEMPFER CROWELL


Anthony J. Celeste

AJC/lak

05/04/22 BCC AGENDA SHEET

RETAIL CENTER
(TITLE 30)

CACTUS AVE/BERMUDA RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ZC-22-0143-LACONIC, LP:

ZONE CHANGE to reclassify 1.7 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; 2) reduced height setback ratio; 3) reduced driveway departure distance; and 4) reduced driveway throat depth.

DESIGN REVIEWS for the following: 1) a proposed retail center; and 2) finished grade.

Generally located on the north side of Cactus Avenue and the west side of Bermuda Road within Enterprise (description on file). MN/jor/jo (For possible action)

RELATED INFORMATION:

APN:
177-28-803-011

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce required parking to 39 parking spaces where 40 parking spaces are required per Chapter 30.64 (a 2% decrease).
2. Reduce the 3:1 height setback ratio to 10 feet where 78 feet is required per Section 30.56-10 (an 87% decrease).
3. Reduce the proposed driveway departure distance along Cactus Avenue to 161 feet where 190 feet is required per Uniform Standard Drawing 222.1 (a 15% decrease).
4. Reduce the proposed driveway throat depth to 11 feet where 25 feet is required per Uniform Standard Drawing 222.1 (a 56% decrease).

DESIGN REVIEWS:

1. A proposed retail center with a drive-thru restaurant.
2. Increase finished grade to 48 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 33% increase).

LAND USE PLAN:
ENTERPRISE/NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.7
- Project Type: Retail center
- Number of Stories: 1
- Building Height (feet): 32
- Square Feet: 9,246 (propose retail building)/750 (propose drive-thru only restaurant)
- Parking Required/Provided: 40/39

Site Plan

The submitted site plan depicts a proposed retail center on 1.7 acres located on the northwest corner of Cactus Avenue and Bermuda Road. The applicant is proposing 1 new commercial driveway on the northeast corner of the site adjacent to Bermuda Road, and a second driveway on the southwest corner of the parcel adjacent to Cactus Avenue.

The applicant is proposing an L-shaped retail building on the northwest corner of the site that is set back 10 feet from the west property line, 10 feet from the north property line, 94 feet from the south property line, and 124 feet from the east property line. The second building is a proposed restaurant (drive-thru only), located on the southeast corner of the site. This building is set back 27 feet from the east property line, 57 feet from the south property line, 158 feet from the west property line, and 133 feet from the north property line. Lastly, the applicant is providing 39 parking spaces on the northern and central areas of the site, where 40 parking spaces are required per Title 30.

The applicant is requesting a conforming zone change from R-E zoning to C-1 zoning, a design review for the entire site, and an increase in finished grade to 48 inches where 36 inches is allowed. The request to increase the finished grade to a maximum of 48 inches is primarily located along the south property line.

Furthermore, the applicant is requesting waivers of development standards to reduce the required parking from 40 parking spaces to 39 parking spaces. In addition, the applicant is also requesting to reduce the 3:1 height setback ratio to 10 feet where 78 feet is required. Lastly, the applicant is requesting to reduce the departure distance to 161 feet where 190 feet is required and reduce the proposed driveway throat depth to 11 feet where 25 feet is required.

Landscaping

Along the north and west property lines (adjacent to existing single family residences), the applicant is providing a 7 foot to 10 foot wide landscape buffer with 24 inch box trees spaced every 15 feet (27 trees total). In addition, the applicant is proposing to plant 37 shrubs in between and adjacent to the proposed 27 trees along the north and west property lines.

The south property line includes an attached sidewalk, 11 proposed trees, 27 proposed shrubs. The east property line includes a detached sidewalk with 26 proposed shrubs and 12 proposed trees.

The landscape finger islands throughout the parking lot include trees and shrubs and the pad site which is a part of the proposed restaurant (drive-thru only), includes 8 proposed trees and 51 proposed shrubs.

Elevations

The elevation plans depict an L-shaped retail building with a maximum height of 32 feet. This building includes varying heights of parapet roofs to show some visual interest. The exterior walls will include a stucco finish with decorative stucco pop-outs. The building will be painted in neutral earth tone colors. The main entrances to the lease spaces are along the east facing elevations only. The proposed restaurant building (drive-thru only) has an overall height of 20 feet to the top of the parapet roof. The design of the building will match the larger retail building.

The applicant is requesting to reduce the 3:1 height setback ratio to 10 feet where 78 feet is required. This waiver is related to the L-shaped retail building located on the northwest corner of the site. Per the plans, there is an existing 6 foot high CMU block wall along the west and north property lines. No screening is proposed along the east and south property lines.

Floor Plan

The floor plan for the proposed restaurant (drive-thru only) includes a prep space, pick-up window area, a storage room, and a restroom. The overall area for the proposed restaurant building is 750 square feet. The proposed retail building has an overall area of 9,246 square feet. The floor plan for the retail building includes 7 proposed lease spaces each containing restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The surrounding parcels to the north and the west are zoned (R-D) and the Planned Land Use is Neighborhood Commercial. Per the applicant, a previous purchaser filed a land use application on the subject property for a convenience store with a gasoline station. The neighborhood protested the application and the potential purchaser withdrew the request. Today, the property owner is filing this request in order to reclassify the site from R-E zoning to C-1 zoning (a conforming zone change) to develop a small retail center. As a result of the previous request being contested, the current property owner held a neighborhood meeting in June 2021 with the surrounding neighborhood. The applicant is proposing a 9,246 square foot retail building and a 750 square foot pad, drive-thru restaurant.

The applicants design review request includes the review of the entire site and increasing the finished grade to a maximum of 48 inches. The highest point will be 48 inches and will allow the property to drain to the street. The site slopes away from the street so the finished grade needs to be increased to allow the drainage towards the rights-of-way and away from the residences. In addition, the proposed driveway along Cactus Avenue requires a departure distance waiver since both driveways have been pushed as far to the west and to the north as possible to avoid the intersection.

Furthermore, the Cactus Avenue commercial driveway is not meeting the minimum required throat depth of 25 feet. The applicant is requesting to reduce the throat depth to 11 feet. The applicant needs to dedicate an RTC bus lane/turn out, which makes it difficult to meet the throat depth; however, the purpose of the throat depth is to allow for turning maneuvers onto the site without impacting the flow of traffic on westbound Cactus Avenue. The RTC bus lane/turn out allows for vehicles to turn into the site if a bus is stopped. If there is no bus, this lane can function as a deceleration lane; therefore, removing any impediment to the westbound traffic lane.

The residential to the north and west is master planned for commercial, but a nonconforming zone change approved the houses from neighborhood commercial to residential, making the property in this request more difficult to develop. The applicant is requesting a reduction in the 3:1 setback from residential. There is a 6 foot wall, and the building is 32 feet in height, so the setback would normally be 78 feet; however, only 10 feet is provided. The site is too small to meet all the setbacks from residential, but originally, the residential area was planned for commercial and there would not be a 3:1 setback required. To mitigate this, the applicant is proposing a 7 foot to 10 foot wide landscape buffer with 2 1/2 inch box trees spaced every 15 feet.

Lastly, the applicant is requesting to reduce the required parking spaces by 1 space. The site will provide 39 parking spaces where 40 parking spaces are required. The site is well landscaped and the proposed restaurant is drive-thru only.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Neighborhood Commercial (up to 2 du/ac)	R-D	Single family residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
East	Neighborhood Commercial	C-2	Convenience store with a gasoline station & The Lennox Apartments

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

Related Applications

Application Number	Request
VS-22-0144	A vacation and abandonment of easements and a portion of right-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 applicant is requesting a conforming zone change from R-E zoning to C-1 zoning. Staff finds that reclassifying the site to C-1 zoning is appropriate and conforming to the Land Use Plan of Neighborhood Commercial. Per Title 30, the purpose of C-1 zoning allows for retail business uses or personal services establishments to serve as a convenience to neighborhoods. Staff can support this request and finds C-1 zoning appropriate for the site. Especially since C-1 zoning is encouraged on parcels that are less than 10 acres. Furthermore, the neighborhoods to the north and west are well established, and incorporating a C-1 zoned property is more suitable especially since the applicant proposes a smaller retail center and not another convenience store and gas station similar to the parcel to the east.

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 applicant is requesting to reduce required parking to 39 parking spaces where 40 parking spaces are required per Chapter 30.64 (a 2% decrease). Staff does not usually support parking reductions, especially since site designs and future businesses can alter the required parking for a site such as this. Staff finds that a parking reduction of 1 parking space should not negatively impact the site with the proposed design of the site; therefore, staff can support the request.

Waiver of Development Standards #2

The applicant is requesting to reduce the 3:1 height setback ratio to 10 feet where 78 feet is required per Section 30.56-10 (an 87% decrease). This request is for the L-shaped retail building on the northwest corner of the site. Staff finds that the 78 foot setback is required since the proposed building is 32 feet tall. Even if the building were only proposed at 20 feet high the 3:1 height setback ratio would still be 42 feet from the residential uses to the north and west. The site is only 1.7 acres, and site constraints prevents adequate setback ratios to be met unless the proposed building were reduced in overall area and shifted towards the center of the parcel. Staff finds that a 7 foot to 10 foot wide landscape buffer and an existing 6 foot high block wall will help mitigate the required setback ratio; therefore, staff can support the request.

Design Review #1

Staff finds that the proposed retail center with a drive-thru restaurant is appropriate for the site. The applicant is proposing ample landscaping and building designs which allows for proper vehicular and pedestrian circulation. Since staff supports the zone change and the waivers of development standards, staff can also support this request.

Public Works - Development Review

Waiver of Development Standards #3

Staff has no objection to the reduction in the departure distance for the Cactus Avenue commercial driveway. The applicant placed the driveway as far west as the site will allow.

Waiver of Development Standards #4

Staff worked with the applicant on the throat depths on the Cactus Avenue driveways to provide an increased distance between the driveways and parking spaces to reduce conflicts. In order to accommodate this, the applicant removed parking spaces adjacent to the Cactus Avenue driveway. Therefore, staff does not object to this request.

Design Review #2

This design review represents the maximum grade difference within 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 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 the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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 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;
- If required by the Regional Transportation Commission (RTC), dedicate right-of-way for a combination bus turnout/right turn lane.
- 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 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.

Fire Prevention Bureau

- 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 and reference POC Tracking #0124-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LACONIC, LLC

CONTACT: LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE, BLDG 3 STE 577, LAS VEGAS, NV 89134



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

12A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

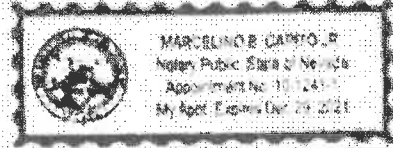
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <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	APP. NUMBER: <u>ZC-22-0143</u> DATE FILED: <u>3/8/22</u> PLANNER ASSIGNED: <u>JOR</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>4/13/22</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>MAY 4, 2022</u> FEE: <u>\$2,200</u>
PROPERTY OWNER	NAME: <u>Laconic L P</u> ADDRESS: <u>87 Prncaville LN</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: <u>702-327-9729</u> E-MAIL: <u>gpmulop@aol.com</u>	
APPLICANT	NAME: <u>same as owner</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____	
CORRESPONDENT	NAME: <u>LAS Consulting- Lucy Stewart</u> ADDRESS: <u>1930 Village Center Circle, Bldg 3-577</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: _____ CELL: <u>702-499-6469</u> E-MAIL: <u>stewplan@gmail.com</u> REF CONTACT ID #: <u>165577</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-28-803-011
 PROPERTY ADDRESS and/or CROSS STREETS: NWC Bermuda and Cactus
 PROJECT DESCRIPTION: Conforming zone change to C-1

(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.

gpmulopulos George Mulopulos
 Property Owner (Signature) Property Owner (Print)

STATE OF _____
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON JULY 8, 2021 (DATE)
 BY GEORGE P. MULOPULOS
 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.

LAS Consulting
1930 Village Center Circle 3 #577
Las Vegas, NV, 89134
(702) 499-6469-cell
(702) 946-5789

ZC-22-0143

February 10, 2022

Ms. Jillee Opiniano-Rowland, Senior
Planner Clark County Comprehensive
Planning
500 Grand Central
Parkway Las Vegas, NV
89155

RE: Justification letter- APR 21-101002

Dear Ms. Opiniano-Rowland:

Please accept this letter as our request for a conforming zone change and design review, for the property located at the Northwest Corner of Bermuda Road and Cactus Avenue. The property is 1.72 acres, and below is the property information.

Planned Land Use:

NC – Neighborhood Commercial

Zoning Classification:

Rural Estates Residential [2 Units per Acre] (R-E)

Land Use Plan Area: Enterprise

Community District: 2

The surrounding property is zoned Suburban Estates Residential [3 Units per Acre] (R-D) and the land use guide designates the adjacent property as Neighborhood Commercial. A couple of years ago a potential purchaser filed an application on the subject property for commercial development with a convenience store with gas pumps at the corner. The neighborhood protested

Proposed
Zoning -
C-1

the application the potential purchaser withdrew the request. The property owner is filing this request in order to develop the property. As a result of the previous request being contested, the property owner held a neighborhood meeting in June with the surrounding neighborhood. Attached are the minutes and sign in sheet for the meeting.

The proposed application is for a 11,246 square foot retail building and a 750 square foot pad, drive thru restaurant. The owner anticipates something like a drive thru coffee shop to be the tenant. Access is provided from driveways on both Cactus and Bermuda. The neighbors are adamantly opposed to a gas station/convenience store. There are several items the neighbors would like the owner to address. To increase the existing wall height with wrought iron to prevent persons from jumping over the fence and into the adjacent neighborhood. They would also like to limit the access to the rear of the buildings to emergency exiting only. Also, they would like to limit access to the rear from the sides and requested wrought iron gates between the ends of the building and the wall. The applicant is willing to agree to those items for the neighbors.

DESIGN REVIEWS

We are requesting a design review for the buildings and the entire site.

We are also requesting a design review to increase the finished grade. The highest point will be 48 inches (4 ft) to allow the property to drain to the street. The property slopes away from the street so it will need to be built up to allow to drain to the street. This requires a design review as a public hearing since it is over 36 inches as allowed per Section 30.32.040. Our request is to increase the finished grade to 48 inches where 36 inches is the maximum allowed per Section 30.32.040(a)(9)(b) (a 33% increase). Once the drainage study is complete, all care will be taken to minimize the increase in grade.

WAIVERS

We are requesting waiver for the driveway on Cactus to be 161 feet from the intersection, where 190 feet are required. The driveways have been pushed as far to the west and to the north as possible, so they are as far from the intersection as possible.

The Cactus Avenue commercial driveway is not meeting the minimum required throat depth of 25 feet per Uniform Standard Drawing 222.1. We are requesting a waiver to reduce to 11 feet. The throat depth is measured from the back of curve radius (BCR) however, there is still 36 feet of depth into the site from the right of way. We are dedicating a bus lane/turn out, which makes it difficult to meet the throat depth, however, the purpose of the throat depth is to allow for turning maneuvers onto the site without

ZC-22-0143

impacting the flow of traffic on westbound Cactus. The bus lane/turn out allows for cars to turn into the site if a bus is stopped. If there is no bus, it can function as a deceleration lane, therefore removing any impediment to the westbound traffic lane. We respectfully request approval of these waivers.

The residential to the north and west is master planned for commercial, but a nonconforming zone change approved the houses from neighborhood commercial to residential, making the property in this request more difficult to develop. We are requesting a reduction in the 3:1 setback from residential. There is a 6-foot wall, and the building is 32 feet in height, so the setback would normally be 3 x 32 feet (96', minus 3 x 6' (18') for the wall, so a setback of 10 feet where 78 feet is required. The site is too small to meet all the setbacks from residential, but originally the residential area was planned for commercial and there wouldn't be a 3:1 setback required.

Request- "reduce the 3:1 building height setback ratio to 10 feet where 78 feet is required per 30.56-10."

Also, we are requesting a reduction of one parking space. The pad site is shown a drive thru restaurants only. There is no indoor dining so there is no need for parking, only stacking spaces in the drive thru window. If this potential restaurant should change, then we will adjust the site. We respectfully request approval of these waivers.

The neighbors would also like to restrict the hours of operations for the future tenants to daytime hours as defined by Title 30. "Daytime Hours" means from 6:00 a.m. to 10:00 p.m. The applicant/owner will agree to that if that is the pleasure of the commission, with the understanding if a potential tenant needs different hours, then a waiver would be filed. We believe this will be an asset to the area, meet the needs of the neighbors and we respectfully request approval of this request. Please do not hesitate to contact me with any questions you might have.

Yours truly,

Lucy Stewart

Lucy Stewart

05/04/22 BCC AGENDA SHEET

EASEMENTS/RIGHT-OF-WAY
(TITLE 30)

CACTUS AVE/BERMUDA RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0144-LACONIC, LP:

VACATE AND ABANDON easements of interest to Clark County located between Bermuda Road and Forest Sword Street and between Cactus Avenue and Rush Avenue (alignment) and portion of a right-of-way being Bermuda Road located between Cactus Avenue and Rush Avenue within Enterprise (description on file). MN/jor/jo (For possible action)

RELATED INFORMATION:

APN:

177-28-803-011

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

The site plan depicts 33 foot wide patent easements along the west and north property lines. These patent easements are not needed for the proposed project. The applicant is requesting to vacate the existing patent easements as well as a 5 foot wide portion of right-of-way being Bermuda Road (east property line). Vacating a portion of the right-of-way is necessary for the installation of detached sidewalks.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Neighborhood Commercial (up to 2 du/ac)	R-D	Single family residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
East	Neighborhood Commercial	C-2	Convenience store with a gasoline station & The Lennox Apartments

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

Related Applications

Application Number	Request
ZC-22-0143	A conforming zone change from R-E to C-1 zoning with waivers for parking, setbacks, driveway geometrics, and design reviews for the site and increased finished grade 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 patent 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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;
- Traffic study and compliance;
- If required by the Regional Transportation Commission (RTC), dedicate right-of-way for a combination bus turnout/right turn lane;
- Coordinate with Public Works - Development Review Division regarding the purchase of the vacated right-of-way;
- 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 the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

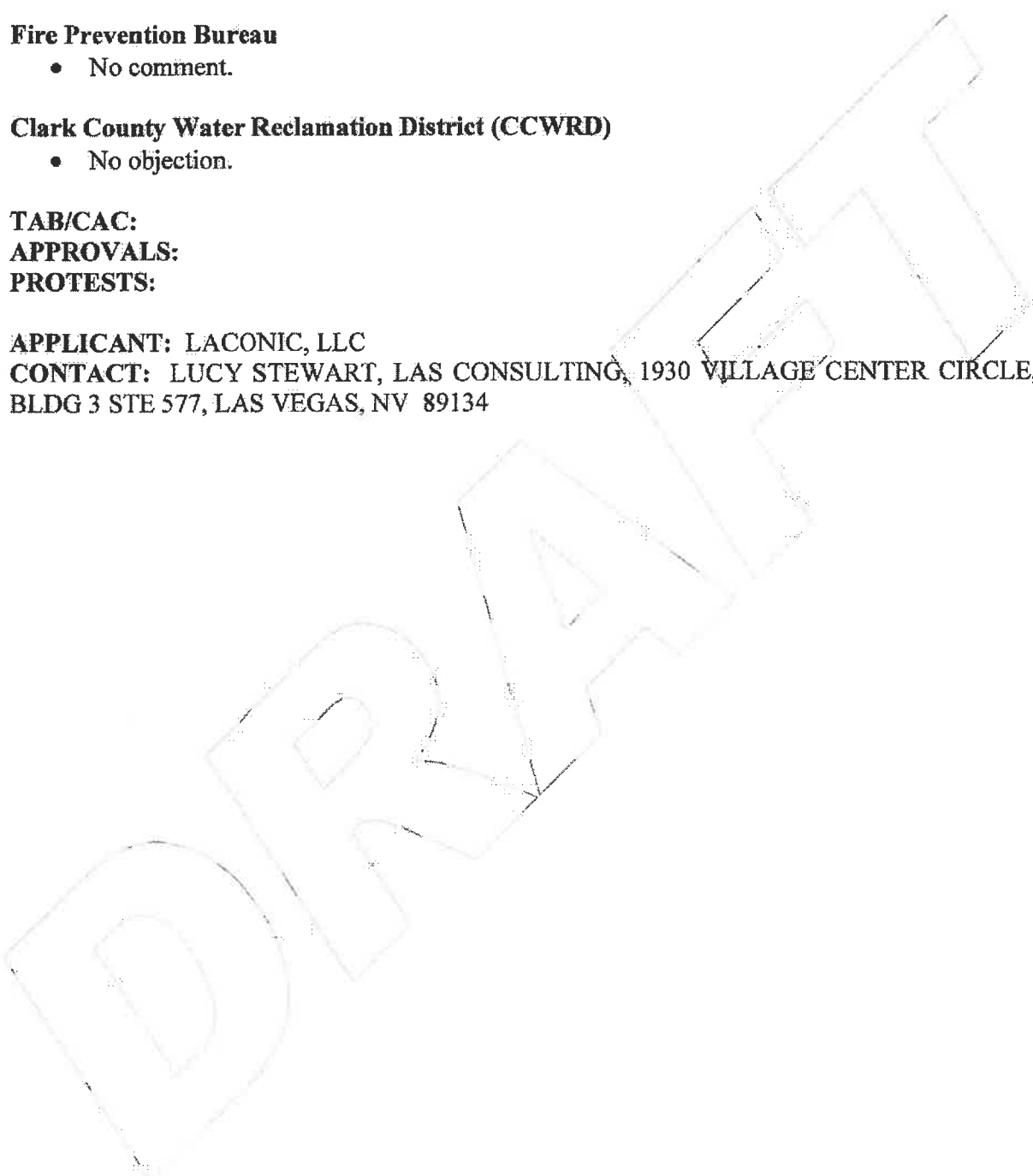
TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LACONIC, LLC

CONTACT: LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,
BLDG 3 STE 577, LAS VEGAS, NV 89134





VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

13A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>VS-22-0144</u> DATE FILED: <u>3/8/22</u> PLANNER ASSIGNED: <u>102</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>4/13/22</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>May 4, 2022</u> FEE: <u>\$875</u>
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PROPERTY OWNER	NAME: <u>Laconic LP</u> ADDRESS: <u>67 Princeville LN</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: <u>702-327-9729</u> E-MAIL: <u>gpmulop@aol.com</u>
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APPLICANT	NAME: <u>same as owner</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>LAS Consulting -Lucy Stewart</u> ADDRESS: <u>1930 Village Center Circle, Bldg 3, #577</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-499-6469</u> CELL: <u>702-499-6469</u> E-MAIL: <u>stewartplan@gmail.com</u> REF CONTACT ID #: <u>165577</u>
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ASSESSOR'S PARCEL NUMBER(S): 177-28-803-011

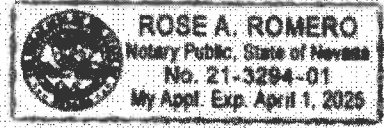
PROPERTY ADDRESS and/or CROSS STREETS: NWC Cactus & Bermuda

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.

gpmulopulos, manager
 Property Owner (Signature)*

George Mulopulos
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON September 23, 2021 (DATE)
 BY Rose Romero
 NOTARY PUBLIC: Rose Romero



***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.

LAS Consulting
1930 Village Center Circle 3 #577
Las Vegas, NV 89134
(702) 499-6469-cell
(702) 946-0857

January 28, 2022

VS-22-0144

Ms. Jillee Opiniano-Rowland, Senior Planner
Clark County Comprehensive Planning
500 Grand Central Parkway
Las Vegas, NV 89155

RE: Justification Letter-Vacation and Abandonment APR 21-101002

Dear Ms. Opiniano-Rowland:

Please accept this letter as our request for a vacation and abandonment. This is a companion item with a conforming zone change located at the northwest corner of Cactus and Bermuda.

We are requesting:

- Vacation to vacate the patent easements around the periphery.
- Detached sidewalks are required therefore we are vacating 5 feet of right of way to provide the detached sidewalks, except along Cactus where a bus turn out is being dedicated.

We believe this will be an asset to the area, meet the needs of the neighbors and we respectfully request approval of this request. Please do not hesitate to contact me with any questions you might have.

Yours truly,

Lucy Stewart

Lucy Stewart

05/04/22 BCC AGENDA SHEET

SINGLE FAMILY RESIDENCE
(TITLE 30)

PIONEER WY/WARM SPRINGS RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-22-0151-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 18.7 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increased retaining wall height; **2)** increased building height; and **3)** reduced residential driveway separation.

DESIGN REVIEWS for the following: **1)** a single family residential subdivision; and **2)** finished grade.

Generally located on the east side of Pioneer Way (alignment) and the south side of Warm Springs Road within Enterprise (description on file). MN/jor/jo (For possible action)

RELATED INFORMATION:

APN:

176-10-101-006; 176-10-196-001; 176-10-199-011

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase the retaining/screen wall height to 5 foot retaining/6 foot screen wall where 3 foot retaining/6 foot screen wall is the maximum per Chapter 30.64 (a 22% increase).
2. Increase the proposed building height to 36 feet, 6 inches where 35 feet is the maximum allowed per Table 30.40-1 (a 4% increase).
3. a. Reduce the proposed residential driveway separation to 7 feet (for Lot 119) where a 12 foot separation from the back of curb radius is required per Uniform Standard Drawing 222 (a 42% decrease).
b. Reduce the proposed residential driveway separation to 11 feet (for Lot 7) where a 12 foot separation from the back of curb radius is required per Uniform Standard Drawing 222 (an 8% decrease).

DESIGN REVIEWS:

1. A single family residential subdivision.
2. Increase finished grade to 120 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 233% increase).

LAND USE PLAN:

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Acreage: 18.7
- Number of Lots: 147 (lots)/8 (common elements)
- Density (du/ac): 7.8
- Minimum/Maximum Lot Size (square feet): 3,320/9,0225 (gross and net)
- Project Type: Single family residential subdivision
- Number of Stories: 3 (maximum)
- Building Height: 36 feet, 6 inches (maximum)
- Square Feet: 1,642 (minimum)/4,217 (maximum)

Site Plan & Request

The applicant is proposing a conforming zone change to reclassify the site from R-E zoning to R-2 zoning. The proposed subdivision will have a density of 7.8 dwelling units per acre. The site plan depicts a proposed single family residential subdivision located on the south side of Warm Springs Road and the east side of Pioneer Way (alignment). The site includes 3 parcels, the first APN 176-10-101-006, which will be designed to incorporate 147 proposed single family residential parcels and 8 common elements. APNs 176-10-196-001 (portion of a flood channel - southwest corner) and 176-10-199-011 (portion of right-of-way along east property line) are parcels located within the site. These remnant parcels which will be vacated since they are no longer needed for the development. Access to the site is located along the west property line adjacent to Pioneer Way (alignment). Lot 1 through Lot 7 and Lot 119 through Lot 134 face west towards Pioneer Way. The remaining lots within the subdivision face internally towards the proposed private streets. The plans also depict pedestrian access easement to be privately maintained on the northwest corner of the site which connects to a proposed detached sidewalk along the north property line adjacent to Warm Springs Road.

The applicant is requesting to increase the retaining/screen wall height to a 5 foot retaining/6 foot screen wall where a 3 foot retaining/6 foot screen wall is the maximum per Chapter 30.64 (a 22% increase). The proposed retaining wall height increase is located on the southwest corner of the site in between Lots 105, 134, and 135.

In addition, the applicant is requesting to increase the proposed building height to 36 feet, 6 inches where 35 feet is the maximum allowed per Table 30.40-1 (a 4% increase). Per the submitted plans, the model home types labeled as Sheffield and Trafford will offer a third floor option which will increase the overall height to 36 feet, 6 inches.

Furthermore, the applicant is requesting to reduce the proposed residential driveway separation from the back of curb radius to 7 feet where 12 feet is required per Uniform Standard Drawing 222 (a 42% decrease). The proposed reduction is located on Lot 7 and Lot 119 only. Lot 7 depicts an 11 foot separation from the back of curb radius where 12 feet is required. Lot 119 depicts a 7 foot separation from the back of curb radius where 12 feet is required. These lots are located along the west property line adjacent to Pioneer Way (alignment).

Lastly, the design review for the proposed single family residential subdivision will offer future homeowners 10 different model home options to choose from. The second design review request is to increase the finished grade to 120 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 233% increase). Submitted plans show that the areas of the subdivision that will require more than 36 inches of fill are located on the following: Lot 1 through Lot 7, Lot 15 through Lot 22, Lot 67 through Lot 70, Lot 75 and Lot 77, Lot 86 through Lot 90, Lot 95, Lot 99 through Lot 108, and finally Lot 132 through Lot 135.

Landscaping

The landscape plan depicts a 1,497 square foot landscape area on the southwest corner of the site. Furthermore, landscaping will be provided within the common elements on the north and south side of the private street entrance along the west property line. Lastly, the applicant will plant landscaping at the northwest corner which is integrated into the landscaping adjacent to the proposed detached sidewalk along the north property line. Large trees and shrubs will be planted within designated areas of the site (common elements and adjacent to the detached sidewalk).

Elevations

Per the submitted elevation plans for the different home models, the residences will include stucco walls with stucco pop-outs. The exterior elevation walls also include faux stone finishes to add some visual interest to the homes. Furthermore, the minimum building height is 22 feet and the maximum building height is 36 feet, 6 inches. The Trafford model home design will offer a third floor option which increases the overall height to 36 feet, 6 inches.

Floor Plan

The applicant is proposing 10 model home options. The proposed floor plans include a minimum area of 1,642 square feet to a maximum of 4,217 square feet. All floor plans include bedrooms, bathrooms, kitchens, living rooms, dining rooms, dens, and 2 to 3 car garages.

Applicant's Justification

Per the applicant's justification letter, the site is zoned R-E with a planned land use of Mid-Intensity Suburban Neighborhood (MN) which allows up to 8 dwelling units per acre. The applicant is proposing to change the zoning from R-E to R-2, which is conforming to the current land use plan, and the proposed density is 7.8 dwelling units per acre. The design review request to increase the finished grade over the maximum 36 inches is due to the existing wash that runs from the southwest corner to the middle of the east boundary, and a wash at the northwest corner. The lots that are proposed at the southwest corner of the site on Pioneer Way at the largest fill depth will require 10 feet of fill where 36 inches is the maximum. Furthermore, the applicant is requesting to reduce the driveway separation from the back of curb radius to 7 feet where 12 feet is required on Lot 119. This request is required since the applicant is proposing a single family detached product that is 40 feet wide and a 2 car garage which requires a 16 foot wide driveway. The applicant is also requesting a waiver to increase the retaining wall height to 5 feet where a 3 foot retaining wall is the maximum. The proposed screen walls will be 6 feet only. Per the applicant, this is located on the southwest corner of the site which fronts Pioneer Way and backing up to lots within the proposed subdivision. Currently, the grading quantities are near a balance, and the additional height will allow the quantities to remain close in balance. Lastly, the applicant is requesting to increase the proposed building height to 36 feet, 6 inches

because there are 40 foot wide lots which offer 5 model home plans. There are 2 model home plans (Trafford and Sheffield) which offer a third floor and requires an additional 1.5 foot increase.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	R-E & C-2	Undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Neighborhood Commercial & Mid-Intensity Suburban Neighborhood (from 8 to 18 du/ac)	R-3 & R-2	Townhomes & single family residential
West	Compact Neighborhood & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	C-2 & R-2	Undeveloped & single family residential

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

Related Applications

Application Number	Request
TM-22-500050	A tentative map for a single family residential subdivision is a companion item on this agenda.
VS-22-0152	A vacation and abandonment for 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 applicant is proposing a conforming zone change to reclassify the site from R-E zoning to R-2 zoning. The applicant is proposing a density of 7.8 dwelling units per acre, where 8 dwelling units per acre is the maximum allowed. Staff finds that since there are existing R-2 zoned single family residences to the southwest, south, southeast of the subject parcels reclassifying the subject parcels is harmonious to the surrounding residential areas. Staff recommends approval of this 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

The applicant is requesting to increase the retaining/screen wall height to a 5 foot retaining/6 foot screen wall where a 3 foot retaining/6 foot screen wall is the maximum per Chapter 30.64 (a 22% increase). The applicant submitted an exhibit which depicts the proposed request on the south side of Lot 105 and is shared property line with Lot 134 and Lot 135 to the south. The exhibit shows a 5 foot high retaining wall and a 6 foot screen wall. Staff finds that the increase in retaining wall height is internal to the site. However, the proposed retaining wall and associated increase in finished grade from 36 inches and above may pose a negative impact to the existing neighborhoods to the west and south if 3 story homes are constructed within this general portion of the subdivision. Staff can support this request if 3 story homes are not constructed within this area.

Waiver of Development Standards #2

The applicant is requesting to increase the proposed building height to 36 feet, 6 inches where 35 feet is the maximum allowed per Table 30.40-1 (a 4% increase). The applicant is proposing 10 different model homes that customers can choose from for the entire subdivision. Per the applicant, 80 of the proposed 147 lots are 40 feet wide, and 5 model home plans are proposed specifically for the 40 foot wide lots. Per staff research, there are no 3 story homes in the immediate area. Ten proposed model homes are an ample amount of model homes for future homeowners to choose from and providing a 3 story option from 2 out of 10 model home options is not warranted. The applicant submitted an exhibit which shows that the proposed 3 story homes can potentially be constructed along the northern, western, and central areas of the subdivision. If the 3 story homes were limited to the internal portions of the subdivision and not adjacent to the right-of-way or adjacent to existing residences, staff could support this request.

Design Review #1

Staff supports the zone change and waiver of development standards #1. However, staff has concerns with increasing the building height to allow a 3 story home product. The applicant is requesting to increase the building height to 36 feet, 6 inches for 80 of the proposed 147 lots. Staff finds the other 8 model home options to be appropriate for the site and are in character with the surrounding neighborhood. Staff can support this request if 3 story home products are limited internally to the site.

Public Works - Development Review

Waiver of Development Standards #3

Staff finds there is no justification to reduce the distance from the back of curb radius to the driveway for Lot 7 and Lot 119. The minimum required distance is intended to provide safe turning movements, thereby reducing the potential for collisions.

Design Review #2

This design review represents the maximum grade difference within 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.

Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Harry Reid International Airport facilities to meet future air traffic demand.

Staff Recommendation

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

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- 3 story homes limited to internal lots only (Lot 38 through Lot 66 and Lot 81 through Lot 104);
- 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 the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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 waivers 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;
- 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 accommodate a taper from 25.5 feet to 30 feet for Pioneer Way to match the west side of the street, and associated spandrel;

- If required by the Regional Transportation Commission (RTC), provide a standard bus turnout and a 5 foot by 25 foot bus shelter pad easement behind the sidewalk along Warm Springs Road, just east of Pioneer Way.
- 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.

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.

Fire Prevention Bureau

- 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 and reference POC Tracking #0123-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

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

APPLICANT: JENNIFER VERAS
CONTACT: JENNIFER VERAS, GCW ENGINEERING, 1555 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146



LAND USE APPLICATION

14A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input checked="" 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) <input checked="" 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 APP. NUMBER: <u>ZC-22-0151</u> DATE FILED: <u>3/9/22</u> PLANNER ASSIGNED: <u>JOR</u> TAB/CAC: <u>ENTER PRISC</u> TAB/CAC DATE: <u>4/13/22</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>5/4/22</u> FEE: <u>\$2,200</u>
	PROPERTY OWNER NAME: <u>Pulte</u> ADDRESS: <u>7255 S Tenaya Way, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>kendra.saffle@pultegroup.com</u>
	APPLICANT NAME: <u>Pulte</u> ADDRESS: <u>7255 S Tenaya Way, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>kendra.saffle@pultegroup.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>GCW / Jennifer Veras</u> ADDRESS: <u>1555 S Rainbow Blvd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-804-2096</u> CELL: _____ E-MAIL: <u>jveras@gcwwengineering.com</u> REF CONTACT ID #: _____

Pg 1

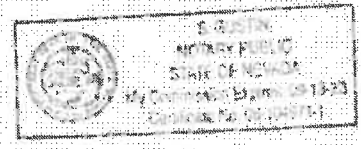
ASSESSOR'S PARCEL NUMBER(S): 176-10-101-006, 176-10-199-011, 176-10-196-001
 PROPERTY ADDRESS and/or CROSS STREETS: W Warm Springs Road and S Tenaya Way
 PROJECT DESCRIPTION: Residential Subdivision

(I, We) the undersigned swear and say that (I a.n. 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.

Bob
 Property Owner (Signature)*

BREVIN ANDERSON
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 12/14/21 (DATE)
 By Brevin Anderson
 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.



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE


APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input checked="" 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) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <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 APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
	PROPERTY OWNER NAME: <u>County of Clark (Aviation)</u> ADDRESS: <u>500 S. Grand Central Pkwy., 4th Floor</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89115</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: <u>Pulte (PN II)</u> ADDRESS: <u>7255 S Tenaya Way, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>kendra.saffie@pultegroup.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>GCW / Jennifer Veras</u> ADDRESS: <u>1555 S Rainbow Blvd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>702-804-2096</u> CELL: _____ E-MAIL: <u>jveras@gcwengineering.com</u> REF CONTACT ID #: _____


Pg 2

ASSESSOR'S PARCEL NUMBER(S): 176-10-101-006, 176-10-199-011, 176-10-196-001
 PROPERTY ADDRESS and/or CROSS STREETS: W Warm Springs Road and S Tenaya Way
 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.


 Property Owner (Signature)*
 Lisa Kremer, Dir. CC Real Property Management
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON JANUARY 13, 2013 (DATE)
 BY LISA KREMER, DIRECTOR
 NOTARY PUBLIC: 


 MONIQUE ORTIZ ARROYO
 NOTARY PUBLIC
 STATE OF NEVADA
 My Commission Expires: 10-24-23
 Certificate No: 07-5078-1

*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.

764-A211-001

March 2, 2022

ZC-22-0151

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

**RE: Warm Springs & Tenaya APNs 176-10-101-006, 176-10-199-011, and 176-10-196-001,
Approximately 18.77 +/- Gross Acres
Request for Design Review, Waivers, Zone Change, and Vacation**

On behalf of our client, Pulte Group, Inc., GCW, Inc. (GCW) is respectfully applying for the above land use items.

Project Description:

The project is located on the current Department of Aviation site with approved zoning of R-E (2 units per acre). The property is located on the south side of Warm Springs Road, generally bound by the Warm Springs Road to the north, the east side of Pioneer Way, generally bound by The Springs multi-family and Eldorado Pines West single family residential subdivisions to the East, the Pinnacle Maplewood II residential subdivision to the west, and the Nevada Trails residential subdivision to the south and consists of approximately 18.77 Gross acres. It is the intent of our client to develop the three parcels in the project (APNs 176-10-101-006, 176-10-199-011, and 176-10-196-001). There is a drainage channel that runs across all three parcels.

Zone Change

Currently the site is zoned R-E with a Land Use of Mid-Intensity Suburban Neighborhood (MN) which allows up to 8 du/acre. We are proposing to change the zoning from R-E to R-2, which is conforming to the current land use, and the proposed density is 7.83 du/acre. This is not a PUD.

Design Review:

The Design Review is being requested to increase the finished grade over the maximum 36" per Clark County Title 30.32.40.a.9.b. The current site is a parcel from the September DOA auction with a large wash that runs from the Southwest Corner to the middle of the east boundary, and a wash at the northwest corner. The lots that are proposed at the southwest corner of the site on Pioneer at the largest fill depth will require 10' (120") of fill - where 36" inches is the maximum. The lots that exceed the 36" minimum are: 1, 2, 3, 4, 5, 6, 7, 15, 16, 17, 18, 19, 20, 21, 22, 67, 68, 69, 70, 75, 77, 86, 87, 88, 90, 93, 95, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 132, 133, 134, 135 (also shown on the Design Review Exhibit with a hexagon).

Waivers:

1. Title 30.52.050 – Improvement Standards and Unified Standard Drawing 222

Standard:	Driveway to be 6' from Property Line.
Requested Waiver:	Allow 1' separation from property line to driveway.

1555 South Rainbow Boulevard
Las Vegas, Nevada 89146

☎ 702.804.2000
F 702.804.2299

info@gcwengineering.com
gcwengineering.com

Justification: We are proposing single-family detached product that is 40' wide and a 2 car garage which requires a 16' wide driveway. The driveway on a corner lot will be as 1.5' from curb return.

2. Title 30.64.050 – Retaining Wall Height

Standard: 3' of Retaining with 6' Screen Wall

Requested Waiver: Allow 5' of retaining wall with 6' Screen Wall.

Justification: This condition is at the southwest corner of the site where we fronting on Pioneer and backing up to lots within the proposed subdivision. Currently, the grading quantities are near a balance, and the additional height will allow the quantities to remain near balance.

3. Title 30.40-2 –Suburban and Compact Single-Family Residential Districts - Property Development Standards Bulk Matrix

Standard: Maximum Height 35'

Requested Waiver: Allow 36' – 6" Maximum Height.

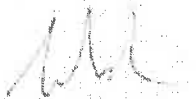
Justification: The 36'-6" height applies to the 40' wide lots, where there are 80 of the 147 lots that are 40' wide. For the 40' wide lots, 5 plans are offered, where only 2 of the 5 plans exceed the standard 35' height, they are Sheffield (3028-2) and Traffon (3029-1). These plans offer a 3rd floor, and the additional 1.5' is to accommodate the mechanical equipment in the attic.

Tentative Map and Vacation:

We are also submitting the Tentative Map proposing the 147 single-family units along with a Vacation application package. The vacation is for the south 5' along Warm Springs Road and the existing right-of-way that is within the project boundary that is for drainage purposes. We are proposing to re-route the storm drain from the southwest corner of the site in Pioneer Way, north in Pioneer to the entry of the subdivision and then east to the current outfall location.

If you have any questions or clarifications, please call me at (702) 804-2153.

Cordially,


Wesley T. Petty, PE
Vice President

ZC-22-0151

05/04/22 BCC AGENDA SHEET

RIGHT-OF-WAY
(TITLE 30)

PIONEER WY/WARM SPRINGS RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-22-0152-COUNTY OF CLARK (AVIATION):

VACATE AND ABANDON a portion of right-of-way located between Warm Springs Road and Eldorado Lane (alignment) and between Pioneer Way (alignment) and Tenaya Way within Enterprise (description on file). MN/jor/jo (For possible action)

RELATED INFORMATION:

APN:
176-10-101-006; 176-10-196-001; 176-10-199-011

LAND USE PLAN:
ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

The site plan depicts a proposed single family subdivision on 18.7 acres. The applicant is requesting to vacate the 5 foot portion of right-of-way adjacent to Warm Springs Road to construct detached sidewalks. Furthermore, there is an additional portion of right-of-way along the east property line APN 176-10-199-011 that will also be vacated. Along the west property line is an additional portion of right-of-way (flood channel) APN 176-10-196-001. This will also be vacated. Per the applicant, the storm drain will be rerouted from the southwest corner along Pioneer Way. The drainage will be rerouted north towards the main entrance of the proposed subdivision and connected to a private drainage easement along the east property line, to the current outfall location.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	R-E & C-2	Undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Neighborhood Commercial & Mid-Intensity Suburban Neighborhood (from 8 to 18 du/ac)	R-3 & R-2	Townhomes & single family residential

	Planned Land Use Category	Zoning District	Existing Land Use
West	Compact Neighborhood & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	C-2 & R-2	Undeveloped & single family residential

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

Related Applications

Application Number	Request
ZC-22-0151	A conforming zone change to reclassify the site from R-E to R-2 zoning, waivers for increased retaining wall height, increased building height, reduced driveway separation, and a design review for increased finished grade is a companion item on this agenda.
TM-22-500050	A tentative map for a single family 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

Public Works - Development Review

Staff has no objection to the vacation of right-of-way that is 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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 accommodate a taper from 25.5 feet to 30 feet for Pioneer Way to match the west side of the street, and associated spandrel;
- If required by the Regional Transportation Commission (RTC), provide a standard bus turnout and a 5 foot by 25 foot bus shelter pad easement behind the sidewalk along Warm Springs Road, just east of Pioneer Way;
- 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 the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: JENNIFER VERAS

CONTACT: JENNIFER VERAS, GCW ENGINEERING, 1555 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

15A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <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 #):	DEPARTMENT USE	APP. NUMBER: <u>VS-22-0152</u> PLANNER ASSIGNED: <u>JR</u> TAB/CAC: <u>Enterprise</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>5/4/22</u> FEE: <u>\$575</u>	DATE FILED: <u>3/9/22</u> TAB/CAC DATE: <u>4/13/22</u>
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Page

PROPERTY OWNER	NAME: <u>Pulte</u> ADDRESS: <u>7255 S Tenaya Way, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>kendra.saffle@pultegroup.com</u>
APPLICANT	NAME: <u>Pulte</u> ADDRESS: <u>7255 S Tenaya Way, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>kendra.saffle@pultegroup.com</u> REF CONTACT ID #: _____
CORRESPONDENT	NAME: <u>GCW / Jennifer Veras</u> ADDRESS: <u>1555 S Rainbow Blvd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>702-804-2096</u> CELL: _____ E-MAIL: <u>jveras@gcwengineering.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-10-101-006, 176-10-199-011, 176-10-196-001

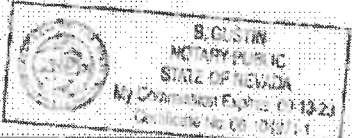
PROPERTY ADDRESS and/or CROSS STREETS: W Warm Springs Road and S Tenaya Way

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 Clerk 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.

[Signature]
 Property Owner (Signature)*

BEVIN ANDERSON
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 12/14/21 (DATE)
 By Bevin Anderson
 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.

764-A211-001

February 7, 2022

VS-22-0152

Clark County Compressive Planning – Public Works
500 South Grand Central Parkway
Las Vegas, Nevada 89155

**RE: Warm Springs & Tenaya APNs 176-10-101-006, 176-10-199-011, and 176-10-196-001,
Approximately 18.77 +/- Gross Acres
Request for Vacation**

On behalf of our client, Pulte Group, Inc., GCW, Inc. (GCW) is respectfully applying for the above land use items.

Project Description:

The project is located on the current Department of Aviation site with approved zoning of R-E (2 units per acre). The property is located on the south side of Warm Springs Road, generally bound by Warm Springs Road to the north, the east side of Pioneer Way, generally bound by The Springs multi-family and Eldorado Pines West single family residential subdivisions to the East, the Pinnacle Maplewood II residential subdivision to the west, and the Nevada Trails residential subdivision to the south and consists of approximately 18.77 Gross acres. It is the intent of our client to develop the three parcels in the project (APNs 176-10-101-006, 176-10-199-011, and 176-10-196-001). There is a drainage channel that runs across all three parcels.

Vacation:

We are also submitting the Tentative Map proposing the 147 single-family units along with a Vacation application package. The vacation is for the following:

- The south 5' along Warm Springs Road – this vacation is to allow for a detached sidewalk along Warm Springs Road.
- The existing right-of-way that is within the project boundary that is for drainage purposes. We are proposing to re-route the storm drain from the southwest corner of the site in Pioneer Way, north in Pioneer to the entry of the subdivision and then east to the current outfall location.

If you have any questions or clarifications, please call me at (702) 804-2153.

Cordially,

GCW, INC.



Wesley T. Petty, PE
Vice President

1555 South Rainbow Boulevard
Las Vegas, Nevada 89146

☎ 702.804.2000
☎ 702.804.2299

✉ info@gcwengineering.com
gcwengineering.com

05/04/22 BCC AGENDA SHEET

WARM SPRINGS & TENAYA
(TITLE 30)

PIONEER WY/WARM SPRINGS RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-22-500050-COUNTY OF CLARK(AVIATION):

TENTATIVE MAP consisting of 147 single family residential lots and 8 common lots on 18.7 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the east side of Pioneer Way (alignment) and the south side of Warm Springs Road within Enterprise. MN/jor/jo (For possible action)

RELATED INFORMATION:

APN:

176-10-101-006; 176-10-196-001; 176-10-199-011

LAND USE PLAN:

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Acreage: 18.7
- Number of Lots: 147 (lots)/8 (common elements)
- Density (du/ac): 7.8
- Minimum/Maximum Lot Size (square feet): 3,320/9,0225 (gross and net)
- Project-Type: Single family residential subdivision

The tentative map depicts a proposed single family residential subdivision located on the south side of Warm Springs Road and the east side of Pioneer Way (alignment). The site includes 3 parcels, the first APN 176-10-101-006 which will be designed to incorporate 147 proposed single family residential parcels and 8 common elements. The proposed subdivision will include a density of 7.8 dwelling units per acre. APNs 176-10-196-001 (portion of a flood channel southwest corner) and 176-10-199-011 (portion of right-of-way along east property line) are parcels located within the site. These remnant parcels will be vacated since they are no longer needed for the development. Access to the site is located along the west property line adjacent to Pioneer Way (alignment). Lot 1 through Lot 7 and Lot 119 through Lot 134 face west towards Pioneer Way. The remaining lots within the subdivision face internally towards the proposed private streets. The plans also depict a pedestrian access easement to be privately maintained on the northwest corner of the site which connects to a proposed detached sidewalk along the north property line adjacent to Warm Springs Road.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	R-E & C-2	Undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Neighborhood Commercial & Mid-Intensity Suburban Neighborhood (from 8 to 18 du/ac)	R-3 & R-2	Townhomes & single family residential
West	Compact Neighborhood & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	C-2 & R-2	Undeveloped & single family residential

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

Related Applications

Application Number	Request
ZC-22-0151	A conforming zone change to reclassify the site from R-E to R-2 zoning, waivers for increased retaining wall height, increased building height, reduced driveway separation, and a design review for increased finished grade is a companion item on this agenda.
VS-22-0152	A vacation and abandonment for 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

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 Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Harry Reid International Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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 accommodate a taper from 25.5 feet to 30 feet for Pioneer Way to match the west side of the street, and associated spandrel;
- If required by the Regional Transportation Commission (RTC), provide a standard bus turnout and a 5 foot by 25 foot bus shelter pad easement behind the sidewalk along Warm Springs Road, just east of Pioneer Way.
- 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.

Current Planning Division - Addressing

- Streets shall have approved street names and suffixes;
- Approved street name list from the Combined Fire Communications Center shall be provided.

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.

Fire Prevention Bureau

- 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 and reference POC Tracking #0123-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: JENNIFER VERAS

CONTACT: JENNIFER VERAS, GCW ENGINEERING, 1355 S. RAINBOW
BOULEVARD, LAS VEGAS, NV 89146

DRAFT



TENTATIVE MAP APPLICATION 16A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-22-500050</u>	DATE FILED: <u>3/9/22</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>JOR</u>	TAB/CAC DATE: <u>4/13/22</u>
		PC MEETING DATE: _____	
		BCC MEETING DATE: <u>5/4/22</u>	
		FEE: <u>\$ 750</u>	1001

PROPERTY OWNER	NAME: <u>Pulte</u> ADDRESS: <u>7255 S Tenaya Way, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>kendra.saffie@pultegroup.com</u>
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APPLICANT	NAME: <u>Pulte</u> ADDRESS: <u>7255 S Tenaya Way, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>kendra.saffie@pultagroup.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>GCW / Jennifer Veras</u> ADDRESS: <u>1555 S Rainbow Blvd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>702-804-2096</u> CELL: _____ E-MAIL: <u>jveras@gcwegineering.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 176-10-101-006, 176-10-199-011, 176-10-196-001

PROPERTY ADDRESS and/or CROSS STREETS: W Warm Springs Road and S Tenaya Way

TENTATIVE MAP NAME: Warm Springs & Tenaya

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) 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)*

BRENNAN ANDERSON
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 12/14/21 (DATE)

By Brennan Anderson
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.



TENTATIVE MAP APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: _____	DATE FILED: _____
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: _____	TAB/CAC DATE: _____
		TAB/CAC: _____	
		PC MEETING DATE: _____	
		BCC MEETING DATE: _____	
		FEE: _____	Pg 2

PROPERTY OWNER	NAME: <u>County of Clark (Aviation)</u>
	ADDRESS: <u>500 S. Grand Central Pkwy., 4th Floor</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89155</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Pulte (FN II)</u>
	ADDRESS: <u>7255 S Tenaya Way, Suite 200</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: <u>kendra.saffle@pultegroup.com</u> REF CONTACT ID #: _____


CORRESPONDENT	NAME: <u>GCW / Jennifer Veras</u>
	ADDRESS: <u>1555 S Rainbow Blvd</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u>
	TELEPHONE: <u>702-804-2096</u> CELL: _____
	E-MAIL: <u>jveras@gcwengineering.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-10-101-006, 176-10-199-011, 176-10-198-001

PROPERTY ADDRESS and/or CROSS STREETS: W Warm Springs Road and S Tenaya Way

TENTATIVE MAP NAME: Warm Springs & Tenaya

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.

<p style="text-align: center;"><u><i>Lisa Kremer</i></u></p> <p>Property Owner (Signature)*</p>	<p style="text-align: center;">Lisa Kremer, Dir. CC Real Property Management</p> <p>Property Owner (Print)</p>
<p>STATE OF <u>NEVADA</u></p> <p>COUNTY OF <u>CLARK</u></p> <p>SUBSCRIBED AND SWORN BEFORE ME ON <u>JANUARY 13, 2022</u> (DATE)</p> <p>By <u>LISA KREMER, DIRECTOR</u></p> <p>NOTARY PUBLIC: _____</p>	 <p>MONIQUE ORTIZ ARROYO NOTARY PUBLIC STATE OF NEVADA My Commission Expires: 10-24-23 Certificate No: 07-5078-1</p>

*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.