



# Enterprise Town Advisory Board

Clark County Commission Chambers

500 South Grand Central Pkwy

Las Vegas, NV 89155

April 14, 2021

6:00pm

## AGENDA

**Note:**

- Social distancing will be practiced during this meeting. You will be asked to keep appropriate spacing (six (6) feet) away from other meeting attendees.
- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Carmen Hayes at 702-371-7991 and is/will be available on the County's website at [www.clarkcountynv.gov](http://www.clarkcountynv.gov).
- If you do not wish to attend this meeting in person, but would like to comment on an item appearing on this agenda, or provide general public comment, please submit your comments to [TLH@clarkcountynv.gov](mailto:TLH@clarkcountynv.gov), before 04:00 pm, April 14, 2021. Please include your name, address, and identify which agenda item you are commenting on, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

Board/Council Members: David Chestnut, Chair  
Tanya Behm  
Joseph Throneberry

Barris Kaiser, Vice Chair  
Gabriela Everett

Secretary: Carmen Hayes, 702-371-7991 [CHAYES70@yahoo.com](mailto:CHAYES70@yahoo.com)

County Liaison(s): Tiffany Hesser 702-455-7388 [TLH@clarkcountynv.com](mailto:TLH@clarkcountynv.com)

I. Call to Order, Pledge of Allegiance, and Roll Call

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 (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.

BOARD OF COUNTY COMMISSIONERS  
MARILYN KIRKPATRICK, Chair - JAMES B. GIBSON, Vice-Chair  
JUSTIN C. JONES - WILLIAM MCCURDY II - ROSS MILLER - MICHAEL NAFT - TICK SEGERBLOM  
YOLANDA KING, County Manager

If you do not wish to attend this meeting in person, but would like to comment on an item appearing on this agenda, please submit your comments to TLH@clarkcountynv.gov, before 04:00 pm, on April 14, 2021. Please include your name, address, and identify which agenda item you are commenting on, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

- III. Approval of Minutes for March 31, 2021. (For possible action)
- IV. Approval of the Agenda for April 14, 2021 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (for discussion)
- VI. Planning and Zoning
1. **WC-21-400026 (NZN-18-0287)-GREYSTONE NEVADA, LLC:**  
**WAIVER OF CONDITIONS** of a nonconforming zone change requiring that the project must meet Mountains Edge design guidelines and standards in conjunction with a single family, hillside development consisting of 159 single family residential lots on 41.9 acres in an R-2 (Medium Density Residential District) Zone. Generally located on the northwest corner of Fort Apache Road and Mountains Edge Parkway (alignment) within Enterprise. JJ/sd/jd (For possible action) **04/21/21 BCC**
2. **ET-21-400039 (UC-0506-16)-FRANCIS DEVELOPMENT, INC:**  
**USE PERMITS SECOND EXTENSION OF TIME** for the following: 1) allow office as a principal use; and 2) allow retail sales as a principal use in conjunction with a proposed office/warehouse building.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) a trash enclosure in the front setback; 2) reduce setbacks; and 3) allow alternate landscaping and screening in conjunction with a proposed office/warehouse building.  
**DESIGN REVIEWS** for the following: 1) an office/warehouse building; and 2) a lighting plan on 1.2 acres in an M-D (Designed Manufacturing) (AE-60) Zone. Generally located on the northeast corner of Dean Martin Drive and Arby Avenue (alignment) within Enterprise. MN/sd/jo (For possible action) **05/04/21 PC**
3. **NZN-21-0101-2567 E. WASHBURN RD., LLC:**  
**ZONE CHANGE** to reclassify 12.6 acres from C-P (Office and Professional) (AE-60 & AE-65) Zone to M-D (Designed Manufacturing) (AE-60 & AE-65) Zone.  
**WAIVER OF DEVELOPMENT STANDARDS** for alternative driveway geometrics.  
**DESIGN REVIEWS** for the following: 1) office/warehouse complex; and 2) finished grade. Generally located on the west side of Dean Martin Drive and the north side of Robindale Road within Enterprise (description on file). MN/jt/jd (For possible action) **05/04/21 PC**

4. **VS-21-0102-2567 E. WASHBURN RD., LLC, ET AL:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Eldorado Lane and Robindale Road, and between Dean Martin Drive and Procyon Street, and portions of a rights-of-way being Maulding Avenue and Robindale Road located between Dean Martin Drive and Procyon Street, and Polaris Avenue located between Eldorado Lane and Robindale Road within Enterprise (description on file). MN/jt/jd (For possible action) **05/04/21 PC**
  
5. **TM-21-500026-2567 E. WASHBURN RD., LLC:**  
**TENTATIVE MAP** consisting of a 1 lot commercial subdivision on 12.6 acres in an M-D (Designed Manufacturing) (AE-60 & AE-65) Zone. Generally located on the west side of Dean Martin Drive and the north side of Robindale Road within Enterprise. MN/jt/jd (For possible action) **05/04/21 PC**
  
6. **NZC-21-0123-BADSM PARTNERS, LLC:**  
**ZONE CHANGE** to reclassify 7.4 acres from R-E (Rural Estates Residential) (RNP-I) Zone to R-D (Suburban Estates Residential) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase wall height; **2)** waive perimeter landscaping along a local street; and **3)** waive full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights).  
**DESIGN REVIEWS** for the following: **1)** proposed single family residential development; and **2)** finished grade. Generally located on the south side of Chartan Avenue and the east side of Placid Street within Enterprise (description on file). MN/rk/jd (For possible action) **05/04/21 PC**
  
7. **VS-21-0124-BADSM PARTNERS, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Chartan Avenue and Terrill Avenue, and between Placid Street and Bermuda Road within Enterprise (description on file). MN/rk/jd (For possible action) **05/04/21 PC**
  
8. **TM-21-500032-BADSM PARTNERS, LLC:**  
**TENTATIVE MAP** consisting of 22 single family residential lots and common lots on 7.4 acres in an R-D (Suburban Estates Residential) Zone. Generally located on the south side of Chartan Avenue and the east side of Placid Street within Enterprise. MN/rk/jd (For possible action) **05/04/21 PC**
  
9. **NZC-21-0128-HKM NEVADA PROPERTIES:**  
**ZONE CHANGE** to reclassify 12.2 acres from C-2 (General Commercial) Zone to R-4 (Multiple Family Residential - High Density) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase building height; and **2)** alternative landscaping.  
**DESIGN REVIEWS** for the following: **1)** a multiple family residential development; **2)** alternative parking lot landscaping; and **3)** finished grade. Generally located on the southwest corner of Neal Avenue and Bermuda Road within Enterprise (description on file). MN/al/jd (For possible action) **05/04/21 PC**

10. **VS-21-0127-HKM NEVADA PROPERTIES:**  
**VACATE AND ABANDON** a portion of a right-of-way being Bermuda Road located between Neal Avenue and St. Rose Parkway within Enterprise (description on file). MN/al/jd (For possible action) **05/04/21 PC**
  
11. **DR-21-0100-CAMERON PARTNERS, LLC:**  
**DESIGN REVIEW** for finished grade in conjunction with a proposed single family residence on 1.0 acre in an R-E (Rural Estates Residential) (RNP-1) (AE-60) Zone. Generally located on the east side of Cameron Street, 134 feet south of Pamalyn Avenue within Enterprise. MN/jor/jd (For possible action) **05/05/21 BCC**
  
12. **DR-21-0129-HKM NEVADA PROPERTIES, LLC:**  
**DESIGN REVIEW** for finished grade in conjunction with a previously approved vehicle maintenance facility, convenience store, and gasoline station on 1.6 acres in a C-2 (General Commercial) Zone. Generally located on the north side of St. Rose Parkway and the west side of Bermuda Road within Enterprise. MN/md/jd (For possible action) **05/05/21 BCC**
  
13. **ET-21-400033 (DR-18-0983)-TURTLE BAY APARTMENTS, INC:**  
**DESIGN REVIEW FIRST EXTENSION OF TIME** for finished grade for an approved multiple family residential development on 5.0 acres in an R-3 (Multiple Family Residential) Zone. Generally located on the south side of Levi Avenue and the east side of El Camino Road (alignment) within Enterprise. JJ/jgh/jo (For possible action) **05/05/21 BCC**
  
14. **ET-21-400042 (Nzc-0802-16)-KB HOME LV DURHAM WEST, LLC:**  
**DESIGN REVIEW SECOND EXTENSION OF TIME** for a single family residential development on a 5.2 acre portion of an 85.6 acre parcel in an R-2 (Medium Density Residential) Zone. Generally located on the west side of Grand Canyon Drive (alignment) and the north and south sides of Meranto Avenue (alignment) within Enterprise. JJ/bb/jo (For possible action) **05/05/21 BCC**
  
15. **WS-21-0111-BERMUDA DEVELOPMENT GROUP, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** for reduced parking.  
**DESIGN REVIEW** for the expansion of an existing office building on 0.7 acres in a C-1 (Local Business) Zone. Generally located on the west side of Bermuda Road, 200 feet south of Silverardo Ranch Boulevard within Enterprise. MN/nr/jo (For possible action) **05/05/21 BCC**
  
16. **ZC-21-0118-LA BREA EQUITY VENTURE, LLC:**  
**ZONE CHANGE** to reclassify 13.1 acres from R-E (Rural Estates Residential) Zone and H-2 (General Highway Frontage) Zone to H-1 (Limited Resort and Apartment) Zone.  
**USE PERMIT** for a multiple family residential development.  
**WAIVER OF DEVELOPMENT STANDARDS** to allow non-standard improvements in the right-of-way.  
**DESIGN REVIEWS** for the following: 1) a multiple family residential development; and 2) finished grade. Generally located on the west side of Las Vegas Boulevard South, 470 feet south of Neal Avenue within Enterprise (description on file). MN/sd/jd (For possible action) **05/05/21 BCC**



17. **ZC-21-0119-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**  
**ZONE CHANGE** to reclassify 2.8 acres from H-2 (General Highway Frontage) Zone to C-2 (General Commercial) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** setbacks; **2)** landscaping, **3)** non-standard off-site improvements; and **4)** alternative driveway geometrics.  
**DESIGN REVIEWS** for the following: **1)** a hotel; **2)** a commercial building with drive-thru service; **3)** a lighting plan; **4)** alternative parking lot landscaping; and **5)** finished grade. Generally located on the east side of Las Vegas Boulevard South, 425 feet south of Cactus Avenue within Enterprise (description on file). MN/al/jd (For possible action) **05/05/21 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.

If you would like to provide a written general public comment on an item not appearing on this agenda, but within the general jurisdiction of this body, please submit your comments to [TLH@clarkcountynv.gov](mailto:TLH@clarkcountynv.gov), before 4:00 pm, April 14, 2021. Please include your name, address, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

- IX. Next Meeting Date: April 28, 2021 at 6:00 pm.

X. Adjournment.

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

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





# Enterprise Town Advisory Board

March 31, 2021

## MINUTES

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Board Members	David Chestnut, Chair <b>PRESENT</b> Tanya Behm <b>PRESENT</b> Joseph Throneberry <b>PRESENT</b>	Barris Kaiser, Vice Chair <b>PRESENT</b> Gabriela Everett <b>EXCUSED</b>
Secretary:	Carmen Hayes 702-371-7991 <a href="mailto:chaves70@yahoo.com">chaves70@yahoo.com</a> <b>PRESENT</b>	
County Liaison:	Tiffany Hesser 702-455-7388 <a href="mailto:TLH@clarkcountynv.com">TLH@clarkcountynv.com</a> <b>PRESENT</b>	

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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.

Lorna 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 March 10, 2021 Minutes (For possible action)

Motion by David Chestnut

Action: **APPROVE** Minutes as published for March 10, 2021.

Motion **PASSED** (4-0) /Unanimous

IV. Approval of Agenda for March 31, 2021 and Hold, Combine or Delete Any Items (For possible action)

Motion by David Chestnut

Action: **APPROVE** as amended.

Motion **PASSED** (4-0) /Unanimous

Applicant requested holds:

7. ZC-20-0284-LH VENTURES, LLC:

The applicant has requested a **HOLD** to the Enterprise TAB meeting on July 28, 2021.

The applicant has requested a **HOLD** to Planning Commission August 17, 2021.

The applicant has requested a **HOLD** to Board of County Commissioners September 22, 2021

BOARD OF COUNTY COMMISSIONERS  
MARILYN BOARD OF COUNTY COMMISSIONERS  
MARILYN KIRKPATRICK, Chair - JAMES B. GIBSON, Vice-Chair  
JUSTIN C. JONES - WILLIAM MCCURDY II - ROSS MILLER - MICHAEL NAFT - TICK SEGERBLOM  
YOLANDA KING, County Manager



8. VS-20-0285-LH VENTURES, LLC:  
The applicant has requested a **HOLD** to the Enterprise TAB meeting on July 28, 2021.  
The applicant has requested a **HOLD** to Planning Commission August 17, 2021.  
The applicant has requested a **HOLD** to Board of County Commissioners September 22, 2021
9. AG-20-900314:  
The applicant has requested a **HOLD** to the Enterprise TAB meeting on July 28, 2021.  
The applicant has requested a **HOLD** to Planning Commission August 17, 2021.  
The applicant has requested a **HOLD** to Board of County Commissioners September 22, 2021
23. UC-20-0338-SANG TJIE GIOK: The applicant has requested a **HOLD** to the Enterprise TAB meeting on May 12, 2021.
24. WC-21-400026 (NZC-18-0287)-GREYSTONE NEVADA, LLC: The applicant has requested a **HOLD** to the Enterprise TAB meeting on April 14, 2021.

Related applications:

3. NZC-20-0524-MAK ZAK LLC, ET AL:
4. VS-20-0523-MAK ZAK, LLC:
5. TM-20-500185-MAK ZAK, LLC:
6. TM-20-500186-MAK ZAK LLC, ET AL:
10. NZC-21-0088-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:
11. VS-21-0089-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:
12. TM-21-500023-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:
18. ET-21-400024 (ZC-18-0961)-LONE MOUNTAIN PARTNERS, LLC:
19. ET-21-400025 (VS-18-0962)-LONE MOUNTAIN PARTNERS, LLC:

V. Informational Items

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

- Neighborhood meeting:

Representatives are hosting a virtual ZOOM meeting to discuss a proposed nonconforming zone change from R-E to R- 2 for a 112 unit single - family residential development on property generally located near Dean Martin Drive and Pyle Avenue  
Assessor Parcel Numbers : 177-29-203- 002, 003, 004, 005, 008 ' 009 & 010

Current Zoning: R-E

Proposed Zoning: R-2

Master Plan : RNP (Rural Neighborhood Preservation)

Date: Monday, April 5, 2021, Time: 5:30 p.m.

ZOOM Meeting Link:

Meeting ID: 859 8801 8809

Passcode: 713818

Please join: <https://tinyurl.com/dean-martin-pyle>



- Neighborhood meeting:

Meeting Date: April 6, 2012

Meeting Location: Windmill Library, 7060 W. Windmill Ln, Las Vegas, NV 89113

Application Number: NZC-21-0101 / VS-21-0102 / TM-21-500026

Neighborhood Meeting to present a proposed Non-Conforming Zone Change.

A Non-Conforming Zone Change from C-P to M-D for a proposed office/ warehouse development.

Dean Martin & Robindale Street 177-08-206-002, 177-08-206-003, 177-08-207-001, & 177-08-207-003

Existing Zoning: Office Professional (C-P) Proposed Zoning: Designed Manufacturing (M-D)

Master Plan Designation: Office Professional (OP)

- NEIGHBORHOOD MEETING

Representatives are hosting a virtual neighborhood meeting to discuss a proposed non-conforming zone change and related applications for a proposed townhouse development on property located on the southwest corner of Serene Avenue and Ft. Apache Road. APNs: 176-19-701-004, 007, and 008

Current Zoning: General Highway Frontage (H-2), Rural Estates Residential (R-E)

Proposed Zoning: RUD with overlay of PUD

Date: April 7, 2021, Time: 5:30 p.m.

Land use: Commercial General (CG), Residential High (RH)

Zoom Meeting link: <https://tinyurl.com/123serene>

Meeting ID: 817 8454 2304, Password: Serene

Call in: 1-669-900-6833 (Passcode: 045480)

## VI. Planning & Zoning

### 1. NZC-21-0037-COUNTY OF CLARK (AVIATION):

**ZONE CHANGE** to reclassify 1.1 acres from R-E (Rural Estates Residential) Zone to C-2 (General Commercial) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce landscaping; 2) reduce height/setback ratio; 3) reduce parking; and 4) alternative driveway geometrics.

**DESIGN REVIEW** for a commercial complex. Generally located on the south side of Silverado Ranch Boulevard, 670 feet west of Arville Street within Enterprise (description on file). JJ/jt/jd (For possible action) **04/06/21 PC**

Motion by David Chestnut

Action:

**APPROVE** Zone Change with a reduction to C-1.

**DENY:** The Waivers of Development Standards.

**DENY:** Design Review

**ADD** Current Planning Conditions:

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

BOARD OF COUNTY COMMISSIONERS

MARILYN BOARD OF COUNTY COMMISSIONERS

MARILYN KIRKPATRICK, Chair – JAMES B. GIBSON, Vice-Chair

JUSTIN C. JONES – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT – TICK SEGERBLOM

YOLANDA KING, County Manager





- Provide cross access and shared parking if compatible uses are developed to the east and west.

Per staff if approved conditions.

Motion PASSED (4-0) /Unanimous

2. **UC-20-0543-AFRIDI ROMMAN KHAN:**

**HOLDOVER USE PERMITS** for the following: 1) allow a communication tower; 2) increased communication tower height; and 3) reduced communication tower setback.

**DESIGN REVIEW** for a communication tower on 0.8 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Haven Street, 300 feet south of Eldorado Lane within Enterprise. MN/jor/jd (For possible action) 04/06/21 PC

Motion by David Chestnut

Action: **APPROVE**

**ADD** Current Planning conditions:

- Start branches for mono-pine at 20 feet above grade with 3.1 branches per foot.

Per staff if approved conditions.

Motion PASSED (3-0) / (Throneberry abstained).

3. **NZC-20-0524-MAK ZAK LLC, ET AL:**

**HOLDOVER ZONE CHANGES** for the following: 1) reclassify 9.8 acres from R-E (Rural Estates Residential) (RNP-I) Zone to R-2 (Medium Density Residential) Zone; and 2) reclassify 7.4 acres from R-E (Rural Estates Residential) (RNP-I) Zone and C-2 (General Commercial) Zone to RUD (Residential Urban Density) Zone.

**USE PERMIT** for a planned unit development (townhomes).

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase wall height; 2) reduce setbacks; 3) reduce parking; 4) increase the number of dwelling units accessing a private drive; 5) reduce street intersection off-set; 6) alternative residential driveway geometrics; 7) reduce curb radius; and 8) allow an inverted street cross section.

**DESIGN REVIEWS** for the following: 1) a single family residential subdivision on 9.8 acres; 2) a townhome planned unit development on 7.4 acres; 3) allow a hammerhead cul-de-sac design; and 4) increased finished grade. Generally located on the north and south sides of Agate Avenue, 280 feet west of Buffalo Drive within Enterprise (description on file). JJ/jt/jd (For possible action) 04/07/21 BCC

Motion by Barris Kaiser

Action:

**APPROVE:** Holdover Zone Change # 1 reduce to R-D

**DENY:** Holdover Zone Change # 2

**DENY:** Use Permit.

**DENY:** Waivers of Development standards

**DENY:** Design Reviews

Public Works – first Development Review:

- **DELETE** bullet #1

Current Planning, Planning Commission:

- **DELETE** bullet #s 1, 2, 3, and 4.

Per staff conditions.

Motion PASSED (4-0) /Unanimous



4. **VS-20-0523-MAK ZAK, LLC:**  
**AMENDED HOLDOVER VACATE AND ABANDON** a portion of a right-of-way being Miller Lane located between Raven Avenue and Agate Avenue (alignment) (previously not notified) and easements of interest to Clark County located between Raven Avenue (alignment) (previously notified as Agate Avenue) and Blue Diamond Road, and between Buffalo Drive (previously notified as Miller Lane) and Warbonnet Way (alignment) within Enterprise (description on file). JJ/jt/jd (For possible action) **04/07/21 BCC**

Motion by Barris Kaiser  
Action: **DENY**  
Motion **PASSED** (4-0) /Unanimous

5. **TM-20-500185-MAK ZAK, LLC:**  
**AMENDED HOLDOVER TENTATIVE MAP** consisting of 76 lots (previously 78) and common lots on 9.8 acres in an R-2 (Medium Density Residential) Zone. Generally located on the north side of Agate Avenue, 280 feet west of Buffalo Drive within Enterprise. JJ/jt/jd (For possible action) **04/07/21 BCC**

Motion by Barris Kaiser  
Action: **DENY**  
Motion **PASSED** (4-0) /Unanimous

6. **TM-20-500186-MAK ZAK LLC, ET AL:**  
**AMENDED HOLDOVER TENTATIVE MAP** consisting of 99 lots (previously 100) and common lots on 7.4 acres in a RUD (Residential Urban Density) Zone. Generally located on the south side of Agate Avenue, 280 feet west of Buffalo Drive within Enterprise. JJ/jt/jd (For possible action) **04/07/21 BCC**

Motion by Barris Kaiser  
Action: **DENY**  
Motion **PASSED** (4-0) /Unanimous

7. **ZC-20-0284-LH VENTURES, LLC:**  
**HOLDOVER ZONE CHANGE** to reclassify a 14.6 acre portion of a 37.5 acre site from an R-E (Rural Estates Residential) Zone to a P-F (Public Facility) Zone.  
**WAIVER OF DEVELOPMENT STANDARDS** for full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along public streets.  
**DESIGN REVIEWS** for the following: **1)** a proposed charter school site; and **2)** finished grade. Generally located on the east side of Tenaya Way and the north side of Agate Avenue within Enterprise (description on file). JJ/rk/jd (For possible action) **04/20/21 PC**

The applicant has requested a **HOLD** to the Enterprise TAB meeting on July 28, 2021.

8. **VS-20-0285-LH VENTURES, LLC:**  
**HOLDOVER VACATE AND ABANDON** easements of interest to Clark County located between Tenaya Way and Montessouri Street (alignment), and between Agate Avenue and Raven Avenue within Enterprise (description on file). JJ/rk/jd (For possible action) **04/20/21 PC**

The applicant has requested a **HOLD** to the Enterprise TAB meeting on July 28, 2021.



9. **AG-20-900314:** The Enterprise Town Advisory Board conduct a public hearing on a proposed amendment to the North Blue Diamond RNP equestrian trail alignments as part of the Clark County Trails Map-Las Vegas Valley; and after considering the request, forward a recommendation to the Planning Commission. (For possible action) **04/20/21 PC**

The applicant has requested a **HOLD** to the Enterprise TAB meeting on July 28, 2021.

10. **NZC-21-0088-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**  
**ZONE CHANGE** to reclassify 4.6 acres from R-E (Rural Estates Residential) Zone to R-2 (Medium Density Residential) Zone.  
**DESIGN REVIEWS** for the following: **1)** single family residential development; and **2)** finished grade. Generally located on the south side of Starr Avenue and the west side of Placid Street within Enterprise (description on file). MN/md/jd (For possible action) **04/20/21 PC**

Motion by David Chestnut

Action: **APPROVE**

**ADD** Current Planning Conditions:

- Minimum 9,800 square foot lots adjacent to Doobie Ave;
- Single Story Home adjacent to Doobie Ave;
- Minimum of 2500 sq ft home adjacent to Doobie Ave.

Per staff if approved conditions

Motion **PASSED** (4-0) /Unanimous

11. **VS-21-0089-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Starr Avenue and Doobie Avenue, and between Placid Street and La Cienega Street within Enterprise (description on file). MN/md/jd (For possible action) **04/20/21 PC**

Motion by David Chestnut

Action: **APPROVE**

Per staff conditions

Motion **PASSED** (4-0) /Unanimous

12. **TM-21-500023-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**  
**TENTATIVE MAP** consisting of 25 lots and common lots on 4.6 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Starr Avenue and the west side of Placid Street within Enterprise. MN/md/jd (For possible action) **04/20/21 PC**

Motion by David Chestnut

Action: **APPROVE**

Per staff if approved conditions

Motion **PASSED** (4-0) /Unanimous

13. **VS-21-0071-GILLIHAN, BRADLEY:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Camero Avenue and Wigwam Avenue, and between Pioneer Way and Jerlyn Street within Enterprise (description on file). JJ/rk/jd (For possible action) **04/20/21 PC**

Motion by David Chestnut

Action: **APPROVE**

Per staff conditions



Motion **PASSED** (4-0) /Unanimous

14. **VS-21-0075-CLARK COUNTY (AVIATION):**  
**VACATE AND ABANDON** easements of interest to Clark County located between CC 215 and Badura Avenue (alignment) and Decatur Boulevard and the Union Pacific Railroad, and a portion of a right-of-way being Decatur Boulevard located at the end of the Badura Avenue alignment within Enterprise (description on file). MN/nr/jd (For possible action) **04/20/21 PC**

Motion by Joseph Throneberry  
Action: **APPROVE**  
Per staff conditions  
Motion **PASSED** (4-0) /Unanimous

15. **VS-21-0081-EAGLE PROMENADE, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Mardon Avenue and Eldorado Lane and between Rosanna Street and Rainbow Boulevard within Enterprise (description on file). MN/jor/jd (For possible action) **04/20/21 PC**

Motion by Joseph Throneberry  
Action: **APPROVE**  
Per staff conditions  
Motion **PASSED** (4-0) /Unanimous

16. **WS-21-0074-DBAC, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce lot area in conjunction with a single family residential development on 12.4 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone. Generally located on the west side of Hinson Street and the north side of Maule Avenue within Enterprise. MN/lm/jd (For possible action) **04/20/21 PC**

Motion by Joseph Throneberry  
Action: **APPROVE**  
Per staff conditions  
Motion **PASSED** (4-0) /Unanimous

17. **DR-21-0083-PARDEE HOMES NEVADA:**  
**DESIGN REVIEW** for modified setbacks for 4 lots in a residential Planned Unit Development on 0.8 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Silverado Ranch Boulevard and the east side of Arville Street within Enterprise. JJ/nr/jd (For possible action) **04/21/21 BCC**

Motion by Joseph Throneberry  
Action: **APPROVE**  
Per staff conditions  
Motion **PASSED** (4-0) /Unanimous

18. **ET-21-400024 (ZC-18-0961)-LONE MOUNTAIN PARTNERS, LLC:**  
**DESIGN REVIEW FIRST EXTENSION OF TIME** for the following: 1) restaurant buildings with drive-thru service; and 2) alternative parking lot landscaping in conjunction with a commercial development. Generally located on the south side of Blue Diamond Road, the west side of Schirlls Street, and 550 feet east of Arville Street within Enterprise (description on file). JJ/nr/jd (For





possible action) **04/21/21 BCC**

Motion by Joseph Throneberry  
Action: **APPROVE**.  
Motion **PASSED** (4-0) /Unanimous

19. **ET-21-400025 (VS-18-0962)-LONE MOUNTAIN PARTNERS, LLC:**  
**VACATE AND ABANDON FIRST EXTENSION OF TIME** for a portion of a right-of-way being Schirlls Street located between Blue Diamond Road and Wigwam Avenue within Enterprise. Generally located on the south side of Blue Diamond Road, the west side of Schirlls Street, and 550 feet east of Arville Street within Enterprise (description on file). JJ/nr/jd (For possible action) **04/21/21 BCC**

Motion by Joseph Throneberry  
Action: **APPROVE**  
**ADD** Current Planning Condition:  
• Until February 26, 2023 to commence  
Per staff conditions  
Motion **PASSED** (4-0) /Unanimous

20. **ET-21-400028 (UC-18-0874)-CLAYTON PLAZA LLC:**  
**USE PERMITS FIRST EXTENSION OF TIME** for the following: 1) convenience store; 2) gasoline station; 3) reduce the separation from a proposed convenience store to a residential use; and 4) reduce the separation from a proposed gasoline station to a residential use.  
**DESIGN REVIEW** for a convenience store and gasoline station on a portion of 3.9 acres in a C-1 (Local Business) Zone. Generally located on the south side of Windmill Lane and the west side of Buffalo Drive within Enterprise. JJ/lm/jd (For possible action) **04/21/21 BCC**

Motion by David Chestnut  
Action: **APPROVE**  
Per staff conditions  
Motion **PASSED** (4-0) /Unanimous

21. **ET-21-400029 (ZC-19-0020)-DECATUR COMMONS, LLC:**  
**FIRST EXTENSION OF TIME USE PERMITS** for the following: 1) retail sales as a principal use; 2) restaurants; 3) on-premises consumption of alcohol (tavern); and 4) future hotel.  
**WAIVER OF DEVELOPMENT STANDARDS** for alternative landscaping.  
**DESIGN REVIEW** for a commercial retail center on 5.6 acres in an M-D (Designed Manufacturing) (AE-60) Zone. Generally located on the east side of Decatur Boulevard and the north side of the CC 215 within Enterprise (description on file). MN/lm/jd (For possible action) **04/21/21 BCC**

Motion by David Chestnut  
Action: **APPROVE**  
Per staff conditions  
Motion **PASSED** (4-0) /Unanimous

22. **ET-21-400030 (WS-18-0971)-HANWEN RAINBOW, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for modified driveway design standards.  
**DESIGN REVIEW** for a proposed shopping center on 3.8 acres in a C-2 (General Commercial)



Zone. Generally located on the west side of Rainbow Boulevard and the south side of Windmill Lane within Enterprise. JJ/sd/jd (For possible action) **04/21/21 BCC**

Motion by David Chestnut  
Action: **APPROVE**  
Per staff conditions  
Motion **PASSED** (4-0) /Unanimous

23. **UC-20-0338-SANG TJIE GIOK:**  
**HOLDOVER USE PERMITS** for the following: 1) place of worship; 2) increased height of a place of worship; and 3) increased height of a freestanding sign.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced setbacks; 2) driveway geometrics; and 3) departure distance.  
**DESIGN REVIEW** for a place of worship on 5.0 acres in an R-E (Rural Estate Residential) (RNP-I) Zone. Generally located on the west side of Buffalo Drive and the north side of Wigwam Avenue within Enterprise. JJ/nr/jd (For possible action) **04/21/21 BCC**

The applicant has requested a **HOLD** to the Enterprise TAB meeting on May 12, 2021.

24. **WC-21-400026 (NZA-18-0287)-GREYSTONE NEVADA, LLC:**  
**WAIVER OF CONDITIONS** of a nonconforming zone change requiring that the project must meet Mountains Edge design guidelines and standards in conjunction with a single family, hillside development consisting of 220 single family residential lots on 41.9 acres in an R-2 (Medium Density Residential District) Zone. Generally located on the northwest corner of Fort Apache Road and Mountains Edge Parkway (alignment) within Enterprise. JJ/sd/jd (For possible action) **04/21/21 BCC**

The applicant has requested a **HOLD** to the Enterprise TAB meeting on April 14, 2021.

25. **WS-21-0091-KB HOME LV SAGE GLEN, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** to increase screen and retaining wall height in conjunction with a single family residential subdivision.  
**DESIGN REVIEW** for increased retaining wall height on 24.8 acres in an R-2 (Medium Density Residential) Zone. Generally located on the west side of Rainbow Boulevard and the south side of Cougar Avenue (alignment) within Enterprise. JJ/jgh/jd (For possible action) **04/21/21 BCC**

Motion by David Chestnut  
Action: **APPROVE**.  
**ADD** Current Planning Conditions:  

- Any combination of decorative and retaining wall over 9 ft. adjacent to public right-of-way to be terraced and rockscaped or landscaped.

Per staff conditions  
Motion **PASSED** (4-0) /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.

If you would like to provide a written general public comment on an item not appearing on this agenda, but within the general jurisdiction of this body, please submit your comments to [TLH@clarkcountynv.gov](mailto:TLH@clarkcountynv.gov), before 4:00 pm, March 10, 2021. Please include your name, address, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

- None.

IX. Next Meeting Date

The next regular meeting will be April 14, 2021 at 6:00 p.m.

X. Adjournment:

Motion by David Chestnut  
**ADJOURN** meeting at 9:40 p.m.  
Motion **PASSED** (4-0) /Unanimous



04/21/21 BCC AGENDA SHEET

RESIDENTIAL DEVELOPMENT  
(TITLE 30)

FORT APACHE RD/MOUNTAINS EDGE PKWY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-21-400026 (NZC-18-0287)-GREYSTONE NEVADA, LLC:

WAIVER OF CONDITIONS of a nonconforming zone change requiring that the project must meet Mountains Edge design guidelines and standards in conjunction with a single family, hillside development consisting of 159 single family residential lots on 41.9 acres in an R-2 (Medium Density Residential District) Zone.

Generally located on the northwest corner of Fort Apache Road and Mountains Edge Parkway (alignment) within Enterprise. JJ/sd/jd (For possible action)

RELATED INFORMATION:

APN:

176-30-601-003

LAND USE PLAN:

ENTERPRISE - OPEN LAND (UP TO 1 DU/10 AC)

BACKGROUND:

Project Description

General Summary

- Site Acreage: 41.9 (portion)/285.2 (parcel)
- Number of Lots: 159 residential/11 common
- Density (du/ac): 3.8
- Minimum/Maximum Lot Size: 6,283/11,420
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): Up to 35
- Square Feet: 2,055 to 2,636
- Open Space Required/Provided: 0/6.5 acres

Site Plans

The approved plans depict a single-family residential development consisting of 159 lots with a density of 3.8 dwelling units per acre. The site is a 41.9-acre portion of a 285.2 acre parcel that was purchased at auction from the Bureau of Land Management. The 41.9 acres is located on the southeastern portion of the parcel at the northwest corner of Fort Apache Road and Mountains Edge Parkway (alignment). The approved plans depict the site being developed as 2

single family residential developments separated between the eastern and western portions of the site. Access to the development on the western portion of the site is provided from Mountains Edge Parkway, a public street that terminates in a radius cul-de-sac approximately 1,020 feet west of Fort Apache Road. Access to the eastern portion of the site is provide from Fort Apache Road. Access within the development is provided by 39-foot-wide private streets with 5-foot-wide sidewalks on 1 side of the streets. The northern and western portions of the site are located within a hillside area (slopes greater that 12%). A slope analysis indicates that approximately 418,327 square feet (9.6 acres) of the development is located within the hillside area, and 227,066 square feet (5.2 acres for 54.2%) of the hillside area will be disturbed. The plans depict 11 common element lots with a total area of approximately 6.5 acres. These common elements are located along Fort Apache Road and Mountains Edge Parkway, along the entrances to the development, and along the north and west sides of the site. The common elements along the west and north sides of the site are intended to reduce disturbance of the hillside areas. The plans depict 4 streets which terminate with a hammerhead cul-de-sac design and are within the eastern portion of the site.

#### Landscaping

The plans depict a minimum 15-foot-wide landscape area with a detached sidewalk along Fort Apache Road. A minimum 15-foot-wide landscape area is depicted within the Mountains Edge Parkway right-of-way with no on-site landscape area provided adjacent to Mountains Edge Parkway. Additional landscape areas are depicted at the entrances to the development. All the landscape areas consist of trees, shrubs, and groundcover.

#### Elevations

The plans depict 2 story residences with a maximum height of 35 feet. Each residence will have a pitched roof with concrete tile for roofing material. The exterior of the residences is a combination of stucco painted in earth tone colors with stone or brick veneer.

#### Floor Plans

The plans depict single family residences that are between 2,055 square feet to 2,636 square feet in area. Each residence will have a 2-car garage and options for 3 to 6 bedrooms.

#### Previous Conditions of Approval

Listed below are the approved conditions for NZC-18-0287:

#### Current Planning

- Resolution of Intent to complete in 4 years;
- Per plans submitted on October 2, 2018;
- Submit an earth movement plan to staff prior to the issuance of building permits to show compliance with Title 30 Standards;
- Neighbors to be notified prior to major excavation activities;
- 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;
- 1 story homes only on Lots 105 through 223;
- Project must meet Mountains Edge design guidelines and standards;



- Permeon treatment and revegetation on cut slopes and hillsides;
- Design review as a public hearing for significant change to the plans;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that approval of a design review for a final grading plan for the hillside area is required prior to building permits and subdivision mapping; 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;
- Pyle Avenue to be constructed to a 60 foot wide standard roadway with the extra 20 feet of dedication to accommodate a trail as approved by Public Works - Development Review Division;
- Right-of-way dedication to include 45 feet to the back of curb for Fort Apache Road, 40 feet for Pyle Avenue, the portion of the cul-de-sac at the western terminus of Pyle Avenue, and associated spandrels;
- If the project is gated, queuing analysis and/or gate/culbox location must be approved by Public Works - Development Review Division;
- Fire Department approval of over-length streets;
- Applicant shall apply for BLM right-of-way grants to allow minimum paving on all perimeter streets;
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0071-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

#### Applicant's Justification

The applicant states that the condition of approval for the previously approved zone change (NZC-18-0287) that the "Project must meet Mountains Edge design guidelines and standards" is the subject of the application request to waive this condition. The applicant states that they are proposing a more modern design of the homes in lieu of desert colors and design. Apart from home elevations, Lennar will comply with Mountains Edge design guidelines in relations to perimeter landscaping and block walls.

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-20-0573	Final grading plan for a hillside development	Approved by BCC	February 2021
WC-19-400090 (TM-18-500059)	Waived conditions per plans submitted on October 2, 2018	Approved by BCC	August 2019
WC-19-400091 (NZA-18-0287)	Waived conditions per plans submitted on October 2, 2018	Approved by BCC	August 2019
NZA-18-0287	Reclassified the site to R-2 zoning for a single-family residential development	Approved by BCC	October 2018
VS-18-0641	Vacated and abandoned government patent easements - expired	Approved by BCC	October 2018
VS-18-0290	Vacated easements - expired	Approved by BCC	October 2018
TM-18-500059	159 single family residential lots and common lots	Approved by BCC	October 2018

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Open Land (open space/grazing/vacant land); residential (up to 1 du/10 ac), Public Facilities, Residential Rural (up to 0.5 du/ac) & Residential Suburban (up to 8 du/ac)	R-E & R-2	Undeveloped
South	Open Land (open space/grazing/vacant land); residential (up to 1 du/10 ac)	R-E	Undeveloped
East	Major Development Project	R-2	Single family residential
West	Open Land (open space/grazing/vacant land); residential (up to 1 du/10 ac) & Public Facilities	R-E	Undeveloped & detention basin

This site and the abutting parcels to the north and east are 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**

Staff recommends approval of the request to waive the conditions for "Project must meet Mountains Edge design guidelines". The request is only for the home elevations, however, the applicant will still adhere to Mountain Edge Design Standards in relation to landscaping and perimeter block walls. The goal is to create consistency with design standards in a master planned community. The applicant has provided elevations or renderings that show what is being proposed.

**Staff Recommendation  
Approval.**

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the condition will no longer fulfill its intended purpose.

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

**PRELIMINARY STAFF CONDITIONS**

**Current Planning:**

- Perimeter wall and landscaping will incorporate Mountains Edge Design Standards.

**Public Works - Development Review**

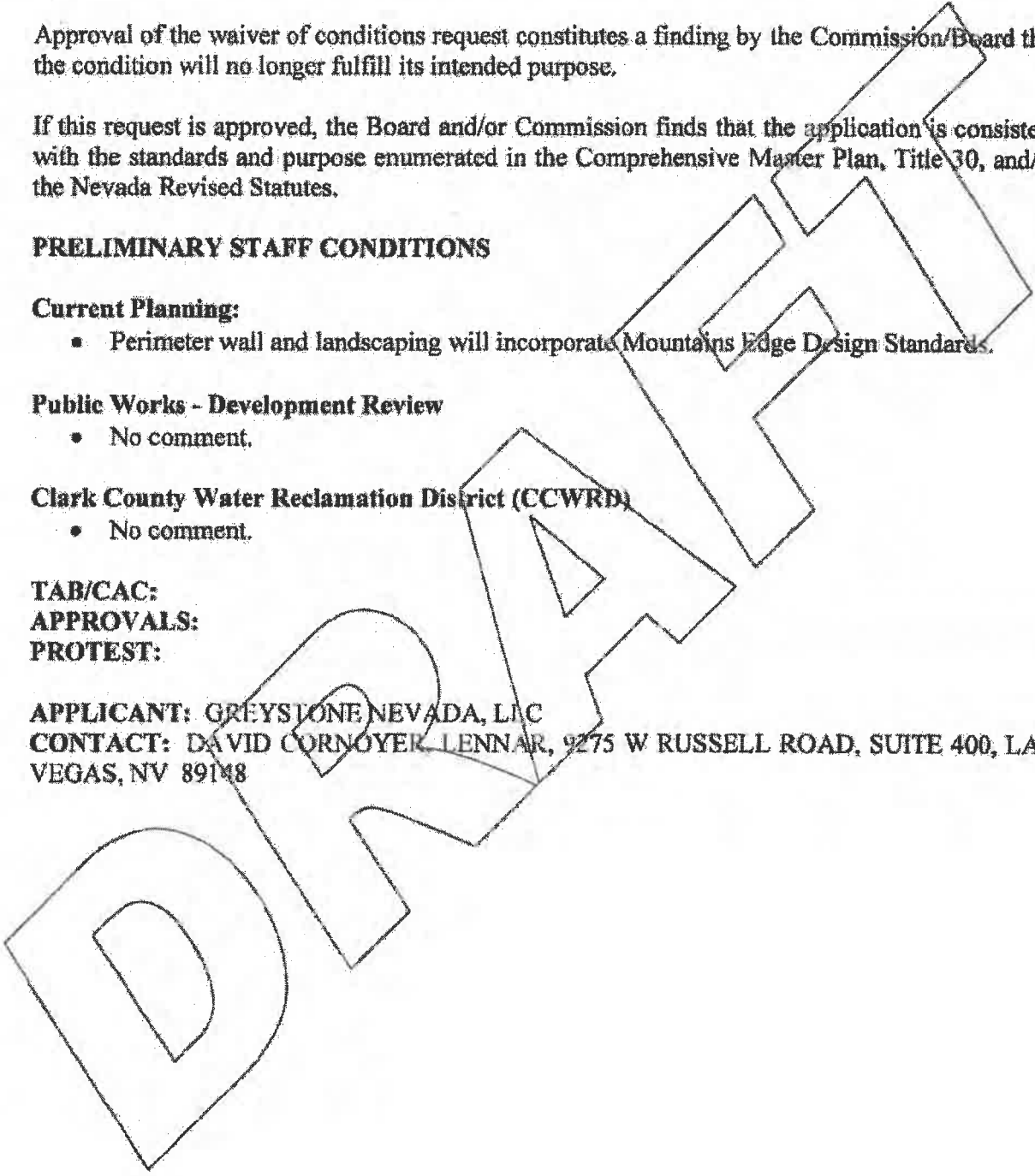
- No comment.

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

- No comment.

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

**APPLICANT: GREYSTONE NEVADA, LLC  
CONTACT: DAVID CORNOYER, LENNAR, 9275 W RUSSELL ROAD, SUITE 400, LAS VEGAS, NV 89148**







# LAND USE APPLICATION 1A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) <u>NZC-18-0287</u> (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>	APP. NUMBER: <u>WC-21-400026</u> DATE FILED: <u>2/17/21</u> PLANNER ASSIGNED: <u>SWD</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>3/31/21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>4/21/21</u> FEE: <u>\$ 475</u>
	<b>PROPERTY OWNER</b>	NAME: <u>Greystone Nevada, LLC</u> ADDRESS: <u>700 N.W. 107th Avenue, Suite 400</u> CITY: <u>Miami</u> STATE: <u>FL</u> ZIP: <u>33172</u> TELEPHONE: _____      CELL: _____ E-MAIL: <u>David.Cornoyer@lennar.com</u>
	<b>APPLICANT</b>	NAME: <u>Lennar Communities Nevada, LLC</u> ADDRESS: <u>9275 West Russell Road, Suite 400</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>(702) 821-4683</u> CELL: _____ E-MAIL: <u>David.Cornoyer@lennar.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>	NAME: <u>Stephanie Allen - 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>sha@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-30-601-003  
 PROPERTY ADDRESS and/or CROSS STREETS: Fort Apache/Mountains Edge Parkway  
 PROJECT DESCRIPTION: Waiver of conditions

(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.

ROBERT JOHNSON (AUTHORIZED AGENT)  
 Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON DECEMBER 29, 2020 (DATE)  
 By ROBERT JOHNSON

CASSANDRA VAZQUEZ  
 NOTARY PUBLIC  
 STATE OF NEVADA  
 APPT. NO. 20-4947-01  
 MY APPT. EXPIRES SEPTEMBER 28, 2024

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.

**WRITTEN CONSENT TO ACTION  
BY SOLE MEMBER OF  
GREYSTONE NEVADA, LLC**

SEPTEMBER 20, 2010

---

The undersigned, being the sole member of GREYSTONE NEVADA, LLC, a Delaware limited liability company (the "Company"), hereby consents, pursuant to the provisions of Section 18 of the Delaware Limited Liability Company Act, to the adoption of, and does hereby adopt, the following resolutions:

RESOLVED, that without limitation upon the power of the Sole Member by resolution to confer the same or similar authority upon other officers and individuals from time to time, and without limiting any authority otherwise conferred on the Sole Member, **Robert Johnson** shall have the power and authority in the name and on behalf of this Company to execute and deliver purchase and sale contracts between the Company and new home purchasers, deeds, settlement statements, affidavits, certificates, and any other necessary documents in connection with the Company's sale of homes to new homebuyers; and be it further

RESOLVED, that without limitation upon the power of the Sole Member by resolution to confer the same or similar authority upon other officers and individuals from time to time, and without limiting any authority otherwise conferred on the Sole Member, **Robert Johnson** shall have the power and authority in the name and on behalf of this Company to execute and deliver subdivision development agreements, purchase agreements, subcontractor agreements, bond agreements, utility agreements, permitting applications, and any other necessary documents in connection with the land development operations of the Company; and be it further

RESOLVED, that for the purpose of executing and delivering any and all instruments under the authority granted herein, **Robert Johnson** shall be and is hereby constituted an **Authorized Agent** of the Company and, any action taken or done pursuant to the authority herein granted shall be an act of the Company and binding upon it.

IN WITNESS WHEREOF, the undersigned has executed this Written Consent effective as of the date first written above.

**SOLE MEMBER:**

LENNAR PACIFIC PROPERTIES  
MANAGEMENT, INC., a Delaware corporation

By:   
Mark Sustana, Vice President

**KAEMPFER**

**CROWELL**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

**STEPHANIE HARDIE ALLEN**

[sallen@kcnylaw.com](mailto:sallen@kcnylaw.com)  
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**RENO OFFICE**  
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Fax: 775.327.2811

**CARSON CITY OFFICE**  
510 West Fourth Street  
Carson City, NV 89703  
Tel: 775.684.8300  
Fax: 775.882.0257

January 22, 2021

**VIA UPLOAD:**

Clark County Comprehensive Planning  
500 S. Grand Central, 1<sup>st</sup> Floor  
Las Vegas, NV 89155

**Re:** Justification letter regarding Waiver of Condition for Approval of NZC-18-0287


To Whom It May Concern:

Our office represents the applicant, Lennar Homes, as it relates to the above matter. The application was approved by the Board of County Commissioners on October 3, 2018. Bullet number 7 on the Notice of Final Action stated "Project must meet Mountain's Edge design guidelines and standards". The applicant respectfully requests to waive this condition. The Mountain's Edge design guidelines require desert colors and designs. The applicant is proposing a more modern design of the homes as shown in the attached elevations. With the exception of the home elevations, Lennar will comply with the Mountain's Edge design guidelines.

If you have any questions, please do not hesitate to contact me or my Paralegal Lindsay Kaempfer at (702) 792-7000.

Very truly yours,

**KAEMPFER CROWELL**



Stephanie H. Allen

SHA/lak





OFFICE/WAREHOUSE BUILDING  
(TITLE 30)

DEAN MARTIN DR/ARBY AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
ET-21-400039 (UC-0506-16)-FRANCIS DEVELOPMENT, INC.:

USE PERMITS SECOND EXTENSION OF TIME for the following: 1) allow office as a principal use; and 2) allow retail sales as a principal use in conjunction with a proposed office/warehouse building.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) a trash enclosure in the front setback; 2) reduce setbacks; and 3) allow alternate landscaping and screening in conjunction with a proposed office/warehouse building.

DESIGN REVIEWS for the following: 1) an office/warehouse building; and 2) a lighting plan on 1.2 acres in an M-D (Designed Manufacturing) (AE-60) Zone.

Generally located on the northeast corner of Dean Martin Drive and Arby Avenue (alignment) within Enterprise. MN/sd/jo (For possible action)

RELATED INFORMATION:

APN:  
177-05-304-003

WAIVERS OF DEVELOPMENT STANDARDS:

1. Permit a trash enclosure within the front (west) setback and 10 feet from Dean Martin Drive where trash enclosures are not permitted within the building setback of 20 feet from Dean Martin Drive (a 50% reduction).
2.
  - a. Reduce the rear (east) setback to 8 feet where 20 feet is required (a 60% reduction).
  - b. Reduce the setback to a right-of-way (I-15) to 8 feet where a minimum of 10 feet is required (a 20% reduction).
3.
  - a. Permit alternative landscaping with an attached sidewalk along Dean Martin Drive where landscaping with a detached sidewalk is required per Figure 30.64-17.
  - b. Permit alternative landscaping and screening along the east property line adjacent to I-15 where landscaping and screening per Figure 30.64-4 is required.

LAND USE PLAN:  
ENTERPRISE -BUSINESS AND DESIGN/RESEARCH PARK

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: N/A
- Site Acreage: 1.2
- Project Type: Office warehouse building
- Number of Stories: 2
- Building Height (feet): 35
- Square Feet: 15,500
- Parking Required/Provided: 62/62

#### Site Plan

The plan depicts a proposed office/warehouse facility consisting of 1 building, which will be divided into 4 leasable spaces. Use permits to allow offices and retail sales as principal uses in the facility were approved to allow more flexibility for future tenants. The site is a triangular shaped property that fronts on Dean Martin Drive to the west and backs-up to the I-15 on-ramp from the CC 215. The plan depicts 2 driveways including an exit only driveway to Dean Martin Drive on the northwest corner of the site and an ingress/egress driveway located at the center of the site on the Dean Martin Drive frontage. The proposed building is located on the southeast portion of the site, set back 10 feet from the south property line, 8 feet from the east property line, and 71 feet from the west property line. Parking is located to the north and west of the building. The closest residential development is to the west across Dean Martin Drive and is a minimum of 145 feet from the building. A 6 foot high decorative fence consisting of split face concrete blocks and wrought iron is depicted along the east property line along the I-15 on-ramp. The initial request included a waiver of development standards for tandem parking; however, the plans were revised and the request was no longer needed.

#### Landscaping

The plans depict an attached sidewalk along Dean Martin Drive which is consistent with the existing sidewalks to the south and along the west side of Dean Martin Drive. The approved site plan indicates the landscape areas along Dean Martin Drive will be a minimum of 10 feet in width. Additional landscape areas consisting of trees, shrubs, and groundcover are in the parking areas and adjacent to the building.

#### Elevations

The building is 2 stories, 35 feet in height and has a flat roof behind a parapet wall. The exterior of the building has a stucco finish painted in earth tone colors. A second floor deck is located along the east side of the building and faces I-15. Decorative metal canopies are located on the west side of the building over the entrances to the lease spaces and above the windows on the second floor. Exterior staircases are located on the north and south sides of the building which provide exterior access to the decks on the east side of the building. Each lease space will have full view roll-up doors (glass) on the east and west sides of the building. If the lease space is used as a warehouse the doors on the west side of the building will be used to provide access to the warehouse. If the lease spaces are used for offices or retail sales these roll-up doors will be used as windows.

### Floor Plans

The building has a total area of 15,500 square feet that is divided into 4 lease spaces, with each lease space having a first and second floor. Access is provided to the second floor in each lease space by a stairway and an elevator. The second floor consists of a restroom, conference room, 2 private offices, and an open area. The first floor consists of a reception area, restrooms, private office, and an open area.

### Previous Conditions of Approval

Listed below are the approved conditions for ET-18-400203 (UC-0506-16):

#### Current Planning

- Until September 6, 2020 to commence.
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

#### Public Works - Development Review

- Compliance with previous conditions.

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

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

Listed below are the approved conditions for UC-0506-16:

#### Current Planning

- Design review as a public hearing on signage.
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

#### Public Works - Development Review

- Drainage study and compliance.
- Traffic study and compliance.
- Full off-site improvements.
- Commercial curb return driveways per County Standards 222.1 and 225.

**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 30.4 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; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

**Signage**

Signage is not a part of this request.

**Applicant's Justification**

The applicant states that they are working with contractors and intend to proceed with the development as soon as they can. According to the owner/applicant, he has been working diligently during this entire time to get the development started; however, economic conditions, the selection of the proper contractor, compounded by the pandemic have slowed the progress considerably. Additionally, the property is irregularly shaped which has presented development challenges as well. Any further extension of time will have absolutely no detrimental affect or adverse impact on either adjoining or nearby properties.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ET-18-400203 (UC-0506-16)	First extension of time to allow office as a principal use and retail sales	Approved by PC	October 2018
UC-0506-16	Allowed office as a principal use and retail sales as a principal use in conjunction with a proposed office/warehouse building	Approved by PC	September 2016
WS-0921-07	Office/warehouse facility with reduced setbacks and alternative landscaping - expired	Approved by PC	September 2007

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Business and Design/Research Park	R-E, M-D, & M-1	CC 215/I-15 & office/warehouse facilities
South	Business and Design/Research Park	M-D	Office/warehouse facilities
East	Commercial Tourist	H-2, M-D, & R-E	CC 215/I-15, undeveloped, & office/warehouse facilities
West	Rural Neighborhood Preservation	R-E (RNP-1)	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**

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property.

Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval. Since the original approval in September 2016, no application has been submitted for plan review and no work has started on the property. An extension of time was approved in October 2018. The owner is working with contractors and has stated they intend to proceed with the development soon. Staff can support an additional 2 years; however, this will be the last extension of time staff will support.

**Staff Recommendation**

**Approval**

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until September 22, 2022 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.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: FRANCIS DEVELOPMENT, INC**

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

**DRAFT**





# LAND USE APPLICATION

# 2A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b> <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) ET-18-400203 (UC-0506-16) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b> APP. NUMBER: <u>ET-21-400039</u> DATE FILED: <u>3/15/21</u> PLANNER ASSIGNED: <u>SWD</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>4/14/21</u> PC MEETING DATE: <u>5/4/21</u> BCC MEETING DATE: _____ FEE: <u>\$300</u>
	<b>PROPERTY OWNER</b> NAME: <u>Francis Development, Inc.</u> ADDRESS: <u>12711 Ventura Boulevard, Suite 340</u> CITY: <u>Studio City</u> STATE: <u>CA</u> ZIP: <u>90604</u> TELEPHONE: <u>424.313.8201</u> CELL: _____ E-MAIL: <u>mitch@tixcorp.com</u>
	<b>APPLICANT</b> NAME: <u>Francis Development, Inc.</u> ADDRESS: <u>12711 Ventura Boulevard, Suite 340</u> CITY: <u>Studio City</u> STATE: <u>CA</u> ZIP: <u>90604</u> TELEPHONE: <u>424.318.8201</u> CELL: _____ E-MAIL: <u>mitch@tixcorp.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b> NAME: <u>Chris Kaempfer - 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>clk@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-05-304-003

PROPERTY ADDRESS and/or CROSS STREETS: Dean Martin / Arby

PROJECT DESCRIPTION: Extension of Time

(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)\***      MITCH FRANCIS  
**Property Owner (Print)**

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

SEE ATTACHED NOTARIZATION

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

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

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

PROPERTY MAPS AND RECORDS SECTION - 202/00705 12 35 5 4 000 - Revision 1/1/17



NOTARIZATION TO LAND USE APPLICATION

FRANCIS DEVELOPMENT COMPANY

STATE OF NEVADA        )  
  )ss:  
CARSON CITY            )

On the 25th day of January, 2021, before me the undersigned, a Notary Public, personally appeared MITCH FRANCIS, CEO, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this instrument and acknowledge that she executed it. The notarial act was performed using audio-video communication pursuant to Nevada law (ie. Electronic notarization pursuant to NRS 240.181et seq).

STEVEN E TACKES  
NOTARY PUBLIC  
STATE OF NEVADA  
Commission # 99-4148-3  
My Appt. Expires July 10, 2023

 LIC (SEAL)

8E8F81FF 0487-478E-81C4-803F-9E4E8F84E 2021/01/25 19:20:57 -0000 - Remote Notary

Document 1





**KAEMPFER**

**CROWELL**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

**CHRISTOPHER L. KAEMPFER**

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CARSON CITY OFFICE  
510 West Fourth Street  
Carson City, NV 89701  
Tel: 775.884.8300  
Fax: 775.882.0250

January 30, 2021

*Via email:*

[Sami.Real@ClarkCountyNV.gov](mailto:Sami.Real@ClarkCountyNV.gov)

Sami Real, Planning Manager  
Clark County Comprehensive Planning Address I  
500 S. Grand Central Pkwy., 1st Floor  
Las Vegas, NV 89106

*Re: Second Extension of time related to UC-0506-16*

Dear Ms. Real:

Good afternoon and I hope this letter finds you safe and well.

This office represents the owner/applicant in the above referenced matter. On behalf of the owner/applicant, we are respectfully requesting approval of a second extension of time relating to this matter.

This application was first approved in September of 2016. It carried with it a two year commencement period. On October 16, 2018 the Clark County Planning Commission approved the first extension of time. This first extension of time was approved giving the applicant "until September 6, 2020 to commence." (Please see enclosed Notice of Final Action.) That latest period expired without the project having been commenced. According to the owner/applicant, he has been working diligently during this entire time to get the development started however economic conditions, the selection of the proper contractor, compounded by the pandemic have slowed progress considerably. Additionally, the property is irregularly shaped which has presented development challenges as well.

However, the owner/applicant advises us that, "We're currently working diligently on two different contractor directions and intend to proceed with the development as soon as we can." It is my understanding that one additional 2 year extension of time to commence is all that is required to get this project out of the ground. One final point: the property is zoned M-D and master planned BDRP, which are the exact same zoning and master plan designations as the developed property to the south, so the planned development of the owner/applicant's property not only will comply with both the existing zoning and the existing master plan, but a further extension of time will have absolutely no detrimental affect or adverse impact on either adjoining or nearby properties.



Recipient's Name  
January 30, 2021  
Page 2

It is very respectfully requested that the owner/applicant be approved for one additional two year period of time to commence. Thank you for your consideration of this important matter.

Sincerely,

**KAEMPFER CROWELL**

A handwritten signature in black ink, appearing to read "Christopher L. Kaempfer".

Christopher L. Kaempfer

CLK/adb

05/04/21 PC AGENDA SHEET

3

OFFICE/WAREHOUSE  
(TITLE 30)

DEAN MARTIN DR/ROBINDALE RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
NZC-21-0101-2567 E. WASHBURN RD., LLC:

ZONE CHANGE to reclassify 12.6 acres from C-P (Office and Professional) (AE-60 & AE-65) Zone to M-D (Designed Manufacturing) (AE-60 & AE-65) Zone.

WAIVER OF DEVELOPMENT STANDARDS for alternative driveway geometries.

DESIGN REVIEWS for the following: 1) office/warehouse complex; and 2) finished grade.

Generally located on the west side of Dean Martin Drive and the north side of Robindale Road within Enterprise (description on file). MN/jt/jd (For possible action)

**RELATED INFORMATION:**

**APN:**

177-08-206-002; 177-08-206-003; 177-08-207-001; 177-08-207-003

**WAIVER OF DEVELOPMENT STANDARDS:**

1. a. Reduce throat depth for the driveway on Dean Martin Drive to 26 feet where 75 feet is the minimum per Uniform Standard Drawing 222.1 (a 65% reduction).
- b. Reduce throat depth for the eastern driveway on Robindale Road to 23 feet where 75 feet is the minimum per Uniform Standard Drawing 222.1 (a 69% reduction).
- c. Reduce the throat depth for the western driveway on Robindale Road to 50 feet where 75 feet is the minimum per Uniform Standard Drawing 222.1 (a 33% reduction).

**DESIGN REVIEWS:**

1. Office/warehouse complex.
2. Increase finished grade to 48 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 167% increase).

**LAND USE PLAN:**

ENTERPRISE - OFFICE PROFESSIONAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 12.6
- Project Type: Office/warehouse

- Number of Stories: 1
- Building Height (feet): 32
- Square Feet: 156,912
- Parking Required/Provided: 242/289

### **Neighborhood Meeting Summary**

The required neighborhood meeting notices were mailed to property owners within a 1,500 foot radius of the site. The neighborhood meeting was held on November 16, 2020 at 6:00 p.m. at the Windmill Library. Twelve neighbors attended the meeting who opposed the project. Topics discussed included truck traffic, traffic congestion, preference for office or residential development, height of the office/warehouse buildings, and noise generated from the use.

### **Site Plan**

The site plan depicts an office/warehouse complex with 9 buildings. Seven buildings are oriented north/south, and 2 larger buildings near the center of the site are oriented east/west. Minimum setbacks for the perimeter buildings include 50 feet to the north property line, 83 feet to the east property line along Dean Martin Drive, 50 feet to the south property line along Robindale Road, and 93 feet to the west property line.

Loading areas for each building face into the site and are visually shielded from the surrounding properties and rights-of-way by adjacent buildings. Parking spaces are located throughout the site, and access is provided by a driveway from Dean Martin Drive and 2 driveways from Robindale Road. A waiver of development standards is necessary to reduce the throat depth for each driveway. Polaris Avenue will terminate in a cul-de-sac on the north side of the site. There is no access proposed from Polaris Avenue to the office/warehouse complex except for gated fire department access.

### **Landscaping**

Landscaping includes perimeter landscaping, parking lot landscaping, and landscaping around the buildings. Along Dean Martin Drive, the landscaping width is 23 feet wide, which consists of a 5 foot wide landscape strip, a 5 foot wide detached sidewalk, and a 13 foot wide landscape strip. Along Robindale Road, landscaping width varies with the minimum being 16 feet wide, which consists of a 5 foot wide landscape strip, a 5 foot wide sidewalk, and a 6 foot wide or larger landscape strip. An intense landscape buffer is provided along the west property line that is 18 feet wide and consists of 2 rows of alternating trees spaced 20 feet on center. The minimum landscaping width along the north property line is 10 feet wide behind a trash enclosure; however, most of the landscaping width is 20 feet wide. Adjacent to the existing office complex to the east of the site, landscaping is 9 feet to 25 feet wide.

Within the parking lot, landscape fingers are provided per Title 30 standards, and landscaping is provided adjacent to the sides of some of the buildings.

### **Elevations**

All the office warehouse buildings are constructed of concrete tilt-up panels. The apparent mass of the buildings is reduced by varying the depth of surface planes to create visual relief, varying the height of the parapet walls along the roofline, and using paint colors and architectural

features such as tube steel canopies, embossed concrete panels, and perpendicular concrete wall fins to add visual interest. The base paint colors will be shades of gray with a brown accent color.

**Floor Plans**

The 9 buildings range in size from 12,712 square feet to 25,416 square feet. Each building includes an open floor plan with most of area dedicated to warehouse uses and accessory portions of the buildings dedicated to office. Floor plans will be built-out per future tenant needs.

**Signage**

Signage is not a part of this request.

**Applicant's Justification**

The proposed office/warehouse development is an appropriate use to buffer the traffic on Dean Martin Drive from the single family residences to the west and south. In addition, the traffic generated from the office/warehouse development is less than some intense uses allowed in a C-P zone such as medical office and schools. Impacts to adjacent and abutting residential uses were taken into consideration, and as a result, the buildings are smaller in scale and split into multiple buildings, loading spaces are directed toward to the site, and an intense landscape buffer is provided along the west property line. As a result, the applicant indicates that the proposed M-D zoning and office/warehouse development is appropriate for the site.

The applicant also indicates that the alternatives to Title 30 standards are appropriate. For example, the increase in finished grade is necessary since the total elevation fall across the site from west to east is approximately 14 feet. On-site grading will be minimized to the least acceptable slope to meet flood control and wastewater requirements. Lastly, the applicant indicates that the reduced driveway throat depth will not create any negative impacts since there are 3 driveways into the office/warehouse complex. In addition, there are no parking spaces directly adjacent to driveways, which could create vehicular conflicts.

**Prior Land Use Requests**

Application Number	Request	Action	Date
LUP-20-700013	Request to change the Land Use Plan from Office Professional to Business and Design/Research Park - Enterprise Town Advisory Board recommended denial - process canceled due to the COVID-19 pandemic	N/A	N/A
VS-19-0458	Request to vacate and abandon patent easements and rights-of-way - expired	N/A	N/A
ZC-19-0457	Reclassified the eastern parcel to C-P zoning for an office building	Approved by BCC	August 2019
ZC-0659-03	Reclassified the western parcels and adjacent parcels to the north to C-P zoning for an office complex	Approved by BCC	August 2003

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Office Professional & Public Facilities	C-P, R-E, & P-F	Undeveloped & fire station
South	Rural Neighborhood Preservation (up to 2 du/ac), Public Facilities, & Office Professional	R-E (RNP-I), R-E, & P-F	Single family residential & undeveloped
East	Office Professional & Business Design Research Park	C-P & M-D	Office complex & office/warehouse complex
West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
TM-21-500026	A 1 lot commercial subdivision is a companion item on this agenda.
VS-21-0102	A vacation and abandonment of easements and rights-of-way is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Zone Change

The 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.*

A reduced demand for office buildings and increased demand for office/warehouse buildings is a change in trends since the most recent adoption of the Enterprise Land Use Plan. The subject site is currently planned for Office Professional uses; however, since office demand has decreased in Clark County, many Office Professional planned parcels remain undeveloped or underutilized. Reclassifying the site to M-D zoning will provide an opportunity to develop the site for office/warehouse uses.

In addition, staff recommended approval on LUP-20-700013, which was a request to change the planned land use for the site to Business and Design/Research Park. However, the Enterprise Land Use Plan update process was cancelled due to the COVID-19 pandemic.



- 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 M-D zoning can provide a transition from more intense uses along Dean Martin Drive and I-15 to the east to R-E (RNP-I) areas to the west and south. The intensity of uses allowed with M-D zoning are compatible with the M-D zoned office/warehouse uses to the east of Dean Martin Drive, the office development zoned C-P to the northeast of this site, the undeveloped land planned for Office Professional uses to the north, and the R-E land, which is planned for Public Facilities, surrounding a P-F zoned fire station to the north. The undeveloped parcel to the west of this site is zoned R-E (RNP-I) and planned for Rural Neighborhood Preservation uses. Since the parcel to the west is undeveloped, M-D zoning could be compatible with future residential uses on the parcel. In addition, the residential properties to the south across Robindale Road, and the residences closest to Dean Martin Drive are planned for Office Professional uses.

- 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 utility purveyors that the proposed M-D zoning would substantially impact any public facilities or services.

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

Land Use Goal 9 encourages commercial development integrated in appropriate locations throughout the community, and Goal 11 encourages in part office and warehouse areas to bolster the economic viability of Southern Nevada. The proposed M-D zoning is an extension of the M-D zoning located along Dean Martin Drive, and zoning is compatible with the office building to the east, the planned office uses to the north, and the existing residential development to the south and planned residential uses to the west. In addition, the M-D zoning will provide an additional opportunity for office/warehouse development to support the local economy.

#### **Summary** **Zone Change**

A reduced demand for office uses and increased demand for office/warehouse uses constitutes a change in trends since the most recent adoption of the Enterprise Land Use Plan. The intensity of the uses allowed in an M-D zone is compatible with the existing and planned uses in the area, and there has been no indication from utility purveyors that the M-D zoning will substantially impact public facilities or services. Lastly, the proposed zone boundary amendment complies with goals in the Comprehensive Master Plan. As a result, staff can support the request.

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

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a

substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

#### Design Review #1

Urban Specific Policy 96 encourages business and research park developments to be designed as centers with coordinated architectural programs, screened parking areas, and extensive landscaping. With this proposed development, the 9 buildings include a variety of architectural elements, and the buildings are reduced in scale and located throughout the site. The architectural elements, building scale, and building location reduce the apparent mass, provide visual relief, and increase compatibility with the nearby single family residences. Also, the building locations screen the parking and loading areas. Lastly, the perimeter landscaping exceeds Title 30 standards and enhances the aesthetics of the development. As a result, staff can support the design review.

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

##### Waiver of Development Standards

Staff has no objection to the reduction in the throat depths for the Dean Martin Drive and Robindale Road commercial driveways. Staff worked with the applicant to remove some parking spaces adjacent to the driveways to mitigate the immediate conflicts with traffic trying to access the site. In addition, the applicant is providing additional landscaping on both sides of the driveways, particularly on the ingress side, to improve traffic flow.

#### Design Review #2

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

#### **Department of Aviation**

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

A portion of the property lies within the AE-65 (65 - 70 DNL) noise contour for McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade McCarran International Airport facilities to meet future air traffic demand.



### **Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 2, 2021 at 9:00 a.m., unless otherwise announced.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- Resolution of Intent to complete in 4 years;
- 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 35 feet to the back of curb for Robindale Road, 35 feet to the back of curb for Dean Martin Drive, a County approved turnaround for Polaris Avenue, and associated spandrel;
- Coordinate with Public Works - Design Division for the Blue Diamond Wash improvement project;
- Dedicate any right-of-way and easements necessary for the Blue Diamond Wash improvement project.
- 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; 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 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;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- 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; 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 owners wish to have their buildings purchased or soundproofed.

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

- Applicant is advised that fire emergency access must comply with the Fire Code as amended (some trash enclosures open up into access lane); to show on-site fire lane, turning radius, and turnarounds (verify turnaround is appropriate considering dead end length); and to submit plans for review and approval prior to installing any gates, speed humps (speed humps 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 initiated for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0301-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: HOWARD ICKES**

**CONTACT: LEBENE OHENE, 520 S. FOURTH STREET, LAS VEGAS, NV 89101**

**DRAFT**





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 3A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC)  <input type="checkbox"/> USE PERMIT (UC)  <input type="checkbox"/> VARIANCE (VC)  <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)  <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING  <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)  <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)  <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  _____ (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX)  <input type="checkbox"/> EXTENSION OF TIME (ET)  _____ (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  _____ (ORIGINAL APPLICATION #)	<b>STAFF</b>	APP. NUMBER: <u>NZC-21-0101</u> DATE FILED: <u>3/9/21</u> PLANNER ASSIGNED: <u>JCT</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>4/14/21</u> PC MEETING DATE: <u>5/4/21</u> BCC MEETING DATE: <u>6/2/21</u> FEE: <u>\$ 3,129.50</u>
<b>PROPERTY OWNER</b>	NAME: <u>2567 E Washburn Rd, LLC</u> ADDRESS: <u>10 Boulder Crossing Circle</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>	
<b>APPLICANT</b>	NAME: <u>Howard Ickes</u> ADDRESS: <u>10 Boulder Crossing Circle</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-239-1941</u> CELL: <u>N/A</u> E-MAIL: <u>hwickes@2060@gmail.com</u> REF CONTACT ID #: _____	
<b>CORRESPONDENT</b>	NAME: <u>Jay Brown/Lebene Ohene</u> ADDRESS: <u>520 South Fourth Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u> E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>	

**ASSESSOR'S PARCEL NUMBER(S):** 177-08-206-002, 177-08-206-003, 177-08-207-001, & 177-08-207-003

**PROPERTY ADDRESS and/or CROSS STREETS:** Dean Martin Drive and Robindale Street

**PROJECT DESCRIPTION:** Non-Conforming Zone Change from C-P (AE-60 and AE-65) to M-D (AE-60 and AE-65), Design Review(s), and possible Waiver(s) of Development Standards for a proposed office/warehouse development

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

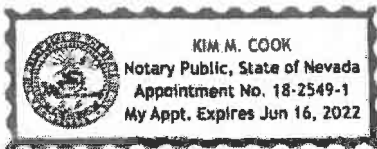
[Signature]  
 Property Owner (Signature)\*

Howard W. Ickes  
 Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON July 29, 2020 (DATE)

By Howard W. Ickes  
 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.

LAW OFFICE

*Brown, Brown & Premsrirut*

JAY H. BROWN  
DAVID T. BROWN  
PUOY K. PREMSRIRUT

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS  
520 SOUTH FOURTH STREET  
LAS VEGAS, NEVADA 89101

TELEPHONE: (702) 384-5563  
FACSMILE: (702) 385-1023  
EMAIL: jbrown@brownlawlv.com

February 24, 2021

Clark County Comprehensive Planning  
Current Planning Division  
500 Grand Central Parkway  
Las Vegas Nevada 89155

N2C-21-0101

**RE: 2567 E Washburn Rd, LLC**

**Dean Martin & Robindale - Justification Letter Revision 2  
Non-Conforming Zone Change for a proposed office/warehouse  
project.**

**Assessors' Parcel Numbers: - 177-08-206-002, 177-08-206-003, 177-08-207-001, & 177-08-207-003**

**To Whom It May Concern:**

On behalf of our client, 2567 E Washburn Rd LLC., we respectfully submit this pre-submittal application package for future a Non-conforming Zone Change application from Office Professional (C-P) zoning to Designed Manufacturing M-D zoning for a future office/warehouse development. The proposed project is located on the west side of Dean Martin Drive and the north side of Robindale Road on a total of 12.5 acres. The current zoning of the site is C-P with an existing Planned Land Use designation of Office Professional (OP) within Enterprise. Immediately north of the proposed development are existing C-P zoned office buildings; north of which (north of the

Maulding Avenue alignment) are undeveloped R-E and C-P zoned parcels designated as OP in the Land Use Plan; and a developed Fire Station zoned and designated as P-F. To the south across Robindale Road are developed R-E and C-P zoned parcels designated as OP in the Land Use Plan. Also, south are undeveloped parcels zoned and designated as P-F for public facilities. Farther south at the intersection of Valley View and Dean Martin Drive are undeveloped M-D zoned parcels. East across Dean Martin Drive on both sides of the intersection with Robindale Road are developed M-D zoned office/warehouse complexes (Safari Business Park). The business park is adjacent to Interstate 15 along its east property line. Immediately west of the subject project site is an undeveloped parcel zoned R-E and designated RNP, west of which are developed, and undeveloped parcels zoned R-E and designated as RNP in the Land Use Plan.

### **Project Description:**

The proposed office/warehouse complex is a total of 156,912 square feet with 9 buildings distributed throughout the site. The project is located on the west side of Dean Martin Drive and north side of Robindale Road. Access to the site is from two adjacent streets consisting of 1 (one driveway on Dean Martin Drive on the east property line and two (2) driveways located on Robindale Road on the south property line. The proposed driveways provided are to allow optimum access and circulation on the site. A cul-de-sac is shown as a terminus at Polaris Street and Maulding Avenue on the north property line with a crash gate to allow Fire access to the site. A total of 289 parking spaces are provided where 242 spaces are required by Code including the required

10 handicap accessible spaces (excess, 17 provided). More than the required number of bicycle racks are provided as required by Code (excess, 18 racks provided). Loading areas/zones are provided at the rear of each building and designed to create courts to screen and buffer these loading areas from adjacent developed and undeveloped R-E zoned properties to the south, and west and the undeveloped R-E and developed and undeveloped C-P zoned and OP designated parcels to the north. Trashed enclosure as required by Code are distributed around the site and are setback and buffered as required by Code. Maulding Avenue along the north property line will be vacated to eliminate access to the adjacent to the developed residential areas to the west. Portions of both Maulding Avenue and Polaris Street are designed to terminate into a cul-de-sac with the project with a crash gate to allow Fire Department Access to the site.

**Elevation:**

The office/warehouse buildings are up to 32 feet high to the top of the parapets. The building materials consist of painted tilt up concrete panels with accents and reveals painted in contrasting complementary colors. Painted concreted decorative panels with embossed patterns are provided to break up the large expanses of the building. Aluminum store front windows and doors with tinted glazing are located along the street frontages. Design accents include colored metal awnings and other decorative features and parapets in contrasting and complementary colors. Most of the buildings are oriented to create courts between building to screen the loading areas from the residential uses to the south and west as well as the street frontages.



### Floor Plans:

Floor plans of each of the buildings vary, ranging from 12,712 square feet up to 19,351 square feet. The floor plans will be divided to suit each tenant.

### Landscaping:

An up to twenty-three (23) foot wide minimum landscaping area with a five (5) foot wide detached sidewalk is shown along Robindale Road on the southern boundary. An up to eighteen (18) foot wide landscaping area with a detached sidewalk is shown along Dean Martin Drive on the east property line. Required landscaping for screening and buffering are shown along the north and west property lines and along the shared property line with the office buildings to the north. Six (6) to eight (8) foot high zone boundary walls with required landscape buffers are shown along the north, west and east property lines. An 18-foot-wide landscape area with intense landscaping is shown along the west property line adjacent to undeveloped R-E zoned parcel and buffers the existing residential developments to the northwest. Ten (10) to twenty-five (25) foot wide landscape areas are provided along the north and northeast property line adjacent to the office building to the east. A twenty (20) foot wide landscaping area is provided along the north property line and around portions of the cul-de-sac.

**Zone Change:**

**Compelling Justifications:**

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

*The proposed project is located within the Enterprise Land Use Planning Area. The current Land Use Plan designation for the project site and the area adjacent to the north of the site is (OP) Office Professional in the Land Use Plan. Requests were submitted last year for the Enterprise Land Use Plan update to designate the subject parcels from Office Professional (OP) to Business and Design Research/Park (BDRP) to allow for a future office/warehouse complex as proposed. That process was canceled in June 2020; therefore, the County has allowed the Property owners and Developers the opportunity to submit non-conforming zone change applications for consideration for the appropriateness of a zoning request. Staff had recommended approval of the request for the BDRP designation which if had been approved during the process would have allowed the consideration of the proposed project. The developed office buildings to the immediate north of the site and on the west side Dean Martin Drive are zoned C-P and designated OP in the Land Use Plan. Located directly across Dean Martin to the east, at the northeast and southeast corners of Dean Martin Drive and Robindale Road are developed office/warehouse*

*complexes all zoned M-D and designated BDRP in the Land Use Plan. South across Robindale Road are developed R-E and C-P zoned single family residences. The site is located at the intersection of an arterial and collector street which are typically designated as commercial or industrial nodes to serve an area and provide employment opportunities for an area. In this particular area other similar areas in the planning area, large numbers of parcels especially along street frontages and adjacent to RNP designated areas are designated OP in the Enterprise Land Use Plan which creates an overabundance of the designation and zoning that is either not utilized, underutilized is redundant and not viable in an area. The most recent update to the Land Use Plan in 2018, amended the land use designations for various intersections to allow other general commercial or designed manufacturing uses to provide a more appropriate and viable mix of other commercial and designed manufacturing zoning and future uses to serve and effectively buffer a neighborhood or area. This is clearly one of the justifications used Staff to recommended approval of the request to designate the site to BDRP. Therefore, recent changes in laws, policies and trends based on the recent recommended update to the Land Use Plan makes this request appropriate and compatible for this area.*

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

*Many of the developed and undeveloped parcels in this area including this project site, parcels to the north and northeast and developed*

*residential lots to the south are designated OP, therefore, creating an abundance of the same land use designation in the surrounding area which will not be developed. M-D zoning and the BDRP designated has been used for time in memorial to buffer residential uses from more intense commercial and industrial uses. The proposed project is less intense and, in many instances, less intense than some CP uses and such as places of worship and schools. Considering that there is already a C-P zoned office building to the north and similar office/warehouse complexes similar to the proposed project on the opposite corners across Dean Martin with similar intensities; the project proposed is appropriate for and is compatible with the current designations, future zoning categories, and land uses in the immediate area. The project complies with Growth Management (community design policies) #2 through #9 as well as Growth Management Policies/Infill Policies # 1 through #9.*

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

*There will be no substantial adverse effect on existing public facilities in the area. Since the immediate area is already designated as OP and BDRP uses; required public services and infrastructure already exist, are planned or in are the planning stages for the area. The immediate area is partially developed with similar uses, therefore, public services may only need to be or upgraded or expanded to serve the project with*

*the Developer contributing its fair share of the cost of developments as required by the various County Departments and associated Agencies. Additionally, the other properties to the east and farther south at the arterial street intersection of Dean Martin and Valley view are designated as BDRP, indicating that the area is trending or transitioning to designed manufacturing uses to similar intensity zoning and uses.*

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

*The proposed amendment conforms to Code requirements as well as adopted plans, goals, and policies. This proposed project is located adjacent to similar developments and is designed to appropriately buffer the parcels designated as RNP to the immediate west, north and northwest. The project complies with Urban Specific Policies such as and including General policies; #1 through 29 except for those that do not specifically apply to office/warehouse type developments. Additionally, the project complies with the policies for the development of Business and Research Park projects such as and not limited to #96 through #99 and other pertinent policies for the development office/warehouse projects. The project as proposed also complies with long range Plan Policies #1 and #2.*

**Waivers of Development Standards:**

**1a) Reduce the throat Depth of the driveway on Dean Martin Drive up to 26 feet where 75 feet is required.**

**Justification:**

This request is justified and will not create an impact on the adjacent streets because three driveways are provided to the site in addition to the crash gate provided on the north site of the site to access Polaris Street. The design of the site allows no parking stalls located along the entry drive which eliminates direct vehicular conflict at the entry. No vehicles will be backing out of the parking stalls to impede any vehicles that are entering the site from either entry drive. One parking space was removed to extend the throat depth and additional landscaping provided in the area as part of the extension of the throat depth.

**1b) Reduce the Throat Depth of the Driveways on Robindale Road to a minimum of 23 feet (driveway 1) and a minimum of 50 feet (driveway 2) where a minimum of 75 feet is required.**

**Justification:**

This request is justified and will not create an impact on the adjacent streets because three driveways are provided to the site in addition to the crash gate provided on the north site of the site to access Polaris Street. The design of the site allows no parking stalls located along the entry drive which eliminates direct vehicular conflict at the entry. No

vehicles will be backing out of the parking stalls to impede any vehicles that are entering the site from either entry drive.

**Design Reviews:**

- 1) A proposed 156,912 square foot office/warehouse complex consisting of nine (9) buildings.**

**Justification:**

The proposed office/warehouse complex is located directly across the street (Dean Martin Drive) from a similar development to the east. To the immediate north is an office complex, therefore, the project is appropriate and compatible in the Area. To the south across Robindale Road and to the northwest are existing low density residential uses, however, the project is also compatible and appropriate because M-D zoned business and research park development such as the proposed office/warehouse complex is used all over the County as an appropriate buffer between low density residential uses and busy arterial and collector streets or more intensive uses. Additionally, Per the ITE journal office buildings/complexes and Office/warehouse complexes of similar sizes generate similar traffic counts. Therefore, the traffic to the site will be similar. The design of the project complies with the policies outlined under Urban Specific for Policies #96 through #99. These policies ensure the proposed project is appropriate and buffer adjacent to a residential use. The project based on its location also complies with Growth Management policies #1, #2, #6, #7, #8 and #9 and is therefore, appropriate, and compatible for the area.

**2) Design Review to increase the finished grade of the buildings to 48 inches (4 feet) where 18 inches (1.5 feet) is the allowable standard for portions of the site.**

**Justification:**

The increased in finished grade for the buildings on the site is required because the existing fall of the land is generally from the west to the east with a total elevation change of approximately 14' across the site. On-site grades will be minimized to the least allowable slope acceptable by the County and satisfy Clark County flood control requirements to control stormwater drainage patterns and discharge locations to conform to existing area drainage conditions and facilities. The walls on the north, east and west sides of the site will be designed to accommodate the additional fill to provide adequate drainage to the streets. There is no impact to the residences to the far northwestern portions of the site because the building are at the same finished grade or lower than the residences to the west and northwest. Along the Robindale Road the buildings to the south across the street are at approximately the same grade except at the intersection with Dean Martin where the grade is higher than the residence on the southwest corner of the intersection; but is buffered by the road. The required Drainage Study will ultimately determine the finished grade of the site and buildings.



LAW OFFICE

*Brown, Brown & Premsrirut*

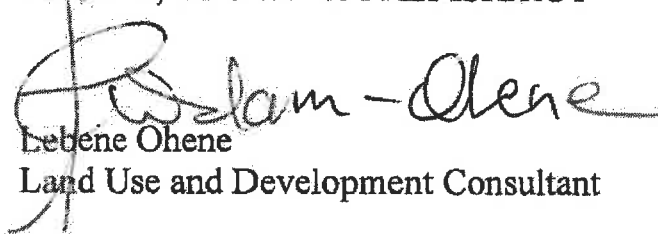
AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

We appreciate your second review of this application and looking forward to your comments to proceed with the future application process for the project.

Please contact me at 702-598-1429 if you have any questions or need additional information.

Sincerely,

BROWN, BROWN & PREMSRIRUT



Lebene Ohene  
Land Use and Development Consultant



05/04/21 PC AGENDA SHEET

EASEMENTS & RIGHTS-OF-WAY  
(TITLE 30)

DEAN MARTIN DR/ROBINDALE RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
VS-21-0102-2567 E. WASHBURN RD., LLC, ET AL:

VACATE AND ABANDON easements of interest to Clark County located between Eldorado Lane and Robindale Road, and between Dean Martin Drive and Procyon Street, and portions of a rights-of-way being Maulding Avenue and Robindale Road located between Dean Martin Drive and Procyon Street, and Polaris Avenue located between Eldorado Lane and Robindale Road within Enterprise (description on file). MN/jt/jd (For possible action)

RELATED INFORMATION:

**APN:**

177-08-202-008; 177-08-202-009; 177-08-206-001 through 177-08-206-003; 177-08-207-001; 177-08-207-003

**LAND USE PLAN:**

ENTERPRISE - OFFICE PROFESSIONAL

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

**BACKGROUND:**

**Project Description**

The plans depict the vacation and abandonment of both patent easements and rights-of-way. Easements to be vacated include 33 foot wide patent easements on the west side of parcels 177-08-206-002 & 177-08-206-003; north, east, and west sides of parcel 177-08-207-001; and west side of parcel 177-08-207-003. Three foot wide easements to be vacated are located on the north and east sides of parcel 177-08-206-002 and the east side of parcel 177-08-206-003.

Right-of-way to be vacated includes 60 feet wide (full street width) and 30 feet wide (half street width) for Maulding Avenue. Additional rights-of-way to be vacated include 30 feet wide (half street width) of Polaris Avenue and 5 feet wide portion of Robindale Road to accommodate a detached sidewalk.

The applicant indicates that the vacation and abandonment of these patent easements and rights-of-way will facilitate the development of an office/warehouse complex on the site.

**Prior Land Use Requests**

Application Number	Request	Action	Date
LUP-20-700013	Requested to change the Land Use Plan from Office Professional to Business and Design/Research Park - Enterprise Town Advisory Board recommended denial - process canceled due to the COVID-19 pandemic	N/A	N/A
VS-19-0458	Request to vacate and abandon patent easements and rights-of-way - expired	N/A	N/A
ZC-19-0457	Reclassified the eastern parcel to C-P zoning for an office building	Approved by BCC	August 2019
ZC-1026-05	Reclassified many parcels, including the western parcels of this site, to an RNP-I Overlay District	Approved by BCC	October 2005
ZC-0659-03	Reclassified the central parcels and adjacent parcels to the north to C-P zoning for an office complex	Approved by BCC	August 2003

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Office Professional & Public Facilities	C-P, R-E, & P-F	Undeveloped & fire station
South	Rural Neighborhood Preservation (up to 2 du/ac), Public Facilities, & Office Professional	R-E (RNP-I), R-E, & P-F	Single family residential & undeveloped
East	Office Professional & Business Design Research Park	C-P & M-D	Office complex & office/warehouse complex
West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Undeveloped

**Related Applications**

Application Number	Request
NZC-21-0101	A request to reclassify the site to M-D zoning for an office/warehouse complex is a companion item on this agenda.
TM-21-500026	A lot commercial 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 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 2, 2021 at 9:00 a.m., unless otherwise announced.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Satisfy utility companies' requirements.
- Applicant is advised that 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 35 feet to the back of curb for Robindale Road, 35 feet to the back of curb for Dean Martin Drive, a County approved turnaround for Polaris 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: HOWARD ICKES**

**CONTACT: LEBENE OHENE, 520 S. FOURTH STREET, LAS VEGAS, NV 89101**





# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 4A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>		<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-21-0102</u>	DATE FILED: <u>3/9/21</u>
<input checked="" 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 #): _____			PLANNER ASSIGNED: <u>JCT</u>	TAB/CAC DATE: <u>4/14/21</u>
			TAB/CAC: <u>ENTERPRISE</u>	PC MEETING DATE: <u>5/4/21</u>
			BCC MEETING DATE: <u>6/2/21</u>	FEE: <u>875<sup>00</sup></u>

<b>PROPERTY OWNER</b>	NAME: <u>2567 E Washburn Rd, LLC</u>
	ADDRESS: <u>10 Boulder Crossing Circle</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>N/A</u> CELL: <u>N/A</u>
	E-MAIL: <u>N/A</u>

<b>APPLICANT</b>	NAME: <u>Howard W Ickes</u>
	ADDRESS: <u>10 Boulder Crossing Circle</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702-239-1941</u> CELL: <u>N/A</u>
	E-MAIL: <u>hwickes@2060@gmail.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Jay Brown/Lebene Ohene</u>
	ADDRESS: <u>520 South Fourth Street</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u>
	TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u>
	E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>

ASSESSOR'S PARCEL NUMBER(S): 177-08-206-002, 177-08-206-003, 177-08-207-001, & 177-08-207-003

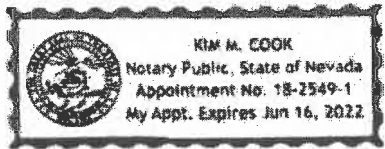
PROPERTY ADDRESS and/or CROSS STREETS: Dean Martin Drive and Robindale Street

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.

[Signature]  
Property Owner (Signature)\*

Howard W. Ickes  
Property Owner (Print)

STATE OF NEVADA  
COUNTY OF CLARK  
SUBSCRIBED AND SWORN BEFORE ME ON July 29, 2020 (DATE)  
By Howard W. Ickes  
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.



February 19, 2021

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

**Reference:** **Vacation of Public Right-of-Way, Roadway & Patent Easements**  
**Dean Martin Business Center**  
**APN #177-08-206-002,003 & 177-08-207-001,003**

On behalf of 2567 E. Washburn RD LLC , we respectfully request your consideration of the attached vacation of public right-of-way & Patent Easements.

**Location:** The proposed project is located at the Northwest corner of Dean Martin and Robindale Road.

**Request:** Vacate rights-of-way and patent easements that are not needed to serve the proposed development.

**Justification:** We are requesting to vacate the existing 33' patent easements within the project as they are no longer needed for public improvements.

We are also requesting the vacation of 5' of right-of-way along Robindale Road to comply with development standards to provide 35' of right-of-way along 'collector' streets.

Also included in the vacation request is the vacation of public right-of-way along Maulding Avenue and Polaris Avenue that are not necessary with the proposed development.

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

Sincerely,

  
Sonia Macias  
Project Coordinator

7080 La Cienega Street, Suite 200  
Las Vegas, Nevada 89119  
Phone (702) 932-6125 • Fax (702) 932-6129



05/04/21 PC AGENDA SHEET

DEAN MARTIN BUSINESS CENTER  
(TITLE 30)

DEAN MARTIN DR/ROBINDALE RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
TM-21-500026-2567 E. WASHBURN RD., LLC:

TENTATIVE MAP consisting of a 1 lot commercial subdivision on 12.6 acres in an M-D (Designed Manufacturing) (AE-60 & AE-65) Zone.

Generally located on the west side of Dean Martin Drive and the north side of Robindale Road within Enterprise. MN/jt/jd (For possible action)

RELATED INFORMATION:

**APN:**

177-08-206-002; 177-08-206-003; 177-08-207-001; 177-08-207-003

**LAND USE PLAN:**

ENTERPRISE - OFFICE PROFESSIONAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 12.6
- Number of Lots: 1
- Project Type: Office/warehouse

The plans depict a 1 lot commercial tentative map. Access to the site is provided by a driveway on Dean Martin Drive along the east side and 2 driveways from Robindale Road along the south side. Polaris Avenue will terminate in a cul-de-sac on the north side of the site; however, no access is provided from Polaris Avenue. Detached sidewalks are shown along Robindale Road and Dean Martin Drive.

**Prior Land Use Requests**

Application Number	Request	Action	Date
LUP-20-700013	Request to change the Land Use Plan from Office Professional to Business and Design/Research Park - Enterprise Town Advisory Board recommended denial - process canceled due to the COVID-19 pandemic	N/A	N/A
VS-19-0458	Request to vacate and abandon patent easements and rights-of-way - expired	N/A	N/A

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-19-0457	Reclassified the eastern parcel to C-P zoning for an office building	Approved by BCC	August 2019
ZC-0659-03	Reclassified the western parcels and adjacent parcels to the north to C-P zoning for an office complex	Approved by BCC	August 2003

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Office Professional & Public Facilities	C-P, R-E, & P-F	Undeveloped & fire station
South	Rural Neighborhood Preservation (up to 2 du/ac), Public Facilities, & Office Professional	R-E (RNP-I), R-E, & P-F	Single family residential & undeveloped
East	Office Professional & Business Design Research Park	C-P & M-D	Office complex & office/warehouse complex
West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Undeveloped

**Related Applications**

Application Number	Request
NZC-21-0101	A request to reclassify the site to M-D zoning for an office/warehouse complex is a companion item on this agenda.
VS-21-0102	A vacation and abandonment of easements and rights-of-way is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis  
Current Planning**

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 2, 2021 at 9:00 a.m., unless otherwise announced.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Applicant is advised that 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 35 feet to the back of curb for Robindale Road, 35 feet to the back of curb for Dean Martin Drive, a County approved turnaround for Polaris Avenue, and associated spandrel;
- Coordinate with Public Works Design Division for the Blue Diamond Wash improvement project;
- Dedicate any right-of-way and easements necessary for the Blue Diamond Wash improvement project;
- 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; 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**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0301-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: HOWARD ICKES**

**CONTACT: LEBENE OHENE, 520 S. FOURTH STREET, LAS VEGAS, NV 89101**





# TENTATIVE MAP APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 5A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>TM-21-500026</u>	DATE FILED: <u>3/9/21</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>JCT</u>	TAB/CAC DATE: <u>4/14/21</u>
		TAB/CAC: <u>ENTERPRISE</u>	
		PC MEETING DATE: <u>5/4/21</u>	
		BCC MEETING DATE: <u>6/2/21</u>	
		FEE: <u>\$750<sup>00</sup></u>	

<b>PROPERTY OWNER</b>	NAME: <u>2567 E. Washburn RD LLC</u>
	ADDRESS: <u>10 Boulder Crossing Circle</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>N/A</u> CELL: <u>N/A</u>
	E-MAIL: <u>N/A</u>

<b>APPLICANT</b>	NAME: <u>2567 E. Washburn RD LLC</u>
	ADDRESS: <u>10 Boulder Crossing Circle</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702-239-1941</u> CELL: <u>N/A</u>
	E-MAIL: <u>hwickes2060@gmail.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Jay Brown/Lebene Ohene</u>
	ADDRESS: <u>520 S. 4th Street</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u>
	TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u>
	E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>

ASSESSOR'S PARCEL NUMBER(S): 177-08-206-002, 177-08-206-003, 177-08-207-001, & 177-08-207-003

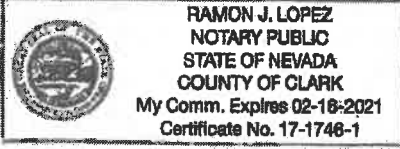
PROPERTY ADDRESS and/or CROSS STREETS: Dean Martin Drive and Robindale Street  
 TENTATIVE MAP NAME: Dean Martin Business Center

I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

[Signature]  
 Property Owner (Signature)\*

HOWARD W. ICKES  
 Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF CLARK  
 SUBSCRIBED AND SWORN BEFORE ME ON 11-25-2020 (DATE)  
 By Ramon J. Lopez  
 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.



SINGLE FAMILY DEVELOPMENT  
(TITLE 30)

CHARTAN AVE/PLACID ST

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**  
**NZC-21-0123-BADSM PARTNERS, LLC:**

**ZONE CHANGE** to reclassify 7.4 acres from R-E (Rural Estates Residential) (RNP-1) Zone to R-D (Suburban Estates Residential) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase wall heights, 2) waive perimeter landscaping along a local street; and 3) waive full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights).

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

Generally located on the south side of Chartan Avenue and the east side of Placid Street within Enterprise (description on file). MN/rk/jd (For possible action)

**RELATED INFORMATION:**

**APN:**

177-33-801-012; 177-33-801-028

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Increase interior and perimeter wall height to 6 feet, 8 inches where a maximum of 6 feet is permitted per Section 30.64.020 and Table 30.64-1 (a 11% increase).
- b. Increase combined screen wall and retaining wall height to 12 feet (6 foot retaining wall and 6 foot screen wall) where a maximum of 9 feet (3 foot retaining wall and 6 foot screen wall) is permitted per Section 30.64.050 (a 33% increase).
2. Waive perimeter landscaping along a local street (Chartan Avenue) where per Figure 30-64-5 or 6 is required.
3. Waive full off-site improvements including streetlights, sidewalk, curb, gutter, and partial paving width along Chartan Avenue and Placid Street where required per Section 30.52.050.

**DESIGN REVIEWS:**

1. Single family residential development.
2. Increase finished grade for a single family residential development to 48 inches (4 feet) where 18 inches is the standard per Section 30.32.030 (a 167% increase).

**LAND USE PLAN:**

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



## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: 11185 Fairfield Avenue
- Site Acreage: 7.4
- Number of Lots: 22
- Density (du/ac): 3.0
- Minimum/Maximum Lot Size (square feet): 10,721/18,521 (gross)/9,082/14,045 (net)
- Project Type: Single family residential development
- Number of Stories: 2 & 3
- Building Height (feet): Up to 35
- Square Feet: 4,500/5,000

#### **Neighborhood Meeting Summary**

The applicant conducted a neighborhood meeting on January 21, 2021, as required by the nonconforming amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. There were 20 attendees present at the virtual (Zoom) meeting for this item. The attendees had questions on the design and layout of the project. Further issues that were discussed were related to overall density, the request for 3 story homes, traffic, and access.

#### Site Plans

The plans depict a proposed 22 lot single family residential development on 7.4 acres. The density of the residential subdivision is 3.0 dwelling units per acre. The lots range in size from a minimum of 10,721 square feet to a maximum of 18,521 square feet (gross). The design of the subdivision also includes a drainage easement along the western portion of the site. The lots within the subdivision will be served by 42 foot wide internal private streets, which include an attached sidewalk on 1 side of the street. Access to the development will be available from the proposed residential subdivisions (Silverado Court VII and VIII) to the south. The private street extends to the north from the access point, with a cul-de-sac extending to the west. No access is shown from Chartan Avenue or Placid Street. These public roads will be constructed to rural standards with 32 feet of pavement instead of the full pavement, and without curb, gutter, sidewalk, and streetlights normally required for a public street under 60 feet in width. The plans also depict that the finished grade of the site will be increased up to 4 feet along the north and west portions of the development in order to properly drain the site due to an existing wash. These areas of the site are also where the over height retaining walls are located.

#### Landscaping

There is no street landscaping proposed with this request. Internal to the development are additional street landscape buffers along the corner side lots.

#### Elevations

Three different house plans with 4 separate elevations per plan are offered by the developer. Of these house plans, 1 is 3 stories in height with an option for a rooftop deck. All the products have similar building materials consisting of stucco exteriors, decorative stone veneer accents, tile roofing, and 4 sided architecture around windows and doors.



**Floor Plans**

The models range in size from 4,500 square feet to 5,000 square feet with options that include multiple bedrooms, 2 to 3 car garages, and options for bonus rooms and game rooms.

**Applicant's Justification**

The applicant indicates a great deal of thought and planning have resulted in this submittal request, while respecting the existing development. Since the opening of the Starr Avenue interchange at I-15, and the future development to the south across St. Rose Parkway, this area has seen significant change. The proposed R-D zoning will serve as a buffer from the more intense uses while providing transitional lot sizes between the R-1 zoned and R-E zoned lots. This proposed community will continue the alignment of Twisty Ridge Street from the Silverado Court VIII project (TM-18-500009) to the south, with ultimate access to Starr Avenue. There has been significant and substantial changes since the last amendment to the Enterprise Land Use Plan with the approvals of adjacent R-1 zoned and R-2 zoned subdivisions, and the changed traffic circulation patterns (as a result of the opening of the Starr Interchange, along with development of the West Henderson Business Park). Furthermore, according to the applicant this project will not adversely impact public facilities, and will in fact, solve a long-standing drainage issue that causes flooding in the area.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-19-0144	Waivers to allow modifications for off-site improvements with a design review for a single family residential development	Approved by BCC	April 2019
VS-19-0145	Vacated and abandoned a 6 foot wide, 630 foot long, portion of Chartan Avenue and a 3 foot wide streetlight and traffic control easement along Chartan Avenue	Approved by BCC	April 2019
TM-19-500017	8 single family residential lots on 4.9 acres	Approved by BCC	April 2019

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-1)	Single family residential & undeveloped
South	Rural Neighborhood Preservation (up to 2 du/ac) & Residential Low (up to 3.5 du/ac)	R-E (RNP-1) & R-1	Single family residential & undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac) & Residential Suburban (up to 8 du/ac)	R-E (RNP-1) & R-2	Single family residential

### Related Applications

Application Number	Request
TM-21-500032	A tentative map for 22 single family residential lots on 7.4 acres is a companion item on this agenda.
VS-21-0124	A vacation of government patent easements along the boundary of APN 177-33-801-012 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, 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.*

The applicant indicates that the proposed development will serve as a buffer from the more intense uses while providing transitional lot sizes between the R-1 zoned and R-E zoned lots. There has also been changes since the last amendment to the Enterprise Land Use Plan with the approvals of adjacent R-1 zoned and R-2 zoned subdivisions, and the changed traffic circulation patterns (as a result of the opening of the Star Interchange, along with development of the West Henderson Business Park). Furthermore, according to the applicant this project will not adversely impact public facilities, and will in fact, solve a long standing drainage issue that causes flooding in the area.

Although there is existing and approved suburban residential development in the area, those developments are essentially on the south side of Terrill Avenue (alignment) which makes this development fully within the Rural Neighborhood Preservation (RNP) area. As a result, Terrill Avenue should act as a border between the more intense uses and the R-E/RNP-I to the north of that street.

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

The applicant indicates that the project will provide a single family residential development that is 3.0 dwelling units per acres between the existing RNP area to the north and west and the more intense residential uses to the south and east. In addition, as shown on plans, all of the lots adjacent to the existing RNP homes are a minimum of 10,000 square feet.

This request, for lots that are less than half acre in area in a neighborhood that is contiguous to R-E/RNP-I to the north and west is out of character with development in the immediate area. The intent of a balanced Land Use Plan is to encourage an orderly development pattern with an appropriate spatial distribution of land uses that complement each other. Therefore, staff finds the proposed project is not compatible with the density of the existing and planned land uses in the RNP neighborhoods to the north and south.

- 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 indicates technical studies will be prepared to address any impacts from the proposed residential development; therefore, public infrastructure facilities will not be adversely impacted.

Various Clark County service departments have reviewed this development proposal and found adequate services available or have specified the type of improvements that are needed for this development. Sufficient public services may not exist in the immediate area and because the site is in the Public Facilities Needs Assessment (PFNA) area, a standard development agreement will be necessary prior to issuance of any building permits to mitigate any short falls in needed public facilities. Based on information received from the Clark County School District, the elementary school and high school located within the corresponding school zone was over capacity for the 2020-2021 school year. Staff is concerned that the cumulative impact from the individual student yield of this project and future projects in the immediate area may further exacerbate the existing capacity situations, especially since this area was not planned to accommodate the number of additional residential units and no new schools are planned in the future.

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

The applicant states that the proposed development satisfies County goals by providing housing alternatives to meet a range of lifestyle choices, ages, and affordability levels.

This request is a nonconforming zone change and conflicts with Urban Specific Policy 8 of the Comprehensive Master Plan which discourages nonconforming zone changes. It is County policy to preserve the rural lifestyle of property within the existing RNP-I Overlay. The request does not comply with Land Use Goals 5 of the Comprehensive Master Plan which encourages providing opportunities for developing low density residential areas as a lifestyle choice.

#### **Summary**

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

Staff is concerned with the potential incompatibility between this development and existing land uses immediately adjacent to the site. Approval of this project will allow more dense zoning to intrude into an existing R-E/RNP-I area. Therefore, based on the criteria listed above, staff finds

the applicant has not satisfied the requirements for a compelling justification to warrant approval of this application and cannot support these requests.

#### Waiver of Development Standards

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

#### Waiver of Development Standards #1

Although staff has supported similar waivers to increase screen and retaining wall heights, approval of this request is contingent upon approval of the zone change and design reviews which staff cannot support.

#### Waiver of Development Standards #2

Although staff has supported similar street landscape waivers in rural areas, approval of this request is contingent upon approval of the zone change and design reviews which staff cannot support.

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

##### Waiver of Development Standards #3

Staff has no objection to not install full off-site improvements on Chartan Avenue and Placid Street. The parcels along both streets are in the RNP-I overlay district, resulting in the existing non-urban standards for the roadways. However, since Planning is recommending denial of the application, staff cannot support this request.

#### Design Review #2

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

#### **Department of Aviation**

The property lies just outside the AE-60 (60 - 65 DNL) noise contour for the Henderson Executive airport and is subject to potentially significant aircraft noise and continuing overflights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Airport to meet future air traffic demand.

### **Staff Recommendation**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 2, 2021 at 9:00 a.m., unless otherwise announced.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

If approved:

- Resolution of Intent to complete in 3 years;
- No 3 story homes within development;
- Design review as a public hearing on any significant changes to plans;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised that 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;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA); and that 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; the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by



aircraft operations which was constructed after October 1, 1998, and that funds will not be available in the future should the residents wish to have their homes purchased or soundproofed.

**Building Department - Fire Prevention**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0042-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: CHRIS ARMSTRONG CO GOULD PATTERSON**

**CONTACT: WESTWOOD PROFESSIONAL SERVICE, 5740 S. ARVILLE STREET, SUITE 216, LAS VEGAS, NV 89118**

**DRAFT**



# LAND USE APPLICATION

# 6A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC)  <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING  <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)  <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)  <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX)  <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>NZC 21-0123</u> DATE FILED: <u>3/16/21</u> PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>4/14/21</u> PC MEETING DATE: <u>5/4/21</u> R-E/RNPI to <u>R.D</u> BCC MEETING DATE: <u>6/2/21</u> RNP FEE: <u>\$2,925.00</u> MN      WS 19-0144
	<b>PROPERTY OWNER</b>  NAME: <u>BADSM Partners, LLC</u> ADDRESS: <u>1975 Village Center Ste 40</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: _____      CELL: _____ E-MAIL: _____
	<b>APPLICANT</b>  NAME: <u>Chris Armstrong c/o Gould Patterson</u> ADDRESS: <u>1975 Village Center Ste 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: _____      CELL: <u>702-204-9989</u> E-MAIL: <u>chrislvarmstrong@gmail.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Westwood Professional Services</u> ADDRESS: <u>5740 S. Arville St., Suite 216</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-284-5300</u> CELL: _____ E-MAIL: <u>lvproc@westwoodps.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-33-801-028

PROPERTY ADDRESS and/or CROSS STREETS: Chartan/Placid

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.

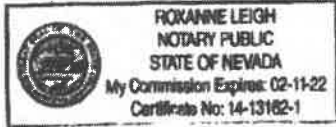
  
 Property Owner (Signature)\*

Jerry Slater  
 Property Owner (Print)

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 12/30/20 (DATE)

By Jerry Slater  
NOTARY PUBLIC: 



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

# Westwood

5740 S. Arville St., Suite 218  
Las Vegas, NV 89118

Main (702) 284 5300

westwoodps.com  
(888) 937-5150

March 4, 2021

Rob Kaminski  
Current Planning Division  
500 South Grand Central Parkway  
Las Vegas, NV 89155-4000

NZC-21-0123

**RE: Chartan Placid, a 22-lot Single Family Residential subdivision  
Revised Justification Letter for Design Review and Non-conforming Zone Change**

Dear Mr. Kaminski:

Westwood Professional Services respectfully submits this compelling justification letter with an application for a non-conforming zone change (NZC) and Design Review for this proposed community.

### Project Description

The project site associated with the subject is approximately 7.5+ gross acres and covers APN 177-33-801-012 and 177-33-801-028. It is located in a portion of Section 33, Township 22 South, Range 61 East, M.D.M., Clark County, Nevada.

### Design Review

Please accept this letter and required attached documentation to support our application for a zone change from R-E to R-D for twenty-two (22) single family lots ranging in size from 10,409 to 21,341 gross square feet on 7.45 gross, and 6.60 net acres generally located on the southeast corner of Placid Street and Chartan Avenue. The project will have a gross density of 2.95 du/ac and a net density of 3.33 du/ac.

The property is presently zoned R-E and there is a mix of developed and undeveloped R-E zoned property adjacent to the property. There is also approved R-1 and R-2 zoned property to the immediate south and east of the property that is both presently under development and developed with resident. The immediately adjacent lots to APN: 012 are approximately 4,600 SF and have a mix of two- and three-story homes. The property to the south (177-33-801-019) fronts Starr Avenue, which is a 110' ROW and has an interchange with I-15. Bermuda Road is further to the east and is a 100' ROW. Starr Avenue connects to Raiders Way and provides access to the Raiders Corporate Headquarters/Practice Facility, and ultimately to a 190' wide ROW for Via Inspirada. Additionally, to the south across St. Rose Parkway is the West Henderson Business and Industrial Park and home to numerous warehouse and distribution centers including Amazon, Kroger, etc. The character of the area, and specifically the traffic and circulation patterns are considerably different since the opening of the Starr Avenue Interchange.



There is a large existing wash that bifurcates the property in a north-south direction and provides a significant encumbrance and hardship on this property, as well as properties to the south and west. There is an approved drainage study on the northerly parcel with a drainage solution that removes the Flood Zone designation. When combined with the parcel to the south, there is the potential to provide a solution and mitigate drainage issues for the other immediately adjacent neighboring properties (Specifically APNs: 177-33-801-007, 011). As shown on the site plan, the drainage channel/pipe would create a 30' wide buffer for APNs 177-33-801-007, 011. It is my understanding that 007, which is owned by the Meyer's has significant drainage flows on the property during rain events. The improvement on these properties and the property to the south would capture these flows and remove them from existing the residences, thereby completely removing potential future flood damage. The proposed R-D zoning would provide a transitional zoning for the R-1 zoning to the south and R-2 zoning to the east with the surrounding R-E zoning to the west and north.

Three different model will be offered for sale and will range in size from 4,500 to 5,000 square feet and will be a mix of two- and three-story product. Each model will have four separate elevation styles. The internal streets will be private, 42-foot wide roadways with a 4-foot-wide sidewalk along one side, with 5' X 5' ADA passing zones placed as needed. Access will be available from both Starr Avenue via the proposed Silverado Court VIII project (TM-18-500009) and via Bermuda Road through the existing Silverado Court VII (PW #17-36074) subdivision.

Per Section 30.32.040, paragraph #9 it is stated that the finished grade for the construction within 100 feet of the property line of a residential use shall not be established in excess of the standard 18 inches above the grade of any lot or parcel adjacent. The topography of the subject property falls from the south to north and upon review of the grading and drainage for this site, there is a grade difference along a portion the north boundary of 3 feet and a wash area up to a maximum 3.7 feet, near proposed lot 14. With the final design of the subject property, Westwood Professional Services shall coordinate throughout the development process to make the elevation difference along the property boundary as well as where any existing washes are filled will be as minimal as possible.

#### **PREVIOUS LAND USE ACTIONS**

The northerly five acres has an approved tentative map (TM-19-47), waiver (WS-19-144), and vacation (VS-19-145). The TM was for an eight-lot subdivision. The waiver request was for rural standard street sections designed to meet rural standards on Chartan Avenue and Placid Street, and to permit a 54' wide street section for Chartan Ave. It waived streetlights, curb, gutter, sidewalks, and excess paving. Given the limited traffic, and the developed R-E surrounding areas, the request was deemed to be consistent and harmonious the neighborhood. The vacation was for a Streetlight and Traffic Control Easement along Chartan Avenue (OR: 20170814:00671), portion of ROW at the turnaround/bulb of Chartan Avenue (OR:20110809:00797), southerly 6' of Chartan Avenue (OR:20170222:00978), and southerly 6' of BLM Grant N-76131. These same waivers are being requested with the current application.

A great deal of thought and planning has resulted in the attached plan, while respecting the existing development, and with the design to accommodate and address the significant drainage hardship. Since the opening of the Starr Avenue interchange at I-15, and the future development to the south across St. Rose, this area has seen significant change and will continue to change. The rural character that once was common in this area has been altered and the proposed R-D will serve as a buffer from the more intense

uses while providing lot sizes in between the R-1 and R-E lots. The costs to improve the drainage hardship are significant and the 22 lots help to spread the cost of these improvements and solve the drainage problem not only for these lots but for the two adjacent R-E lots, and in particular the Meyer parcel. This proposed community will continue the alignment of Twisty Ridge Street north from the Silverado Court VIII project (TM-18-500009) to the south, with ultimate access to Starr Avenue.

There has been significant and substantial changes since the last amendment to the Enterprise LUP in adjacent land use densities with the approval of adjacent R-1 & R-2 zoning, and the change traffic circulation patterns (as a result of the opening of the Starr Interchange, along with development of the West Henderson Business Park). The proposed R-D is a natural transition zoning district from the R-1 and R-2 to the developed and undeveloped R-E zoned property. This project will not adversely impact public facilities, and will in fact, solve a long-standing drainage issue that causes flooding in the area.

### **Waiver of Standards**

The project is being processed as a Single Family Detached Residential development in accordance with Title 30. This request is to define waivers of Title 30 and CCAUSD for the project needed to develop the site and anticipated product.

#### **1. Section 30.64.050 a. – Fences and Walls**

**Waiver:** 6-foot Walls.

**Request:** Allow 6-foot 8-inch rear screen wall between lots and along the perimeter of the development

**Justification:** This is a typical waiver that is requested with several subdivisions in the valley to provide additional privacy to the potential home buyers throughout the development.

#### **2. Section 30.64.050 a. – Fences and Walls**

**Waiver:** 12-foot Walls (6 foot wall plus 6 foot retaining wall)

**Request:** Allow 6-foot 8-inch rear screen wall to be constructed in conjunction with a 6-foot retaining wall between lots and along the perimeter of the development

**Justification:** This request is in compliance with the development code with respect to the retaining walls, it is just required with the above requested 6-foot 8-inch screen walls.

#### **3. Section 30.52.040 – Improvement Requirements**

**Waiver:** To provide grading, curbs, gutters, paving of streets and streetlights.

**Request:** Allow Rural Offsite Improvements (no streetlights, curb & gutter, sidewalk) Chartan Avenue and Placid Street.

**Justification:** This project is at the edge of the existing RNP along the 54-foot wide Chartan Avenue and 60-foot wide Placid Street, so in an effort to maintain the rural nature of the existing neighborhood at the boundary, a less intense improvement is being proposed.

The following is a detailed response to the requirements specified for a "Compelling Justification":

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:** Within Chapter 2 – Issues and Opportunities of the Enterprise Land Use Plan, it states "the entire Las Vegas Valley and Enterprise has seen a large demand for housing", and "is one of the fastest growing Planning Area's in unincorporated Clark County". Currently, there is Bass Elementary School, Schorr Elementary School and Liberty High School, Avellino Park, Lion Habitat Ranch Henderson Executive airport, Raiders Headquarters, and multiple churches of varying faiths within roughly 1 mile of the proposed project site. With all that public development, we feel it is an appropriate residential development to support the fast-growing housing demand.

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-D. There is an existing R-2 neighborhood to the east as well as another parcel to the east that is zoned R-E and the existing neighborhoods and residential parcels to the north and west are zoned R-E. The parcel to the south is currently zoned a combination of R-D and R-1. This 6.8 du/ac proposal would blend well with these neighborhoods by providing a diverse development with the surrounding land. The Chartan Placid community will provide a good transition neighborhood with 10,000 square foot lots adjacent to existing houses.

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 facilities before the Civil Improvement Plans are submitted and approved. 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. According to page 24 of the Enterprise Land Use Plan under "Sustainability", "participation in sustainable practices by everyone in Clark County will make things better for the community". The zone change will also provide the communities with an opportunity have a greater positive impact on sustainable practices while decreasing adverse effects on public facilities and services.

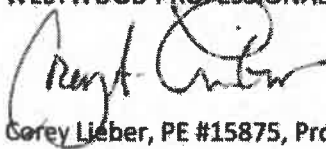
**4. The proposed non-conforming zoning conforms to other applicable adopted plans, goals, and policies.**

**Response:** On Page 24 under "Sustainability" of the Enterprise Land Use Plan, it states the goal of "educating and encouraging broad involvement in practices that will help sustain the community". The proposed development will provide the proposed and surrounding communities with opportunities to promote sustainable practices that will further increase the quality of the neighborhood. In addition, on Page 31 under "Uses adjacent to Residential Neighborhood Preservation (RNP) areas", it states that direction is no longer to buffer the RNP areas with OP land and "should incorporate more dense residential development." With the adjacent south parcel having RNP land use, we believe the proposed R-D development will provide the balance amongst the surrounding the area. The request also conforms to several goals and policies in the Comprehensive Master Plan. Land Use Goal 7 encourages a variety of housing alternatives, and there are few 10,000 square foot lot product options with RV parking provided in the Las Vegas Valley. In addition, Growth Management Policy 1 encourages development of vacant parcels in serviced areas, of which this development acts as infill and adjacent to developed and developing parcels. Urban Policy 7 encourages complimentary land uses, and the proposed R-D zoning allows for an appropriate transitional density between the R-1/R-2 adjacent to this project.

Please contact me if you have any questions.

Sincerely,

WESTWOOD PROFESSIONAL SERVICES



Corey Lieber, PE #15875, Project Manager

EASEMENTS  
(TITLE 30)

CHARTAN AVE/PLACID ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-21-0124-BADSM PARTNERS, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Chartan Avenue and Terrill Avenue, and between Placid Street and Bermuda Road within Enterprise (description on file). MN/rk/jd (For possible action)

RELATED INFORMATION:

APN:  
177-33-801-012; 177-33-801-028

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

**BACKGROUND:**

**Project Description**

This application is a request to vacate and abandon patent easements on this site. The plans depict the vacation and abandonment of 33 foot wide and 3 foot wide government patent easements along the boundary of APN 177-33-801-012, excepting out the 30 feet for Terrill Avenue which is needed for the dedication of a public right-of-way. A previous vacation submittal (VS-19-0145) is still current for APN 177-33-801-028 regarding vacations along Chartan Avenue roadway and streetlight and traffic control easement.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-19-0144	Waivers to allow modifications for off-site improvements with a design review for a single family residential development	Approved by BCC	April 2019
VS-19-0145	Vacated and abandoned a 6 foot wide, 630 foot long, portion of Chartan Avenue and a 3 foot wide streetlight and traffic control easement along Chartan Avenue	Approved by BCC	April 2019
TM-19-500047	8 single family residential lots on 4.9 acres	Approved by BCC	April 2019

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-1)	Single family residential & undeveloped
South	Rural Neighborhood Preservation (up to 2 du/ac) & Residential Low (up to 3.5 du/ac)	R-E (RNP-1) & R-1	Single family residential & undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac) & Residential Suburban (up to 8 du/ac)	R-E (RNP-1) & R-2	Single family residential

**Related Applications**

Application Number	Request
NZC-21-0123	A nonconforming zone change to reclassify this site to R-D zoning is a companion item on this agenda.
TM-21-500032	A tentative map for 22 single family residential lots on 7.5 acres is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 2, 2021 at 9:00 a.m., unless otherwise announced.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Satisfy utility companies' requirements.
- Applicant is advised that 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 building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

**Building Department - Fire Prevention**

- No comment.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: CHRIS ARMSTRONG C/O GOOLD RATTERSON**

**CONTACT: WESTWOOD PROFESSIONAL SERVICE, 5740 S. ARVILLE STREET, SUITE 216, LAS VEGAS, NV 89118**

**DRAFT**







# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 7A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

### APPLICATION TYPE

- VACATION & ABANDONMENT (vs)
- EASEMENT(S)
- RIGHT(S)-OF-WAY
- EXTENSION OF TIME (ET)  
(ORIGINAL APPLICATION #):

DEPARTMENT USE

APP. NUMBER: VS-21-0124      DATE FILED: 3/16/21  
 PLANNER ASSIGNED: RK  
 TAB/CAC: Enterprise      TAB/CAC DATE: 4/14/21  
 PC MEETING DATE: 5/4/21      R-E/RNPI to R.D  
 BCC MEETING DATE: 6/2/21      RNP  
 FEE: \$ 875.00      MN      WS 19-0144

PROPERTY OWNER

NAME: BADSM Partners, LLC  
 ADDRESS: 1975 Village Center Ste 40  
 CITY: Las Vegas      STATE: NV      ZIP: 89134  
 TELEPHONE: \_\_\_\_\_      CELL: \_\_\_\_\_  
 E-MAIL: \_\_\_\_\_

APPLICANT

NAME: Chris Armstrong c/o Goold Patterson  
 ADDRESS: 1975 Village Center Ste 140  
 CITY: Las Vegas      STATE: NV      ZIP: 89134  
 TELEPHONE: \_\_\_\_\_      CELL: 702-204-9989  
 E-MAIL: chrisvarmstrong@gmail.com      REF CONTACT ID #:

CORRESPONDENT

NAME: Westwood Professional Services  
 ADDRESS: 5740 S. Arville St., Suite 216  
 CITY: Las Vegas      STATE: NV      ZIP: 89118  
 TELEPHONE: 702-284-5300      CELL: \_\_\_\_\_  
 E-MAIL: lvproc@westwoodps.com      REF CONTACT ID #:

ASSESSOR'S PARCEL NUMBER(S): 177-33-801-028

PROPERTY ADDRESS and/or CROSS STREETS: Chartan/Placid

I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted.

Property Owner (Signature)\*

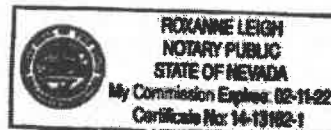
STATE OF NEVADA  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 12/30/20 (DATE)

By Jerry Slater  
NOTARY PUBLIC: Roxanne Leigh

Jerry Slater

Property Owner (Print)



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



# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

### APPLICATION TYPE

- VACATION & ABANDONMENT (vs)
  - EASEMENT(S)
  - RIGHT(S)-OF-WAY
- EXTENSION OF TIME (ET)  
(ORIGINAL APPLICATION #): \_\_\_\_\_

DEPARTMENT USE

APP. NUMBER: \_\_\_\_\_ DATE FILED: \_\_\_\_\_  
 PLANNER ASSIGNED: \_\_\_\_\_  
 TAB/CAC: \_\_\_\_\_ TAB/CAC DATE: \_\_\_\_\_  
 PC MEETING DATE: \_\_\_\_\_  
 BCC MEETING DATE: \_\_\_\_\_  
 FEE: \_\_\_\_\_

PROPERTY OWNER

NAME: 2150 Lighthouse LLC  
 ADDRESS: 7840 SUN LEMON CT  
 CITY: Las Vegas STATE: NV ZIP: 89123  
 TELEPHONE: 702-260-7113 CELL: \_\_\_\_\_  
 E-MAIL: lvnvac@gmail.com

APPLICANT

NAME: Chris Armstrong c/o Goold Patterson  
 ADDRESS: 1975 Village Center Ste 140  
 CITY: Las Vegas STATE: NV ZIP: 89134  
 TELEPHONE: \_\_\_\_\_ CELL: 702-204-9989  
 E-MAIL: camstrong@olympiacompanies.com REF CONTACT ID #: \_\_\_\_\_

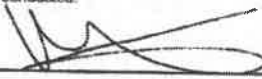
CORRESPONDENT

NAME: Westwood Professional Services  
 ADDRESS: 5740 S. Arville St., Suite 216  
 CITY: Las Vegas STATE: NV ZIP: 89118  
 TELEPHONE: 702-284-5300 CELL: \_\_\_\_\_  
 E-MAIL: lvproc@westwoodps.com REF CONTACT ID #: \_\_\_\_\_


ASSESSOR'S PARCEL NUMBER(S): 177-33-801-012

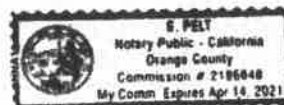
PROPERTY ADDRESS and/or CROSS STREETS: Chartan/Placid

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)\*

Peter Anello  
 \_\_\_\_\_  
 Property Owner (Print)

STATE OF ~~NEW YORK~~ CALIFORNIA  
 COUNTY OF ORANGE  
 SUBSCRIBED AND SWORN BEFORE ME ON 12.22.2020 (DATE)  
 By Peter Anello  
 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.

February 12, 2021

Current Planning Division  
500 South Grand Central Parkway  
Las Vegas, NV 89155-4000

**RE: Chartan Placid  
Justification Letter for Patent Easement Vacation**

To whom it may concern:

Westwood Professional Services, on behalf of our client, 2150 Lighthouse LLC, respectfully submits this justification letter with an application for Vacation and Abandonment of Patent Easements.

**Project Description:** The project site associated with this vacation request is approximately 7.5+ gross acres and covers APN 177-33-801-012 and 177-33-801-028. It is located in a portion of Section 33, Township 22 South, Range 61 East, M.D.M., Clark County, Nevada. This development will consist of 22 lots with a gross density of 3.0 dwelling units/acre.

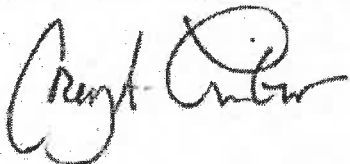
The applicant is vacating Easements that are in conflict with the proposed site plan for the subject residential development. These easements were granted in support of the individual parcels but are no longer required for the proposed development. The vacation includes a 33.0' patent easement along the boundary of parcel 177-33-801-012 for roadway and public utilities. A previous vacation submittal (VS-19-0145) is still current for APN 177-33-801-028 in regards to vacations along Chartan Avenue roadway and streetlight & traffic control easement. This request will be in compliance with the conditions of the Tentative Map submitted for Chartan Placid that is accompanying this application.

Thank you for the opportunity to submit this application for your review.

Please contact me at (702) 284-5300 if you have any questions regarding this application.

Sincerely,

WESTWOOD PROFESSIONAL SERVICES



Corey Lieber, PE #15875, Project Manager

Cc: Chelsea Jensen, Westwood Professional Services  
2150 Lighthouse LLC



CHARTAN PLACID  
(TITLE 30)

CHARTAN AVE/PLACID ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
TM-21-500032-BADSM PARTNERS, LLC:

TENTATIVE MAP consisting of 22 single family residential lots and common lots on 7.4 acres in an R-D (Suburban Estates Residential) Zone.

Generally located on the south side of Chartan Avenue and the east side of Placid Street within Enterprise. MN/rk/jd (For possible action)

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RELATED INFORMATION:

**APN:**

177-33-801-012; 177-33-801-028

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 11185 Fairfield Avenue
- Site Acreage: 7.4
- Number of Lots: 22
- Density (du/ac): 3.0
- Minimum/Maximum Lot Size (square feet): 10,721/18,521 (gross)/9,082/14,045 (net)
- Project Type: Single family residential development

The plans depict a proposed 22 lot single family residential development on 7.4 acres. The density of the residential subdivision is 3.0 dwelling units per acre. The lots range in size from a minimum of 10,721 square feet to a maximum of 18,521 square feet (gross). The design of the map also includes a drainage easement along the western portion of the site. The lots within the subdivision will be served by 42 foot wide internal private streets, which include an attached sidewalk on 1 side of the street. Access to the development will be available from the proposed residential subdivisions (Silverado Court VII and VIII) to the south. The private street extends to the north from the access point, with a cul-de-sac extending to the west. No access is shown from Chartan Avenue or Placid Street. However, the project does include the dedication of Chartan Avenue or Placid Street as part of the design of this project. All public streets will be developed to non-urban street standards.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-19-0144	Waivers to allow modifications for off-site improvements with a design review for a single family residential development	Approved by BCC	April 2019
VS-19-0145	Vacated and abandoned a 6 foot wide, 630 foot long, portion of Chartan Avenue and a 3 foot wide streetlight and traffic control easement along Chartan Avenue	Approved by BCC	April 2019
TM-19-500047	8 single family residential lots on 4.9 acres	Approved by BCC	April 2019

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-1)	Single family residential & undeveloped
South	Rural Neighborhood Preservation (up to 2 du/ac) & Residential Low (up to 3.5 du/ac)	R-E (RNP-1) & R-1	Single family residential & undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac) & Residential Suburban (up to 8 du/ac)	R-E (RNP-1) & R-2	Single family residential

**Related Applications**

Application Number	Request
NZC-21-0123	A nonconforming zone change to reclassify this site to R-D zoning is a companion item on this agenda.
VS-21-0124	A vacation of government patent easements along the boundary of APN 177-33-801-012 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; however, since staff is not supporting the nonconforming zone change and design review, staff cannot support the tentative map.

**Department of Aviation**

The property lies just outside the AE-60 (60 - 65 DNI.) noise contour for the Henderson Executive airport, and is subject to potentially significant aircraft noise and continuing over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the airport to meet future air traffic demand.



### **Staff Recommendation**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 2, 2021 at 9:00 a.m., unless otherwise announced.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

If approved:

- Expunge TM-19-500047.
- 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;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA); and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

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

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

#### **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; the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their homes purchased or soundproofed.

**Building Department - Fire Prevention**

- Applicant is advised to show on-site fire lane, turning radius, and turnarounds (tee-intersection turn around back of curb radii too tight, see fire Code amendments page 125).

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

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0042-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: CHRIS ARMSTRONG C/O GOOLD PATTERSON**

**CONTACT: WESTWOOD PROFESSIONAL SERVICE, 5740 S. ARVILLE STREET, SUITE 216, LAS VEGAS, NV 89118**

DRAFT





# TENTATIVE MAP APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

# 8A

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>TM-21-500032</u>	DATE FILED: <u>3/16/21</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>RK</u>	TAB/CAC DATE: <u>4/14/21</u>
		TAB/CAC: <u>Enterprise</u>	R-E/RNPI to R-D
		PC MEETING DATE: <u>5/4/21</u>	RNP
		BCC MEETING DATE: <u>6/2/21</u>	WS 19-0144
		FEE: <u>\$750.00</u>	MN

<b>PROPERTY OWNER</b>	NAME: <u>BADSM Partners, LLC</u>
	ADDRESS: <u>1975 Village Center Ste 40</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

<b>APPLICANT</b>	NAME: <u>Chris Armstrong c/o Gould Patterson</u>
	ADDRESS: <u>1975 Village Center Ste 140</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u>
	TELEPHONE: _____ CELL: <u>702-204-9989</u>
	E-MAIL: <u>chrismarmstrong@gmail.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Westwood Professional Services</u>
	ADDRESS: <u>5740 S. Arville St., Suite 216</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-284-5300</u> CELL: _____
	E-MAIL: <u>lvproc@westwoodps.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-33-801-028

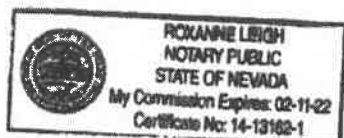
PROPERTY ADDRESS and/or CROSS STREETS: Chartan/Placid

TENTATIVE MAP NAME: \_\_\_\_\_

I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

[Signature] Property Owner (Signature)\*  
Jerry Slater Property Owner (Print)  
 STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 12/30/20 (DATE)  
 By Jerry Slater  
 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

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	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: _____	

<b>PROPERTY OWNER</b>	NAME: <u>2150 Lighthouse, LLC</u>
	ADDRESS: <u>7840 SUN LEMON CT</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89123</u>
	TELEPHONE: <u>702-260-7113</u> CELL: _____
	E-MAIL: <u>lvnvac@gmail.com</u>

<b>APPLICANT</b>	NAME: <u>Chris Armstrong c/o Gould Patterson</u>
	ADDRESS: <u>1975 Village Center Ste 140</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u>
	TELEPHONE: _____ CELL: <u>702-204-9989</u>
	E-MAIL: <u>chrisvarmstrong@gmail.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Westwood Professional Services</u>
	ADDRESS: <u>5740 S. Arville St., Suite 216</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-284-5300</u> CELL: _____
	E-MAIL: <u>lvproc@westwoodps.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-33-801-012

PROPERTY ADDRESS and/or CROSS STREETS: Chartan/Placid

TENTATIVE MAP NAME: \_\_\_\_\_

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)\*

\_\_\_\_\_  
 Peter Anello  
 Property Owner (Print)

STATE OF California  
 COUNTY OF Orange

SUBSCRIBED AND SWORN BEFORE ME ON 12.22.2020 (DATE)  
 By Peter Anello

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.

05/04/21 PC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT  
(TITLE 30)

NEAL AVE/BERMUDA RD

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**  
**NZC-21-0128-HKM NEVADA PROPERTIES:**

**ZONE CHANGE** to reclassify 12.2 acres from C-2 (General Commercial) Zone to R-4 (Multiple Family Residential - High Density) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase building height; and 2) alternative landscaping.

**DESIGN REVIEWS** for the following: 1) a multiple family residential development; 2) alternative parking lot landscaping; and 3) finished grade.

Generally located on the southwest corner of Neal Avenue and Bermuda Road within Enterprise (description on file). MN/al/jd (For possible action)

**RELATED INFORMATION:**

**APN:**

191-04-602-012; 191-04-602-014; 191-04-602-017

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase building height to 38 feet where a maximum height of 35 feet is permitted per Table 30.40-3 (an 8.6% increase).
2. Permit alternative landscaping adjacent to Fairfield Avenue and a future private drive where landscaping per Figure 30.64-10 is required.

**DESIGN REVIEWS:**

1. A multiple family residential development.
2. Permit alternative parking lot landscaping where landscaping within parking lots is required per Figure 30.64-14.
3. Increase finished grade to 30 inches (2.5 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 66.7% increase).

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 12.2

- Number of Units: 271
- Density (du/ac): 22.2
- Project Type: Multiple family residential development
- Number of Stories: 2 & 3
- Building Height (feet): 38
- Square Feet: 135,034
- Open Space Required/Provided: 27,100/41,782
- Parking Required/Provided: 483/489

### **Neighborhood Meeting Summary**

This request is for a nonconforming zone change to reclassify approximately 12.2 acres from a C-2 zone to an R-4 zone for a multiple family residential development. The applicant conducted a neighborhood meeting on-line on October 26, 2020 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 25 people attended the meeting. Concerns raised at the meeting included building heights, setbacks, landscaping, traffic along Bermuda Road, and the impact on schools.

### **Site Plan**

The plan depicts a multiple family residential development consisting of 271 units on 12.2 acres with a density of 22.2 dwelling units per acre. The site has frontage along Bermuda Road, Neal Avenue, Fairfield Avenue, and a future private drive along the southeastern portion of the site. The development will be a gated community with access from Bermuda Road. The plan also depicts a gate onto Fairfield Avenue for emergency vehicles. No access is depicted from Neal Avenue or the future private drive. The 271 residential units will be divided between 17 buildings that are distributed throughout the site. A clubhouse and recreation area with a cabana are located in the central portion of the development. A maintenance building is attached to the east side of 1 of the residential buildings that is located on the southeastern corner of the site. The development is required to have 483 parking spaces and 489 parking spaces are provided which are distributed throughout the site. The plan indicates that there will be 46 garage spaces and 232 covered parking spaces. The plan depicts the perimeter of the development will be enclosed by a 6 foot high decorative fence. The plan shows the buildings will be set back a minimum of 20 feet from the public streets and a minimum of 10 feet from the future private drive.

### **Open Space and Landscaping**

The project is required to have 27,100 square feet of open space and 41,782 square feet of open space is provided. The open space consists of a recreational area in the central portion of the development which includes a pool, spa, fire pits, and barbeque areas. Other open space includes a dog park in the southeastern portion of the site and landscape areas throughout the development. Landscaping along Bermuda Road consists of a 15 foot wide landscape area along the street outside of the perimeter decorative fence with trees, shrubs, groundcover and a detached sidewalk. Along Neal Avenue the plans depict an attached sidewalk along the street with a minimum 10 foot wide landscape area outside of the perimeter decorative fence consisting of trees, shrubs, and groundcover. An attached sidewalk is depicted along Fairfield Avenue with

a minimum 5 foot wide landscape area outside of the perimeter decorative fence consisting of trees, shrubs, and groundcover. Per Figure 30.64-10 the landscaping along Fairfield Avenue is required to have an average width of 6 feet and the plans appear to show an average of approximately 5 feet. No landscaping is depicted along the future private drive outside of the decorative fence. The proposed perimeter decorative fence is designed so that landscaping within the fenced area will be visible from the streets. Within the parking areas the plan depicts the use of landscape diamonds rather than landscape islands; however, the required number of trees for the parking areas are provided and distributed throughout the project.

#### Elevations

The buildings for the residential units are 2 to 3 stories with heights of 24 feet for the 2 story buildings and 38 feet for the 3 story buildings. The residential buildings all have pitched roofs with concrete tile roofing material and the exterior of these buildings consists of a stucco finish painted in earth tone colors with stone veneer. The cabana building and maintenance buildings are both 1 story with a maximum height of approximately 17 feet. These buildings have pitched roofs with concrete tile roofing material and stucco exteriors painted in earth tone colors. The clubhouse building is 1 story with a maximum height of approximately 28 feet. The clubhouse building has a pitched roof with concrete tile roofing material and the exterior of the building consists of a stucco painted in earth tone colors and stone veneer.

#### Floor Plans

The proposed development consists of a total of 135,034 square feet of building area, which is divided between 17 buildings for the 271 residential units, clubhouse building, cabana building, and a maintenance building. The residential units will consist of 120 one bedroom units, 139 two bedroom units, and 12 three bedroom units that are between 819 square feet to 1,331 square feet in area. The maintenance building has an area of approximately 433 square feet consisting of a restroom for maintenance staff, workspace, and storage areas. The cabana building has an area of approximately 1,149 square feet and consists of restrooms, an outdoor covered patio, pool equipment areas, and storage area. The clubhouse building has an area of approximately 6,562 square feet which consists of a fitness center, leasing offices, and multi-purpose rooms for the use of the residents.

#### Applicant's Justification

The applicant indicates that the City of Henderson approved a mixed-use development at the southwest corner of Bermuda Road and St. Rose Parkway, which included 2,900 residential units (single and multiple family) and up to to 670,000 square feet of commercial, retail, and office uses. The approval of this mixed-use development has increased demand for residential development and the need for housing options in this area, which this development will provide. The increase in building height is to allow for architectural enhancements that improve the appearance of the development. The alternative parking lot landscaping is being requested to allow for a design which is able to provide required parking for the development. If the landscape islands were provided within the parking area it would require a reduction in required parking. The increase in finished grade is necessary to level the site for development for access per the American Disability Act design requirements and for drainage considerations.



**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-1049-08	Vacated and abandoned government patent easements	Approved by PC	December 2008
ZC-0683-08	Reclassified the northern portion of the site to C-2 zoning for future commercial development	Approved by BCC	August 2008
ZC-0018-95	Reclassified the southern portion of the site to a C-2 zoning wholesale/retail landscape materials business	Approved by BCC	March 1995

**Surrounding Land Use**

	Planned land Use Category	Zoning District	Existing Land Use
North	Residential High (from 8 to 18 du/ac)	R-3	Multiple family residential
South	Commercial General & City of Henderson	C-2 & I-P	Undeveloped
East	Commercial General & City of Henderson	C-2 & RM-16	Tavern, single family residential, multiple family residential, & undeveloped
West	Residential Suburban (up to 8 du/ac)	R-1 & R-2	Single family residential

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

**Related Applications**

Application Number	Request
VS-21-0127	A request to vacate 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 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.*

Since the adoption of the Enterprise Land Use Plan in October 2014 there have been major changes and development occurring along the St. Rose Parkway within the City of Henderson. Major employment centers are being developed on the south side of St. Rose Parkway within the City of Henderson. Additionally, the City of Henderson approved a mixed-use development in October 2020 at the southwest corner of Bermuda Road and St. Rose Parkway. Due to these changes in the area there is an increase demand for residential development and for different housing options. Therefore, staff finds that there has been a change in trends and facts that make this 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 project is a multiple family residential development with a density of approximately 22.2 dwelling units per acre. To the north of this site are an existing multiple family residential development in an R-3 zone with a density of 18 dwelling units per acres and a multiple family residential project currently underdevelopment with a density of 22.5 dwelling units per acres. To the east, beyond the tavern, within the City of Henderson is a residential development with a density of 16 dwelling units per acre. To the south within the City of Henderson is a site approved for a mixed-use development (Henderson West) on 103 acres which was approved for 2,900 residential units with a density of 28.2 dwelling units per acre. Therefore, staff finds the density and intensity of the proposed development is compatible with exiting and planned land uses in the surrounding area.

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

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 76 students for the schools that serve this area (38 elementary students, 18 middle school students, and 20 high school students). The School District also indicates that 2 schools that would serve this area (Webb Middle School & Liberty High School) are over capacity with current enrolment. As a residential development the project would create an increased demand for parks within the area; however, this is off-set by the on-site recreational areas being provided for the residents of the development.

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

The proposed development complies with Goal 7 of the Comprehensive Master Plan which encourages providing housing alternatives to meet a range of lifestyle choices, ages and affordability levels. The site is located on and accessed from Bermuda Road and is near St. Rose Parkway, which are major streets designed to accommodate high volumes of traffic. The site is also located in close proximity to other multiple family residential developments, office/commercial developments, and public facilities; therefore, the project complies in part

with Urban Specific Policy 10 of the Comprehensive Master Plan to encourage site designs to be compatible with adjacent land uses and off-site circulation patterns. The request also complies in part with Urban Specific Policy 53 to ensure that multiple family developments are compatible with adjoining land uses and densities. Additionally, the request complies in part with Urban Specific Policy 57 of the Comprehensive Master Plan to encourage multiple family developments to locate near road networks that can accommodate higher residential densities.

### **Summary**

#### **Zone Change**

There has been a change in trends and facts in this area which make the proposed nonconforming zone change appropriate for this area. The density and intensity of the proposed project is compatible with existing and planned land uses in the surrounding area. With the amount of commercial development along St. Rose Parkway, it is unlikely that commercial development within the existing C-2 zone will extend as far to the north as planned. There is no indication of this project having a substantial adverse effect on public facilities and services in the area. In addition, the project will comply with other goals and policies. Based on the criteria listed above, staff finds the applicant has satisfied the requirements for a Compelling Justification to warrant approval of the 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.

#### **Waiver of Development Standards #1**

The request is to increase building height to 38 feet where 35 feet is the standard. The proposed increase is for architectural features and mechanical equipment screening and not for habitable space within the apartment units. The rooflines are broken-up by variations in height, so the buildings are not a solid mass at 38 feet in height. Setbacks from the property lines and the distribution of the buildings on the site also mitigate the massing effect of the structures. Additionally, with the current C-2 zoning, commercial buildings up to 50 feet in height could be allowed within 10 feet of the streets, which would have a greater visual impact on the abutting properties than the proposed heights of the buildings for this project. Therefore, staff can support this request.

#### **Waiver of Development Standards #2**

The proposed waiver of development standards is for landscaping area along the west side of the site adjacent to Fairfield Avenue and along the southern boundary of the site adjacent to a future private drive. The landscaping area along Fairfield Avenue will be a minimum of 5 feet in width where an average of 6 feet is required. However, additional landscaping material will be provided within the perimeter decorative fence that will be visible from the street along Fairfield Avenue. The area that is adjacent to the future private drive will face future commercial development and again landscaping material within the perimeter decorative fence will be visible from the future



private drive. Therefore, staff believes the proposed landscaping will be adequate for the site and can support this request.

#### Design Reviews #1 & #2

The proposed project provides open space in excess of Code requirements. Amenities within the open spaces include a dog park, pool and spa area, and open spaces large enough to allow for active recreational uses. The clubhouse is centrally located on the site and acts as a community center for the residents of the complex; therefore, staff finds the project complies with Urban Specific Policy 51 of the Comprehensive Master Plan for multiple family projects to provide several amenities such as usable open space, swimming pools, and community centers. Parking areas are distributed throughout the site; however, the applicant is requesting to use landscape diamonds rather than provide landscaping islands within the parking areas. The uses of landscape diamonds is being requested to maximize parking for the residents of the development and avoid a waiver of development standards for a parking reduction. The rooflines are broken-up by variations in height so that the buildings are not solid mass at 38 feet in height. Setbacks from the property lines and the distribution of the buildings on the site also mitigate the massing effect of the structures. This complies with Urban Specific Policy 55 of the Comprehensive Master Plan which encourages design alternatives and spatial distribution rather than the massing of buildings; therefore, staff can support the design reviews.

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

##### Design Review #3

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

#### **Department of Aviation**

The property lies just outside the AE-60 (60 - 65 DNL) noise contour for the Henderson Executive airport, and is subject to potentially significant aircraft noise and continuing overflights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Airport to meet future air traffic demand.

#### **Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 2, 2021 at 9:00 a.m., unless otherwise announced.

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

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

##### **Current Planning**

- Resolution of Intent to complete in 3 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;
- 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.
- 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; the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998, and that funds will not be available in the future should the residents wish to have their homes purchased or soundproofed.

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

- 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; and that fire/emergency access must comply with the Fire Code as amended (trash enclosure doors cannot impede access lane widths).

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0346-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: PICERNE DEVELOPMENT CORPORATION**

**CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., STE. 650, LAS VEGAS, NV 89135**

**DRAFT**





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 9A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <u>MO</u> <input type="checkbox"/> CONFORMING (ZC) <input checked="" type="checkbox"/> NONCONFORMING (NZC) <u>Ac. 12.2 x 50.40</u> <input type="checkbox"/> USE PERMIT (UC)  <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <u>475</u> <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <u>675</u>  <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)  <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)  <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  <u>(ORIGINAL APPLICATION #)</u>  <input type="checkbox"/> ANNEXATION REQUEST (AR)  <input type="checkbox"/> EXTENSION OF TIME (ET)  <u>(ORIGINAL APPLICATION #)</u>  <input type="checkbox"/> APPLICATION REVIEW (AR)  <u>(ORIGINAL APPLICATION #)</u>	<b>STAFF</b>  APP. NUMBER: <u>NZC 21-0128</u> DATE FILED: <u>3-17-21</u> PLANNER ASSIGNED: <u>AI</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>4-14-21</u> PC MEETING DATE: <u>5-4-21</u> BCC MEETING DATE: <u>6-2-21</u> FEE: <u>3160</u>
	<b>PROPERTY OWNER</b>  NAME: <u>H K M Nevada Properties, LLC</u> ADDRESS: <u>9650 S. McCarran Blvd</u> CITY: <u>Reno</u> STATE: <u>NV</u> ZIP: <u>89523</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u>
	<b>APPLICANT</b>  NAME: <u>Picerno Development Corporation</u> ADDRESS: <u>4518 N. 32nd Street</u> CITY: <u>Phoenix</u> STATE: <u>AZ</u> ZIP: <u>85018</u> TELEPHONE: <u>702-592-6900</u> CELL: <u>000-000-0000</u> E-MAIL: <u>aschein@picernearizona.com</u> REF CONTACT ID #: <u>n/a</u>
	<b>CONSPONSOR</b>  NAME: <u>Kaempfer Crowell - Tony Celeste</u> ADDRESS: <u>1980 Festival Plaza Dr. #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>flazovich@kcnvlaw.com</u> REF CONTACT ID #: <u>164674</u>

ASSESSOR'S PARCEL NUMBER(S): 191-04-0012, 014 and 017  
 PROPERTY ADDRESS and/or CROSS STREETS: St. Rose and Bermuda  
 PROJECT DESCRIPTION: Zone change to allow for a multi-family project.

I, We) the undersigned swear and say that I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

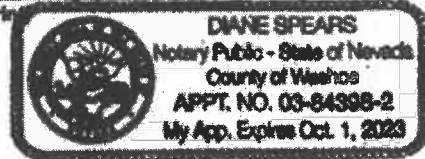
[Signature]  
 Property Owner (Signature)\*

William M Karadeniz  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Washoe

SUBSCRIBED AND SWORN BEFORE ME ON November 2 2020 (DATE)  
 by William M. Karadeniz

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.

# APR-20-100736

KAEMPFER

CROWELL

KAEMPFER CROWELL RENSHAW  
GRONAUER & FIORENTINO

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Fax: 775.852.3982

CARSON CITY OFFICE  
510 W. Fourth Street  
Carson City, NV 89703  
Tel: 775.684.8308  
Fax: 775.682.0257

February 2, 2021

**VIA EMAIL**

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

NZC-21-0128

***Re: Compelling Justification Letter – Nonconforming Zone Change; Design Review for Multi-Family Development; Design Review for Alternative Parking Lot Landscaping; Design Review to Increase Finished Grade Above 18”; Waivers of Development Standards to Increase Building Height; and Vacate and Abandon 5’ Wide Portion of Bermuda Road to Allow for a Detached Sidewalk  
APNs: 191-04-602-012, 014, & 017***

To Whom It May Concern:

Please be advised our office represents Picerne Development Corp. (the “Applicant”) in the above-referenced matter. The proposed project is located on approximately 12.96 gross acres located near the northwest corner of St. Rose Parkway and Bermuda Road. The property is more particularly described as APNs: 191-04-602-012, 014, & 017 (collectively the “Site”). The Applicant is requesting a nonconforming zone change from C-2 to R-4; design reviews (1) to develop a 271 unit multi-family development, (2) alternative parking lot landscaping, and (3) increase finished grade over 18”; a waiver of development standards to increase the building height from 35’ to 38’; and vacate and abandon a portion of Bermuda Road to allow for detached sidewalk.

**Nonconforming Zone Change:**

The Enterprise Land Use Plan designation for the Site is Commercial General (“CG”). However, this request 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 October of 2014 and due to the COVID-19 pandemic, the recent update to the Enterprise Land Use Plan was cancelled. Nonetheless, there are major changes and developments occurring along the St. Rose Parkway

corridor between I-15 and Starr Avenue. There are major employment centers developing on the south side of St. Rose Parkway, which is in the City of Henderson, including the Las Vegas Raiders practice facility and headquarters, Levis Strauss, Amazon, FedEx, Kroger Foods distribution center, and a potential hospital to name just a few of the existing, developing, or planned uses. See City of Henderson Planned Map, attached hereto as Exhibit 1.

Additionally, at the October 6, 2020 City of Henderson City Council hearing, the city council approved the Henderson West Development Agreement ("Henderson West") with developers to develop approximately 103 acres located on southwest corner of St. Rose Parkway and Bermuda; directly across the street from the Site. See Exhibit 1, see also Fox 5 News Release, attached hereto as Exhibit 2, and see also Henderson West Design Guidelines at pg. 27 (Conceptual Street Network), attached hereto as Exhibit 3. Henderson West is a mixed-use development including approvals of up to 2,920 residential units consisting of single-family and multi-family units and up to 670,000 square feet of commercial, retail and office uses. See Henderson West Design Standards at pg. 34, attached hereto as Exhibit 4. With large scale employment centers developing in addition to Henderson West within this corridor, there is a need for additional housing and varying housing options. Because of the developments and changes occurring in this corridor, a multi-family development is appropriate.

**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:**

The Site is located near St. Rose Parkway, a 300' wide ROW, and Bermuda Road, a 90' wide ROW. Both of these streets are major corridors designed specifically to accommodate large volumes of traffic. Immediately to the north of the Site is (1) a condominium development zoned R-3 and developed out at around 18 dwelling units/acre and an R-4 development of up to 25 dwelling units per acre and (2) immediately to the east is a compact lot development approved at 16 dwelling units/acre. The heights of these development range between 25' and 40'. Here, the Applicant is requesting a density of approximately 21 dwelling units per acre with a maximum height of three (3) stories and 38'. However, the Applicant is proposing only two (2) story multi-family units at the southwest portion of the Site to match the two (2) story single-family residential to the west of the Site.

In addition, the proposed height and density on the Site is compatible with the approved Henderson West Plan, and in many cases, less dense and intense. Henderson West is broken up into four (4) districts with each district targeting different density types. The targeted densities are: 18 dwelling units per acre for District 2, 30 dwelling units per acre for District 3, and 75 dwelling units per acre for District 4. See Henderson West Design Standards at pg. 35, attached hereto as Exhibit 5. The approved heights for the Henderson West Plan range from 50' in height to 85' in height. See Henderson West Design Standards at pgs. 38-39, attached hereto as Exhibit 6.

Thus, overall, the Site's proposed density and intensity is compatible with 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 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. This Site is located on St. Rose Parkway, a 300' super arterial ROW, and Bermuda Road, a 90' ROW. Further, the Site will provide recreational amenities which will not burden Clark County recreation facilities. The very limited number of three bedroom units discourages occupation by families with school aged children. 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 at St. Rose Parkway and Bermuda Road. It is located near public facilities and mass transit stops necessary to support multi-family development. Additionally, the proposed development is located near large scale employment centers. 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 57 encourages multi-family developments to be located near transit stops and road networks that can accommodate higher residential densities. Here, the Site is along a super arterial ROW, St. Rose Parkway, and is located near bus stops.
- Policy 55 encourages spatial distribution rather than the massing of buildings. Here, the buildings are oriented in various directions to avoid the monotone linear pattern. Additionally, the design review shows varied elevations.
- Policy 51 encourages multi-family projects to provide several amenities including usable open space, swimming pools, barbeque pits, and community centers. Here, the additional 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 dispersed throughout the entire project and avoids creating long corridors of parking area.



- Policy 53 encourages the use of drought-tolerant landscaping. Here, the landscaping complies with all Title 30 requirements.

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

**Design Review for Multi-Family Development:**

The Applicant is proposing a 271 unit development. The bedroom mix is as follows: 120 one bedroom units, 139 two bedroom units, and 12 three bedroom units. The Site's main entry is via a gated entry way located on Bermuda Road with an emergency exit gate located at Fairfield Avenue. The multi-family buildings will be two and three stories. The two story component will be located on the southwest portion of the Site nearest to the two story single-family residential development. Additionally, the Site will provide outdoor amenities such as a pool/spa/cabana area and dog park and indoor amenities with a recreation/clubhouse building consisting of meeting rooms and social gatherings areas, a gym, business center and theatre. The clubhouse building is one story. The site plan and design of the buildings adheres to all Title 30 standards, including but not limited to exceeding parking requirements, meeting all landscaping requirements, setback requirements and exceeding open space requirements.

**Design Review for Alternative Parking Lot Landscaping:**

The Applicant is requesting an alternative design review for parking lot landscaping. In order to comply with parking code, the Applicant is not providing parking lot landscaping islands for every six (6) spaces. However, the Applicant is providing the required amount of landscaping including allocated number of trees.

**Design Review to Increase Finished Grade Above 18":**

The Applicant is requesting a design review to increase the finished grade above 18". Primarily, the reason for the increase in finished grade is interior to the Site in order to level the Site for development. On average, the finish floors are set higher than the existing ground to minimize the export of dirt (per good design practice) so the placement of the concrete for finish floors and type II aggregate building pads will not require excessive amounts of material to be removed. Additionally the desert terrain has grade changes that can be significant versus the finish grade design that has to account for large, flat building footprints, American Disability Act design requirements and drainage considerations which prevent finish grades from matching the desert terrain. In the specific cross sections shown on the exhibits provided, it illustrates that the maximum fill in these cross section locations would be approximately 2.5'.

**Waiver of Development Standards to Increase Building Height:**

In an R-4 development, the maximum allowed height is 35'. Here, the three (3) story buildings are approximately 38' in height. As a result, the Applicant is requesting a waiver to

increase the height of the three (3) story buildings by 3'. The reason for the 3' increase in height is as follows: (1) each floor is approximately 9' in height; (2) the top floor will have vaulted ceilings; (3) unlike many other apartment structures, the mechanical units are not placed on top of the roof but rather the mechanical units are cut into the roof and therefore provide an enhanced architectural feature; and (4) the slight increase in height is not for residential use but rather an architectural enhancement.

**Vacate and Abandonment a Portion of Bermuda Road:**

The Applicant is proposing a detached sidewalk along Bermuda Road. As a result, the Applicant is requesting to vacate and abandon this five foot (5') wide portion to accommodate the detached sidewalk.

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



Anthony J. Celeste

AJC

RIGHT-OF-WAY  
(TITLE 30)

NEAL AVE/BERMUDA RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-21-0127-HKM NEVADA PROPERTIES:**

**VACATE AND ABANDON** a portion of a right-of-way being Bermuda Road located between Neal Avenue and St. Rose Parkway within Enterprise (description on file). MN/al/jd (For possible action)

**RELATED INFORMATION:**

**APN:**  
191-04-602-012; 191-04-602-014; 191-04-602-017

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

**BACKGROUND:**

**Project Description**

The applicant is proposing to develop a multiple family residential development on approximately 12.2 acres. This request is to vacate portions of Bermuda Road in order to provide detached sidewalks for the proposed development as required by Code.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-1049-08	Vacated and abandoned government patent easements	Approved by PC	December 2008
ZC-0683-08	Reclassified the northern portion of the site to C-2 zoning for future commercial development	Approved by BCC	August 2008
ZC-0018-95	Reclassified the southern portion of the site to C-2 zoning wholesale/retail landscape materials business	Approved by BCC	March 1995

**Surrounding Land Use**

	Planned land Use Category	Zoning District	Existing Land Use
North	Residential High (from 8 to 18 du/ac)	R-3	Multiple family residential
South	Commercial General & City of Henderson	C-2 & I-P	Undeveloped

**Surrounding Land Use**

	<b>Planned land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
East	Commercial General & City of Henderson	C-2 & RM-16	Tavern & single family residential, multiple family residential, & undeveloped
West	Residential Suburban (up to 8 du/ac)	R-1 & R-2	Single family residential

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
NZC-21-0128	A request to reclassify the site to an R-4 zone for a multiple family residential development is a companion in 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 on Bermuda Road to accommodate detached sidewalks.

**Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 2, 2021 at 9:00 a.m., unless otherwise announced.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Satisfy utility companies' requirements.
- Applicant is advised that 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 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.

**Building Department - Fire Prevention**

- No comment.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** PICERNE DEVELOPMENT CORPORATION

**CONTACT:** KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., STE 650, LAS VEGAS, NV 89135

**DRAFT**





# VACATION APPLICATION

# 10A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

### APPLICATION TYPE

- VACATION & ABANDONMENT (vs)
- EASEMENT(S)
- RIGHT(S)-OF-WAY
- EXTENSION OF TIME (ET)  
(ORIGINAL APPLICATION #):

DEPARTMENT USE

APP. NUMBER: VS-21-0127  
 PLANNER ASSIGNED: BJ  
 TAB/CAC: Enterprise  
 PC MEETING DATE: 5-4-21  
 BCC MEETING DATE: 6-2-21  
 FEE: \$875<sup>00</sup>

DATE FILED: 3-17-21  
 TAB/CAC DATE: 4-14-21

PROPERTY OWNER

NAME: H K M Properties, LLC  
 ADDRESS: 9650 S. McCarran Road  
 CITY: Reno STATE: NV ZIP: 89523  
 TELEPHONE: 000-000-0000 CELL: 000-000-0000  
 E-MAIL: n/a

APPLICANT

NAME: Picame Development Corporation  
 ADDRESS: 4518 N 32nd Street  
 CITY: Phoenix STATE: AZ ZIP: 85018  
 TELEPHONE: 702-592-6900 CELL: 000-000-0000  
 E-MAIL: aschien@picerneaz.com REF CONTACT ID #: n/a

CORRESPONDENT

NAME: Kaempfer Crowell - Tony Celeste  
 ADDRESS: 1980 Festival Plaza Dr. #650  
 CITY: Las Vegas STATE: NV ZIP: 89135  
 TELEPHONE: 702-792-7000 CELL: 702-792-7048  
 E-MAIL: ajc@kvnvnlaw.com REF CONTACT ID #: 164674

ASSESSOR'S PARCEL NUMBER(S): 191-04-602-012, 014 and 017

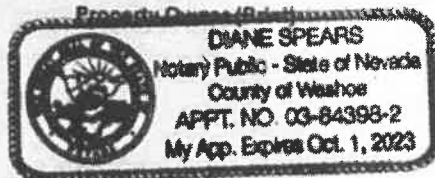
PROPERTY ADDRESS and/or CROSS STREETS: St. Rose & Bermuda

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.

[Signature]  
 Property Owner (Signature)

William M Karadanis  
 Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF Nevada  
 SUBSCRIBED AND SWORN BEFORE ME ON March 2021 (DATE)  
 BY William M Karadanis  
 NOTARY PUBLIC: Diane Spears



\*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@kcrw.com](mailto:aceleste@kcrw.com)

702.693.4215

March 12, 2021

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Tel: 775.882.3900  
Fax: 775.327.2011

CARSON CITY OFFICE  
510 West Fourth Street  
Carson City, NV 89703  
Tel: 775.884.8308  
Fax: 775.882.0257

March 12, 2021

**VIA UPLOAD**

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

**Re: *Justification Letter – Vacate and Abandon a Portion of Bermuda Road Right-of-Way  
Picerne Development  
APNs: 191-04-602-012, 014, & 017 (St. Rose Parkway & Bermuda Road)***

To Whom It May Concern:

Please be advised our office represents Picerne Development (the "Applicant"). The Applicant is requesting to vacate and abandon a portion of the Bermuda Road right-of-way. As a companion item to this request, the Applicant has submitted a nonconforming zone and design review for a 271 multi-family unit development. As part of the proposed development plans, the Applicant will provide detached sidewalks along Bermuda Road. In order to provide the detached sidewalks, the Applicant is requesting to vacate and abandon this area to allow for the detached sidewalks.

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



Anthony J. Celeste

AJC



05/05/21 BCC AGENDA SHEET

FINISHED GRADE  
(TITLE 30)

PAMALYN AVE/CAMERON ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**DR-21-0100-CAMERON PARTNERS, LLC:**

**DESIGN REVIEW** for finished grade in conjunction with a proposed single family residence on 1.0 acre in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone.

Generally located on the east side of Cameron Street, 134 feet south of Pamalyn Avenue within Enterprise. MN/jor/jd (For possible action)

**RELATED INFORMATION:**

**APN:**  
177-06-201-040; 177-06-201-041

**DESIGN REVIEW:**  
Increase the finished grade for a proposed single family residential development to 54 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 200% increase).

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

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

- Site Acreage: 1
- Number of Lots: 1 (per MSM-20-600025 in process)
- Project Type: Increased finished grade
- Number of Stories: 1
- Building Height (feet): 16

**Site Plan**

The applicant is processing a 1 lot parcel map (MSM-20-600025) with the Clark County Public Works – Mapping Department which includes Assessor’s Parcel Numbers APN 177-06-201-040 and 177-06-201-041. The site plan depicts a proposed 1 lot single family residential development and the front of the property faces Cameron Street. The cross section plan depicts that the increased finished grade request (54 inches maximum) is located where the proposed finished floor of the proposed home will be constructed. The proposed residence is located on the west half of the site, 24 feet from the north property line, 50 feet from the west property line, 60 feet from the south property line, and 21.5 feet from the east property line. A proposed

detached accessory structure, and associated rear yard amenities are located on the east half of the site, and meets Title 30 standards for finished grade.

**Applicant's Justification**

The justification letter states that the proposed increased finished grade allows for reasonable accessibility to the project with the maximum proposed fill being at 54 inches. The developer will meet all current Clark County requirements for the construction of the home. The frontage of the site and the finished floor will be elevated above potential stormwater in the street per drainage requirements.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-18-0889	Vacated government patent easements - recorded	Approved by PC	January 2019
ZC-1026-05	Reclassified 3,800 parcels from R-E zoning to R-E RNP-I zoning	Approved by BCC	October 2005

**Surrounding Land Use**

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

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Department of Aviation**

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

MORE IMPORTANTLY, the development will penetrate the Part 77 airspace surface (Airport Airspace Overlay District), as defined by Section 30.48.100 of the Clark County Unified Development Code. Therefore, as required by Section 30.16.210(12)(D) of the Clark County

Unified Development Code, final action CANNOT occur until the FAA has issued an airspace Determination of No Hazard and the Department of Aviation has reviewed the determination. (Note that Section 30.16.210(12)(D) requires that the FAA Determination of No Hazard shall be submitted 2 weeks prior to final approval for any proposed structure that intrudes into Airport Airspace Overlay District [see Chapter 30.48 Part B].)

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

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- Applicant is advised that 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**

- 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.
- 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.

#### **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;
- 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;

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 10 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

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

- No comment.

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

**APPLICANT: PHILIP WAKEFIELD**

**CONTACT: PHILIP WAKEFIELD, BLUE DIAMOND CIVIL ENGINEERING, 9816  
GILLESPIE ST, BUILDING E, STE 120, LAS VEGAS, NV 89183**



PLANNER  
CPTA

# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b> <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b> APP. NUMBER: <u>DR-21-0100</u> DATE FILED: <u>3/4/2021</u> PLANNER ASSIGNED: <u>JOR</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>4/14/21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>May 5, 2021</u> FEE: <u>\$675</u>
	<b>PROPERTY OWNER</b> NAME: <u>CAMERON PARTNERS LLC</u> ADDRESS: <u>4023 DEAN MARTIN DR</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>702.353.5622</u> CELL: <u>702.305.8543</u> E-MAIL: <u>jeremiahboucher@gmail.com</u>
	<b>APPLICANT</b> NAME: <u>Blue Diamond Civil Engineering</u> ADDRESS: <u>9816 GilesPie Street, Ste 120</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>702-478-8580</u> CELL: _____ E-MAIL: <u>pwakefield@bdce-iv.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b> NAME: <u>Blue Diamond Civil Engineering</u> ADDRESS: <u>9816 GilesPie Street, Ste 120</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>702-478-8580</u> CELL: _____ E-MAIL: <u>abaca@bdce-iv.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 177-06-201-040,-041

PROPERTY ADDRESS and/or CROSS STREETS: Cameron/ Pamalyn

PROJECT DESCRIPTION: Increased Fill

(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)\*      Jeremiah Boucher  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 3/2/20 (DATE)

By Kathy Le  
 NOTARY PUBLIC: Kathy Le



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



January 4, 2021

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

DR-21-0100

PLANNER  
COPY

**Re: Justification Letter for Cameron and Pamalyn (Waiver for Fill)**

To Whom It May Concern:

Blue Diamond Civil Engineering, on behalf of our client, would like to formally request for a Waiver of Development Standards (WS). The waiver is required because the fill on the site will exceed the maximum allowed of 18-inches per Title 30.32.040(9). The project is located on an approximate 1.06-acres located on the Southeast Corner of Cameron Street and West Pamalyn Avenue (APN's 177-06-201-040 and 041).

The property owner intends to combine the lots by recording the parcel map, MSM 20-600025, which is currently in review. The lots are vacant but the frontage of the parcels and finished floors will be elevated above stormwater in the street per drainage requirements. The proposed development includes the construction of a single-family residence and the associated improvements. The grading allows for reasonable accessibility to the project with the maximum proposed fill being 4.5 feet. The developer will meet all current Clark County requirements for the construction of the home(s).

I trust this satisfies your concerns regarding this project. If there are any questions or additional information necessary, please contact this office.

Sincerely,

**Blue Diamond Civil Engineering**

Philip D. Wakefield, P.E.  
Principal

---

**Blue Diamond Civil Engineering**

9816 Gilesple Street, Suite 120

Las Vegas, NV 89183

(702) 478-8580

Page 2 of 2



05/05/21 BCC AGENDA SHEET

COMMERCIAL DEVELOPMENT/FINISHED GRADE ST. ROSE PKWY/BERMUDA RD  
(TITLE 30)

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**DR-21-0129-HKM NEVADA PROPERTIES, LLC;**

**DESIGN REVIEW** for finished grade in conjunction with a previously approved vehicle maintenance facility, convenience store, and gasoline station on 1.6 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of St. Rose Parkway and the west side of Bermuda Road within Enterprise. MN/ind/jd (For possible action)

**RELATED INFORMATION:**

**APN:**

191-04-615-002

**DESIGN REVIEW:**

Increase finished grade to 48 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 167% increase).

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 1.6
- Project Type: Increased finished grade

**History and Request**

The C-2 zoning was approved via ZC-0018-95 by the Board of County Commissioners in March 1995 for future commercial development on a larger 11.7 acre site which includes the subject parcel consisting of 1.6 acres. A convenience store and a gasoline station with a fuel canopy were approved to the east of the project site located on the same parcel via ADR-20- 900388 in September 2020. A vehicle maintenance facility was approved on the subject parcel via UC-20-0539 by the Planning Commission in February 2021. The applicant is requesting to increase finished grade up to a maximum of 48 inches within the interior of the project site.

Site Plans

The plans depict a previously approved 3,800 square foot vehicle maintenance facility located on a portion of the 1.6 acre site. The vehicle maintenance facility is set back a minimum of 10 feet from the west property line, adjacent to Fairfield Avenue, and a minimum of 295 feet from the south property line, adjacent to St. Rose Parkway. The facility is set back zero feet from the north property line, adjacent to an undeveloped 3 acre parcel zoned C-2, and 272 feet from the east property line along Bermuda Road. The previously approved convenience store is located 75 feet to the east of the vehicle maintenance facility. The convenience store, measuring 4,200 square feet, is located immediately adjacent to the north property line of the project site, adjacent to an undeveloped C-2 zoned parcel. The convenience store is set back 127 feet from the east property line along Bermuda Road, 130 feet from the south property line along St. Rose Parkway, and a minimum of 200 feet from the existing single family residential development to the west. The fuel canopy with an area of 3,834 square feet, is set back 53 feet from the north property line adjacent to an undeveloped C-2 zoned parcel. The fuel canopy is also set back 63 feet from the east and south property lines along Bermuda Road and St. Rose Parkway, respectively, and a minimum of 200 feet from the existing single family residential development to the west. An existing commercial driveway is provided along St. Rose Parkway servicing the commercial development. The request is to permit 3.5 feet of fill above existing grade at the northwest corner of the site, and 4 feet of fill above existing grade at the north corner of the proposed convenience store.

Applicant's Justification

The applicant states the natural topography of the site falls away from St. Rose Parkway at approximately 2.5 percent, which creates a significant grade differential across the entire site. The project is bordered by a commercial development to the south that is higher in grade. The adjacent property to the north, where the greatest amount of fill occurs, is an undeveloped parcel that is zoned C-2. Therefore, the increased finished grade, as reflected on the cross sections, is from a commercial development to a parcel that is also zoned commercial. The excess fill is required to maintain drivability between the commercial parcels and provide a parking lot with positive drainage from the proposed buildings. With mitigation measures such as retaining walls, there will be no negative impacts to the commercial zoned parcel to the north.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-20-0539	Vehicle maintenance facility and lighting	Approved by PC	February 2021
ADR-20-900388	Convenience store with gasoline station (fuel canopy)	Approved by ZA	September 2020
TM-0212-15	1 lot commercial subdivision	Approved by PC	January 2016
WS-0311-12	Comprehensive sign plan consisting of wall signs and a freestanding sign for a restaurant	Approved by PC	August 2012
DR-0303-11	Modified a previously approved parking lot for an approved restaurant, lighting, and signage	Approved by PC	August 2011



**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-0390-09	Restaurant	Approved by PC	August 2009
ZC-0018-95	Reclassified the project site to C-2 zoning for future commercial development	Approved by BCC	March 1995

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2 **	Undeveloped
South	Commercial General	C-2	Restaurant with drive-thru
East	Commercial General	C-2	Tavern
West	Residential Suburban (up to 8 du/ac)	R-2	Single family residential

\*\*Nzc-21-0128 is a request to reclassify the property to the north from C-2 zoning to R-4 zoning for a multiple family development. The application is scheduled to be heard by the Planning Commission May 4, 2021 and by the Board of County Commissioners' June 2, 2021.

**STANDARDS FOR APPROVAL:**

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

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

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:****Current Planning**

- 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 this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- Compliance with approved drainage study PW20-19178;
- 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.
- 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.

**Building Department - Fire Prevention**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0335-2020 to obtain your POC exhibit and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: ACTIVE COMMERCIAL, LLC  
CONTACT: DIONICIO GORDILLO, 204 BELLE ISLE CT, HENDERSON, NV 89012**



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 12A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></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 (N2C)</p> <p><input type="checkbox"/> USE PERMIT (UC)</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)</p> <p><input checked="" type="checkbox"/> PUBLIC HEARING</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>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: <u>DR-21-0129</u>      DATE FILED: <u>3/17/21</u></p> <p>PLANNER ASSIGNED: <u>MND</u></p> <p>TAB/CAC: <u>ENTERPRISE</u>      TAB/CAC DATE: <u>4/14/21</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>5/5/21</u> <u>9:00 A.M.</u></p> <p>FEE: <u>\$675.<sup>00</sup></u></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>HKM Nevada Properties, LLC</u></p> <p>ADDRESS: <u>9650 S McCARRAN BLVD</u></p> <p>CITY: <u>RENO</u>      STATE: <u>NV</u>      ZIP: <u>89523</u></p> <p>TELEPHONE: <u>775-786-8852</u>      CELL: <u>775-772-6978</u></p> <p>E-MAIL: <u>WMTT@sbcglobal.net</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>Active Commercial, LLC</u></p> <p>ADDRESS: <u>6725 S Eastern Ave,</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89119</u></p> <p>TELEPHONE: <u>702-868-7870</u>      CELL: <u>701-612-5500</u></p> <p>E-MAIL: <u>asif@activecommercially.com</u>      REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Jeff Looker</u>      <u>Looker &amp; Capello Architects</u></p> <p>ADDRESS: <u>2070 - E Southern Ave</u></p> <p>CITY: <u>Tempe</u>      STATE: <u>AZ</u>      ZIP: <u>85282</u></p> <p>TELEPHONE: <u>480-730-1776</u>      CELL: _____</p> <p>E-MAIL: <u>Jeff@lookerarch.com</u>      REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 191-04-615-002

PROPERTY ADDRESS and/or CROSS STREETS: Bermuda and St. Rose Pkwy, NWC

PROJECT DESCRIPTION: Increased finished grade

I, (We) the undersigned swear and say that I (am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. I, (We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Property Owner (Signature)\*      Property Owner (Print)

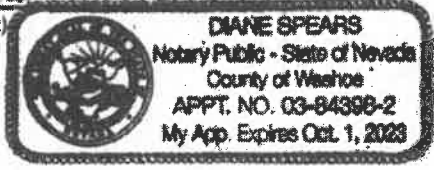
STATE OF Nevada

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

SUBSCRIBED AND SWORN BEFORE ME ON July 22, 2020 (DATE)

By William M. Karadonis

NOTARY PUBLIC: Diane Spears



\*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.

# D G Consultants

January 21, 2021

Clark County Comprehensive Planning & Clark County Public Works, Development Review  
500 S. Grand Central Parkway  
Las Vegas, NV 89155

**RE: Design Review for Increased Finish Grade (Excess Fill) – Convenience Store with gasoline station and Vehicle Maintenance Facility (191-04-615-002)**

On behalf of Active Commercial, LLC, we are requesting a design review for increased finish grade for portions of the overall site. The subject parcel is 1.5 acres, zoned C-2, and located at the NW corner of St. Rose Parkway and Bermuda Road. The design review is for the entire 1.5 acre parcel. By way of background, the zoning was originally approved with ZC-95-0018 in March 1995, on a larger 11.7 acre site which included the current 1.5 acre development site. The 1.5 acre parcel has been approved for a convenience store with gasoline station through ADR-20-900388 and a vehicle maintenance facility through UC-20-0539 (see attached site plans).

The Civil Engineer, Thomason Consulting Engineers, received initial comments from Drainage Study #20-19178 indicating finish grade would exceed 18 inches along the northern portions of the site. The request is to allow 3.4 feet in fill above existing grade at the northwest corner of the site and 3.9 feet of fill above existing grade at the north corner of the proposed convenience store (see attached cross sections). Therefore, the request is to increase the finished grade to 47 inches (3.9 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040.

The natural topography of the site falls away from St. Rose Parkway at approximately 2.5% which creates a significant grade differential across the entire site. The project is bordered by a commercial development to the south that is higher in grade. The adjacent property to the north, where the greatest amount of fill occurs, is an undeveloped parcel that is zoned C-2. Therefore, the increased finished grade, as reflected on the cross sections, is from a commercial development to a parcel that is also zoned commercial. The excess fill is required to maintain drivability between the commercial parcels and provide a parking lot with positive drainage from the proposed buildings. With mitigation measures such as retaining walls, there will be no negative impacts to the commercial zoned parcel to the north.

Should you have any questions or concerns, please contact Josh Owens, Thomason Consulting Engineers, at 702-932-6125.

Thank you for the consideration.

Sincerely,



cc File: 2020118

**PLANNER  
COPY**

05/05/21 BCC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT  
(TITLE 30)

LEVI AVE/EL CAMINO RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-21-400033 (DR-18-0983)-TURTLE BAY APARTMENTS, INC:**

**DESIGN REVIEW FIRST EXTENSION OF TIME** for finished grade for an approved multiple family residential development on 5.0 acres in an R-3 (Multiple Family Residential) Zone.

Generally located on the south side of Levi Avenue and the east side of El Camino Road (alignment) within Enterprise. JJ/jgh/jo (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-35-601-003; 176-35-601-004

**DESIGN REVIEW:**

Increase finished grade to 36 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 100% increase).

**LAND USE PLAN:**

ENTERPRISE - RESIDENTIAL HIGH (FROM 8 DU/AC TO 18 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 5
- Number of Lots/Units: 89
- Density (du/ac): 17.8
- Project Type: Multiple family residential development
- Number of Stories: 3
- Building Height (feet): 37 feet 10 inches
- Open Space Required/Provided: 17,800/43,824
- Parking Required/Provided: 161/162

**Site Plan**

The previously approved site plan depicts a multiple family residential development at a density of 17.8 units per acre consisting of 36, one bedroom units and 53, two bedroom units. The units are placed within 3, three story buildings and 3, two story garage/loft buildings. Access to the

site is from El Camino Road, with an egress only gate to Irvin Avenue on the southeast portion of the site. The finished grade of the site will increase to 3 feet for a perimeter retaining wall along the east property line.

### Landscaping

Previously approved plans depict street landscaping along Levi Avenue, El Camino Road, and Irvin Avenue. The plans show 15 foot wide landscape areas with detached sidewalks and a 6 foot high decorative fence. A 10 foot wide intense landscape buffer per Figure 30.64-12 is provided along the east property line with a 9 foot high decorative block wall (3 foot retaining, 6 foot screen).

### Elevations

The previously approved plans depict 2 types of 3 story, 37 foot 10 inch high, multiple family residential buildings; and 2 types of 2 story, 23.5 foot high, multiple family residential garage/loft buildings. Building materials consist of stucco finish, stucco pop-outs, aluminum window frames, wrought iron guardrails, and tile roofing at a minimum 3:12 pitch. Balconies are also shown on the elevations. The clubhouse building is 1 story, 23.5 feet high and constructed of the same building materials with the addition of stone veneer. The carports are 9 feet high and constructed of steel.

### Floor Plans

The previously approved plans show that 2 of the 3 story buildings will have 24 units each, and the other 3 story building will have 36 units. The remaining 5 units consist of lofts located above the garage buildings. Units range in size from 856 square feet to 1,350 square feet including patio and/or balcony area. The clubhouse building is 2,500 square feet and consists of an office area, fitness room, business center, kitchen, lounge, and restrooms.

### Previous Conditions of Approval

Listed below are the approved conditions for DR-18-0983:

#### Current Planning

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

#### Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Irvin Avenue, 25 feet to the back of curb for El Camino Road, 25 feet to the back of curb for Levi Avenue, and associated spandrels;



- Applicant to apply for BLM right-of-way grants for Irvin Avenue and El Camino Road. Applicant is advised that the minimum dimensions to any proposed call box must comply with Uniform Standard Drawing 222.1; that a portion of the BLM grant for the cul-de-sac bulb may need to be vacated; that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that 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 #0731-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that it was the owner's intention to complete the project; however, because of delays in getting approvals the property was sold. Subsequently, the buyer has since sued the applicant over the terms of the purchase. An extension of time is needed to allow this issue to be resolved and the project to be constructed.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ET-20-400040 (WS-18-0227)	First extension of time to waive standards for increased building height design review for multiple family residential development and alternative parking and lot landscaping	Approved by BCC	June 2020
ET-20-400041 (VS-18-0228)	First extension of time to vacate a portion of patent easement	Approved by BCC	June 2020
DR-18-0983	Increase finished grade in conjunction with an approved multiple family residential development	Approved by BCC	February 2019
VS-18-0228	Vacated a portion of a patent easement	Approved by BCC	May 2018
WS-18-0227	Waived standards for increased building height; design review for multiple family residential development and alternative parking and lot landscaping	Approved by BCC	May 2018
ZC-0474-08	Reclassified the site from R-E to R-3 zoning for future residential development subject to a design review as a public hearing on final plans	Approved by BCC	June 2008

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Residential Suburban (up to 8 du/ac)	R-2	Single family residential
South	Residential Suburban (up to 8 du/ac)	R-E	Undeveloped
East	Residential Suburban (up to 8 du/ac)	R-2 & R-E	Single family residential & undeveloped
West	Residential High (8 to 18 du/ac)	R-E	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.

This request has been filed to allow the applicant to have more time to commence the project. Related applications for this project have also been extended; therefore, staff has no objection to the request.

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until February 6, 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.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: TURTLE BAY APARTMENTS INC**

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

**DRAFT**







**TANEY ENGINEERING**

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

January 26, 2021

**PLANNER  
COPY**

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

ET-21-400033

**Re: Levi & El Camino (DR-18-0983)  
Extension of Time Justification Letter  
APN: 176-35-601-003, 004**

To Whom It May Concern:

Taney Engineering, on behalf of our client, Turtle Bay Apartments, Inc., is respectfully submitting a justification letter for an extension of time for Design Review – DR-18-0983.

Our owner initially intended to complete the project; however, because of the delays in getting the initial approvals things changed and he sold the project. Unfortunately the buyer has since sued him over the terms of the purchase. We are filing for an extension of time so that when this item is resolved the project can be constructed.

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

Respectfully,

Justin Thorne, P.E.  
Taney Engineering

05/05/21 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL  
(TITLE 30)

GRAND CANYON DR/MERANTO AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-21-400042 (NZC-0802-16)-KB HOME LY DURHAM WEST, LLC.

**DESIGN REVIEW SECOND EXTENSION OF TIME** for a single family residential development on a 5.2 acre portion of an 85.6 acre parcel in an R-2 (Medium Density Residential) Zone.

Generally located on the west side of Grand Canyon Drive (alignment) and the north and south sides of Meranto Avenue (alignment) within Enterprise JJ/bb/jw (For possible action)

**RELATED INFORMATION:**

**APN:**

176-19-301-014; 176-19-301-018 through 176-19-301-019; 176-19-401-027; 176-19-401-028

**LAND USE PLAN:**

ENTERPRISE - PUBLIC FACILITIES

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 52
- Number of Lots/Units: 361 residential lots/22 common lots
- Density (du/ac): 7.0
- Minimum/Maximum Lot Size (square feet): 3,762/11,965 (net/gross)
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): 35 feet maximum
- Square Feet: 1,416 to 2,574

**History & Site Plans**

The original plans depict a single family residential subdivision consisting of 361 lots with a density of 7.0 dwelling units per acre. The lots range in area between 3,762 square feet to 11,965 square feet with an average lot size of 4,382 square feet. The development consists of 2 private streets which terminate in cul-de-sacs, with 6 private streets with access from Grand Canyon Drive, and 5 private streets with access from Conquistador Street.

### Landscaping

The plans depict landscape areas consisting of trees, shrubs and groundcover in conformance to Code requirements located adjacent to Grand Canyon Drive and Conquistador Street.

### Elevations

The plans depict 2 story homes between 27 feet and 35 feet in height. All of the homes will have pitched roofs with concrete tile roofing material. The exterior walls of the homes will have a stucco finish painted in earth tone colors. Architectural enhancements will include pop-outs, recesses, and window fenestrations.

### Floor Plans

The homes will be between 1,616 square feet to 2,574 square feet in area with a 2 car garage and options for 3 or more bedrooms.

### Previous Conditions of Approval

Listed below are the approved conditions for ADET-20-900076 (NZA-0802-16):

#### Current Planning

- Until February 08, 2021 to complete.
- 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 NZA-0802-16:

#### Current Planning

- No resolution of intent and staff to prepare an ordinance to adopt the zoning;
- Eliminate the north-south stub roads to create usable open space;
- All pole mounted lights to be fully shielded;
- 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;
- Design review for significant changes to the plans;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must be completed within 3 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 35 feet to back of curb for Grand Canyon Drive, 35 feet to back of curb for Serene Avenue, 30 to 60 feet for Meranto Avenue, 30 feet for Conquistador Street and associated spandrels;
- If required by Regional Transportation Commission, dedicate and construct right-of-way for bus turnouts including passenger loading/shelter areas in accordance with Regional Transportation Commission standards.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Building/Fire Prevention**

- This department has no objection to vacating streets/roads and/or easements that are not needed for fire/emergency vehicle access.

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

- Applicant is advised that a Point of Connection (POC) has been approved for this project in accordance with the Local Master Plan; and to please contact the CCWRD for further information (POC Tracking #000446-2016).

Applicant's Justification

The developer is requesting additional time to complete improvement plans and record the final map of the development.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ADET-20-900076 (NZC-0802-16)	First extension of time to complete	Approved by ZA	February 2020
NZC-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
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	Public Facilities, Residential Medium (from 3 to 14 du/ac) & Residential Suburban (up to 8 du/ac)	R-E & R-2	Single family residential & undeveloped
South	Residential Medium (from 3 to 14 du/ac)	R-E & R-2	Undeveloped
East	Residential Medium (from 3 to 14 du/ac)	R-E & R-2	Single family residential & undeveloped



**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
West	Residential Medium (from 3 to 14 du/ac), Residential Suburban (up to 8 du/ac)	R-2	Single family residential & 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. The applicant has plans submitted for a tentative map and increased grade.

The original application as approved in February 2017 made the zone change to R-2 zoning permanent. The subsequent administrative extension of time, ADET-20-900076 (NZN-0802-116) was approved in February 2020. Urban Specific Policy #4 encourages development of vacant lots within existing residential neighborhoods to develop at similar densities as the existing area. Since the R-2 zoning is permanent and the project is in conformance with the Enterprise Land Use Plan, staff can support an extension of time for this application.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until February 8, 2023 to complete;
- 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; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.



**Public Works - Development Review**

- Compliance with previous conditions.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** LEWIS INVESTMENT COMPANY NEVADA, LLC

**CONTACT:** LEWIS INVESTMENT COMPANY NEVADA, LLC, 5240 POLARIS AVE,  
LAS VEGAS, NV 89118

**DRAFT**





# LAND USE APPLICATION

# 14A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <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) NCZ-16-0802 (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>ET-21-400042</u> DATE FILED: <u>3-16-2021</u> PLANNER ASSIGNED: <u>ESK</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>4-14-2021</u> PC MEETING DATE: _____ <u>6p.m.</u> BCC MEETING DATE: <u>5-5-2021</u> FEE: <u>\$300</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Lewis Investments Co. NV LLC</u> ADDRESS: <u>5240 S. Polaris Ave.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-262-7315</u> CELL: _____ E-MAIL: <u>David.Diffley@lewismc.com</u>
	<b>APPLICANT</b>  NAME: <u>Lewis Investments Co. NV LLC</u> ADDRESS: <u>5240 S. Polaris Ave.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-262-7315</u> CELL: _____ E-MAIL: <u>David.Diffley@lewismc.com</u> REF CONTACT ID #: <u>170860</u>
<b>CORRESPONDENT</b>  NAME: <u>Lewis Investments Co. NV LLC</u> ADDRESS: <u>5240 S. Polaris Ave.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-262-7315</u> CELL: _____ E-MAIL: <u>David.Diffley@lewismc.com</u> REF CONTACT ID #: <u>170860</u>	

ASSESSOR'S PARCEL NUMBER(S): 176-19-301-018, 019 and 176-19-401-027, 028 ; 176-19-301-014

PROPERTY ADDRESS and/or CROSS STREETS: Meranto Ave. / Grand Canyon Drive

PROJECT DESCRIPTION: Extension of time for a Non Conforming Zone Change - NZC-16-0802

(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)\*      please see attached  
Property Owner (Print)

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

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

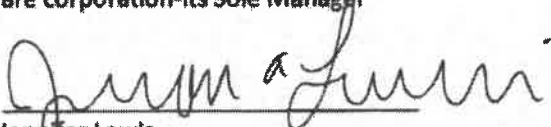
By \_\_\_\_\_  
NOTARY PUBLIC: \_\_\_\_\_

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

Signature Block for Grand Canyon Meranto  
176-19-301-018, 019 and 176-19-401-207, 028

LEWIS INVESTMENT COMPANY OF NEVADA, LLC,  
a Delaware limited liability company

By: LEWIS MANAGEMENT CORP.,  
a Delaware corporation-Its Sole Manager

By:   
Name: Jennifer Lewis  
Its: Authorized Agent

STATE OF NEVADA  
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON January 20, 2021 (Date)

BY: Jennifer Lewis  
NOTARY PUBLIC: 



T THOMASON  
C CONSULTING  
E ENGINEERS

February 5, 2020

ET 21-400042

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

**Reference:** Extension of Time for NZC-0802-16  
Meranto/Grand Canyon  
APN #176-19-301-014, 018, 019 & 176-19-401-027 & 028

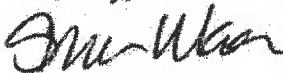
On behalf of Lewis Investment Co. NV LLC, we respectfully request your consideration of the attached extension of time for the Design Review.

**Location:** The proposed are located at Meranto Ave. and Grand Canyon Drive within Section 19, Township 22 South, Range 60 East.

**Request:** At this time we are requesting for an Extension of time for NZC-0802-16. The Developer needs additional to time get the Improvement Plans approved and the final map recorded.

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

Sincerely,



Sonia Macias  
Project Coordinator

7080 La Cienega Street, Suite 200  
Las Vegas, Nevada 89119  
Phone (702) 932-6125 • Fax (702) 932-6129



05/05/21 BCC AGENDA SHEET

OFFICE  
(TITLE 30)

BERMUDA RD/SILVERADO RANCH BLVD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-21-0111-BERMUDA DEVELOPMENT GROUP, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** for reduced parking.

**DESIGN REVIEW** for the expansion of an existing office building on 0.7 acres in a C-1 (Local Business) Zone.

Generally located on the west side of Bermuda Road, 200 feet south of Silverado Ranch Boulevard within Enterprise. MN/nr/jo (For possible action)

**RELATED INFORMATION:**

**APN:**

177-28-504-013

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce parking to 28 spaces where 29 spaces are required per Table 30.60-1 (a 3.5% decrease).

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 9777 Bermuda Road
- Site Acreage: 0.7
- Project Type: Office
- Number of Stories: 1
- Building Height (feet): 31
- Square Feet: 1,985 (new)/ 5,169 (existing)
- Parking Required/Provided: 29/28

**Site Plans**

The plans depict an existing 1 story, 5,169 square foot office building with parking located to the north of the building. A 1 story, 1,985 addition is proposed on the west side of the existing building. The site has access to Bermuda Road and has cross access with the parcel to the north.

**Landscaping**

Existing landscape is located on the perimeter of the site and within the parking area. No new landscaping is proposed.

**Elevations**

The plans show a 19 foot high, 1 story addition to an existing office building. The exterior of the building consists of a flat roof, stucco exterior with stone veneer accents, and a metal canopy over the aluminum storefront.

**Floor Plans**

The floor plans depict an open space to accommodate the tenant space within the office building.

**Signage**

Signage is not a part of this request.

**Applicant's Justification**

The applicant states that the proposed addition to the existing building will be architecturally compatible with the existing building and that the reduction of 1 space will not have a negative impact on the surrounding area.

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-0553-08	Office/retail complex	Approved by BCC	July 2008
ZC-1357-98	Reclassified from C-2 to C-1 zoning	Approved by BCC	January 1999

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Walgreens
East	Commercial General	C-2	Shopping center
West & South	Residential Medium	RUD	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**

#### **Waiver of Development Standards & Design Review**

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.

Per Title 30 an office must provide 4 parking spaces for every 1,000 square feet of building square footage. The original approval indicated that a future expansion of the building could happen and the parking calculation was taken into account at that time. However, the existing building and the proposed expansion are enough square footage to require an additional parking space that cannot be accommodated on the site. The applicant has designed the site to enhance the overall look of the project and blend with the area; therefore, staff can support the waiver of development standards and the design review.

### **Staff Recommendation**

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, 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 this application must commence within 2 years of approval date or it will expire.

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

- No comment.

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

- 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:** BERMUDA DEVELOPMENT GROUP, LLC  
**CONTACT:** ROBERT MESSIANA, JAWA STUDIO LTD., 107 E. CHARLESTON  
BOULEVARD, SUITE 250, LAS VEGAS, NV 89104

DRAFT

APR 21-10078



# LAND USE APPLICATION

# 15A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <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 #)	<b>STAFF</b>  APP. NUMBER: <u>WS-21-0111</u> DATE FILED: <u>3/10/21</u> PLANNER ASSIGNED: <u>NR</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>4/14/2021</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>5/05/2021</u> FEE: <u>1150</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Bermuda Development Group</u> ADDRESS: <u>9777 Bermuda Road, Suite 100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>702-324-3344</u> CELL: _____ E-MAIL: <u>silveradodds@hotmail.com</u>
	<b>APPLICANT</b>  NAME: <u>Bermuda Development Group</u> ADDRESS: <u>9777 Bermuda Road, Suite 100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: <u>702-324-3344</u> CELL: _____ E-MAIL: <u>silveradodds@hotmail.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>Robert Messiana</u> ADDRESS: <u>107 E Charleston Blvd, Suite 250</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89104</u> TELEPHONE: <u>702-598-1723</u> CELL: <u>702-592-0281</u> E-MAIL: <u>robert@jawasstudio.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 17728504013

PROPERTY ADDRESS and/or CROSS STREETS: 9777 BERMUDA RD

PROJECT DESCRIPTION: new single story addition to an existing single story medical office building

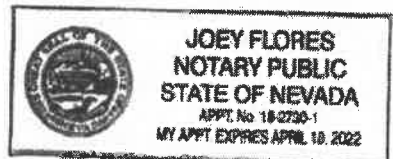
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code, that the information on the attached legal description, all plans, and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

Rodney Garth Harris      Rodney Garth Harris  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 01-15-2021 (DATE)

By Rodney Garth Harris  
 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.



# Planner Copy WS-21-011

01.19.2021

Clark County  
Comprehensive Planning Department  
P.O. Box 551744  
Las Vegas, Nevada 89155-1744

Re: Silverado Family Dental  
9777 Bermuda Road  
Las Vegas, NV 89183  
APN: 177-28-504-013

Dear Sir or Madam,

We respectfully request a Design Review and waiver of development standards for a proposed addition to an existing dental office. The project is located in a C-1 zone.

The project is a one story addition to an existing building. The addition will mimic the architectural design of the original building. The materials, storefront, colors and architectural details will match the existing building. The original building was designed to anticipate this addition. The landscaping is in compliance with title 30 requirements, and compatible with the surrounding neighborhood. A waiver of development standards is being requested to allow 28 parking spaces where 29 spaces are required. We believe this reduction will not have a negative impact on the development or the surrounding neighborhood.

The proposed use complies with applicable provisions of the Development Code. It is compatible with adjacent uses in terms of design and operating characteristics and will not adversely affect the value of other properties in the area. The proposed uses will not have a negative impact on public safety, transportation, or utility services for any adjacent development. If approved, this project will be an asset to the neighborhood.

Should you have any questions or require additional information, please feel free to contact our office. Thank you.

Sincerely,

Robert Messina

05/05/21 BCC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL  
(TITLE 30)

LAS VEGAS BLVD S/NEAL AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-21-0118-LA BREA EQUITY VENTURE, LLC:

**ZONE CHANGE** to reclassify 13.1 acres from R-E (Rural Estates Residential) Zone and H-2 (General Highway Frontage) Zone to H-1 (Limited Resort and Apartment) Zone.

**USE PERMIT** for a multiple family residential development.

**WAIVER OF DEVELOPMENT STANDARDS** to allow non-standard improvements in the right-of-way.

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

Generally located on the west side of Las Vegas Boulevard South, 470 feet south of Neal Avenue within Enterprise (description on file), MN/sd/d (For possible action)

**RELATED INFORMATION:**

**APN:**

191-05-601-015

**WAIVER OF DEVELOPMENT STANDARDS:**

Allow a non-standard improvement (landscaping) within a right-of-way (Las Vegas Boulevard South) where not permitted per Chapter 30.52.

**DESIGN REVIEWS:**

1. Multiple family Residential.
2. Increase finished grade to 88 inches where 18 inches is the standard per Section 30.32.0-40 (a 38% increase).

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 13.1
- Number of Units: 316
- Density (du/ac): 22.5
- Project Type: Multiple family residential development

- Number of Stories: 3
- Building Height (feet): 50
- Open Space Required/Provided (square feet): 31,600/32,000
- Parking Required/Provided: 508/544

#### Site Plan

The site plan depicts a multiple family complex with gated ingress/egress from the east property line along Las Vegas Boulevard South. The proposed development is adjacent to vacant land to the north and the south. The primary access point will be gated off of Las Vegas Boulevard South with a secondary access point (emergency access and resident exit-only) proposed off of Parvin Street.

The proposed project will include 12 studio units, 145 one bedroom units, 138 two bedroom units and 21 three bedroom units, which are spread among 15 two story and three story residential buildings. A clubhouse with a pool and amenity area is located near the central portion of the site. Fifteen apartment buildings are arranged in a grid pattern throughout the site, and approximate setbacks for the buildings are 54 feet to the east along Las Vegas Boulevard South, 59 feet to the north property line, 96 feet to the south property line, and 29 feet to the west property line along Parvin Street. In addition, the proposed garage buildings will be set back a minimum of 10 feet from property lines. The project provides 544 parking spaces with 36 garage spaces, 312 carport spaces and 196 open spaces.

#### Landscaping

The plans depict various trees and shrubs located within the complex and parking lot and along the perimeter of the property. The trees will have 24 inch box plantings with various ground shrubs for landscaping cover. The plans also depict landscaping within the right-of-way and is the subject of a waiver request for non-standard improvements in the right-of-way and is part of this application. Along the northern property line a landscape strip varies in width from 10 feet to 10 feet, 6 inches; along the west property line the landscape strip varies in width from 26 feet to 32 feet; and along the southern property line the landscape strip varies in width from 15 feet, to 15 feet, 6 inches.

#### Elevations

The plans depict a multiple family residential development that will include architecture that is contemporary in design with a stucco exterior with brick accents, large windows, balconies and patios, and concrete tile roof. The maximum height of the building is 42 feet or 3 stories where 50 feet is the maximum height allowed.

#### Floor Plans

The proposed project will include 12 studio units, 145 one bedroom units, 138 two bedroom units, and 21 three bedroom units.

#### Signage

Signage is not a part of this request.



**Applicant's Justification**

The Applicant is seeking the waiver so that there can be landscaping within the 100 foot Las Vegas Boulevard South right-of-way along the western most portion of that right-of-way, adjacent to the eastern edge of the Applicant's property, that has yet to be expanded as part of the Las Vegas Boulevard South paved roadway. This waiver would allow for this project to landscape within the right-of-way similar to the way it is currently being done at neighboring properties on the eastern side of Las Vegas Boulevard South.

According to the applicant, H-1 zoning is appropriate at this location and compatible with other H-1 zoned properties in the area along Las Vegas Boulevard South. A use permit for a multiple family development in the H-1 zone is also compatible with the area and consistent with other similar multiple family complexes that have been approved in the H-1 zone.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-20-0101	Reclassified 13.1 acres from R-E and H-2 to H-1 Zoning; with a use permit and design review for multiple family residential; and waiver for reduced throat depth	Withdrawn	July 2020
ZC-1213-04	Reclassified the site to C-2 zoning for future commercial use	Withdrawn	August 2004

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Undeveloped
South	Commercial Tourist	R-E & H-2	Undeveloped
East	Commercial Tourist	R-3	Multiple family residential
West	Commercial Tourist	R-E	Single family residential & undeveloped

The subject site and surrounding area is located in the Public Facilities Needs Assessment (PNFA) area.

**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 zone change to H-1 is within the range of residential densities and non-residential intensities anticipated for this site within the Enterprise Land Use Plan. The site is located along Las Vegas Boulevard South, and H-1 zoning is intended to provide for the development of both commercial and residential uses. In addition, the adjacent property to the north is zoned H-1, and proposed for an apartment complex, and the surrounding undeveloped parcels are planned for Commercial Tourist uses. As a result, staff can support the request.

### Use Permit

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

Staff can support the use permit for a multiple family development at this location since it complies with Land Use Goal 7, which encourages housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. In addition, the adjacent parcel to the north was also approved for a multiple family complex. As a result, the request for a multiple family development at this location is compatible with adjacent uses as well as goals within the Comprehensive Master Plan.

### Waiver of Development Standards

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

### Design Review #1

The proposed multiple family complex complies with several Urban Specific Policies including Policy 51, which encourages multiple family projects to include several amenities; Policy 55, which encourages spatial distribution rather than massing of buildings; and Policy 57, which encourages multiple family developments to be located near transit stops and road networks that can accommodate higher residential densities. Consistent with these policies, the project includes open space, a swimming pool, and a community center; the buildings are oriented at different directions to avoid a monotonous linear pattern; and the location on Las Vegas Boulevard South includes access to transit options and a large road network to handle the additional density.

Although several R-1 zoned single-family residences are located to the west and northwest across Parvin Street, these properties are planned for Commercial Tourist uses and they could eventually redevelop with other uses. In addition, the subject design includes appropriate height, setbacks, and landscaping to buffer the existing residences from the multiple family residential development. As a result, staff can support the request.

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

#### Waiver of Development Standards

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any landscaping placed in the right-of-way. Staff can support the waiver of development standards, but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.



### Design Review #2

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

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- 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; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permit, waiver of development standards, and design reviews must commence within 2 years of approval date or it they 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 Parvin Street;
- Right-of-way dedication for Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;
- Applicant to execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

- 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; 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.

**Building Department - Fire Prevention**

- Applicant is advised to provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code, Title 13, 13.04.090 Fire Service Features (Site plan appears to be a conceptual rendering with limited dimensions rather than a construction plan, ensure fire access is compliant with amended IFC section 503 and appendix C & D); and 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 initiated for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0067-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

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

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



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 16A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input checked="" type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input checked="" type="checkbox"/> USE PERMIT (UC)</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)</p> <p style="padding-left: 20px;"><input type="checkbox"/> PUBLIC HEARING</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>(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>(ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: <u>20-21-0118</u>      DATE FILED: <u>3/15/21</u></p> <p>PLANNER ASSIGNED: <u>SUD</u></p> <p>TAB/CAC: <u>Enterprise</u>      TAB/CAC DATE: _____</p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>5/5/21</u></p> <p>FEE: <u>\$ 2,875</u>      <span style="float: right;">1000'</span></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>La Brea Equity Venture, LLC</u></p> <p>ADDRESS: <u>468 N. Camden Drive, Suite 300</u></p> <p>CITY: <u>Beverly Hills</u>      STATE: <u>CA</u>      ZIP: <u>90212</u></p> <p>TELEPHONE: <u>n/a</u>      CELL: <u>n/a</u></p> <p>E-MAIL: <u>n/a</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>Wolff Enterprises III, LLC</u></p> <p>ADDRESS: <u>6710 Camelback Road, Suite 100</u></p> <p>CITY: <u>Scottsdale</u>      STATE: <u>AZ</u>      ZIP: <u>85251</u></p> <p>TELEPHONE: _____      CELL: <u>480-737-0256</u></p> <p>E-MAIL: <u>mkaminski@awolff.com</u>      REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Bob Gronauer - Kaempfer Crowell</u></p> <p>ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89135</u></p> <p>TELEPHONE: <u>702-792-7000</u>      CELL: _____</p> <p>E-MAIL: <u>rjg@kcnvlw.com</u>      REF CONTACT ID #: <u>166096</u></p> <p style="text-align: right; font-size: 1.2em;">164820</p>

ASSESSOR'S PARCEL NUMBER(S): 191-05-601-015

PROPERTY ADDRESS and/or CROSS STREETS: Las Vegas Blvd. and NEal

PROJECT DESCRIPTION: Conforming Zone Change, SUP and Design Review 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.

By: La Brea Equity Venture, LLC      Joseph Daneshgar

Property Owner (Signature)\*      Property Owner (Print)

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

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

SUBSCRIBED AND SWORN BEFORE ME ON see attached (DATE)

By \_\_\_\_\_

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

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

21-0101

**NOTARIAL AFFIRMATION**

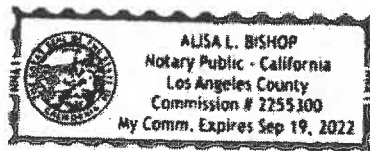
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 30<sup>th</sup> day of December, 2020, by JOSEPH DANESHGAR, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

WITNESS my hand and official seal.



Alisa L. Bishop

(Notary Seal)

**KAMMPEL  
CROWELL**

**ATTORNEYS AT LAW**

LAS VEGAS OFFICE

**BOB GRONAUER**

[bgronauer@kcmclaw.com](mailto:bgronauer@kcmclaw.com)  
702.782.7052

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CARSON CITY OFFICE  
210 West Fourth Street  
Carson City, NV 89703  
Tel: 775.884.8300  
Fax: 775.882.9257

March 1, 2021

**VIA ELECTRONIC SUBMITTAL**

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

ZC-21-0118

**RE: *Justification Letter – Conforming Zone Change, Design Review and Special Use Permit***  
***Wolff Enterprises III, LLC***  
***APN: 191-05-601-015***

To Whom It May Concern:

This firm represents Wolff Enterprises III, LLC (the "Applicant") in the above-referenced matter. The proposed project is located on approximately 14.04 gross acres located on the west side of Las Vegas Boulevard and South of Neal Street, more particularly described as APN: 191-05-601-015 (the "Site"). The Applicant is proposing a zone change, special use permit and design review to allow for a multi-family apartment development.

**Conforming Zone Change and Special Use Permit**

The property is currently is zoned General Highway Frontage (H-2) and Rural Estates Residential (R-E) and has a master plan designation of Commercial Tourist (CT). The Applicant requests a conforming zone change from (H-2) and (R-E) to Limited Resort and Apartment (H-1). The applicant also requests a special use permit to allow for multi-family residential.

By way of background, in January of 2020, an application for a conforming zone change, use permit and design review for a 312 unit multi-family residential development was submitted to the Planning Department by another applicant. Planning Staff and the Enterprise Town Board recommended approval of the request (ZN-20-0101). Due to the onset of COVID-19, the Applicant withdrew the application. Prior to the withdrawal, the applicant held a voluntary neighborhood meeting to present the proposed multi-family development to the neighborhood. There was no opposition to the request. Therefore, because the current application is requesting the same zone change for a multi-family project and almost identical layout, the Applicant is requesting Staff's support of the zone change and special use permit request.

**Waiver of Development Standards**

The Applicant is requesting a waiver of development standards to include non standard improvements within the right of way. The Applicant is seeking the waiver so that there can be landscaping within the 100 foot Las Vegas Boulevard right of way along the western most portion of that right of way, adjacent to the eastern edge of the Applicant's property, that has yet to be expanded as part of the Las Vegas Boulevard paved roadway. This waiver would allow for this project to landscape within the right of way similar to the way it is currently being done at neighboring properties on the eastern side of Las Vegas Boulevard.

**Design Review**

The Applicant is proposing a 316-unit apartment housing development. The proposed development is adjacent to vacant land to the north and the south. The primary access point will be gated off of Las Vegas Boulevard with a secondary access point (emergency access and resident exit-only) proposed off of Parvin Street.

The project will include 12-studio units, 145-one bedroom units, 138-two bedroom units, and 21-three bedroom units for a total of 316-units. These units would be spread across fifteen (15) two (2) and three (3)-story residential buildings. The building architecture is contemporary in design with stucco exterior with brick accents, large windows, balconies and patios and concrete roof tiles. The project is providing 544 parking spaces where only 508 spaces are required, consisting of 36 garages, 312 carport spaces, and 196 open spaces. Additionally, the Site will provide outdoor amenities such as a pool and spa, dog park, pickleball court, picnic and BBQ areas, 32,000 square feet of open space, and an 8,000 square foot clubhouse providing indoor amenities such as rooms for meetings, social gatherings, media room, and fitness center. The Applicant is providing ample landscaping along the perimeter of the Site and throughout the development exceeding the required open space.

Finally, the Applicant is requesting a design review to allow for increased grade above 18-inches due to the topography of the area and the required fill to develop Site. The maximum increase to the grade would be 7.27 feet (87.24 inches) as indicated in the conceptual fill exhibit provided with the application (fill height is indicated in blue throughout that exhibit). That maximum fill location is an area where the wash is being filled in as part of balancing the site.

Thanks you in advance for your time and consideration. Please do not hesitate to contact us with any additional questions or concerns.

Sincerely,

KAEMPFER CROWELL



Bob Gronauer





05/05/21 BCC AGENDA SHEET

HOTEL & COMMERCIAL BUILDING  
(TITLE 30)

CACTUS AVE/LAS VEGAS BLVD S

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-21-0119-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**

**ZONE CHANGE** to reclassify 2.8 acres from H-2 (General Highway Frontage) Zone to C-2 (General Commercial) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) setbacks; 2) landscaping, 3) non-standard off-site improvements; and 4) alternative driveway geometrics.

**DESIGN REVIEWS** for the following: 1) a hotel; 2) a commercial building with drive-thru service; 3) a lighting plan; 4) alternative parking lot landscaping; and 5) finished grade.

Generally located on the east side of Las Vegas Boulevard South, 425 feet south of Cactus Avenue within Enterprise (description on file). MN/al/jd (For possible action)

**RELATED INFORMATION:**

**APN:**

177-33-101-005 through 177-33-101-009

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce the future front setback to 6 feet where a minimum of 10 feet is required per Table 30.40-4 (a 40% reduction).
- b. Reduce the future setback from a right-of-way (Las Vegas Boulevard South) to 6 feet where a minimum of 10 feet is required per Section 30.56.040 (a 40% reduction).
2. Permit alternative landscaping along Las Vegas Boulevard South where a minimum 15 foot wide landscape area per Figure 30.64-17 is required.
3. Permit non-standard improvements (landscaping) within the right-of-way and future right-of-way of Las Vegas Boulevard South where not permitted per Section 30.52.052
4. Reduce driveway throat depth to 51 feet where a minimum of 75 feet is required per Uniform Standard Drawing 222.1 (a 32% reduction).

**DESIGN REVIEWS:**

1. A hotel building with 94 guest rooms.
2. A commercial building for future retail and restaurant uses with drive-thru service.
3. A lighting plan.
4. Alternative parking lot landscaping where landscaping is required per Figure 30.64-14.
5. Increased finished grade to 39 inches (3.3 feet) where a maximum of 18 inches (1.5 feet) per permitted per Section 30.032.040 (a 117% increase).

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 2.8
- Project Type: Hotel with commercial building for future retail/restaurant uses
- Number of Hotel Units: 94
- Number of Stories: 4 hotel/1 commercial building
- Building Height (feet): 50 hotel/24 commercial building
- Square Feet: 13,940 hotel/4,650 commercial building
- Parking Required/Provided: 286/338 (includes shared parking with development to the north)

Site Plan

The site is approximately 2.8 acres of undeveloped land located between Las Vegas Boulevard South and the Giles Street alignment, approximately 425 feet south of Cactus Avenue. Giles Street along the east side of this site has been vacated. Access to the site is provided by a proposed driveway from Las Vegas Boulevard South on the southwest corner of the site and a cross access with the existing commercial development to the north. A future cross access with the adjacent parcel to the south is depicted on the southwest corner of the site. The project consists of 2 buildings being a commercial building for retail and restaurant uses and a hotel. The commercial building is located on the northwestern portion of the site and the hotel is located on the south half of the eastern half of the site. The plans indicate the western 100 feet of the site will be taken for right-of-way for Las Vegas Boulevard South. The proposed commercial building will be set back approximately 6 feet from the future right-of-way line for Las Vegas Boulevard South. Parking for the project is located to the north and east of the hotel building and to the south and east of the commercial building. The proposed development is required to have 118 parking spaces and 96 spaces are provided on the site. The applicant has a shared access and parking agreement with the property owner of the commercial development to the north. With the shared access and parking agreement with the commercial development to the north, the 2 developments are required to have 286 parking spaces and 338 spaces will be provided. A drive-thru service is depicted on the east side of the commercial building. The entrance to the drive-thru service is located at the northeast corner of the building and the pick-up window is located on the southeast corner of the building. The plan depicts a pool and patio area on the south side of the hotel building located between the building and the south property line.

The cross section plan indicates that the hotel building will be increased approximately 2 feet above the existing grade of the site and the commercial building approximately 3.3 feet above existing grade. The cross section plan indicates the proposed finished floor elevations for the project will be similar to the finished floor elevation for the existing single family residence to the east but approximately 3 feet higher than the existing commercial building to the north.

### Landscaping

The plan depicts a minimum 10 foot wide landscape area consisting of large evergreen trees along the east property line adjacent to an existing single family residence. The plan shows the western 100 feet of the site as part of the future right-of-way for Las Vegas Boulevard South. A detached sidewalk is depicted within the right-of-way that is set back approximately 5 feet from the back of curb. Between this detached sidewalk and the edge of the future right-of-way the plan depicts trees, shrubs, and groundcover within this area. Additional landscape areas are provided in the parking areas and adjacent to the buildings. Landscaping within the parking areas to the north of the hotel and to the east of the commercial building do not comply with the requirements of Figure 30.64-14; however, the number of trees required for the parking areas is provided and located throughout the site.

### Lighting

The plan indicates that lighting will consist of wall mounted light fixtures and parking lot light poles. The wall mounted light fixtures will consist of LED fixtures set approximately 14 feet above grade on the buildings. There will be a total of 10 parking lot light poles. These light poles will consist of eight, 16 foot high poles located in the central and western portions of the site and two, 12 foot high poles along the east portion of the parking lot nearest the existing residential use. All light fixtures will be downcast to minimize or eliminate light pollution.

### Elevations

The commercial building is 1 story with a maximum height of 24 feet. The building has a flat roof behind a parapet wall that varies between 21 feet and 24 feet in height. The exterior of the building has a stucco finish painted in earth tone colors.

The hotel building is 4 stories with a maximum height of approximately 50 feet. The building has a flat roof behind parapet walls that vary the height of the building between 44 feet and 50 feet. The exterior of the building consists of a stucco finish painted in earth tone colors, stone veneer, and multiple surface plane variations to give both vertical and horizontal articulation which include accent bands and reveal lines.

### Floor Plans

The commercial building has an area of 4,650 square feet. The plan indicates the building will be constructed as a shell building where the interior of the building will be completed by future building permits to meet the needs of future tenants. The plans indicate the building could be divided into 2 lease spaces.

The hotel building has an area of 13,940 square feet divided between 4 floors with a total of 94 guest rooms. The first floor will consist of guest rooms, a fitness center, meeting rooms, lobby area, and support areas. Floors 2 through 4 will consist of guest rooms and house keeping storage areas.

### Signage

Signage is not a part of this request.

**Applicant's Justification**

The applicant indicates that the proposed zone change is consistent and compatible with existing and planned land uses in the area. There will be no negative impacts to the surrounding properties. There is existing landscaping within the right-of-way for the development to the north and this project proposes to provide similar improvements which will provide a uniform streetscape. The buildings will have similar architectural elements that provide for a seamless development site and a contemporary style of urban architecture that is compatible with the surrounding area. The reduced driveway throat depth is consistent with other driveway geometrics in the immediate area with no adverse impacts and exceeds the throat depths of the existing shopping center to the north. All light fixtures will be in compliance with Title 30 standards. The site is lower toward the center of the parcel which requires excess fill to maintain proper drainage.

**Surrounding Land Use**

	<b>Planned land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial Tourist & Commercial General	C-2	Commercial development
South	Commercial Tourist & Office Professional	H-2	Undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac)	R_EXRNP-1)	Single family residential
West	Commercial Tourist	H-1	Undeveloped

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

**Zone Change**

The site is designated as Commercial General by the Enterprise Land Use Plan. The proposed reclassification to a C-2 zoning district is within the range of intensity allowed by the Commercial General land use designation in the Land Use Plan. Therefore, the request conforms to the Land Use Plan. The reclassification of this site to a C-2 zone will expand an existing C-2 zoned node of approximately 11.2 acres located on the northeast and southeast corners of Cactus Avenue and Las Vegas Boulevard South. This site is currently zoned H-2, which is an antiquated zoning district that the County is slowly trying to eliminate. The reclassification of this site from an H-2 zone to a C-2 zone will further the County's goal of eliminating the H-2 zoning district; therefore, staff can support the 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.

#### Waivers of Development Standards #1a & #1b

The plans indicate that the western 100 feet of the site will be part of the future right-of-way for Las Vegas Boulevard South. The proposed commercial building will be set back 6 feet from the future right-of-way. The property is currently undeveloped and there are no unique or special circumstances that staff finds to warrant a reduction in the setback to the future right-of-way. The site should be designed to accommodate the required setback, therefore, staff does not support these setback reductions.

#### Waiver of Development Standards #2

The plans depict landscaping within the future right-of-way of Las Vegas Boulevard South, which is common for developments located along Las Vegas Boulevard South. The plans show an area between the edge of the future right-of-way and the proposed commercial building that is 6 feet wide, which is the minimum width of the future on-site landscape area for the proposed development. The landscape plan is depicting plant material on-site to the north and south of the proposed commercial building, but not between the building and the edge of the future right-of-way. In the future when Las Vegas Boulevard South is widened, the majority of the plant material provided for this site will be removed. This will have an adverse effect on the property and surrounding area. Staff can support alternatives to the required landscaping along the street, but not the alternative submitted by the applicant.

#### Design Review #1

The proposed hotel building is a contemporary architectural design that is consistent with other commercial buildings in the area. The required setbacks are being maintained for the building and an intense landscape buffer is being provided to the existing residence to the east; therefore, staff can support this design review.

#### Design Review #2

The commercial building will require a setback reduction to the future right-of-way for Las Vegas Boulevard South, which staff does not support. Staff believes the design of the commercial building should be modified to provide for the required setback. Staff is also concerned with the design of the proposed drive-thru service. The drive-thru service is located along the east side of the building with the entrance to the drive-thru lane located on the northeast corner of the building. The drive-thru lane has space for a vehicle at the pick-up window and queuing for about 2 additional vehicles before the vehicles would be stacked into the drive aisle for the cross access to the existing development to the north. Additionally, the design of the drive-thru lane will have the passenger side of the vehicle at the pick-up window, which is not a practical design for efficient and effective customer service; therefore, staff does not support this design review.

#### Design Review #3

The information submitted by the applicant indicates that the proposed lighting will be in conformance to the requirements of Title 30. With the proposed intense landscape buffer along



the east property line the lighting from this site should have no adverse effects on the existing single family residence to the east; therefore, staff can support this design review.

#### Design Review #4

The landscaping plan is depicting 2 areas where parking lot landscaping does not comply with the standards of Figure 30.64-14, which is an area north of the hotel building and east of the commercial building. However, the plan indicates that the required number of trees for the parking area is being provided and distributed throughout the site. Since the alternative is limited to 2 areas within the parking lot and the required number of trees will be provided on the site, staff can support this design review.

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

##### Waiver of Development Standards #3

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any landscaping placed in the right-of-way. Staff can support Waiver of Development Standards #3 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

##### Waiver of Development Standards #4

Staff has no objection to the reduction in the throat depth for the Las Vegas Boulevard commercial driveway. Since the site will have cross access with the existing commercial development to the north the additional commercial driveways should see equal use, further mitigating the potential impacts from the reduced throat depth.

##### Design Review #5

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

#### **Staff Recommendation**

Approval of the zone change, design reviews #1, #3 & #4; denial of waivers of development standards #1a, #1b, #2, and design review #2.

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

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

##### **Current Planning**

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- 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; 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;
- Right-of-way dedication to include an elbow at the intersection of Conn Avenue and Giles Street;
- Right-of-way dedication for Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;
- Applicant to execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- 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; 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.

**Building Department - Fire Prevention**

- Cross access agreement required.

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

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0126-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: ALEXANDER MACKOVSKI**

**CONTACT: DIONICIO GORDILLO, 204 BELLE ISLE CT, HENDERSON, NV 89012**







# LAND USE APPLICATION

# 17A

## DEPARTMENT OF COMPREHENSIVE PLANNING

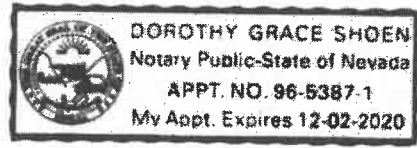
APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE 1050 <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) 415 <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING 675  <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)  <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>ZC 21-0119</u> DATE FILED: <u>3-15-21</u> PLANNER ASSIGNED: <u>AI</u> TAB/CAC: <u>Entourage</u> TAB/CAC DATE: <u>4-14-21</u> PC MEETING DATE: <u>-</u> BCC MEETING DATE: <u>5-5-21</u> FEE: <u>\$2200<sup>00</sup></u>
	<b>PROPERTY OWNER</b>  NAME: <u>Khusrow Roohani Family Trust</u> ADDRESS: <u>9500 Hillwood Drive, Suite 201</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>(702) 823-2300</u> CELL: <u>(702) 823-2300</u> E-MAIL: <u>kroohani@gmail.com</u>
	<b>APPLICANT</b>  NAME: <u>Alexander Mackovski</u> ADDRESS: <u>1594 Villa Rica Drive</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: <u>(702) 334-5160</u> CELL: <u>(702) 334-5160</u> E-MAIL: <u>Alex@MBinvestors.com</u> REF CONTACT ID #: <u>N/A</u>
<b>CORRESPONDENT</b>  NAME: <u>Dionicio Gordillo</u> ADDRESS: <u>204 Belle Isle Ct.</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u> TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: <u>191488</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-33-101-005 thru 009  
 PROPERTY ADDRESS and/or CROSS STREETS: Las Vegas Blvd, South & Conn Avenue (alignment)  
 PROJECT DESCRIPTION: Non-gaming hotel with future pad site on approximately 2.4 acres

(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)\*      KHUSROW ROOHANI-TRUSTEE  
 Property Owner (Print)  
 STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 11-10-20 (DATE)  
 By Khusrow Roohani, Trustee  
 NOTARY PUBLIC: Dorothy Grace Shoen



\*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. 1 of 5

PR-20-100942

February 23, 2021

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

**RE: Conforming zone boundary amendment, waivers of development standards, and design review  
– Non-gaming hotel with future commercial pad site (APN: 177-33-101-005 thru 009)**

On behalf of Alexander Mackovski, we are requesting a conforming zone boundary amendment (zone change) to C-2 zone, waivers of development standards, and design review for a proposed 94 room, 45 to 50 foot high non-gaming hotel (no kitchens) and a future 4,650 square foot retail/restaurant pad site. The subject site is 2.4 acres, zoned H-2, and located on the east side of Las Vegas Boulevard South, 400 feet south of Cactus Avenue, and north of the Conn Avenue (alignment). By way of background, the planned Commercial General (CG) for the subject site was approved with PA-18-700009 (Enterprise Plan Amendment) in March 2019.

The proposed uses are either conditional or permitted by right in a C-2 zoning district. Based on the attached site plan with corresponding setbacks, required parking, and buffering, the proposed use is entirely consistent with the intent of the C-2 zoning district, especially since it will have cross access and shared parking with the existing shopping center directly to the north. The project is in full compliance with several Goals and Policies contained within the Clark County Master Plan regarding opportunities for additional commercial developments which are integrated and serve residential areas.

### **Conforming Zone Boundary Amendment**

Las Vegas Boulevard South (200 foot right-of-way) is a principal arterial street and is primarily planned and developed with intense commercial and high density residential uses. The requested C-2 zone conforms to the Enterprise Land Use Plan and is consistent and compatible with existing and proposed land uses in the area.

The proposed development fully complies and furthers goals and policies contained within the Clark County Master Plan. The project furthers **Land Use Goal 1** which encourages the implementation of a comprehensive land use plan to promote economic viability, employment opportunities with development that is compatible with adjacent land uses, the natural environment and is well integrated with appropriate circulation systems, services, and facilities. Additionally, the request complies and furthers **Land Use Goal 2** which encourages, in part, providing opportunities for a mix of uses such as commercial, office, recreational, entertainment, public facilities, multiple family residential and other activities within close proximity to each other. The proposed project also complies with **Land Use Goal 9** which encourages providing for commercial development integrated in appropriate locations throughout the community.

### **Site Plan, Landscaping, and Elevations**

The proposed building will be centrally located on the site with street landscaping along Las Vegas Boulevard South, perimeter screening and buffering, and parking lot landscaping. The site provides for a single access driveway from Las Vegas Boulevard South and cross access and shared parking with the existing shopping center directly to the north and a future cross access point to the south, if necessary.

Since access to the site is from Las Vegas Boulevard South, there will be no negative impacts to the surrounding properties. The applicant is requesting a waiver of development standards for alternative landscaping and for the majority of the street landscaping to be within the right-of-way. However, the width of landscaping within the right-of-way is proposed to match the property to the north and will be approximately 40 feet in width and therefore exceed required street landscaping. The future pad site is planned to have a drive-thru with exact details of the talk box to be addressed when there is an end user. However, the drive aisle length from the window shall be long enough to accommodate on-site stacking of vehicles.

The building will have similar architectural elements that provide for a seamless development site and a contemporary style of urban architecture that is compatible with the surrounding area. The exterior elevations consist of multiple surface plane variations to give both vertical and horizontal articulation along with various elements such as stucco siding, accent bands and reveal lines. **The architectural detailing is provided on all sides consistent with the primary/front elevation.** Generic elevations have been submitted for the future pad site to depict that we comply with bulk standards with more specific details to be submitted through a future administrative design review.

All bulk and density provisions are met including setbacks and setback from a single family residential use. The eastern height of the hotel complies with the residential adjacency standard including a 10 foot wide intense landscape buffer along the east property line.

Finally, for right-of-way dedication purposes, we performed and submitted a record of survey (RS-20-500181) to determine underlying title rights in relationship to "as built" improvements on Las Vegas Boulevard.

### Waivers of Development Standards

While the proposed alternatives do not comply with required provisions, it is recognized that individual sites may present unique characteristics, the operation and location of site uses that could be best developed through the application of alternative site development standards which depart from the requirements of Title 30. 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 first waiver of standards request is to provide for alternative landscaping along a street (Las Vegas Boulevard South) where landscaping per Figure 30.64-17 is required. The plan depicts partial elimination of street landscaping along the street and provides for the landscaping within the right-of-way (see Waiver request #2). The request is submitted in order to match exactly what exists along the shopping center to the north. The intent is to provide for a cohesive and seamless street scene while providing for enhanced landscaping along the right-of-way. In fact, the plans depict an approximate 40 foot wide landscape area within the right-of-way which exceeds the required street landscaping. Therefore, the request and totality of the entire site complies with Urban Specific Policy 73 which provides, in part, for perimeter and interior parking lot trees for shade and visual relief.

The second waiver of standards is to allow non-standard improvements (landscaping) within the right-of-way (Las Vegas Boulevard South) where not permitted. This waiver of request is routine and has been approved all along portions of the Las Vegas Boulevard South corridor with no know adverse impacts to

the immediate properties. The applicant understands a License and Maintenance Agreement will be required.

The third waiver of standards request is for alternative driveway geometrics for a reduced throat depth of 51 feet. The required throat depth per Uniform Standard Drawing 222.1 is 75 feet. The proposed throat depth is consistent with other driveway geometrics in the immediate area with no known adverse impacts and exceeds the throat depths of the existing shopping center to the north. Therefore, we believe the alternative standards we are proposing, will provide for minimal site conflicts that will result in no stacking of vehicles within the right-of-way.

## Design Reviews

The applicant is requesting a design review for the following: 1) site and building design as referenced above; 2) site and building lighting; and 3) increased finished grade.

The first design review with the submitted site plan depicts an effective layout of the buildings, parking areas, circulation, cross access and shared parking, and sensitivity to the single family residential use to the east. In fact, an intense landscape buffer per Figure 30.64-12 is provided along the east property line with an increased setback to the hotel building to minimize any impacts to the residential use. The elevations for the proposed hotel consist of multiple surface plane variations to give both vertical and horizontal articulation along with various elements such as stucco siding, accent bands and reveal lines. **The architectural detailing is provided on all sides consistent with the primary/front elevation.**

For the second design review, we are submitting a photometric plan with corresponding details on light fixtures with approximate height of the fixtures. The lighting plan has the following elements: 1) wall pack LED fixtures approximately 14 feet from grade on the hotel building and future pad site; 2) eight, 16 foot high LED parking lot light poles; and 3) two, 12 foot high LED parking lot light poles along the east portion of the parking lot nearest the residential use. All light fixtures are in compliance with Title 30 and downcast to minimize or eliminate any light pollution. The photometric plan depicts values of zero throughout the ten foot wide landscape buffer adjacent to the single family residential use to the east. Therefore, there will not be any light intrusion to the adjacent and abutting residential development.

The third design review is for increased finished grade. The site is lower toward the center of the parcel which will require excess fill. Based on the site topography and to maintain proper drainage, we are requesting to increase the finished grade to 38.4 inches (3.2 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040. This information is based on preliminary data and we will continue to work with staff to evaluate the site through the technical studies. The project is bordered by a commercial development to the north. Therefore, the increased finished grade, as reflected on the cross sections, is from a proposed commercial development to an existing commercial development.

The proposed development with corresponding architectural elements and site design elements complies and furthers **Urban Specific Policy 67** which ensures through site planning and building design, that commercial developments are compatible with abutting uses through such design methods as appropriate buffers, setbacks, landscaping, building height, and materials. The proposed building complies with **Urban Specific Policy 78** which encourages architectural treatments on all facades to eliminate blank building elevations along public rights-of-way.

## D G Consultants

Therefore, the proposed use and site location achieve the following: a) the proposed uses are in harmony with the purpose, goals, objectives and standards of the Clark County Master Plan and Title 30; b) the proposed uses will not have substantial or undue adverse effects on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare; and c) the proposed use will be adequately served by public improvements, facilities, and services and will not impose an undue burden.

Thank you for the consideration.

Sincerely,

*Dominic Smith*

