



# Enterprise Town Advisory Board

Clark County Commission Chambers

500 South Grand Central Pkwy

Las Vegas, NV 89155

May 26, 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, May 26, 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 May 26, 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 May 12, 2021. (For possible action)
- IV. Approval of the Agenda for May 26, 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. **WS-21-0170-SOUTHERN HILLS MEDICAL CENTER, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** to allow an animated sign (video electronic message unit) where not permitted.  
**DESIGN REVIEW** for a freestanding sign with a video electronic message unit in conjunction with an emergency care facility on 3.7 acres in a C-P (Office and Professional) Zone. Generally located on the east side of Las Vegas Boulevard South, 660 feet north of Erie Avenue within Enterprise. MN/jt/jo (For possible action) **06/01/21 PC**
  - 2. **DR-21-0156-BRANDO HOLDINGS, LLC:**  
**DESIGN REVIEWS** for the following: **1)** finished grade; and **2)** retail cannabis expansion on 0.6 acres in a C-2 (General Commercial) (AE-60) Zone. Generally located on the south side of Blue Diamond Road, 300 feet east of Hinson Street within Enterprise. JJ/bb/jd (For possible action) **06/02/21 BCC**
  - 3. **UC-20-0338-SANG, TJIE GIOK:**  
**AMENDED 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 (no longer needed).  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduced setbacks; **2)** driveway geometrics; **3)** departure distance; and **4)** increased signage (previously not notified).  
**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) **06/02/21 BCC**

4. **ET-21-400070 (VS-19-0401)-LSREF EXHIBITION INVEST, LLC:**  
**VACATE AND ABANDON FIRST EXTENSION OF TIME** easements of interest to Clark County located between Eldorado Lane and Mesa Verde Lane (alignment) and between Las Vegas Boulevard South and I-15 and portions of a right-of-way being Robindale Road located between Las Vegas Boulevard South and I-15, Moberly Avenue located between Las Vegas Boulevard South and I-15, Eldorado Lane located between I-15 and Las Vegas Boulevard South, and Ensworth Street located between Eldorado Lane and Robindale Road within Enterprise (description on file). MN/jgh/jo (For possible action) **06/15/21 PC**
  
5. **NZC-21-0199-COUNTY OF CLARK (AVIATION):**  
**ZONE CHANGE** to reclassify 16.5 acres from an R-E (Rural Estates Residential) Zone to an R-4 (Multiple Family Residential - High Density) Zone.  
**WAIVER OF DEVELOPMENT STANDARDS** to increase wall height.  
**DESIGN REVIEWS** for the following: **1)** a multiple family residential development; **2)** alternative parking lot landscaping; and **3)** finished grade. Generally located on the northeast corner of Decatur Boulevard and Rush Avenue within Enterprise (description on file). JJ/al/jd (For possible action) **06/15/21 PC**
  
6. **VS-21-0093-COUNTY OF CLARK (AVIATION):**  
**VACATE AND ABANDON** a portion of a right-of-way being Decatur Boulevard located between Frias Avenue and Rush Avenue within Enterprise (description on file). JJ/bb/jd (For possible action) **06/15/21 PC**
  
7. **NZC-21-0203-SCHIRLLS LLC:**  
**ZONE CHANGE** to reclassify 22.9 acres from an R-E (Rural Estates Residential) (RNP-I) Zone and an R-E (RNP-I) Zone under Resolution of Intent to an R-2 (Medium Density Residential) Zone to an R-2 (Medium Density Residential) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** waive landscaping to a less intense use; and **2)** to increase wall height.  
**DESIGN REVIEWS** for the following: **1)** a single family residential development; and **2)** finished grade. Generally located on the northeast corner of Arville Street and Frias Avenue (alignment) within Enterprise (description on file). JJ/al/jd (For possible action) **06/15/21 PC**
  
8. **VS-21-0202-SCHIRLLS LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Haleh Avenue and Frias Avenue (alignment), and between Arville Street and Schuster Street; and portions of a right-of-way being Haleh Avenue located between Arville Street and Schuster Street and a portion of Schirlls Street located between Haleh Avenue and Frias Avenue (alignment) within Enterprise (description on file). JJ/al/jd (For possible action) **06/15/21 PC**
  
9. **TM-21-500050-SCHIRLLS LLC:**  
**TENTATIVE MAP** consisting of 173 residential lots and common lots on 22.9 acres in an R-2 (Medium Density Residential) Zone. Generally located on the northeast corner of Arville Street and Frias Avenue (alignment) within Enterprise. JJ/al/jd (For possible action) **06/15/21 PC**

10. **NZC-21-0204-DAVID FAX OBER LLC & BUFFALO WING LLC:**  
**ZONE CHANGE** to reclassify 16.1 acres from an R-E (Rural Estates Residential) Zone and a C-P (Office and Professional) Zone to an R-2 (Medium Density Residential) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** waive landscaping to a less intense use; and **2)** increase wall height.  
**DESIGN REVIEWS** for the following: **1)** a single family residential development; and **2)** finished grade. Generally located on the northwest corner of Decatur Boulevard and Gary Avenue within Enterprise (description on file). JJ/al/jd (For possible action) **06/15/21 PC**
11. **VS-21-0205-DAVID FAX OBER LLC & BUFFALO WING LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Richmar Avenue and Gary Avenue, and between Edmond Street and Decatur Boulevard; and a portion of a right-of-way being Hauck Street located between Richmar Avenue and Gary Avenue within Enterprise (description on file). JJ/al/jd (For possible action) **06/15/21 PC**
12. **TM-21-500051-DAVID FAX OBER LLC & BUFFALO WING LLC:**  
**TENTATIVE MAP** consisting of 118 residential lots and common lots on 16.1 acres in an R-2 (Medium Density Residential) Zone. Generally located on the northwest corner of Decatur Boulevard and Gary Avenue within Enterprise. JJ/al/xx (For possible action) **06/15/21 PC**
13. **PA-21-700002-PETERSON S & A 1997 TRUST ET AL & PETERSON N SCOTT & AVA TRS ET AL:**  
**PLAN AMENDMENT** to amend Map 1.3 of the Transportation Element of the Clark County Comprehensive Master Plan by removing a portion of an 80 foot right-of-way being Erie Avenue (alignment). Generally located on Erie Avenue (alignment) between Rainbow Boulevard and Torrey Pines Drive. JJ/pd (For possible action) **06/15/21 PC**
14. **ZC-21-0191- PETERSON S & A 1997 TRUST ET AL:**  
**ZONE CHANGE** to reclassify 15 acres from an R-E (Rural Estates Residential) zone to an M-D (Designed Manufacturing) zone for an industrial complex.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce setbacks; **2)** eliminate landscaping; **3)** increase retaining wall height; **4)** reduce parking; and **5)** reduce driveway throat depth.  
**DESIGN REVIEWS** for the following: **1)** alternative landscaping; **2)** an industrial complex; and **3)** finished grade. Generally located on the east side of Rainbow Boulevard and the north side of Erie Avenue (alignment) within Enterprise (description on file). JJ/jor/jd (For possible action) **06/15/21 PC**
15. **VS-21-0190-PETERSON S & A 1997 TRUST ET AL:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Rainbow Boulevard and Redwood Street (alignment) and between Erie Avenue (alignment) and Levi Avenue (alignment) within Enterprise (description on file). JJ/jor/jd (For possible action) **06/15/21 PC**
16. **TM-21-500047- PETERSON S & A 1997 TRUST ET AL:**  
**TENTATIVE MAP** for a 1 lot commercial subdivision on 15 acres in an R-E (Rural Estates) Residential Zone. Generally located on the east side of Rainbow Boulevard and the north side of Erie Avenue (alignment) within Enterprise. JJ/jor/jd (For possible action) **06/15/21 PC**

17. **UC-21-0196-REAL EQUITIES, LLC:**  
**USE PERMITS** for the following: **1)** billiard hall; and **2)** alcohol, on-premises consumption (service bar) in conjunction with an existing shopping center on a portion of 28.7 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the northwest corner of Serene Avenue and Las Vegas Boulevard South within Enterprise. MN/jt/jo (For possible action) **06/15/21 PC**
18. **ET-21-400066 (NZC-0872-16)-AMH NV8 DEVELOPMENT, LLC:**  
**ZONE CHANGE SECOND EXTENSION OF TIME** to reclassify 15.2 acres from an H-2 (General Highway Frontage) Zone and an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone for a single family residential development.  
**DESIGN REVIEWS** for the following: **1)** a single family residential development; and **2)** finished grade. Generally located on the south side of Agate Avenue and the east side of Hualapai Way within Enterprise (description on file). JJ/lm/jd (For possible action) **06/16/21 BCC**
19. **WS-21-0189-AMH NV8 DEVELOPMENT, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** to increase the retaining wall height on 13.6 acres in conjunction with a single family residential development in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Agate Avenue and the east side of Hualapai Way within Enterprise. JJ/lm/jd (For possible action) **06/16/21 BCC**
20. **TM-21-500046-AMH NV8 DEVELOPMENT, LLC:**  
**TENTATIVE MAP** consisting of 109 lots on 13.6 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Agate Avenue and the east side of Hualapai Way within Enterprise. JJ/lm/jd (For possible action) **06/16/21 BCC**
21. **UC-21-0188-UTE INDIAN TRIBE:**  
**USE PERMITS** for the following: **1)** convenience store; **2)** gasoline station; **3)** vehicle wash; **4)** reduce the separation from a proposed convenience store to a residential use; **5)** reduce the separation from a proposed gasoline station to a residential use; **6)** reduce the separation from a convenience store to a section line road; and **7)** reduce the separation from a gasoline station to a section line road.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** alternative driveway geometrics; **2)** reduce driveway approach distances; **3)** reduce driveway departure distances; **4)** reduce vehicle wash separation from residential; **5)** reduce pedestrian walkway width; **6)** reduce height to setback ratio; **7)** reduce trash enclosure setback from residential use; **8)** alternative drive-thru talk box location; **9)** reduce number of loading zones; and **10)** modify area of landscape island fingers.  
**DESIGN REVIEWS** for the following: **1)** convenience store; **2)** gasoline station (fuel canopy); **3)** vehicle wash; **4)** restaurant and drive-thru; **5)** retail buildings; **6)** finished grade; and **7)** alternative parking lot landscaping on 2.5 acres in a C-1 (Local Business) Zone. Generally located on the southwest corner of Decatur Boulevard and Windmill Lane within Enterprise. JJ/bb/jd (For possible action) **06/16/21 BCC**

22. **VS-21-0200-HAMILTON, BERNARD JR.:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Camero Avenue and Shelbourne Avenue (alignment) and between Tomsik Street and Gagnier Boulevard (alignment) and a portion of a right-of-way being Tomsik Street located between Camero Avenue and Shelbourne Avenue (alignment) within Enterprise (description on file). JJ/jvm/jd (For possible action) **06/16/21 BCC**
23. **WS-21-0201-HAMILTON, BERNARD JR.:**  
**WAIVER OF DEVELOPMENT STANDARDS** for increased wall height.  
**DESIGN REVIEWS** for the following: **1)** finished grade; and **2)** single family residential subdivision on 5.1 acres in an R-E (Rural Estates Residential) (RNP-1) Zone. Generally located on the north side of Camero Avenue and the west side of Tomsik Street within Enterprise. JJ/jvm/jd (For possible action) **06/16/21 BCC**
24. **TM-21-500049-HAMILTON, BERNARD JR.:**  
**TENTATIVE MAP** consisting of 9 lots and common lots on 5.1 acres in an R-E (Rural Estates Residential) (RNP-1) Zone. Generally located on the north side of Camero Avenue and the west side of Tomsik Street within Enterprise. JJ/jvm/jd (For possible action) **06/16/21 BCC**
25. **ZC-21-0186-REGIONAL CACTUS, LLC:**  
**ZONE CHANGE** to reclassify 1.7 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.  
**USE PERMITS** for the following: **1)** convenience store; **2)** gasoline station; and **3)** reduce the setback for a proposed convenience store to a section line street.  
**WAIVER OF DEVELOPMENT STANDARDS** to allow alternative driveway geometrics.  
**DESIGN REVIEWS** for the following: **1)** convenience store with gasoline station within a proposed retail complex; and **2)** finished grade. Generally located on the south side of Cactus Avenue and the east side of Amigo Street within Enterprise (description on file). MN/lm/jd (For possible action) **06/16/21 BCC**
26. **VS-21-0187-REGIONAL CACTUS, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Amigo Street and Aphrodite Street, and between Cactus Avenue and Mystic Cliffs Avenue, and a portion of a right-of-way being Cactus Avenue located between Amigo Street and Aphrodite Street, and a portion of a right-of-way being Amigo Street located between Cactus Avenue and Mystic Cliffs Avenue within Enterprise (description on file). MN/lm/jd (For possible action) **06/16/21 BCC**
27. **ZC-21-0193-I-15 BIG 4 REAL ESTATE, LLC:**  
**ZONE CHANGE** to reclassify 7.2 acres from an H-2 (General Highway Frontage) Zone and an R-E (Rural Estates Residential) Zone to an H-1 (Limited Resort and Apartment) Zone.  
**USE PERMIT** for a multiple family residential development.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** landscaping; **2)** setback for decorative fence; **3)** increase wall height; and **4)** alternative driveway geometrics.  
**DESIGN REVIEWS** for the following: **1)** multiple family residential development; and **2)** finished grade. Generally located on the north side of Bruner Avenue and the west side of Ensworth Street (alignment) within Enterprise (description on file). MN/jt/jd (For possible action) **06/16/21 BCC**

28. **VS-21-0192-I-15 BIG 4 REAL ESTATE, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Jonathan Drive (alignment) and Bruner Avenue, and between Ensworth Street (alignment) and I-15 within Enterprise (description on file). MN/jt/jd (For possible action) **06/16/21 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, May 26, 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: June 9, 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

May 12, 2021

## MINUTES

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Board Members	David Chestnut, Chair <b>EXCUSED</b> Tanya Behm <b>PRESENT</b> Joseph Throneberry <b>PRESENT</b>	Barris Kaiser, Vice Chair <b>PRESENT</b> Gabriela Everett <b>PRESENT</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.

Mark Donohue, 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 April 28, 2021 Minutes (For possible action)

Motion by Barris Kaiser

Action: **APPROVE** Minutes as published for April 28, 2021 as amended to note Gabriela Everett was present.

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

IV. Approval of Agenda for May 12, 2021 and Hold, Combine or Delete Any Items (For possible action)

Motion by Barris Kaiser

Action: **APPROVE** as amended.

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

Related applications to be heard together:

1. PA-21-700001-LH VENTURES, LLC
2. NZC-21-0137-LH VENTURES, LLC
3. WC-21-400048 (ZC-18-0853)-LV RAINBOW, LLC
4. WC-21-400049 (VS-17-0049)-LV RAINBOW, LLC
5. VS-21-0136-LV RAINBOW, LLC
6. VS-21-0138-LH VENTURES, LLC
7. TM-21-500034-LH VENTURES, LLC
  
14. DR-21-0162-CHAUDHRY, SOHAIL & HUMA S
15. VS-21-0161-CHAUDHRY, SOHAIL & HUMA S
  
16. ET-21-400053 (VS-19-0063)-MOTOR HOLDINGS, LLC
17. ET-21-400032 (UC-19-0061)-MOTOR HOLDINGS, LLC
18. ET-21-400054 (UC-19-0076)-MOTOR HOLDINGS, LLC

V. Informational Items

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

None

VI. Planning & Zoning

1. **PA-21-700001-LH VENTURES, LLC:**  
**PLAN AMENDMENT** to amend the Clark County Trail Map - Las Vegas Valley by modifying a trail alignment in an R-E (Rural Estates Residential) (RNP-1) and an H-2 (General Highway Frontage) (RNP-1) Zone. Generally located between Tenaya Way and Belcastro Street, and between Pebble Road and Agate Avenue within Enterprise. JJ/mc/xx (For possible action) **05/18/21 PC**

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

2. **NZC-21-0137-LH VENTURES, LLC:**  
**ZONE CHANGE** to reclassify 45.3 acres from R-E (Rural Estates Residential) (RNP-1) Zone, C-2 (General Commercial) Zone, and H-2 (General Highway Frontage) (RNP-1) Zone to R-2 (Medium Density Residential) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** establish alternative yards for residential lots; **2)** increase wall height; **3)** reduce street intersection off-set; **4)** reduce right-of-way width; and **5)** waive off-site improvements (including curb, gutter, sidewalk, streetlights, and partial paving).  
**DESIGN REVIEWS** for the following: **1)** single family residential subdivision; and **2)** finished grade. Generally located on the south side of Pebble Road, north side of Agate Avenue and Raven Avenue, west side of Rainbow Boulevard, and east side of Tenaya Way within Enterprise

(description on file). JJ/jt/ja (For possible action) **05/18/21 PC**

Motion by Barris Kaiser

Action: **DENY**.

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

3. **WC-21-400048 (ZC-18-0853)-LV RAINBOW, LLC:**  
**WAIVER OF CONDITIONS** of a zone change requiring to rededicate 25 feet to the back of curb for Montessouri Street from Raven Avenue south to Agate Avenue, together with the associated spandrel at the intersection of Montessouri Street and Raven Avenue, and a radius at the intersection of Montessouri Street and Agate Avenue. Generally located between Blue Diamond Road and Raven Avenue, 300 feet west of Rainbow Boulevard within Enterprise. JJ/jt/ja (For possible action) **05/18/21 PC**

**WITHDRAWAL** by applicant without prejudice

4. **WC-21-400049 (VS-17-0049)-LV RAINBOW, LLC:**  
**WAIVER OF CONDITIONS** of a vacation and abandonment requiring to rededicate 25 feet to the back of curb for Montessouri Street from Raven Avenue south to Agate Avenue, together with the associated spandrel at the intersection of Montessouri Street and Raven Avenue, and a radius at the intersection of Montessouri Street and Agate Avenue. Generally located between Blue Diamond Road and Raven Avenue, 300 feet west of Rainbow Boulevard within Enterprise. JJ/jt/ja (For possible action) **05/18/21 PC**

**WITHDRAWAL** by applicant without prejudice

5. **VS-21-0136-LV RAINBOW, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Raven Avenue (alignment) and Agate Avenue (alignment), and between Rosanna Street and Belcastro Street and a portion of a right-of-way being Raven Avenue located between Rosanna Street (alignment) and Belcastro Street (alignment) within Enterprise (description on file). JJ/jt/ja (For possible action) **05/18/21 PC**

**WITHDRAWAL** by applicant without prejudice

6. **VS-21-0138-LH VENTURES, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Pebble Road and Agate Avenue (alignment), and between Rainbow Boulevard and Tenaya Way and a portion of a right-of-way being Pebble Road located between Rainbow Boulevard and Tenaya Way within Enterprise (description on file). JJ/jt/ja (For possible action) **05/18/21 PC**

Motion by Barris Kaiser

Action: **DENY**.

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

7. **TM-21-500034-LH VENTURES, LLC:**  
**TENTATIVE MAP** consisting of 305 lots and common lots on 45.3 acres in an R-2 (Medium Density Residential) Zone. Generally located on the south side of Pebble Road, north side of Agate Avenue and Raven Avenue, west side of Rainbow Boulevard, and east side of Tenaya Way within Enterprise. JJ/jt/ja (For possible action) **05/18/21 PC**

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

8. **WS-21-0150-GREYSTONE NEVADA, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** to increase driveway width in conjunction with a previously approved single family residential development on 2.0 acres in an R-E (Rural Estates Residential) (RNP-1) Zone. Generally located on the south side of Ford Avenue and the west side of El Camino Road (alignment) within Enterprise. JJ/sd/ja (For possible action) **05/18/21 PC**

Motion by Tanya Behm  
Action: **DENY** due to applicant no show at two Enterprise TAB Meetings  
**PASSED** (4-0) /Unanimous

9. **ET-21-400050 (NZC-18-0006)-THOMSON MANAGEMENT GROUP NV LP:**  
**ZONE CHANGE FIRST EXTENSION OF TIME** to reclassify 5.0 acres from R-E (Rural Estates Residential) Zone to C-1 (Local Business) Zone for a proposed mini-warehouse facility.  
**USE PERMIT** for a mini-warehouse facility.  
**WAIVER OF DEVELOPMENT STANDARDS** for alternative driveway geometrics.  
**DESIGN REVIEW** for a proposed mini-warehouse facility on 5.0 acres in the MUD-3 Overlay District. Generally located on the northeast corner of Rainbow Boulevard and Pebble Road within Enterprise. JJ/sd/jo (For possible action) **05/19/21 BCC**

Motion by Barris Kaiser  
Action: **APPROVE** per staff conditions.  
Motion **PASSED** (4-0) /Unanimous

10. **ET-21-400061 (VS-0059-17)-LEGACY BERMUDA, LLC:**  
**VACATE AND ABANDON SECOND EXTENSION OF TIME** for easements of interest to Clark County located between Erie Avenue and Siddall Avenue (alignment), and between Fairfield Avenue and Bermuda Road within Enterprise (description on file). MN/sd/jo (For possible action) **06/01/21 PC**

Motion by Barris Kaiser  
Action: **APPROVE** per staff conditions.  
Motion **PASSED** (4-0) /Unanimous

11. **UC-21-0169-DURANGO BOSECK, LP:**  
**USE PERMIT** to not provide pedestrian access around the perimeter of an outside dining area.  
**DESIGN REVIEW** for an outside dining area in conjunction with an existing tavern on 1.2 acres in a C-1 (Local Business) Zone. Generally located on the east side of Maryland Parkway, 700 feet south of Cactus Avenue within Enterprise. MN/sd/jo (For possible action) **06/01/21 PC**

Motion by Joseph Throneberry  
Action: **APPROVE** per staff conditions.  
Motion **PASSED** (3-1) /Behm NAY

12. **WS-21-0170-SOUTHERN HILLS MEDICAL CENTER, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** to allow an animated sign (video electronic message unit) where not permitted.  
**DESIGN REVIEW** for a freestanding sign with a video electronic message unit in conjunction

with an emergency care facility on 3.7 acres in a C-P (Office and Professional) Zone. Generally located on the east side of Las Vegas Boulevard South, 660 feet north of Erie Avenue within Enterprise. MN/jt/jo (For possible action) **06/01/21 PC**

Motion by Barris Kaiser

Action: **HOLD** to Enterprise TAB Meeting on May 26, 2021 due to applicant being a no show.  
Motion **PASSED** 4-0) /Unanimous

13. **DR-21-0156-BRANDO HOLDINGS, LLC:**

**DESIGN REVIEWS** for the following: **1)** finished grade; and **2)** retail cannabis expansion on 0.6 acres in a C-2 (General Commercial) (AE-60) Zone. Generally located on the south side of Blue Diamond Road, 300 feet east of Hinson Street within Enterprise. JJ/bb/jd (For possible action) **06/02/21 BCC**

Motion by Barris Kaiser

Action: **APPROVE** the applicant's request to **HOLD** to Enterprise TAB meeting on May 26, 2021 to provide cross-sections and information on landscaping.  
Motion **PASSED** (4-0)/Unanimous

14. **DR-21-0162-CHAUDHRY, SOHAIL & HUMA S.:**

**DESIGN REVIEW** for finished grade in conjunction with a future single family development on 2.5 acres in an R-E (Rural Estate Residential) (RNP-I) Zone. Generally located on the east side of Edmond Street and the north side of Agate Avenue within Enterprise. JJ/nr/jo (For possible action) **06/02/21 BCC**

Motion by Tanya Behm

Action: **APPROVE** per staff conditions.  
Motion **PASSED** (4-0) /Unanimous

15. **VS-21-0161-CHAUDHRY, SOHAIL & HUMA S.:**

**VACATE AND ABANDON** easements of interest to Clark County located between Edmond Street and Decatur Boulevard, and between Raven Avenue and Agate Avenue within Enterprise (description on file). JJ/nr/jo (For possible action) **06/02/21 BCC**

Motion by Tanya Behm

Action: **APPROVE** per staff conditions.  
Motion **PASSED** (4-0) /Unanimous

16. **ET-21-400053 (VS-19-0063)-MOTOR HOLDINGS, LLC:**

**VACATE AND ABANDON FIRST EXTENSION OF TIME** for easements of interest to Clark County located between Warm Springs Road and Capovilla Avenue, and between Windy Street and I-15 within Enterprise (description on file). MN/jgh/jo (For possible action) **06/02/21 BCC**

Motion by Barris Kaiser

Action: **APPROVE** per staff conditions.  
Motion **PASSED** (4-0) /Unanimous

17. **ET-21-400032 (UC-19-0061)-MOTOR HOLDINGS, LLC:**

**USE PERMIT FIRST EXTENSION OF TIME** for a cannabis establishment (cultivation) in conjunction with a proposed office/warehouse building on a 1.0 acre portion of a 2.1 acre parcel in an M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the north side of Warm

Springs Road, 145 feet west of Windy Street within Enterprise. MN/nr/jo (For possible action)  
**06/02/21 BCC**

Motion by Barris Kaiser  
Action: **APPROVE** per staff conditions.  
Motion **PASSED** (4-0) /Unanimous

18. **ET-21-400054 (UC-19-0076)-MOTOR HOLDINGS, LLC:**  
**USE PERMIT FIRST EXTENSION OF TIME** for a cannabis establishment (production) in conjunction with a proposed office/warehouse building on a 1.0 acre portion of a 2.1 acre parcel in an M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the north side of Warm Springs Road, 145 feet west of Windy Street within Enterprise. MN/jgh/jo (For possible action)  
**06/02/21 BCC**

Motion by Barris Kaiser  
Action: **APPROVE** per staff conditions.  
Motion **PASSED** (4-0) /Unanimous

19. **ET-21-400060 (VS-18-1029)-CFT LANDS, LLC:**  
**VACATE AND ABANDON FIRST EXTENSION OF TIME** easements of interest to Clark County located between Starr Avenue and Terrill Avenue and between La Cienega Street and Fairfield Avenue (alignment), and portions of rights-of-way being Terrill Avenue located between La Cienega Street and Fairfield Avenue (alignment) and Fairfield Avenue located between Terrill Avenue and Starr Avenue within Enterprise (description on file). MN/lm/jo (For possible action)  
**06/02/21 BCC**

Motion by Barris Kaiser  
Action: **APPROVE** per staff conditions.  
Motion **PASSED** (4-0) /Unanimous

20. **UC-20-0338-SANG, TJIE GIOK:**  
**AMENDED 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 (no longer needed).  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced setbacks; 2) driveway geometrics; 3) departure distance; and 4) increased signage (previously not notified).  
**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)

Motion by Barris Kaiser  
Action: **APPROVE** the applicant's request to **HOLD** to Enterprise TAB meeting on May 26, 2021 to revise plans.  
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, before 4:00 pm, May 12, 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 May 26, 2021 at 6:00 p.m.

X. Adjournment:

Motion by Barris Kaiser  
**ADJOURN** meeting at 8:29 p.m.  
Motion **PASSED** (4-0) /Unanimous





Attached minutes  
5-12-2021

From: Ronald Riggs and Loretta Riggs 7255 W Pebble Rd 89113  
To: Enterprise Town Advisory Board Members  
RE: LH Ventures/ KB Home-Center Field Residential Option  
Date 5/11/2021

We have met with the developer three times. The first meeting was about the school. There was a great deal of opposition at the meeting. The second meeting was a zoom meeting. At that meeting we were basically told that if we would not consider the school we would have to accept 295 homes on 37.5 acres, now increased to 305 on 45.3 acres (where did the additional 8 plus acres come from). The third meeting at the Windmill Library was held on 11/18/2020. There were approximately 20 people in attendance and many online. Unfortunately the people online were not able to be heard by the audience, of those in attendance there was one person, a man, that got up and stated that he was in favor of the project, he lived several miles away and would not be affected in any way by the project. Why was this man there? Who asked him to come? The rest of the residents had many concerns and opposed the project.

These are a few of the concerns that we have.

- 1) The proposed density is way too high for the area. The proposed development has the 305 houses in this zone change request and the 116 at Pebble Rd and Rainbow at the East end of the proposed development will adversely affect the schools that are now overcrowded. The schools will not be able to handle the increase in students that a large development of this type will bring into the area.
- 2) All of the traffic from the proposed development funnels on to Pebble Rd directly into the RNP area. The two sections of the proposed development will probably bring an additional 842 cars at two cars per family, we also need to add School Busses. Funneling all of the this traffic to Pebble Rd and onto the small rural roads in the RNP will make life difficult for the existing residents as well as the new residents. Right now with the four existing schools within a mile radius of this proposed development it is next to impossible to get onto Rainbow from Pebble Rd during rush hour or when school drop offs or pickups are going on.
- 3) Moving the equestrian trail to Teneya and diverting people wishing to walk and ride bikes and such to a main arterial (Tenaya) becomes a major safety

issue for horses, pedestrians and motorists. Teneya is a very busy road and traffic will be increased exponentially with this large an increase in homes.

- 4) There is no place for the children in this development to play outside, children need fresh air and space. A proposed open space of 879 square feet is woefully inadequate.
- 5) This development does not conform to the existing homes in the area. The existing homes are on lots between ½ acre up to 2.5 acres. Many of the lots in the proposed development are smaller than the footprint of many of the ranch style homes in the area.
- 6) Some of the residents in the area have large animals such as horses. We have seen in the past that residents in these large developments have challenges with existing livestock. The odors, the flies the noise, for example, angered the families that moved next to the pig farm in the northwest that had been there for years.
- 7) Easements. In the past the members have declined the mix of offsets between existing homes and new developments. This proposal creates just such an incongruence. When there is no master plan or there are constant zone changes to accommodate the developers, makes the neighborhoods look unkempt and messy.
- 8) Our existing neighborhood is open. Putting in large gated developments inhibits that openness that has done well in the rural areas and is in the spirit of the creation of the Rural Preservation Areas (Title 30 Clark County Unified Development Code: 30.48.170-30.48.210)
- 9) Another issue is blocking off streets. Emergency Responders have to be able to get into the neighborhoods both existing and new, blocking all the access streets to the area will greatly affect response times causing critical safety issues.

In closing I am in favor of developing the area in a consistent manor. The RE zoning is a minimum of 20k square foot lots with no sidewalks or lighting. We ask that the builders conform to the standards of the area they purchased. We did when we built 46 years ago. Thank you for the consideration you gave to address the previous concerns, please continue to oppose the current layout of the 45+ acres. There are serious issues that must be addressed.

Please deny this application in its entirety.

Thank you Ronald and Loretta Riggs

702-241-4188/ 702-860-7856

[riggsre@gmail.com](mailto:riggsre@gmail.com) / [riggsloretta@gmail.com](mailto:riggsloretta@gmail.com)

06/01/21 PC AGENDA SHEET

SIGNAGE  
(TITLE 30)

LAS VEGAS BLVD S / ERIE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-21-0170-SOUTHERN HILLS MEDICAL CENTER, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** to allow an animated sign (video electronic message unit) where not permitted.

**DESIGN REVIEW** for a freestanding sign with a video electronic message unit in conjunction with an emergency care facility on 3.7 acres in a C-P (Office and Professional) Zone.

Generally located on the east side of Las Vegas Boulevard South, 660 feet north of Erie Avenue within Enterprise. MN/jt/jo (For possible action)

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RELATED INFORMATION:

**APN:**  
177-33-201-008

**WAIVER OF DEVELOPMENT STANDARDS:**  
Allow an animated sign (video electronic message unit) in a C-P zone where not allowed per Table 30.72-1.

**LAND USE PLAN:**  
ENTERPRISE - COMMERCIAL TOURIST  
ENTERPRISE - OFFICE PROFESSIONAL

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

- Site Address: 10770 Las Vegas Boulevard South
- Site Acreage: 3.7
- Project Type: Signage
- Sign Height (feet): 35
- Animate Sign Area (square feet): 80
- Total Sign Area (square feet): 250

**Site Plan**

The site plan depicts an approved emergency care facility located on the western portion of the site. Setbacks for the building include 130 feet from Las Vegas Boulevard South, approximately 90 feet from the north and south property lines, and 285 feet from the east property line along Giles Street. Development will occur on the western portion of the site with 2 driveways on Las

Vegas Boulevard South and future cross access to the north and south. An approximately 185 square foot wide portion of the eastern side of the site will remain undeveloped as a buffer for the adjacent single family residences.

Parking spaces are located between the building and Las Vegas Boulevard South and on the south side of the building. A drive aisle encircles the building with an emergency drop-off area on the west side of the building and an ambulance drop-off area on the east side of the building. A trash enclosure and mechanical equipment area are located on the north side of the building.

Signage

The proposed freestanding sign will be in the street landscaping area along Las Vegas Boulevard South, adjacent to the southern driveway. Setbacks include approximately 17 feet from the western property line along Las Vegas Boulevard South and 70 feet from the southern property line.

Two poles with pole covers support the sign, and the total area is 250 square feet. This area consists of 247 square feet of signage at the top of the sign, which is 16 feet above grade, and a 13 square foot sign located 6 feet above grade. An 80 square foot video (animated) message unit is proposed in the upper portion of the sign. The applicant indicates the sign will display both static and video messages. Other portions of the sign will consist of aluminum cabinets with acrylic internally illuminated letters and numbers.

Applicant's Justification

According to the applicant, the video (animated) message unit is necessary to display important public health notifications along with information about wait times to the public. The applicant further states that the design of the sign is consistent with the building architecture, and the sign will not negatively impact any surrounding properties.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-19-0183	Reclassified the site to C-P. zoning for an emergency care facility	Approved by BCC	April 2019

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist & Office Professional	H-2	Undeveloped
South	Commercial Tourist & Office Professional	H-1	Undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential
West	Commercial Tourist	H-1	Undeveloped

The subject site and surrounding area 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**

##### 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.

Freestanding signs in the C-P zone are only allowed in conjunction with special uses and boarding stables. Since the emergency care facility was approved for the site with a special use permit, a freestanding sign is allowed. However, electronic message units are not allowed in the C-P zone. The purpose of the sign standards in Title 30 is to provide reasonable yet appropriate conditions for identifying businesses and services rendered in non-residential districts by controlling size, type, and design of signs. Staff finds that the electronic message unit is not necessary to identify the business or services rendered on-site. This section of Las Vegas Boulevard South is largely undeveloped, and a freestanding sign without animation will be easily visible for motorists. Furthermore, the animation will diminish the aesthetic environment of the largely undeveloped area; therefore, staff cannot support the request.

##### Design Review

The proposed freestanding sign is unsightly, undesirable, and obnoxious in appearance. While solid blue, red, and white components of the sign easily distinguish the medical facilities on the site, the design could be more aesthetically pleasing if it was similar in height to the approved building and included similar materials. The approved building is 26 feet in height and includes painted stucco, brick veneer, and decorative metal panels. Meanwhile, the freestanding sign design includes painted aluminum panels with solid bold primary colors. As a result, the sign is not consistent with Urban Specific Policy 20 in the Comprehensive Master Plan, which states that all signage should be compatible with building styles on-site; therefore, staff cannot support the request.

#### **Staff Recommendation**

Denial.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

- Limited to static messages only.
- 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)**

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: SEVALUS**

**CONTACT: MARK WHITEHOUSE, HIGH IMPACT SIGN AND DESIGN, 820 S. WIGWAM PARK WAY #100, HENDERSON, NV 89014**



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 1A

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 (2C) <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>WS-21-0170</u> DATE FILED: <u>4/13/21</u> PLANNER ASSIGNED: <u>SWD</u> TAB/CAC: <u>Enterpplx</u> TAB/CAC DATE: <u>5/12/21</u> PC MEETING DATE: <u>6/1/21</u> BCC MEETING DATE: _____ FEE: <u>\$1,150</u>
	<b>PROPERTY OWNER</b>	NAME: <u>Southern Hills Hospital and Medical Center LLC</u> ADDRESS: <u>9300 W. Sunset Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-916-9001</u> CELL: <u>702-556-2719</u> E-MAIL: <u>alexis.mussi@hcahealthcare.com</u>
	<b>APPLICANT</b>	NAME: <u>Southern Hills Hospital and Medical Center</u> ADDRESS: <u>9300 W. Sunset Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-916-9001</u> CELL: <u>702-556-2719</u> E-MAIL: <u>alexis.mussi@hcahealthcare.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>	NAME: <u>Mark Whitehouse</u> ADDRESS: <u>820 S. Wigwam Parkway # 100</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89014</u> TELEPHONE: <u>702-336-3336</u> CELL: <u>702-336-3336</u> E-MAIL: <u>mwhitehouse@highimpact</u> REF CONTACT ID #: _____

**ASSESSOR'S PARCEL NUMBER(S):** 177-33-201-008

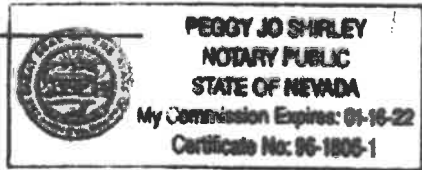
**PROPERTY ADDRESS and/or CROSS STREETS:** 10770 S. Las Vegas Blvd, Las Vegas 89183

**PROJECT DESCRIPTION:** Emergency Room

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

Alexis Mussi  
 Property Owner (Signature)  
 STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON Peggy Jo 02/17/2021 (DATE)  
 by Alexis Mussi  
 NOTARY PUBLIC: Peggy Jo Shirley

**Alexis Mussi**  
 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.



Date: February 23, 2021,  
To: Clark County Comprehensive Planning  
500 Grand Central Parkway  
Las Vegas NV 89155  
Applicant: HCA  
Contact: Mark Whitehouse, High Impact Sign & Design  
Re: Waiver with Design Review for Public Hearing

WS-21-0170

To whom it may concern.

We respectfully request the approval of a waiver with design review for signage.

This signage is for an approved freestanding emergency room. The pylon sign which is being construction is consistent with code.

We request a waiver to allow for an animated sign where animated signs are not allowed in a C-P. The reason for this request is to allow the medical facility to display important public health notifications and messages along with wait times and other vital information for the public. Additionally, the LED Display will adhere to a minimum 2.5 second message with breaks in between messages.

The sign square is consistent and under the amount allowed in a normal commercial zone. The square footage allowed would be 100 square feet maximum and this sign is 80 square feet.

The signage will be consistent with all their existing locations and will aesthetically be incorporated into the building's architecture.

This signage will not negatively affect the surrounding area as the display will face North and South and will not be directed toward any residential properties.

We thank you in advance for your consideration of this request.

Regards,

Mark Whitehouse  
(702) 336-3336

820 Wigwam Parkway, Ste 100  
Henderson, NV 89014  
(702) 736-7446 office  
(702) 644-0678 fax  
[www.highimpactsign.com](http://www.highimpactsign.com)



06/02/21 BCC AGENDA SHEET

RETAIL CANNABIS STORE  
(TITLE 30)

BLUE DIAMOND RD/HINSON ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**DR-21-0156-BRANDO HOLDINGS, LLC:**

**DESIGN REVIEWS** for the following: 1) finished grade; and 2) retail cannabis expansion on 0.6 acres in a C-2 (General Commercial) (AE-60) Zone.

Generally located on the south side of Blue Diamond Road, 300 feet east of Hinson Street within Enterprise. JJ/bb/jd (For possible action)

**RELATED INFORMATION:**

**APN:**

177-18-602-003

**DESIGN REVIEWS:**

1. Increase finished grade up to 2 feet 2 inches (26 inches) where a maximum of 18 inches is the standard per Section 30.32.040 (a 44% increase).
2. Commercial retail expansion (retail cannabis store).

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3725 Blue Diamond Road
- Site Acreage: 0.6
- Project Type: Retail cannabis store
- Number of Stories: 1
- Height (feet): 20
- Square Feet: 2,816 (existing)/2,769 (expansion)
- Parking Required/Provided: 24/28

**Site Plan**

This is a request to increase the finished grade by up to 26 inches during the expansion of a retail cannabis store. The existing 2,816 square foot commercial building will be expanded by 2,769 square feet to a total of 5,585 square feet. The existing building is located on the eastern portion of the property south of Blue Diamond Road and 300 feet east of Hinson Street. Only 1 of the 2

existing driveways on Blue Diamond Road will remain on the east side of the property. The applicant is providing 28 parking spaces where 24 parking spaces are required.

Landscaping

The required parking spaces have existing landscaping, with the additional parking spaces previously required for a restaurant use. The newly designed parking lot includes landscaping and revised access drive aisles.

Elevations

The plans depict an existing 1 story, 17 foot tall, commercial building with a flat roof and parapet walls. The exterior façade includes painted stucco, covered entry, and an aluminum storefront window system and door treatments. The expansion will include painting the existing brick and installing a new cornice up to 20 feet in height.

Floor Plans

The plans depict an existing 2,816 square foot building with a 2,769 square foot expansion to accommodate the larger sales floor, vault, restroom facilities, lockers, breakroom, IT room, security, and janitorial closet, for a total of 5,585 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The existing building was constructed over 20 years ago when Blue Diamond Road was only a 2 lane road. The expansion of Blue Diamond Road to a 4 lane road, substantially decreased the throat depth of the driveways. This resulted in the awkward layout of the parking lot and limited space for street frontage landscaping. The cross sections submitted with the application illustrate the increased finished grades in the parking lot and driveway. The increased grade along the western boundary and entrance driveway will accommodate positive drainage for the site. The revised site plan will greatly benefit the aesthetics of the area.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-20-0238	Retail cannabis establishment	Approved by BCC	August 2020
ZC-0136-13	Reclassified H-2 to C-2 zoning for an existing tavern	Approved by BCC	May 2013
VS-0390-97	Vacated and abandoned easements	Approved by BCC	May 1997
UC-0391-97	Cellular tower	Approved by PC	May 1997
UC-0093-91	Live entertainment	Approved by PC	June 1991

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial General	C-2	Retail
South & East	Commercial Tourist	H-2	Undeveloped
West	Commercial Tourist	C-2	Retail

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Design Review #2

The proposed development is compatible with adjacent developments and developments in the area, including buildings, and structures. The proposed development is consistent with the applicable land use plan, Title 30, and other regulations, plans and policies of the County, including Commercial Tourist Policy 93, which states all structures on a development site should be of compatible architectural design, style, and color. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic and will be limited to 1 access point with the removal of the western driveway. Building and landscape materials are appropriate for the area and for the County. Elevations, design characteristics, and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance, and create an orderly and aesthetically pleasing environment. Appropriate measures are being taken to secure and protect the public health, safety, and general welfare through the use of an existing security plan. Staff can support this request.

**Public Works - Development Review**

Design Review #1

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

**Staff Recommendation**

Approval.

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

- 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.
- 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 initiated for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0046-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

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

**APPLICANT:** DEEP ROOTS MEDICAL, LLC

**CONTACT:** KATHRINE LOGAN, ACTUS, 3283 E. WARM SPRINGS ROAD, SUITE 300,  
LAS VEGAS, NV 89120



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 2A

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="margin-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="margin-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="margin-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="margin-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="margin-left: 20px;">(ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: <u>DR-21-0156</u>      DATE FILED: <u>4-7-2021</u></p> <p>PLANNER ASSIGNED: <u>BSB</u></p> <p>TAB/CAC: <u>Enterprise</u>      TAB/CAC DATE: <u>5-12</u></p> <p>PC MEETING DATE: _____      6pm</p> <p>BCC MEETING DATE: <u>6-2-2021</u> 9am</p> <p>FEE: <u>\$675</u></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>Brando Holdings LLC</u></p> <p>ADDRESS: <u>3725 Blue Diamond Road</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89139</u></p> <p>TELEPHONE: <u>(702) 808-3808</u>      CELL: _____</p> <p>E-MAIL: <u>brandolasvegas@yahoo.com</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>Deep Roots Medical LLC</u></p> <p>ADDRESS: <u>195 Willis Carrier Canyon</u></p> <p>CITY: <u>Mesquite</u>      STATE: <u>NV</u>      ZIP: <u>89034</u></p> <p>TELEPHONE: <u>702-345-2854</u>      CELL: <u>(406) 570-6784</u></p> <p>E-MAIL: <u>jon@deeprootsharvest.com</u>      REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Jon Marshall</u></p> <p>ADDRESS: <u>195 Willis Carrier Canyon</u></p> <p>CITY: <u>Mesquite</u>      STATE: <u>NV</u>      ZIP: <u>89034</u></p> <p>TELEPHONE: <u>702-345-2854</u>      CELL: <u>(406) 570-6784</u></p> <p>E-MAIL: <u>jon@deeprootsharvest.com</u>      REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 177-18-602-003

PROPERTY ADDRESS and/or CROSS STREETS: 3725 Blue Diamond Road

PROJECT DESCRIPTION: Deep Roots Building Expansion

(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.

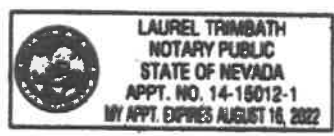
Anthony Brandonisio  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON February 4th 2021 (DATE)

By Anthony Brandonisio

NOTARY PUBLIC: Laurel Trimbath



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

APR-21-100128



PLANNER  
COPY

AR-21-0156

Jon Marshall, COO  
Deep Roots Harvest, Inc.  
195 Willis Carrier Canyon  
Mesquite, NV 89031  
Jon@DeepRootsHarvest.com  
106.570.6748

Clark County Comprehensive Planning  
500 S. Grand Central Parkway, 1<sup>st</sup> Floor  
Las Vegas, Nevada 89106

Re: Justification Letter for Deep Roots Harvest Inc.'s Request for Design Review  
regarding 3725 Blue Diamond Rd (APN 177-18-602-003)

To Whom It May Concern,

This justification letter is submitted on behalf of Deep Roots Harvest, Inc. ("Deep Roots") for a design review application for a proposed building expansion at 3725 Blue Diamond Rd. The Board of County Commissioners approved Deep Roots' special use permit application for a retail marijuana store on August 5, 2020. This application seeks approval for a 2769-sf addition to the existing building and other minor adjustments to the approved site plan.

The existing building was constructed over 20 years ago when Blue Diamond was still a 2-lane road. The expansion of Blue Diamond into a four-lane highway reduced the throat depth of the driveways substantially, resulting in an awkward parking lot layout and limited space for street frontage landscaping. As Blue Diamond became a major transportation corridor, additional parking spaces were created at the rear of the property. However, the walkway in the center of the parking lot, which is aligned with Blue Diamond Rd, creates narrow lanes to access the rear parking spaces.

The revised site plan provides 28 parking spaces where 21 are required. The overall number of parking spaces has been reduced to accommodate for wider driveway areas and additional parking lot landscaping. Eliminating a portion of the internal walkway will also improve traffic flows and onsite circulation. The building expansion will provide a more centralized location for the building entrance, creating more convenient access from all parking areas. The building facade will be greatly enhanced by clerestory windows and a stylish cantilevered roof above the building entrance. These improvements, together with other exterior enhancements that were approved with the special use permit application, will greatly benefit the aesthetics of the surrounding area.

Cross sections provided with the submittal illustrate the elevations of the project site. There will be several areas where we propose to raise the existing elevations more than 18 inches vertically at the entrance driveway and along portions of the western boundary to allow for positive drainage of the site. Please note that the elevation of the existing building is not changing.

Thank you.

Jon

---

195 Willis Carrier Canyon, Mesquite, NV 89031

06/02/21 BCC AGENDA SHEET

PLACE OF WORSHIP  
(TITLE 30)

**UPDATE**  
BUFFALO DR/WIGWAM AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-20-0338-SANG, TJIE GIOK:**

**AMENDED 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 (no longer needed).  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced setbacks, 2) driveway geometrics; 3) departure distance; and 4) increased signage (previously not notified).  
**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)

---

**RELATED INFORMATION:**

**APN:**  
176-16-601-050

**USE PERMITS:**

1. Place of worship.
2. Increase the building height for a place of worship to 43 feet 6 inches (previously notified as 46 feet 4 inches) where 35 feet is allowed per Table 30.40-1 (a 24.6% increase (previously notified as a 32.5% increase).
3. Increase the height of a freestanding sign to 35 feet where 28 feet high is permitted in the residential protection standards per Table 30.72-1 (a 25% increase) (no longer needed).

**WAIVERS OF DEVELOPMENT STANDARDS:**

1.
  - a. Reduce the setback for a freestanding sign to 8 feet 1 inch where 60 feet is required per Table 30.72-1 (an 86.5% decrease) (no longer needed).
  - b. Reduce the setback for a place of worship to residential use to 103 feet where 129 feet is required per Figure 30.56-10 (a 20.2% decrease) (previously not notified).
2. Reduce throat depth to 73 feet 10 inches where 150 feet is required per Uniform Standard Drawing 222.1 (a 51.3% reduction).
3. Reduce the departure distance to 183 feet 6 inches on Wigwam Avenue where 190 feet is required per Uniform Standard Drawing 222.1 (a 3.4% reduction).
4.
  - a. Increase the number of wall signs on the same side of the building to 3 where 1 is allowed per Table 30.72-1 (a 200% increase) (previously not notified).
  - b. Increase the sign square footage to 231 square feet where 50 square feet is allowed per Table 30.72-1 (a 362% increase) (previously not notified).

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 5
- Project Type: Place of worship
- Number of Stories: 2
- Building Height: 43 feet, 6 inches
- Square Feet: 49,918
- Parking Required/Provided: 151/208

Site Plans

The plans show a 49,918 square foot, 2 story south facing place of worship building with monastery consisting of 1 building located approximately in the middle of the site. The south side of the building consists of a patron drop-off area where the drive aisle is covered by an architectural overhang. The building complex is set back 103 feet from the west property line, 224 feet from the north property line, 22 feet from the east property line, and 198 feet from the south property line. Parking is located on the south, west, and north sides of the site. Access to the site is from Wigwam Avenue with an additional emergency access with a crash gate on the north side of the property on Camero Avenue.

Landscaping

The plans depict landscaping per Title 30 requirements throughout the site. Detached sidewalks with landscaping on both sides is shown on Wigwam Avenue and Buffalo Drive. An attached sidewalk with 6 foot 11 inch wide street landscaping is located on Camero Avenue. An 8 foot wide landscape strip extends along the western border of the property. Landscaping is also located along the northern border and the western border of the building complex. Internal to the site within the parking area the parking lot landscaping complies with Figure 30.64-14. A 9 foot wide landscape area with trees and shrubs separates the main parking area from the drop-off area canopy and the entrance to the building.

Elevations

The elevations show a south oriented place of worship building with monastery, the overall building height is 43 feet 6 inches high. The southern elevation depicts the multi-level overhanging brown tiled roofline with decorative beams, decorative eaves, and roof ornaments. The exterior of the building will be an earth tone stucco finish with a red accent color on the columns. The south elevation shows 3 entrances with associated glass storefronts and brown tiled roof overhangs. The north and east elevations consist of brown tiled overhanging rooflines. The south elevation features 3 wall signs over the building entrances.

Floor Plans

The plans for the building show 2 levels. The first level consists of the main entrance with auditorium, various shops for residents, 2 dining areas, lecture room, kitchen, guest room,



and an office space. The second floor consists of a meditation room and 28 guest rooms. The center portion of the building is open to the floor below.

Signage

The plans show 3 wall signs on the southern face of the building above each entrance. The middle sign is 107 square feet and the 2 signs above the other entrances are 62 square feet each.

Applicant's Justification

The applicant indicates that the proposed place of worship with monastery is designed with the philosophy of the harmony of human and nature. The site design brings natural elements such as daylight, landscaping, fresh air, and wind into the building complex for balance. The applicant states that the proposed place of worship is compatible with the surrounding neighborhood and will enhance the area by providing a stable and desirable character. The applicant indicates that a neighborhood meeting was held on January 25, 2021 with 2 neighbors in attendance.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-0015-15	Reduced lot size and setbacks for a 16 lot single family residential development - expired	Approved by PC	April 2015
TM-0005-15	16 lot single family residential development - expired	Approved by PC	April 2015
ZC-1026-05	Reclassified 3,800 parcels from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac)	R-2	Undeveloped & approved 70 lot residential subdivision
South & East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	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**

Use Permits

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

### Use Permit #1

A place of worship with monastery requires consideration through a special use permit to ensure compatibility with existing or planned surrounding uses. Compatibility refers to characteristics of different land uses that allow a place of worship to be harmoniously located near or adjacent to residential uses with minimal impacts. Compatible use considerations may include a range of activities and design features related to existing and proposed development, such as but not limited to height, scale, mass, density, architecture, landscaping, hours of operation, and environmental impacts.

With appropriate building siting, required parking, and appropriate buffering, a place of worship can be consistent and compatible with residential neighborhoods in consideration of Title 30 and the Comprehensive Master Plan. Many places of worship have been approved and developed in Rural Neighborhood Preservation (RNP) areas with no adverse impacts to the community. Staff finds the establishment of a place of worship at this location is consistent with Title 30 provisions, but has concerns which will be addressed with the design review portion of this request.

Staff can support the place of worship use for the following reasons: 1) the place of worship is near a collector street; 2) the required parking is being provided, and 3) **landscaping meets Title 30 requirements.**

### Use Permit #3

**No longer needed.**

### 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 #1a

**No longer needed.**

### Use Permit #2 & Waivers of Development Standards #1b, #4a, & #4b

The applicant is requesting to reduce the side setback to a residential use, increase the height of a building in a residential area, and increase signage associated with a place of worship. The applicant has been working with staff for months to redesign the site to make the proposed place of worship more compatible with the surrounding area. The requested use permit for setback reduction and height increase is consistent with other places of worship in the vicinity. The proposed wall signs on the south side of the building are an integral part of the overall design on the building. The location of the signs, the setback reduction, and increased building height could have a negative impact on the surrounding area, and since staff cannot support the design review for the overall project, staff cannot support these requests.

### Design Review

One of the major issues identified in the land use plan updates is the compatibility of new developments within or adjacent to RNP areas. It is essential that new developments are compatible and consistent with existing developed properties in the area. The considerations for compatibility may include design features related to existing and proposed developments, such as, but not limited to bulk standards such as height, mass, density, and architecture. Compatibility refers to the sensitivity of development proposals in maintaining the character of existing areas. Bulk parameters located within the immediate area are used as a gauge in determining compatibility. These regulations define the relationship between the size and relationship of a building and its location while establishing regulations and standards for setbacks, height, lot size and coverage, density, and yard requirements. The closest residential properties that have single family residential buildings range in size from approximately 3,500 square feet to about 4,800 square feet. The immediate area is within the RNP-1 and use category.

Staff finds the plans depict building elevations, with corresponding bulk, design characteristics, and other architectural and aesthetic features, that are not harmonious and compatible with development in the area. The 2 story 49,918 square foot place of worship building with a maximum vertical height of 43 feet 6 inches, which is scaled down from the original request for an 89,290 square foot building complex. The applicant has been working with staff and hosted a neighborhood meeting to include the redesigned site and address staff's concerns regarding the compatibility with the surrounding neighborhood area.

Through the use of thoughtful site design, distribution of overall building area on a smaller scale building is becoming more consistent with the residential character of the area, and parking lot and street landscaping, the applicant has shown that the overall design could be adjusted to reduce the visual dominance of the building and the overall site area. However, staff finds the applicant has not established that the plans satisfy the criteria for approval of a design review and finds that the proposed development is not compatible with adjacent development. Therefore, staff cannot support the design review.

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

#### Waiver of Development Standards #2

Staff worked with the applicant on the throat depths for the Wigwam Avenue driveway. The applicant moved the entrance to the main parking area to extend the throat depth. This will help with traffic circulation on the site and prevent vehicles from stacking into the right-of-way. However, since Planning is recommending denial of the design review, staff cannot support this waiver.

#### Waiver of Development Standards #3

Staff has no objection to the reduction in the distance from Buffalo Drive to the driveway on Wigwam Avenue. The driveway is located as far away from the intersection as the limited frontage will allow. However, since Planning is recommending denial of the design review, staff cannot support this waiver.

### **Staff Recommendation**

Approval of use permit #1; denial of use permit #2, waivers of development standards, and the design review.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to the back of curb for Buffalo Drive, 35 feet to the back of curb for Wigwam Avenue, 30 feet for Camero Avenue, and associated spandrels.
- Applicant is advised that the installation of detached sidewalks will require dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that Fire Apparatus Access cannot be achieved at the Northwest corner of the building; a turnaround would be required at the end of the private dead end parking lot which is located towards the corner of Camero Avenue and Buffalo Drive; or change the location of the building to allow access per CCFD.

#### **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 #0242-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**  
**APPROVALS: 1 card**  
**PROTESTS: 4 cards**

**COUNTY COMMISSION ACTION:** March 3, 2021 – HELD – To 04/21/21 – per the applicant.

**COUNTY COMMISSION ACTION:** April 21, 2021 – HELD – To 06/02/21 – per the applicant.

**APPLICANT:** TJIE GIOK SANG  
**CONTACT:** YIHONG LIU, YIHONG LIU + ASSOCIATES, 1669 HORIZON RIDGE PARKWAY, SUITE 120, HENDERSON, NV 89012

DRAFT



Yihong Liu  
Yihong Liu + Associates  
1669 Horizon Ridge Parkway  
Henderson, NV 89012

CIVIL  
ENGINEERING

REVISED  
4/13/21

UC-20-0338

February 28, 2021

Nicole Russell  
Senior Planner  
Comprehensive Planning Department  
500 Grand Central parkway  
Las Vegas, NV 89106

RE: APN 17616601050

Dear Ms. Russell,

Please accept this letter as our justification letter for a Design Review and Special Use Permit for a religion facility of Buddhist Temple located at referenced parcel number. The Special Use Permit should allow a small portion of retail space inside of the temple for supplies of the worship activities. The retail is not for public use without worship related activities.

The facility also have dorms for monks' short-term living area. This monastery has a portion of rooms offering accommodation to people for short-term retreat and long term stay over 30 days. Visitors observe the same silence meditation as the monks, eat the same vegetarian meals and take part in the worship services.

This project is facing Wigwam Avenue (80' ROW) and parallel on Buffalo Drive (100' ROW), and has detached 5' sidewalk with beyond code required trees along Buffalo: two rolls of trees 30' on center with effective 15' on center staggered( code requires trees two rolls of 40' on center with effective 20' on center staggered). The project is backing to the Camero Avenue which is a 60' right of way with 5' attached sidewalk.

The western property line is adjacent to a residential single family property and since our height is 30', we do not need to have 3:1 slope setback requirement; however, the west side setback is 103'-3" to the property line which will be way under the 3:1 setback measured from the top of 6' wall. North setback is 224'-3" to Camero Ave; east setback is 22'-7" to Buffalo DR; and south setback is 198'-7" to Wigwam Ave.

The drive way curb cut on Wigwam Avenue is 183'-6" on the departure side. Since this will be the only curb cut along Wigwam, and we have already pushed the entrance to the furthest location on the property, so we respectfully request a waiver for this condition. The curb cut on Camero Avenue will be a crash gate and for fire truck access only, so we did not provide commercial full drive way entrance for this curb cut.

Another waiver request is the throat depth on the drive way entrance on Wigwam Ave. We have provided 73'-10" when 150' is required per County standard. Because of the limited site size and

parking lot space, bigger throat depth will post hardship to the parking payout and circulation on site. So we respectfully request a waiver for this.

This project is going to be a wood frame structure with traditional Chinese design elements on the façade. The building roof height is 30' in height, with pop out traditional Chinese element as a symbolic element similar to the cross for a Christian church. The design of the building is a traditional Chinese Temple architecture with curved roof, Dong Gong element under the roof eave, and the red columns. The auditorium is the main temple space that contains the statue sitting in the middle as main functional element for this area. There are one auditorium and one lecture hall in this project with different sizes and functions. There are some small shops for worship activities supply.

The design of the project will be compatible with the surrounding area. We have completed the neighborhood meeting and had a briefing meeting with commissioner on the design and we did not received any negative feedback on the project and the design. We will be smaller in size compare to the church and we will be a very quiet operation as a Buddhist temple.



Temple rendering





The Crossing Church on Windmill & Buffalo

The lighting will be internally lit within the project and will have cut off parking lot light along the west property line neighboring the residential use.

Total parking required: 115 spaces; Total parking provided 208 Spaces, with additional 2 motorcycle spaces (1 space counted toward to parking – 0.5% of total) and 4 bike rack spaces.

Owner is working on getting a surveyor to do the survey of the property and file the vacation application concurrent with this application.

We believe this development will be an enhancement and an asset to the area. We feel that the development is compatible with the surrounding neighborhood and will provide an environment of stable and desirable character consistent with the County's policies and regulations. We respectfully request approval. Please feel free to contact me with any questions you might have.

Yours truly,

*Yihong Liu*

Yihong Liu, Architect

President

Yihong Liu + Associates, LTD.

1669 Horizon Ridge Parkway, Suite 120

Henderson, NV 89012

Phone: 702-778-8711

Cell: 702-321-9316

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06/15/21 PC AGENDA SHEET

EASEMENTS AND RIGHTS-OF-WAY  
(TITLE 30)

ELDORADO LN/LAS VEGAS BLVD S

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-21-400070 (VS-19-0401)-LSREF EXHIBITION INVEST, LLC:**

**VACATE AND ABANDON FIRST EXTENSION OF TIME** easements of interest to Clark County located between Eldorado Lane and Mesa Verde Lane (alignment) and between Las Vegas Boulevard South and I-15 and portions of a right-of-way being Robindale Road located between Las Vegas Boulevard South and I-15, Moberly Avenue located between Las Vegas Boulevard South and I-15, Eldorado Lane located between I-15 and Las Vegas Boulevard South, and Ensworth Street located between Eldorado Lane and Robindale Road within Enterprise (description on file). MN/jgh/jo (For possible action)

**RELATED INFORMATION:**

**APN:**

177-08-601-001 through 177-08-601-006; 177-08-601-008; 177-08-699-004; 177-08-701-001 through 177-08-701-004; 177-08-701-008 through 177-08-701-012; 177-08-701-014; 177-08-799-002; 177-08-799-007 through 177-08-799-009

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

The previously approved site plan depicts a vacation and abandonment of government patent easements all located south of Eldorado Lane, east of the I-15, west of Las Vegas Boulevard South, and north of Mesa Verde Lane (alignment). Per the plans on file, the portions of rights-of-way to be vacated include Robindale Road (alignment), Moberly Avenue, a cul-de-sac bulb and attached right-of-way on Ensworth Street (alignment) south of Eldorado Lane. Per the applicant, approval of this application will allow for future development on the site, and the listed patent easements and rights-of-way are not needed for the applicant's project.

For this current request, the applicant is requesting a 2 year extension of time. The applicant indicates that approval of this request will facilitate the redesign efforts being made by the architect assigned to this project. A 1 lot commercial subdivision map is in progress which indicates the applicant is working toward completion of this project.

Previous Conditions of Approval

Listed below are the approved conditions for VS-19-0401:

**Current Planning**

- Satisfy utility companies' requirements.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

**Public Works - Development Review**

- Right-of-way dedication and/or grant easements for Las Vegas Boulevard South to accommodate a proportionate share of a 200-foot-wide right-of-way;
- Right-of-way dedication to include 80 feet for Robindale Road, 60 feet for the frontage road, 30 feet for Eldorado Lane, and associated spandrels;
- If required by the Regional Transportation Commission (RTC), construct a standard bus stop with a 5 foot by 25 foot bus shelter pad easement behind the sidewalk on the west side of Las Vegas Boulevard South, just south of and as close to practical to both the Eldorado Lane and Robindale Road alignments;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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

- CCWRD has existing or proposed assets within the area proposed to be vacated per VS-19-0401; CCWRD has no objection to the request for vacation as presented; however, CCWRD requests all existing rights granted to us within the easements/rights-of-way are reserved, it is understood that this vacation shall not reduce our rights to operate and maintain our facilities; and that CCWRD also requests that drivable access be able to handle H-20 loading and is maintained by fee owner.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-19-0401	Vacated easements located between Eldorado Lane and Mesa Verde Lane (alignment) and between Las Vegas Boulevard South and I-15	Approved by PC	July 2019

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0620-11 (ET-0034-17)	First extension of time to allow future development, expand Gaming Enterprise District, allow a High Impact Project, and other commercial uses; waivers and deviations for reduced parking and encroachment into airspace, and design reviews for all applicable uses on-site - expired	Approved by BCC	May 2017
ZC-0620-11 (WC-0156-12)	Waived the dedication of frontage road per the Transportation Element and replaced it with the reservation of frontage road per the Transportation Element	Approved by BCC	March 2013
TM-500071-12	1 lot commercial subdivision - expired	Approved by PC	September 2012
ZC-0620-11	Reclassified 110 acres from R-E, C-1, M-D, H-1, and H-2 zoning to H-1 (AE-60 & AE-65) zoning; use permits to allow an expansion of the Gaming Enterprise District (eastern portion), allow a High Impact Project, with deviations/waivers for reduced on-site parking (including non-gaming) and encroachment into airspace; design reviews for a resort hotel, high rise towers and hotel condominiums, convention center, and mid/low-rise buildings, zoning is permanent, all other applications expired	Approved by BCC	April 2012

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Commercial Tourist	H-1	Undeveloped
East	Commercial Tourist	H-1	Shopping center & restaurants
West	Business and Design/Research Park	M-D	Office warehouse

**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. However, the applicant has made progress toward commencement of the project, the drainage study has been approved (PW19-14302) and the off-sites have been submitted for review (PW19-17115); therefore, staff has no objection to this request.

**Public Works - Development Review**

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

**Staff Recommendation Approval.**

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until July 02, 2023 to record.
- 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 re-approval by the utility companies is required.

**Public Works - Development Review**

- Compliance with previous conditions.

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

- The Clark County Water Reclamation District (CCWRD) has existing or proposed assets within the area proposed to be vacated per VS-19-0401; CCWRD has no objection to the request for vacation as presented; however, CCWRD requests all existing rights granted to us within the easements/rights-of-way are reserved; it is understood that this vacation shall not reduce our rights to operate and maintain our facilities; and that CCWRD also requests that drivable access be able to handle H2O loading and is maintained by fee owner.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** LSREF EXHIBITION INVESTMENTS, LLC

**CONTACT:** ELENA ARELLANO, GCW ENGINEERING, 1555 S. RAINBOW  
BOULEVARD, LAS VEGAS, NV 89146

DRAFT







# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

# 4A

<b>APPLICATION TYPE</b> <input type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): <u>VS-19-0401</u>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>ET-21-400070</u>	DATE FILED: <u>4/28/21</u>
		PLANNER ASSIGNED: <u>JGH</u> TAB/CAC: <u>Enterprise</u> PC MEETING DATE: <u>6/15/21</u> BCC MEETING DATE: _____ FEE: <u>\$300</u>	TAB/CAC DATE: <u>5/26/21</u>

<b>PROPERTY OWNER</b>	NAME: <u>L S R E F Exhibition Investments, LLC</u>
	ADDRESS: <u>c/o Hudson Advisors 2711 N. Haskell Ave, Suite 1800</u>
	CITY: <u>Dallas</u> STATE: <u>TX</u> ZIP: <u>75204</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____


<b>APPLICANT</b>	NAME: <u>L S R E F Exhibition Investments, LLC</u>
	ADDRESS: <u>c/o Hudson Advisors 2711 N. Haskell Ave, Suite 1800</u>
	CITY: <u>Dallas</u> STATE: <u>TX</u> ZIP: <u>75204</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____ REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Elena Arellano c/o GCW Engineering, Inc.</u>
	ADDRESS: <u>1555 S. Rainbow Boulevard</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u>
	TELEPHONE: <u>702-804-2145</u> CELL: _____
	E-MAIL: <u>EArellano@gcwengineering.com</u> REF CONTACT ID #: <u>187090</u>

ASSESSOR'S PARCEL NUMBER(S): 177-08-601-001 thru -006, 177-08-601-008, 177-08-701-001 thru -004, 177-08-701-008 thru -012, 177-08-701-014, 177-08-699-004; 177-08-799-007 thru -009, 177-08-799-002.

PROPERTY ADDRESS and/or CROSS STREETS: SW corner of Eldorado Lane and Las Vegas Boulevard South

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.



Laura P. Sims, President

Property Owner (Signature)\*

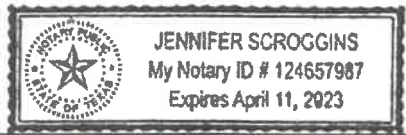
Property Owner (Print)

STATE OF ~~NEW YORK~~ Texas COUNTY OF Dallas

SUBSCRIBED AND SWORN TO before me on April 15, 2021 (DATE)

By  \_\_\_\_\_

NOTARY PUBLIC: Jennifer Scroggins



\*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

ET-21-400070

868-012

April 15, 2021

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

Subject: Justification Letter for an Extension of Time Application on VS-19-0401  
Assessor's Parcel Numbers: 177-08-601-001 thru -006, 177-08-601-008;  
177-08-701-001 thru -004, 177-08-701-008 thru 012, 117-08-701-014;  
177-08-699-004; 177-08-799-002, 177-08-799-007 thru -009

To Whom It May Concern:

GCW, Inc. has been retained to file the subject application for the property owner, LSREF Exhibition Investments, LLC. The intent of the application is to request a two year extension of time to vacate government patent easements, and portions of rights-of-way. The right-of-way includes portions of Robindale Road, Moberly Street, a cul-de-sac on the Eldorado Street alignment and right-of-way along the Ensworth Street alignment that extends south of the Eldorado Street alignment. All of the portions of rights-of-way are located between Interstate 15 and Las Vegas Boulevard South.

The approval of this request will facilitate the efforts of the architect, Marnell Architecture, and the owner's engineer, Kimley-Horn & Associates, to re-design the site from its previous concept to one that includes a train station to provide passenger rail service between Las Vegas and southern California. A one-lot commercial subdivision final map has been submitted for this site under NFM 19-5002015. The entire site is held under one ownership. We anticipate that the owner will be submitting entitlement applications to Clark County Current Planning for the latest project in the coming months.

Enclosed for your use in evaluating this request, are the following documents:

- 1 Signed application & disclosure form for LSREF Exhibition Investments, LLC
- 1 copy of the deed
- 2 copies of the Justification letter

Upon acceptance of the application, please issue an invoice for the filing fees to [earellano@gcwengineering.com](mailto:earellano@gcwengineering.com) and place this application on the next available Planning Commission agenda. Should you have any questions, please contact the undersigned at 702-804-2145.

Sincerely,

*Elena M. Arellano*

Elena Arellano  
Project Coordinator



06/15/21 PC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT  
(TITLE 30)

DECATUR BLVD/RUSH AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**NZC-21-0199-COUNTY OF CLARK (AVIATION):**

**ZONE CHANGE** to reclassify 16.5 acres from an R-E (Rural Estates Residential) Zone to an R-4 (Multiple Family Residential - High Density) Zone.

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

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

Generally located on the northeast corner of Decatur Boulevard and Rush Avenue within Enterprise (description on file). JJ/al/jd (For possible action)

---

**RELATED INFORMATION:**

**APN:**

177-30-401-017; 177-30-401-022

**WAIVER OF DEVELOPMENT STANDARDS:**

Increase wall height to 16 feet (6 foot screen wall with a 10 foot retaining wall) where a maximum of 9 feet (6 foot screen wall with a 3 foot retaining wall) is permitted per Section 30.64.050 (a 77.8% increase).

**DESIGN REVIEWS:**

1. A multiple family residential development.
2. Permit alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.
3. Increase finished grade to 156 inches (13 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 767.7% increase).

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL GENERAL

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 16.5
- Number of Units: 332

- Density (du/ac): 20.1
- Project Type: Multiple family residential development
- Number of Stories: 1 to 3
- Building Height (feet): 35
- Open Space Required/Provided: 33,200 square feet/52,590 square feet
- Parking Required/Provided: 607/607

### **Neighborhood Meeting Summary**

This request is for a nonconforming zone change to reclassify approximately 16.5 acres from an R-E zone to an R-4 zone for a multiple family residential development. The applicant conducted a virtual neighborhood meeting on October 22, 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 10 people attended the meeting. Concerns raised at the meeting included project density, traffic, and the style of the buildings.

### **Site Plans**

The plans depict a multiple family residential development consisting of 332 units on 16.5 acres with a density of 20.1 dwelling units per acre. The plans show the 332 units will be divided between 18 buildings that are distributed throughout the site. The site has frontage along Frias Avenue, Decatur Boulevard, Rush Avenue, and Cameron Street. The development will be a gated community with access from Decatur Boulevard and an emergency access gate from Cameron Street is depicted on the plan. A clubhouse and recreation area with cabanas, pool, fire pits, and other amenities is located in the central portion of the western half of the development, close to the entrance to the development. Another recreation area with pool, cabanas, playground equipment, and other amenities is located on the southeastern portion of the site, and a dog park is located on the northwest corner of the site. The perimeter of the development will be enclosed by a combination of block walls and decorative fences. The decorative fences will be located along the streets and the block walls will be along the common property lines of an existing electrical substation that is adjacent to the site. Parking for the project is distributed throughout the site.

### **Open Space and Landscaping**

The project is required to have 33,200 square feet of open space and 52,590 square feet of open space for active recreational uses is provided. The open space consists of recreational areas in the east and west portions of the development which includes pools, spas, fire pits, and barbeque areas. Other open space includes a dog park on the northwest corner of the site and landscape areas throughout the development. Landscaping along Decatur Boulevard 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 Frias Avenue, Rush Avenue, and Cameron Street the plans depict an attached sidewalk along the street with a minimum 6 foot wide landscape area outside of the perimeter decorative fence consisting of trees, shrubs, and groundcover. 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 28 feet for the 2 story buildings and 35 feet for the 3 story buildings. The residential buildings will be a combination of flat roofs behind parapet walls and pitched roofs with concrete tile roofing material. The exteriors of the residential buildings consist of a stucco finish painted in earth tone colors with stone veneer. The cabanas are 1 story with a maximum height of approximately 8 feet with a flat roof supported by 4 posts. The pool building is 1 story with a height of approximately 13 feet with a pitched roof 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 24 feet. The clubhouse building has a flat roof behind parapet walls and the exterior of the building consists of a stucco painted in earth tone colors and stone veneer.

**Floor Plans**

The development will have a total of 332 residential units consisting of 110 one bedroom units, 186 two bedroom units, and 36 three bedroom units. The pool building has an area of approximately 413 square feet consisting of restrooms and storage areas. The cabanas have an area of approximately 169 square feet. The clubhouse building has an area of approximately 6,375 square feet which consists of a fitness center, leasing offices, and multi-purpose rooms for the use by the residents.

**Signage**

Signage is not a part of this request.

**Applicant's Justification**

The applicant indicates that the proposed multiple family residential development will be compatible with existing and planned development in the area. The proposed development will provide additional multiple family housing options which are needed in the community. The request to increase retaining wall heights and increase finished grade are necessary to level the site for development and provide proper drainage. 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.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-1067-01	Water connection and minor subdivision map	Approved by PC	October 2001
VC-0491-00	Power substation	Approved by PC	May 2000

**Surrounding Land Use**

	Planned land Use Category	Zoning District	Existing Land Use
North	Commercial General, Public Facilities & Residential High (from 8 to 18 du/ac)	C-2 & R-E	Electrical substation, commercial development & undeveloped

**Surrounding Land Use**

	<b>Planned land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
South	Commercial General	C-2 & R-E	Shopping center & mini-warehouse facility
East	Residential Suburban (up to 8 du/ac)	R-2	Undeveloped
West	Residential Suburban (up to 8 du/ac)	R-2	Single family residential

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-21-0093	Vacate right-of-way is a companion item on this agenda

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Zone Change

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

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

The applicant indicates that there has been an increased demand for multiple family residential development in the Enterprise Planning Area and listed 6 multiple family residential developments within the Enterprise Planning Area that are over 90% occupancy. However, the projects listed by the applicant are all miles away from this site. The housing trend in the area surrounding the site is predominantly single family residential development in an R-2 zoning district. The closest existing multiple family residential development to this site is an apartment complex in an R-4 zone located approximately 3,300 feet to the south at 10925 Southern Highlands Parkway. In the area surrounding this site there has been a trend for more single family residential development not multiple family residential development. Therefore, staff finds there has been no change in laws, policies, trends, or facts that have changed the character of this area to 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 existing and approved residential developments in this area are predominantly single family residential developments with densities at a maximum of 8 dwelling units per acre. The proposed development with a density of 20.1 dwelling units per acre is a 151% increase in density compared to the existing and approved residential developments that abut this site. Therefore, staff finds the proposed development is not compatible with the existing and approved residential developments abutting this site.

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 129 students for the schools that serve this area (55 elementary students, 31 middle school students, and 43 high school students). The School District also indicates that 2 schools that would serve this area (Tarkanian Middle School & Desert Oasis High School) are over capacity with current enrollment. 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. To the west of this site is an existing single family residential development in an R-2 zone and to the east is a site approved for a single family residential development in an R-2 zone. Multiple family residential development in an R-4 zone at this location does not comply with Urban Specific Policy 4 of the Comprehensive Master Plan, which encourages the preservation of existing residential neighborhoods by developing vacant lots within these areas at similar densities as the existing area. As a gated multiple family residential development this project will be segregated from the existing and approved residential developments in this area. This does not comply in part with Urban Specific Policy 7 for developments to provide appropriate connectivity and not be segregated. Additionally, the proposed development does not comply in part with Urban Specific Policy 10 to encourage site designs to be compatible with adjacent land uses especially when the adjacent land use is a lower density or intensity. Therefore, staff finds that the proposed development does not conform to other adopted goals and policies.

### **Summary**

#### **Zone Change**

There has not 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 are not compatible with existing and approved land uses in the surrounding area. 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 not comply with other goals and policies. Based on the criteria listed above, staff finds the applicant has not satisfied the requirements for a Compelling Justification to warrant approval of the zone change.

#### 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.

The existing topography of the site may be a unique or special circumstance to warrant approval of the proposed increase in the height of the retaining walls. However, the proposed increase is based on the design of a multiple family residential development that staff does not support. Therefore, staff does not support this waiver.

#### Design Reviews #1 & #2

The proposed project provides open space in excess of Code requirements. Amenities within the open spaces include a dog park, pools and spa areas, and open spaces large enough to allow for active recreational uses. These recreational open space areas are located at different locations on the site that are convenient 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. 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. However, the project is a gated community with one point of access for the residents. This does not comply in part with Urban Specific Policy 7 for developments to provide appropriate connectivity and not be segregated. Additionally, staff does not support the zone change necessary to allow for this development; therefore, staff cannot support the design reviews for the proposed development.

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

##### Design Review #3

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



**Department of Aviation**

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

**Staff Recommendation**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on July 21, 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;
- Provide pedestrian access to Frias Avenue, Rush Avenue, and Cameron Street;
- 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;
- Coordinate with Public Works - Design Division for the Decatur Boulevard improvement project;
- Dedicate any right-of-way and easements necessary for the Decatur Boulevard improvement project.

- The installation of detached sidewalks will require the recordation of the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.
- 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 advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

**Building Department - Fire Prevention**

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

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0328-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** NEVADA WEST PARTNERS V, LLC  
**CONTACT:** LINDSAY BROWN, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA  
DRIVE, SUITE 650, LAS VEGAS, NV 89135



# LAND USE APPLICATION 5A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

<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"/> DEVELOPMENT AGREEMENT (DA)	<b>STAFF</b>	DATE FILED: <u>4-27-21</u> PLANNER ASSIGNED: <u>AI</u> ACCEPTED BY: <u>AI</u> FEE: _____ CHECK #: _____ COMMISSIONER: <u>Jones</u> OVERLAY(S)? <u>N/A</u> PUBLIC HEARING? <u>Y/N</u> TRAILS? <u>Y/N</u> PFNA? <u>Y/N</u>	APPLICATION NUMBER: <u>KZ-21-0199</u> TAB/CAC: <u>Entrepreneur</u> TAB/CAC MTG DATE: <u>5-26</u> TIME: <u>6</u> PC MEETING DATE: <u>6-15</u> BCC MEETING DATE: <u>7-21</u> ZONE / AE / RNP: <u>RE NOAC</u> PLANNED LAND USE: <u>CG RH</u> NOTIFICATION RADIUS: <u>150</u> SIGN? <u>Y/N</u> LETTER DUE DATE: _____
	<b>PROPERTY OWNER</b>	NAME: <u>County of Clark (Aviation)</u> ADDRESS: <u>500 S. Grand Central Pkwy</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89155</u> TELEPHONE: <u>702-455-4616</u> FAX: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u>	
	<b>APPLICANT</b>	NAME: <u>Nevada West Partners V, LLC</u> ADDRESS: <u>6655 S. Eastern Avenue, #250</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>n/a</u> FAX: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u>	
	<b>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> FAX: <u>702-796-7181</u> CELL: <u>n/a</u> E-MAIL: <u>clk@kcnvlaw.com</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-30-401-017 and 022

PROPERTY ADDRESS and/or CROSS STREETS: Decatur Boulevard and Frias Avenue

PROJECT DESCRIPTION: Non-Conforming zone change and design review for multi-family 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)\*

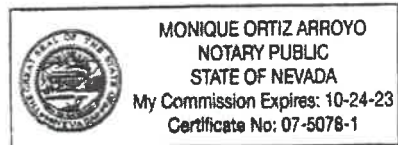
Lisa Kremer, Dir. CC Real Property Mgmt.  
Property Owner (Print)

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON July 20, 2020 (DATE)

By LISA KREMER, DIRECTOR

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.

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LAS VEGAS OFFICE

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April 7, 2021

NZC-21-0199

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

**Re: REVISED Compelling Justification Letter – Nonconforming Zone Change and  
Design Review  
Nevada West Partners V, LLC  
Decatur and Frias  
APNs: 177-30-401-017 and 022**

To Whom It May Concern:

Please be advised that this office, together with Mr. Chip Maxfield, represents Nevada West Partners V, LLC (the "Applicant") in the above referenced matter. The proposed development is located on 16.53 gross acres located on the southeast corner of Decatur Boulevard and W. Frias Avenue. The property is more particularly described as APN's 177-30-401-017 and 022 (the "Site"). The Applicant is proposing a nonconforming zone change from R-E to R-4 to allow for a multi-family residential development with a corresponding design review.

**Nonconforming Zone Change**

The Site has a mixed master plan designation of Commercial General (CG) and Residential High (RH) and is located within the Enterprise Township. This request for a zone change to R-4 for the Site satisfies the criteria for a nonconforming zone change with the compelling justification required by Title 30 as follows:

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

The Enterprise Land Use Plan was last amended in September of 2014. There have been multiple changes the last several years within the southwest sector. Large employment centers have been developed and now are operating in the southwest portion of the valley. A byproduct of the increased employment opportunities is a sharp increase in housing demand for the area.

By way of example, there are several multi-family developments recently approved throughout the south and southwest area of the valley, including the Zone5 ("215") Apartment complex located at the northwest corner of the 215 and Buffalo Drive. The Zone5 Apartment complex was approved by the Board of County Commissioners in 2013, via NZC-0633-12, for a non-conforming zone change to R-4 for a multi-family complex. The Zone5 Apartment complex was ultimately finished around the early part of 2016 and today is currently at a 93% occupancy rate. In addition to the Zone5 Apartment Complex, there are other multi-family apartments that are at or near full occupancy, including:

- Level 25 at Durango (Durango & Post) – 100% occupancy
- The Wyatt (Buffalo and Badura) – 95% occupancy
- South Beach (Russell and 215) – 98% occupancy
- Aspire (Tropicana and 215) – 97% occupancy
- Everett (Windmill and Rainbow) – 97% occupancy
- The Gallery (Buffalo and Blue Diamond) – 92% occupancy

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

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

The Site fronts onto Decatur Boulevard, a heavily travelled, 120-foot right-of-way when fully developed. The approval of this development will assist with the completion of needed off-sites along this stretch of Decatur Boulevard. The Site surrounds an existing Nevada Power substation. To the north across W. Frias Avenue are an existing storage and U-Haul facility and vacant R-E and R-3 zoned properties. The two vacant parcels fronting on W. Frias Avenue, immediately north of the Site, are master planned for RH. To the south is an existing C-2 zoned commercial shopping center with a variety of uses. The other two vacant parcels to the immediate south of the Site are planned for CG. To the west of the Site across Decatur Boulevard is an existing R-2 development. To the east of the Site is property zoned R-E but master planned for Residential Suburban (RS). With the existing commercial, as well as the previously approved R-3 and RH planned properties near and adjacent to the Site, coupled with the Site being located on Decatur Boulevard, the proposed use is clearly compatible with the surrounding area.

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- 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. Further, the Site will provide recreational amenities which will lessen the burden on Clark County recreational facilities. The very limited number of three bedroom units (36 in total) discourages occupation by families with school aged children, thereby not negatively impacting the schools in the area. 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 on Decatur Avenue just north of Cactus Avenue. The Site is located near public facilities and mass transit stops necessary to support multi-family development and is near other planned multi-family development, residential neighbors and commercial uses. Not only is the proposed development compatible with the general policy of the Urban Land Use Policies, but it is also compatible with the more specific Multiple Family Residential policies of the Urban Land Use Policies, including, but not limited to the following policies:

- Policy 55 encourages spatial distribution rather than the massing of buildings. Here, the buildings are oriented in various directions to avoid a 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 multi-family units will have complete use of the clubhouse, pool and other usable open space amenities.
- Policy 54 encourages the arrangement of parking areas into courts to avoid long concrete corridors of parking. Here, the parking is placed throughout the Site and surrounding the individual buildings.
- Policy 53 encourages the use of drought-tolerant landscaping. Here, the landscaping complies with all Title 30 requirements in that regard.

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

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Finally, R-4 developments allow for up to 25 units to the acre. The Applicant is proposing a total of 332 units at a density of only 20.08 units to the acre, well below the maximum density allowed in R-4. The Site has been specifically designed so that while the overall density of the Site is R-4, the R-3 density (at 18 units per acre) is maintained on the eastern portion of the Site bordering the Cameron Street alignment, where the Site is already master planned as RH. Please see the attached exhibit breaking down the densities on the east and west portions of the Site. As can be seen, the eastern portion of the Site (that is already master planned as RH) is being developed with less than 18 units per acre (17.86 units per acre to be precise). The western portion of the Site is being developed at 22.14 units per acre, still well below the permitted 25 units per acre allowed in the requested R-4 zoning district. The overall density for the Site is just over 20.08 units per acre.

#### **Site Design Review**

The project will consist of 332 residential units dispersed among a total of eighteen (18) buildings. Of the 332 residential units, there will be 110 one bedroom units, 186 two bedroom units, and 36 three bedroom units. The proposed development provides easy access to the Site on and off Decatur Boulevard.

The residential buildings will be three stories with a maximum height of 35 feet and will be comprised of painted stucco, modern roof lines, large decorative windows and metal accents. The Site design and architecture are consistent with the surrounding area. Additionally, the Site will provide outdoor amenities such as 2 pools and 1 spa area, BBQ and picnic areas, dog park, and indoor amenities with a recreation/clubhouse building consisting of meeting rooms and social gathering areas, a gym, business center and theatre. The project will be gated and meets the required throat depth for the call box off Decatur Avenue. Additionally, the Site plan and design of the buildings adheres to Title 30 standards, including but not limited to parking requirements, setback requirements and exceeding open space requirements.

#### **Design Review for Alternative Landscaping**

The Applicant is also requesting a design review for alternative landscaping to allow for parking diamonds where parking fingers are required. The parking diamonds will allow for additional parking while still providing sufficient landscaping throughout the Site. To mitigate the request, the Applicant is providing ample landscaping throughout to provide for both visual and shade relief.

#### **Design Review to Increase Finished Grade**

The Applicant is also requesting a Design Review to increase the finished grade. The natural topography and surrounding street grades that exist at this property is such that there is an elevated 'hill' high area approximately seven feet (7') above the existing elevation of Decatur

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and Rush Streets at the southwest corner of the site. Subsequently there is a depressed deep 'ravine' area across the site up to twenty feet (20') below the adjacent streets from Decatur and Frias (northwest corner) to Cameron, Frias and Rush (northeast and southeast corners). To mitigate this existing topographic condition the "hill" area will be cut down to reduce the elevation to better match the adjacent street elevations. The 'ravine' area will be filled up to thirteen feet (13') to increase the elevation to better match the adjacent street elevations. The maximum depth of fill required to mitigate this condition is thirteen feet (13') as shown on the fill exhibit submitted with the application.

#### Waiver to Increase Wall Height

Finally, the Applicant is requesting a maximum ten foot (10') high retaining wall with a six foot (6') high decorative screen fence on top of the retaining wall where a maximum nine (9') feet high retaining and screen fence is permitted. The additional retaining wall, screen fence height is necessary to mitigate the existing topographic conditions that exist at the site. The maximum height of the combination retaining wall and decorative screen fence above any adjacent street will be nine feet (9)'. Most of the completed project will be up to ten feet below the adjacent street elevations and requires the combination retaining wall/screen fencing adjacent to all streets located interior to the site. The overall effect of the combination retaining wall/screen fence as viewed from exterior to the finished project will be a maximum nine feet (9') high retaining wall/screen fence appearance.

Thank you for your consideration of this application and if you have any questions or comments relating to anything in this justification letter please do not hesitate to contact either me or Mr. Chip Maxfield. I can be reached at the phone number and e-mail address shown above. Mr. Maxfield can be reached at 702-400-8845 or through his e-mail address at [Chip@theMaxfieldGroup.com](mailto:Chip@theMaxfieldGroup.com).

Sincerely,

**KAEMPFER CROWELL**



Christopher L. Kaempfer

CLK/eoo



06/15/21 PC AGENDA SHEET

RIGHT-OF-WAY  
(TITLE 30)

DECATUR BLVD/FRIAS AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-21-0093-COUNTY OF CLARK (AVIATION):**

**VACATE AND ABANDON** a portion of a right-of-way being Decatur Boulevard located between Frias Avenue and Rush Avenue within Enterprise (description on file). JJ/bb/jd (For possible action)

**RELATED INFORMATION:**

**APN:**  
177-30-401-017

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

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

The plan shows the vacation and abandonment of a 2,682 square foot portion of right-of-way located on the east side of Decatur Boulevard, between Frias Avenue to the north and Rush Avenue to the south. The portion of right-of-way to be vacated is 536 feet in length and 5 feet in width. This area will be used to accommodate a detached sidewalk and adjacent landscaping.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-1067-01	Water connection and minor subdivision map	Approved by PC	October 2001
VC-0491-00	Power substation	Approved by PC	May 2000

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General, Public Facilities & Residential High (from 8 to 18 du/ac)	C-2 & R-E	Electrical substation, commercial development & undeveloped
South	Commercial General	C-2 & R-E	Shopping center & mini-warehouse facility
East	Residential Suburban (up to 8 du/ac)	R-2	Undeveloped

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
West	Residential Suburban (up to 8 du/ac)	R-2	Single family residential

**Related Applications**

Application Number	Request
NZC-21-0199	Zone change, waiver of development standards, and design reviews 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 a portion of right-of-way for Decatur Boulevard to accommodate detached sidewalks.

**Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on July 21, 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**

- Coordinate with Public Works - Design Division for the Decatur Boulevard improvement project;
- Dedicate any right-of-way and easements necessary for the Decatur Boulevard improvement project;

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording;
- The installation of detached sidewalks will require the recordation of this vacation of excess right-of-way together with a subdivision map 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:** LINDSAY BROWN

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

DRAFT



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LAS VEGAS OFFICE

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February 3, 2021

**VIA ONLINE SUBMITTAL**

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

***Re: Justification Letter in support of proposed vacation of right of way along the east side of S Decatur Boulevard – being a portion of APN# 177-30-401-017 Nevada West Partners V, LLC***

To Whom It May Concern:

This office, together with Mr. Chip Maxfield, represents the owner/developer of certain real property consisting of 13.76 acres of undeveloped land (Assessor's Parcel #s 177-30-401-017 and 177-30-401-022) located east of S. Decatur Boulevard, north of Rush Avenue and south of W. Frias Avenue. The property sought to be vacated consists of 5 feet of property along the east edge of S. Decatur Boulevard (and the west edge of Assessor's Parcel # 177-30-401-017.) The specific property sought to be vacated is shown on the attached "Vacation Exhibit" prepared by DRC Surveying Nevada, Inc.

It is our understanding that Clark County Public Works acknowledges that this 5 feet of property is not needed for Decatur Boulevard right of way or for other public purpose. Once vacated, this property will be used by the owner/developer for landscaping, access and other purposes necessary or appropriate for the proposed development to be constructed on this site.

Thank you very much and if you have any questions or comments, please do not hesitate to contact either the undersigned at the contact information set forth in this letter or Mr. Chip Maxfield at 702 400-8845 or at [Chip@themaxfieldgroup.com](mailto:Chip@themaxfieldgroup.com).

Sincerely,

**KAEMPFER CROWELL**



Christopher L. Kaempfer

CLK/lak



06/15/21 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT  
(TITLE 30)

FRIAS AVE/ARVILLE ST

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**NZC-21-0203-SCHIRLLS LLC:**

**ZONE CHANGE** to reclassify 22.9 acres from an R-E (Rural Estates Residential) (RNP-I) Zone and an R-E (RNP-I) Zone under Resolution of Intent to an R-2 (Medium Density Residential) Zone to an R-2 (Medium Density Residential) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) waive landscaping to a less intense use; and 2) to increase wall height.

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

Generally located on the northeast corner of Arville Street and Frias Avenue (alignment) within Enterprise (description on file). JJ/al/jd (For possible action)

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**RELATED INFORMATION:**

**APN:**

177-30-701-014; 177-30-701-015; 177-30-701-019 through 177-30-701-022; 177-30-701-040 through 177-30-701-041

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Waive landscaping to a less intense use where landscaping per Figure 30.64-11 and Table 30.64-1 is required.
2. Increase wall height to a maximum of 10 feet (6 foot screen wall with 4 foot retaining wall) where a maximum of 9 feet (6 foot screen wall with a 3 foot retaining wall) is permitted per Section 30.64.050 (a 11.1% increase).

**DESIGN REVIEWS:**

1. A detached single family residential development.
2. Increase finished grade to 42 inches (3.5 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 133% increase).

**LAND USE PLAN:**

ENTERPRISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC)

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

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Acreage: 22.9
- Number of Lots: 173 residential/15 common element
- Density (du/ac): 7.6
- Minimum/Maximum Lot Size (square feet): 3,325/6,574
- Project Type: Single family residential development
- Number of Stories: 1 & 2
- Building Height (feet): 29
- Square Feet: 1,203 to 2,469
- Open Space Required/Provided: 0/127,794 square feet

#### **Neighborhood Meeting Summary**

This request is for a nonconforming zone change to reclassify approximately 22.9 acres from an R-E (RNP-I) zone and R-E (RNP-I) zone under Resolution of Intent to an R-2 zone to an R-2 zone for a single family residential development. The applicant conducted a virtual neighborhood meeting on March 25, 2021 as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site and 9 people attended the meeting. No issues or concerns with the project were expressed by those attending the meeting.

#### Site Plans

The plans depict a gated single family residential development on 22.9 acres consisting of 173 lots with a density of 7.6 dwelling units per acre. The site has frontage along Arville Street, Frias Avenue, and Haleh Avenue, however, none of the proposed lots will take access directly from any of these streets. The plans depict the entrance to the subdivision is from Frias Avenue on the south side of the site. Access to the lots within the development will be provided by 43 foot wide private streets that will have a 5 foot wide sidewalk on 1 side of the street. The plans depict 1 stub street and 5 radius curb cul-de-sacs within the development. The stub street will provide access to 2 lots and is located on the northeast corner of the site. The cul-de-sacs are all located on the southern portion of the site. The proposed development is a partial redesign of a previously approved nonconforming zone change (Nzc-19-0612) for a single family residential development. There is an existing single family residence on 2 acres in an R-E (RNP-I) zone on the northwest corner of the site. The request to waive the landscaping to a less intense use is for the boundary adjacent to this existing residence.

#### Landscaping

The plans depict 15 common element lots with a total area of 127,794 square feet. These common element lots are between 364 square feet and 54,013 square feet in area. Close to the entrance to the development is a 12,741 square foot common element lot which will be used as a community park. Along Frias Avenue, within an existing easement for NV Energy for an overhead power line, 2 common elements with areas of 49,311 square feet and 54,013 square feet will be used as a public trail. Other common elements are located along the public streets and along the side street of corner lots within the development for landscape area. These



landscape areas will be between 6 feet and 15 feet in width and landscaping will consist of trees, shrubs, and groundcover. Other common elements within the development will be used for drainage easements.

Elevations

Plans were submitted for 1, one story home and 5, two story homes. The 1 story home will have a maximum height of approximately 14 feet and the 2 story homes will have a maximum height of approximately 29 feet. Each of the homes has a pitched roof with concrete tile roofing material. The exterior of the homes consists of a stucco finish painted in earth tone colors, stone veneer, and window fenestrations.

Floor Plans

The home models will be between 1,203 square feet to 2,469 square feet in area. The homes have options for 2 to 6 bedrooms and each home will have a minimum 2 car garage.

Applicant's Justification

The applicant indicates that there has been a shift in the character of the area and that the approval of this request would be consistent with surrounding neighborhoods in terms of density and lot orientation. The increase in the finished grade and the retaining wall heights are necessary due to the existing topography of the site in order to level the site for development and provide proper drainage.

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-19-0612	Reclassified 33.5 acres, including portions of this site, to R-2 zoning for a single family residential development.	Approved by BCC	November 2019
VS-0095-11	Vacated and abandoned a portion of right-of-way being Ninson Street located between Haleh Avenue and Pyle Avenue	Approved by PC	May 2011
ZC-1026-05	Reclassified approximately 3,800 parcels of land from an R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

**Surrounding Land Use**

	Planned land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac) & Residential Low (up to 3.5 du/ac)	R-E (RNP-I) & ROI/R-2	Single family residential & undeveloped
South	Public Facilities & Residential Low (up to 3.5 du/ac)	R-E (RNP-I)	Undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped

**Surrounding Land Use**

	<b>Planned land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
West	Residential Suburban (up to 8 du/ac)	R-E	Undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-21-0202	Vacation of easements and rights-of-way is a companion item on this agenda.
TM-21-500050	Tentative map for a single family residential subdivision is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Zone Change

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

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

The proposed development is a modification to a previously approved nonconforming zone boundary amendment (NXC-19-0612) to an R-2 zone which included portions of this site. This site also includes 2 parcels with a total area of approximately 5 acres that were not a part of the prior approval. Each of these 2 additional parcels share 3 common property lines with parcels that were part of the prior approval. To the south and southwest of this site are parcels that were reclassified to R-2 zoning for a single family residential development by NXC-20-0555, which was approved in March 2021. These past approvals for R-2 zoning for single family residential developments are a trend and change in facts for this area and circumstances surrounding the property which makes the proposed nonconforming zone boundary amendment 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 density and intensity of the proposed development are similar to projects that have been approved for portions of this site and parcels to the north, east, and south of this site. Additionally, there are existing single family residential subdivisions in R-2 zoned districts to the

west and southeast of this site. Therefore, the request is compatible with the existing and approved 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 68 students for the schools that serve this area (29 elementary students, 16 middle school students, and 23 high school students). The school district also indicates that 2 of the schools that would serve this area (Tarkanian Middle School & Desert Oasis High School) are over capacity with current enrollment. 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.

This request does comply with Goal 7 of the Comprehensive Master Plan to provide housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. The proposed project is providing 127,794 square feet of open space of which 12,741 square feet is for a neighborhood park and an additional 103,324 square feet of open space is provided for a public trail along Frias Avenue. This complies in part with Urban Specific Policy 39 for single family residential developments to provide residential courts and other opportunities for increased usable open space and recreational facilities. The proposed neighborhood park is located by the entrance to the development in the central portion of the site. This complies in part with Urban Specific Policy 40, which encourages open space to be centrally located. Therefore, staff finds that this request does comply with other applicable goals and policies.

#### Summary

##### Zone Change

Staff finds that there has been a trend or change in policies and facts that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate. The proposed development is of a density and intensity compatible with existing and approved developments to the north, east, and southwest of this site. 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, and this request does comply with other applicable goal and policies.

#### 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 landscaping to the less intense use (the existing single family residence on 0.9 acres abutting the site) is intended to mitigate the impacts of the proposed higher density, smaller lot residential development on the existing residence. Without the landscaping, staff finds the proposed development will have negative impacts on the existing residence, therefore, staff does not support this request.

#### Waiver of Development Standards #2

The existing topography of the site could be a unique or special circumstance for the site to allow for an increase in wall height. A similar waiver of development standards was approved for the single family residential development to the southeast. Since a similar waiver to increase wall height has been approved for an abutting development, staff does not object to this request.

#### Design Review #1

The smaller lots with greater density proposed for this project do not comply with Urban Specific Policy 4 to preserve existing residential neighborhoods by encouraging vacant lots within these areas to develop at similar densities as the existing area. Based on this policy, the proposed development should transition the lot sizes within the development to have larger lots abutting the existing R-E zoned residence at the northwest corner of the site. The proposed development only has 1 access point, which is from Frias Avenue. This does not comply with Urban Specific Policy 7 which encourages land uses to provide appropriate connectivity and not be segregated; therefore, staff does not support the proposed design of the development.

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

##### Design Review #2

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

While staff typically supports design review applications for increased fill, that is not the case with this application. Staff does not necessarily object to adding fill above 18 inches, but the overall need for fill in various locations is based on a site design that staff overwhelmingly objects to. Not only were land use applications approved on this site in the past with Schirlls Street providing connectivity between Pyle Avenue and Frias Avenue, but the developer of the subject site agreed on the record for one of their projects to the south that they would commit to the Schirlls Street alignment as the north/south street connecting Pyle Avenue south, beyond Frias Avenue, all the way to Cactus Avenue. The agreement on the official record was the result of a successful vacation of Hinson Street. Since the applicant's request to not dedicate, and vacate, Schirlls Street is contrary to the agreed upon street network for this area, staff cannot support any portion of this land use application.

### **Department of Aviation**

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

### **Staff Recommendation**

Approval of the zone change and waiver of development standards #2; denial of waiver of development standards #1 and the design reviews. This item will be forwarded to the Board of County Commissioners' meeting for final action on July 21, 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 4 years;
- Lots adjacent to APN 177-30-701-013 to be a minimum 5,200 square feet;
- Provide pedestrian access through the common element to Arville Street;
- Expunge NZC-19-0612 for this site with approvals for NZC-19-0612 to remain active for all parcels that are not a part of this request;
- 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 25 feet to the back of curb for Frias Avenue, 35 feet to the back of curb for Arville Street, an off-set cul-de-sac at the eastern terminus of

Haleh Avenue, east of APN 177-30-701-013, unless that area is otherwise part of a vacation application as described below, and associated spandrels;

- Applicant shall work with staff to determine the need for Haleh Avenue east of Arville Street, which may require an additional vacation application in the future.
- 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.

#### **Department of Aviation**

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

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

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

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project to email [sewerlocation@clanwaterteam.com](mailto:sewerlocation@clanwaterteam.com) and reference POC Tracking #0458-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** KB HOME

**CONTACT:** THE WLB GROUP, 3663 EAST SUNSET ROAD, SUITE 204, LAS VEGAS,  
NV 89120



# LAND USE APPLICATION 7A

## 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 (N <sup>22.7 acres</sup> NC) <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>WZC-21-0203</u> DATE FILED: <u>4-27-21</u> PLANNER ASSIGNED: <u>AI</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>5-62</u> PC MEETING DATE: <u>6-15</u> BCC MEETING DATE: <u>7-21</u> FEE: <u>4,195<sup>00</sup></u>
	<b>PROPERTY OWNER</b>	NAME: <u>LV Frias Hinson LLC</u> ADDRESS: <u>11510 Mystic Rose Ct</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u> TELEPHONE: _____      CELL: _____ E-MAIL: _____
	<b>APPLICANT</b>	NAME: <u>KB Home Las Vegas, INC</u> ADDRESS: <u>5795 W Badura Ave, Suite 180</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702.266.8512</u> CELL: _____ E-MAIL: <u>pchao@kbhome.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>	NAME: <u>The WLB Group, Inc. ( Mark Bangan)</u> ADDRESS: <u>3663 E. Sunset Road, Suite 204</u> CITY: <u>Las Vegas</u> STATE: <u>Nevada</u> ZIP: <u>89120</u> TELEPHONE: <u>702-458-2551</u> CELL: _____ E-MAIL: <u>mbangan@wlbgroup.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-30-701-019, 021, 040, 041  
 PROPERTY ADDRESS and/or CROSS STREETS: Arville St & W Frias Rd  
 PROJECT DESCRIPTION: A single family residential 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.

Umer Zahid Malik      Umer MALIK  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON December 2, 2020 (DATE)  
 By Umer Mg Zahid Malik  
 NOTARY PUBLIC: Janna Felipe      Janna Felipe



\*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.



April 1, 2021

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

*NZC-21-0203*

**RE: NCZC/Design Review/Waiver – Justification Letter for Saguaro North  
(APN's: 177-30-701-014, 015, 019, 020, 021, 022, 040 & 041)**

Clark County Planning Staff,

On behalf of KB Home, The WLB Group is respectfully submitting the attached Non-Conforming Zone Change/Design Review/Waiver of Development Standards Application for the above referenced parcel numbers at the Northeast corner of Frias Ave and Arville Street known as Saguaro North.

**Project Description**

The proposed development consists of a 173-lots on 22.87 acres with a gross density of 7.56 dwelling units per acre. The community will consist of 1 and 2-story detached single-family homes in a gated subdivision.

Two of the common areas are being shown as a public trail CE-A and CE-K, which are the areas adjacent to Frias Avenue under the power lines. These two areas will consist of a public trail that is 58' wide and will have a 10' wide concrete trail meandering through the middle of it. There will be some landscaping of which will be allowable by NV Energy. The other common elements including the private park will consist mainly of landscaping and some areas where utility of drainage cross the common elements. Which is typical with any development.

**Nonconforming Zone Change**

We are requesting to rezone the parcels listed above from R-E and R-2 to R-2. The planned land use on the parcels include Residential Low and Rural Neighborhood Preservation. With recent development approvals on neighboring parcels, there has been a shift in the character of the area. Approval of this request would be consistent with surrounding neighborhoods in terms of density and lot orientation.

**Design Reviews**

We are requesting two (2) design reviews which are listed below:

1. A proposed detached single-family home gated community.

This proposed development includes interior private streets that are 43' wide which includes a 5' sidewalk on one side of the street and allows for parking on both sides of the street. There is a single entrance off Frias Avenue. There is a 58' amenity zone along Frias within the NV Energy easement area that will include landscaping and a 10' meandering trail. An internal park is located at the entrance to the community and landscape buffers will be provided around the perimeter and adjacent to streets in compliance with Title 30, Chapter 30.64. House plans will

3663 E. Sunset Road #204 Las Vegas, NV 89120 - T 702-458-2551 - F 702-434-0491





include one 1-story home and four 2-story homes ranging in square footage from 1,203 up to 2,469 square feet. These homes will offer three distinct elevation options per plan and will feature tile roofs, attractive desert colors and paver driveways. The buildings will be a maximum of 28'-6" in height. Each house will include a two-car garage and a two-car driveway.

2. To increase the finished grade for a single-family residential development up to 42 inches (3'-6" feet) where 18 inches (1.5 feet) is the standard per section 30.32.040.

This request is to fill in low spots in the topography due to existing natural drainage ways that cross the site. These additional fill areas will be governed by Clark County Public Works by the approval of a drainage study and civil improvement plans and therefore are not being used to artificially increase the grade of the land for views by the developer.

**Waiver of Development Standard**

The proposed development will require the approval of one (1) waiver of development standards which is listed below:

1. To increase the allowable retaining/screen wall height from 9'-0" (3 foot retaining wall with a 6 foot screen wall) to 10'-0" (6 foot screen wall plus a 4 foot retaining wall) per section 30.64.050 to allow for drainage and grading of the site.

This increase in retaining wall height is due to the natural low spots in the topography of the land. This additional retaining wall height will also be governed by the Clark County Public Works department by approval of the drainage study and civil improvement plans and therefore is not being used to artificially increase the grade of the land for views.

We are hopeful the information provided herewith will meet with your favorable consideration. Should you have any questions or need any further information, please feel to contact me at (702) 458-2551.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Bangan".

Mark Bangan  
Planning Department Manager



06/15/21 PC AGENDA SHEET

**EASEMENTS & RIGHTS-OF-WAY  
(TITLE 30)**

**FRIAS AVE/ARVILLE ST**

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**VS-21-0202-SCHIRLLS, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Haleh Avenue and Frias Avenue (alignment), and between Arville Street and Schuster Street, and portions of a right-of-way being Haleh Avenue located between Arville Street and Schuster Street and a portion of Schirlls Street located between Haleh Avenue and Frias Avenue (alignment) within Enterprise (description on file). JJ/a/jd (For possible action)

**RELATED INFORMATION:**

**APN:**

177-30-701-014; 177-30-701-015; 177-30-701-019 through 177-30-701-022; 177-30-701-040 through 177-30-701-041

**LAND USE PLAN:**

ENTERPRISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC)

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

**BACKGROUND:**

**Project Description**

The applicant is proposing to develop the site as a single family residential development in an R-2 zone. The request is to vacate a portion of Hauck Street and Schuster Street, and various easements that the applicant indicates are not needed for development in this area. Any required right-of-way dedications and easements will be provided with the future subdivision of the site.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
NXC-19-0612	Reclassified 33.5 acres, including portions of this site, to R-2 zoning for a single family residential development	Approved by BCC	November 2019
VS-0095-11	Vacated and abandoned a portion of right-of-way being Hinson Street located between Haleh Avenue and Pyle Avenue	Approved by PC	May 2011
ZC-1026-05	Reclassified approximately 3,800 parcels of land from an R-E to R-E (RNP-I) Zoning	Approved by BCC	October 2005

**Surrounding Land Use**

	<b>Planned land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Rural Neighborhood Preservation (up to 2 du/ac) & Residential Low (up to 3.5 du/ac)	R-E (RNP-I) & ROI/R-2	Single family residential & undeveloped
South	Public Facilities & Residential Low (up to 3.5 du/ac)	R-E (RNP-I)	Undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped
West	Residential Suburban (up to 8 du/ac)	R-E	Undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
NZC-21-0203	Nonconforming zone change to reclassify the site to R-2 zoning for a single family residential development is a companion item on this agenda.
TM-21-500050	Tentative map for a single family residential subdivision is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

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

Staff cannot support portions of this request since the overall street network for the surrounding area was based on both the approval of prior land use applications for the subject site and approvals and assurances from the current developer that, in lieu of having Hinson Street act as the public north/south street in the area, Schirlls Street would take that role. Eliminating Schirlls Street will result in a closed off-street network for the sole benefit of this developer.

Based on the above, staff cannot support the vacation of right-of-way and patent easements that are necessary for Schirlls Street and for Haleh Avenue between Arville Street and Schirlls Street.

Staff has no objection to the vacation of right-of-way for Haleh Avenue, east of the Schirlls Street alignment, the drainage easement on APN 177-30-701-014, nor any of the patent easements that are not necessary for either Schirlls Street or Haleh Avenue west of the Schirlls Street alignment. This includes support for the 3 foot wide remainders of the patent easements for both Schirlls Street and Haleh Avenue.

### **Staff Recommendation**

Approval of the vacation of right-of-way for Haleh Avenue, west of Schirlls Street, the drainage easement, the patent easements that are not necessary for the dedications of both Schirlls Street or Haleh Avenue, west of Schirlls Street; denial of the vacation of right-of way for Schirlls Street and Haleh Avenue west of Schirlls Street, and the patent easements necessary for the dedications of both Schirlls Street and Haleh Avenue west of Schirlls Street. This item will be forwarded to the Board of County Commissioners' meeting for final action on July 21, 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:

- 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 25 feet to the back of curb for Frias Avenue, 35 feet to the back of curb for Arville Street, an off-set cul-de-sac at the eastern terminus of Haleh Avenue, east of APN 177-30-701-013, unless that area is otherwise part of a vacation application as described below, and associated spandrels;
- Applicant shall work with staff to determine the need for Haleh Avenue east of Arville Street, which may require an additional vacation application in the future;
- Drainage study and compliance;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic controls.

#### **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.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: KB HOME**

**CONTACT: THE WLB GROUP, 3663 E. SUNSET ROAD, SUITE 204, LAS VEGAS, NV  
89120**

**DRAFT**



# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 8A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	<b>DEPARTMENT USE</b>	<b>APP. NUMBER:</b> <u>VS-21-0202</u> <b>DATE FILED:</b> <u>4-27-21</u>
		<b>PLANNER ASSIGNED:</b> <u>AI</u> <b>TAB/CAC:</b> <u>Enterprise</u> <b>TAB/CAC DATE:</b> <u>5-26</u> <b>PC MEETING DATE:</b> <u>6-15</u> <b>BCC MEETING DATE:</b> <u>7-21</u> <b>FEE:</b> <u>875</u>

<b>PROPERTY OWNER</b>	<b>NAME:</b> <u>LV Frias Hinson LLC</u> <b>ADDRESS:</b> <u>11510 Mystic Rose CT</u> <b>CITY:</b> <u>Las Vegas</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89138</u> <b>TELEPHONE:</b> _____ <b>CELL:</b> _____ <b>E-MAIL:</b> _____
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<b>APPLICANT</b>	<b>NAME:</b> <u>KB Home</u> <b>ADDRESS:</b> <u>5795 W Badura Ave, Suite 180</u> <b>CITY:</b> <u>Las Vegas</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89118</u> <b>TELEPHONE:</b> <u>702.286.8512</u> <b>CELL:</b> _____ <b>E-MAIL:</b> <u>pchao@kbhome.com</u> <b>REF CONTACT ID #:</b> _____
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<b>CORRESPONDENT</b>	<b>NAME:</b> <u>The WLB Group Inc</u> <b>ADDRESS:</b> <u>3663 E Sunset Rd, Suite 204</u> <b>CITY:</b> <u>Las Vegas</u> <b>STATE:</b> <u>NV</u> <b>ZIP:</b> <u>89120</u> <b>TELEPHONE:</b> <u>702.458.2551</u> <b>CELL:</b> _____ <b>E-MAIL:</b> <u>mbangan@wlbgroup.com</u> <b>REF CONTACT ID #:</b> _____
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**ASSESSOR'S PARCEL NUMBER(s):** 177-30-701-019, 021, 040, 041

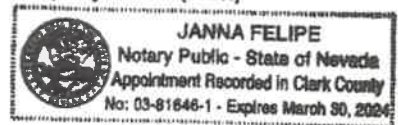
**PROPERTY ADDRESS and/or CROSS STREETS:** Arville St & W Frias Rd

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)\*

Umer MALIK  
 Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON December 2, 2020 (DATE)  
 by Umer Zahid Malik  
 NOTARY PUBLIC: Janna Felipe  
Janna Felipe



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

APR-21-180263



# VACATION 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"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		TAB/CAC: _____	TAB/CAC DATE: _____
		PLANNER ASSIGNED: _____	
		PC MEETING DATE: _____	
		BCC MEETING DATE: _____	
		FEE: _____	

<b>PROPERTY OWNER</b>	NAME: <u>Roohani Ramak</u> ADDRESS: <u>9500 Hillwood Dr, Suite 201</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
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<b>APPLICANT</b>	NAME: <u>KB Home</u> ADDRESS: <u>5795 W Badura Ave, Suite 180</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702.266.8512</u> CELL: _____ E-MAIL: <u>pchao@kbhome.com</u> REF CONTACT ID #: _____
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<b>CORRESPONDENT</b>	NAME: <u>The WLB Group Inc</u> ADDRESS: <u>3663 E Sunset Rd, Suite 204</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702.458.2551</u> CELL: _____ E-MAIL: <u>mbangan@wlbgroup.com</u> REF CONTACT ID #: _____
----------------------	---

ASSESSOR'S PARCEL NUMBER(S): 177-30-701-022

PROPERTY ADDRESS and/or CROSS STREETS: Arville St & W Frias Rd

\_\_\_\_\_

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.

Ramak  
Property Owner (Signature)\*

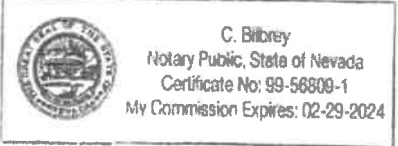
RAMAK ROOHANI  
Property Owner (Print)

STATE OF NEVADA  
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON January 19, 2021 (DATE)

By Ramak Roohani

NOTARY PUBLIC: C. Bilibrey



\*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

<b>APPLICATION TYPE</b>  <input type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	DEPARTMENT USE	APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
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PROPERTY OWNER	NAME: <u>Schirls LLC</u> ADDRESS: <u>352 Hedgehope Dr</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89183</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
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APPLICANT	NAME: <u>KB Home</u> ADDRESS: <u>5795 W Badura Ave, Suite 180</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702.266.8512</u> CELL: _____ E-MAIL: <u>pchao@kbhome.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>The WLB Group Inc</u> ADDRESS: <u>3663 E Sunset Rd, Suite 204</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702.458.2551</u> CELL: _____ E-MAIL: <u>mbangan@wlbgroup.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 177-30-701-014

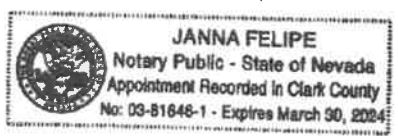
PROPERTY ADDRESS and/or CROSS STREETS: Arville St & W Frias Rd

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)

BRADY YARD  
 Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON December 2, 2020 (DATE)  
 By Brady Yard  
 NOTARY PUBLIC: Janna Felipe Janna Felipe



\*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 (va)
- 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: Schirlis LLC  
 ADDRESS: 352 Hedgehope Dr  
 CITY: Las Vegas STATE: NV ZIP: 89183  
 TELEPHONE: \_\_\_\_\_ CELL: \_\_\_\_\_  
 E-MAIL: \_\_\_\_\_

APPLICANT

NAME: KB Home  
 ADDRESS: 5795 W Badura Ave, Suite 180  
 CITY: Las Vegas STATE: NV ZIP: 89118  
 TELEPHONE: 702.268.8512 CELL: \_\_\_\_\_  
 E-MAIL: pchao@kbhome.com REF CONTACT ID #: \_\_\_\_\_

CORRESPONDENT

NAME: The WLB Group Inc  
 ADDRESS: 3663 E Sunset Rd, Suite 204  
 CITY: Las Vegas STATE: NV ZIP: 89120  
 TELEPHONE: 702.458.2551 CELL: \_\_\_\_\_  
 E-MAIL: mbangan@wlbgroup.com REF CONTACT ID #: \_\_\_\_\_

ASSESSOR'S PARCEL NUMBER(S): 177-30-701-014

PROPERTY ADDRESS and/or CROSS STREETS: Arville St & W Frias Rd

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 oswears 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.

DeAnne Yard  
Property Owner (Signature)\*

DeAnne Yard  
Property Owner (Print)

STATE OF NEVADA  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON December 2, 2020 (DATE)

By DeAnne Yard

NOTARY PUBLIC: Janna Felipe  
Janna Felipe



\*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: Valley View Jo Rea LLC  
 ADDRESS: 11510 Mystic Rose Ct  
 CITY: Las Vegas STATE: NV ZIP: 89138  
 TELEPHONE: \_\_\_\_\_ CELL: \_\_\_\_\_  
 E-MAIL: \_\_\_\_\_

APPLICANT

NAME: KB Home  
 ADDRESS: 5795 W Badura Ave, Suite 180  
 CITY: Las Vegas STATE: NV ZIP: 89118  
 TELEPHONE: 702.266.8512 CELL: \_\_\_\_\_  
 E-MAIL: pchao@kbhome.com REF CONTACT ID #: \_\_\_\_\_

CORRESPONDENT

NAME: The WLB Group Inc  
 ADDRESS: 3663 E Sunset Rd, Suite 204  
 CITY: Las Vegas STATE: NV ZIP: 89120  
 TELEPHONE: 702.458.2551 CELL: \_\_\_\_\_  
 E-MAIL: mbangan@wlbgroup.com REF CONTACT ID #: \_\_\_\_\_

ASSESSOR'S PARCEL NUMBER(S): 177-30-701-020

PROPERTY ADDRESS and/or CROSS STREETS: Arville St & W Frias Rd

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)\*

Umer Malik

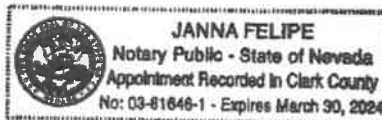
Property Owner (Print)

STATE OF NEVADA  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON December 2, 2020 (DATE)

By Umer Zahid Malik

NOTARY PUBLIC: Janna Felipe  
Janna Felipe



\*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

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	<b>DEPARTMENT USE</b>	APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
		_____

<b>PROPERTY OWNER</b>	NAME: <u>Zksaizm Family Trust</u>
	ADDRESS: <u>11510 Mystic Rose Ct</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

<b>APPLICANT</b>	NAME: <u>KB Home</u>
	ADDRESS: <u>5795 W Badura Ave, Suite 180</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702.266.8512</u> CELL: _____
	E-MAIL: <u>pchao@kbhome.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>The WLB Group Inc</u>
	ADDRESS: <u>3663 E Sunset Rd, Suite 204</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702.458.2551</u> CELL: _____
	E-MAIL: <u>mbangan@wlbgroup.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-30-701-015

PROPERTY ADDRESS and/or CROSS STREETS: Arville St & W Frias Rd

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 (are, 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.

Umer Zahid Malik

Property Owner (Signature)\*

STATE OF NEVADA  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON December 2, 2020 (DATE)

By Umer Zahid Malik

NOTARY PUBLIC: Janna Felipe  
Janna Felipe

Umer MALIK

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.

April 9, 2021

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

**RE: Vacation Application – Justification Letter for Saguaro North  
APN's: 177-30-701-014, 015, 019, 020, 021, 022, 040, & 041**

Clark County Planning Staff,

On behalf of KB Home, The WLB Group respectfully submits the attached Vacation Application for the above referenced parcel numbers at the West Frias Ave and Arville street.

We are respectfully requesting to vacate patent easements, drainage easements, and right-of-way's that are no longer required due to the proposed single-family development that is a companion item to this vacation.

**Vacation of Patent Easements**

We are requesting to vacate all the patent easements located on APN's 177-30-701-014, 015, 019, 020, 021, 022, 040, & 041 excepting therefrom the proposed rights-of-way.

**Vacation of Drainage Easements**

We are requesting to vacate all the Drainage easements located on APN 177-30-701-014 that are no longer necessary for the proposed single-family development.

**Vacation of Right-Of-Way**

We are respectfully requesting to vacate Schrills Street and Haleh Avenue on APN 177-30-701-014 along with the associated spandrel. We are also requesting to vacate the right-of-way on parcels 177-30-799-001 and 177-30-799-012 along the Haleh Avenue alignment.

We are hopeful the information provided herewith will meet with your favorable consideration. Should you have any questions or need any further information, please feel to contact me at (702) 458-2551.

Sincerely,



Mark Bangan  
Planning Department Manager

3663 E. Sunset Road #204 Las Vegas, NV 89120 - T 702-458-2551 - F 702-434-0491



06/15/21 PC AGENDA SHEET

SAGUARO NORTH  
(TITLE 30)

FRIAS AVE/ARVILLE ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-21-500050-SCHIRLLS LLC:**

**TENTATIVE MAP** consisting of 173 residential lots and common lots on 22.9 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the northeast corner of Arville Street and Frias Avenue (alignment) within Enterprise. JJ/al/jd (For possible action)

**RELATED INFORMATION:**

**APN:**

177-30-701-014; 177-30-701-015; 177-30-701-019 through 177-30-701-022; 177-30-701-040 through 177-30-701-041

**LAND USE PLAN:**

ENTERPRISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC)

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Acreage: 22.9
- Number of Lots: 173 residential/15 common element
- Density (du/ac): 7.6
- Minimum/Maximum Lot Size (square feet): 3,325/6,574
- Project Type: Single family residential development
- Number of Stories: 1 & 2

**Site Plans**

The plans depict a gated single family residential development on 22.9 acres consisting of 173 lots with a density of 7.6 dwelling units per acre. The site has frontage along Arville Street, Frias Avenue, and Haleh Avenue, however, none of the proposed lots will take access directly from any of these streets. The plans depict the entrance to the subdivision is from Frias Avenue on the south side of the site. Access to the lots within the development will be provided by 43 foot wide private streets that will have a 5 foot wide sidewalk on 1 side of the street. The plans depict 1 stub street and 5 radius curb cul-de-sacs within the development. The stub street will provide access to 2 lots and is located on the northeast corner of the site. The cul-de-sacs are all located on the southern portion of the site.

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-19-0612	Reclassified 33.5 acres, including portions of this site, to R-2 zoning for a single family residential development	Approved by BCC	November 2019
VS-0095-11	Vacated and abandoned a portion of right-of-way being Hinson Street located between Haleh Avenue and Pyle Avenue	Approved by PC	May 2011
ZC-1026-05	Reclassified approximately 3,800 parcels of land from an R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

**Surrounding Land Use**

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

**Related Applications**

Application Number	Request
NZC-21-0203	Nonconforming zone change to reclassify the site to R-2 zoning for a single family residential development is a companion item on this agenda.
VS-21-0202	Vacation 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. However, staff does not support the design review portion of NZC-21-0203, and therefore cannot support this tentative map.



### **Department of Aviation**

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

### **Staff Recommendation**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on July 21, 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:

- 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 25 feet to the back of curb for Frias Avenue, 35 feet to the back of curb for Arville Street, an off-set cul-de-sac at the eastern terminus of Haleh Avenue, east of APN 177-30-701-013, unless that area is otherwise part of a vacation application as described below, and associated spandrels;
- Applicant shall work with staff to determine the need for Haleh Avenue east of Arville Street, which may require an additional vacation application in the future.
- 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.

**Current Planning Division - Addressing**

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

**Department of Aviation**

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

**Building Department - Fire Prevention**

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

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0458-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** KB HOME  
**CONTACT:** THE WLB GROUP, 3663 EAST SUNSET ROAD, SUITE 204, LAS VEGAS,  
NV 89120



# TENTATIVE MAP APPLICATION 9A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>TM-21-50060</u>	DATE FILED: <u>4-27-21</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>A1</u>	TAB/CAC DATE: <u>5-26</u>
		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: <u>6-15</u>	
		BCC MEETING DATE: <u>7-21</u>	
		FEE: <u>5750</u>	

<b>PROPERTY OWNER</b>	NAME: <u>LV Frias Hinson LLC</u>
	ADDRESS: <u>11510 Mystic Rose Ct</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89138</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

<b>APPLICANT</b>	NAME: <u>KB Home</u>
	ADDRESS: <u>5795 W Badura Ave, Suite 180</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702.266.8512</u> CELL: _____
	E-MAIL: <u>pchao@kbhome.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>The WLB Group, Inc. ( Mark Bangan)</u>
	ADDRESS: <u>3663 E. Sunset Road, Suite 204</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702-458-2551</u> CELL: _____
	E-MAIL: <u>mbangan@wlbgroup.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-30-701-019, 021, 040, 041

PROPERTY ADDRESS and/or CROSS STREETS: Arville St & W Frias Rd

TENTATIVE MAP NAME: Saguaro North

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.

Umer Zahid Malik                      Umer Malik  
 Property Owner (Signature)\*                      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON December 2, 2020 (DATE)

By Umer Zahid Malik  
 NOTARY PUBLIC: Janna Felipe                      Janna Felipe



\*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.

APP-21-100263



06/15/21 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT  
(TITLE 30)

GARY AVE/DECATUR BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**NZC-21-0204-DAVID FAX OBER LLC & BUFFALO WING LLC:**

**ZONE CHANGE** to reclassify 16.1 acres from an R-E (Rural Estates Residential) Zone and a C-P (Office and Professional) Zone to an R-2 (Medium Density Residential) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) waive landscaping to a less intense use; and 2) increase wall height.

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

Generally located on the northwest corner of Decatur Boulevard and Gary Avenue within Enterprise (description on file). JJ/al/jd (For possible action)

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**RELATED INFORMATION:**

**APN:**

176-24-801-003; 176-24-801-004; 176-24-801-006 through 176-24-801-008; 176-24-801-029

**WAIVER OF DEVELOPMENT STANDARDS:**

1. Waive landscaping to a less intense use where landscaping per Figure 30.64-11 and Table 30.64-1 is required.
2. Increase wall height to a maximum of 12 feet (6 foot screen wall with 6 foot retaining wall) where a maximum of 9 feet (6 foot screen wall with a 3 foot retaining wall) is permitted per Section 30.64.050 (a 33.3% increase).

**DESIGN REVIEWS:**

1. A detached single family residential development.
2. Increase finished grade to 36 inches (3 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 100% increase).

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL NEIGHBORHOOD

ENTERPRISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC)

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Acreage: 16.1

- Number of Lots: 118 residential/14 common elements
- Density (du/ac): 7.3
- Minimum/Maximum Lot Size (square feet): 3,300/7,008
- Project Type: Single family residential development
- Number of Stories: 1 and 2
- Building Height (feet): 29
- Square Feet: 1,203 to 2,469
- Open Space Required/Provided: 0/37,518 square feet

### **Neighborhood Meeting Summary**

This request is for a nonconforming zone change to reclassify approximately 16.1 acres from an R-E zone and a C-P zone to an R-2 zone for a single family residential development. The applicant conducted a virtual neighborhood meeting on March 24, 2021 as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site and 4 people attended the meeting. Concerns raised at the meeting included relocating the entrance for the development to Decatur Boulevard rather than Edmond Street and addressing some sort of buffering to the RNP area.

### **Site Plans**

The plans depict a gated single family residential development on 16.1 acres consisting of 118 lots with a density of 7.3 dwelling units per acre. The site has frontage along Richmar Avenue, Edmond Street, Gary Avenue, and Decatur Boulevard; however, none of the proposed lots will take access directly from any of these streets. The plans depict the entrance to the subdivision is from Edmond Street on the west side of the site. Access to the lots within the development will be provided by 43 foot wide private streets that will have a 5 foot wide sidewalk on 1 side of the street. The plans depict 2 stub streets and 4 radius curb cul-de-sacs within the development. The stub streets will provide access to 3 lots each and are located on the eastern portion of the site.

### **Landscaping**

The plans depict 14 common element lots with a total area of 37,518 square feet. These common element lots are between 439 square feet and 10,113 square feet in area. Close to the entrance to the development is a 7,118 square foot common element lot which can be used as a community park. Other common elements are located along the public streets and along the side street of corner lots within the development for landscape area. These landscape areas will be between 6 feet and 15 feet in width and landscaping will consist of trees, shrubs and groundcover. Other common elements within the development will be used for drainage easements.

### **Elevations**

Plans were submitted for 1, one story home and 5, two story homes. The 1 story home will have a maximum height of approximately 14 feet and the 2 story homes will have a maximum height of approximately 29 feet. Each of the homes has a pitched roof with concrete tile roofing material. The exterior of the homes consists of a stucco finish painted in earth tone colors, stone veneer, and window fenestrations.

**Floor Plans**

The home models will be between 1,203 square feet to 2,469 square feet in area. The homes have options for 2 to 6 bedrooms and each home will have a minimum 2 car garage.

**Applicant's Justification**

The applicant indicates that there has been a shift in the character of the area and that the approval of this request would be consistent with surrounding neighborhoods in terms of density and lot orientation. The increase in the finished grade and the retaining wall heights are necessary due to the existing topography of the site in order to level the site for development and provide proper drainage.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-1832-03	Reclassified APN 176-24-801-008 to C-P zoning for future office use	Approved by BCC	January 2004

**Surrounding Land Use**

	Planned land Use Category	Zoning District	Existing Land Use
North	Residential Low (up to 3.5 du/ac) Public Facilities & Commercial Neighborhood	R-E (RNP-I) & R-E	Single family residential & undeveloped
South	Residential Suburban (up to 8 du/ac) & Residential High (from 8 to 18 du/ac)	R-E	Single family residential & undeveloped
East	Commercial Neighborhood & Business and Design/research Park	R-E	Single family residential & undeveloped
West	Public Facilities	R-E	Undeveloped

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

**Related Applications**

Application Number	Request
VS-21-0205	Vacation of easements and rights-of-way is a companion item on this agenda.
TM-21-500051	Tentative map for a single family residential development is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Current Planning**

#### Zone Change

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

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

The applicant indicates that since the Enterprise Land Use Plan was adopted there have been substantial changes that have taken place that could not be foreseen with the adoption of the plan. The applicant also states that the Bureau of Land Management has sold several parcels which have been slowly converting the area to more of an urban feel with several acres being reclassified to R-2 zoning districts for single family residential developments. It is true that within portions of the Enterprise Planning Area several acres have been reclassified to R-2 zoning districts by nonconforming zone boundary amendments to allow for additional single family residential development. However, the existing single family residential developments in this area are developed in conformance with the Enterprise Land Use Plan. Therefore, in the area abutting this site there has not been a trend or change in laws, policies, or facts that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment inappropriate.

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 western 5 acres of this site are designated as Residential Suburban (up to 8 du/ac) in the Land Use Plan and that portion of the project is conforming. To the southwest is an existing single family residential development in an R-2 zone. The undeveloped parcels to the south are zoned R-E but planned Residential Suburban (up to 8 du/ac) and Residential High (from 8 to 18 du/ac). The proposed development is compatible with the existing and planned land uses to the south and southwest. To the northwest of this site are existing single family residences on parcels between 0.5 and 1.0 acres in area in an R-E (RNP-I) zone. The proposed development is adjacent to 3 sides of a 0.9 acres parcel that is developed with a single family residence in an R-E zone. The plans depict lots with a minimum area of 3,621 square feet adjacent to the existing residence that is adjacent to this site and lots with a minimum area of 3,300 square feet abutting the R-E (RNP-I) area to the northwest. Therefore, staff finds that the proposed development is not of a density and intensity compatible with existing developments to the north and northwest of this site.

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 47 students for the schools that serve this area (20 elementary students, 11 middle school students, and 16 high school students). The School District also indicates that the schools that would serve this area (Ries Elementary School, Tarkanian Middle School & Desert Oasis High School) are over capacity with current enrollment. 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.

This request does comply with Goal 7 of the Comprehensive Master Plan to provide housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. However, the smaller lots with greater density proposed for this project does not comply with Urban Specific Policy 4 to preserve existing residential neighborhoods by encouraging vacant lots within these areas to develop at similar densities as the existing area. Based on this policy the proposed development should transition the lot sizes within the development to have larger lots abutting the existing R-E zoned developments. The proposed project is providing 37,518 square feet of open space of which 7,118 square feet is for a neighborhood park. Most of the open space is for landscape areas and various easements. This does not comply in part with Urban Specific Policy 39 for single family residential developments to provide residential courts and other opportunities for increased usable open space and recreational facilities. The proposed neighborhood park is located by the entrance to the development on the western portion of the site. This does not comply in part with Urban Specific Policy 40, which encourages open space to be centrally located. Therefore, staff finds that this request does not comply with other applicable goals and policies.

#### Summary Zone Change

Staff finds that there has not been a trend or change in laws, policies, or facts that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate. The proposed development is not of a density and intensity compatible with existing developments to the north and northwest of this site. 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, and this request does not comply with other applicable goals and policies.

#### 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 landscaping to the less intense use, the existing single family residence on 0.9 acres abutting the site, is intended to mitigate the impacts of the proposed higher density, smaller lot residential development on the existing residence. Without the landscaping, staff finds the proposed development will have negative impacts on the existing residence; therefore, staff does not support this request.

#### Waiver of Development Standards #2

The existing topography of the site could be a unique or special circumstance for the site to allow for an increase in wall height. A similar waiver of development standards was approved for the existing single family residential development to the southwest. Since a similar waiver to increase wall height has been approved for an abutting development, staff would not object to this request; however, since staff does not support the zone change portion of this request which is needed to allow the proposed development, staff does not support the request to increase wall height for this proposed subdivision design.

#### Design Review #1

As stated above this project does not comply with Urban Specific Policy 4 to preserve existing residential neighborhoods by encouraging vacant lots within these areas to develop at similar densities as the existing area. The proposed development should transition the lot sizes within the development to have larger lots abutting the existing R-E zoned developments. Per Urban Specific Policies 39 and 40 the single family residential development should provide more centrally located open space for recreational facilities. The proposed development only has 1 access point, which is from Edmond Street. This does not comply with Urban Specific Policy 7 which encourages land uses to provide appropriate connectivity and not be segregated. Additionally, staff does not support the zone change portion of this request which is necessary for this project; therefore, staff does not support the design review.

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

##### Design Review #2

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

While staff typically supports design review applications for increased fill, that is not the case with this application. Staff does not necessarily object to adding fill above 18 inches, but the overall need for fill in various locations is based on a site design that staff objects to. Since it is too premature to vacate Gary Avenue between Hauck Street and Edmond Street, staff is unable to support the overall design of the project.

### **Department of Aviation**

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

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

### **Staff Recommendation**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on July 21, 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 4 years;
- Provide pedestrian access through the common elements to Richmar Avenue, Gary Avenue, and Decatur Boulevard;
- 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;
- Right-of-way dedication to include 30 feet for Gary Avenue with a portion of an elbow at Hauck Street, 30 feet for Edmond Street, 30 feet for Richmar Avenue, 5 additional feet to the back of curb for Decatur Boulevard, and associated spandrels;
- Coordinate with Public Works - Design Division for the Decatur Boulevard improvement project;
- Dedicate any necessary right-of-way and easements for the Decatur Boulevard improvement Project.
- 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.

#### **Department of Aviation**

- For that portion in the AE-60, 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;
- For that portion in the AE-60, 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;
- For that portion in the AE-60, 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;
- For that portion in the AE-60, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

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

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

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0392-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** KB HOME

**CONTACT:** THE WLB GROUP, 3663 EAST SUNSET ROAD, SUITE 204, LAS VEGAS, NV 89120

DRAFT





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 10A

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 type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> NONCONFORMING (Nzc)</p> <p><input type="checkbox"/> USE PERMIT (UC) <i>16.1 acc</i></p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" 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>NRC-21-0204</u>      DATE FILED: <u>4-27-21</u></p> <p>PLANNER ASSIGNED: <u>21</u></p> <p>TAB/CAC: <u>Entrepreneur</u>      TAB/CAC DATE: <u>5-26</u></p> <p>PC MEETING DATE: <u>6-15</u></p> <p>BCC MEETING DATE: <u>7-21</u></p> <p>FEE: <u>\$3,255.00</u></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>Buffalo Wings LLC</u></p> <p>ADDRESS: <u>9500 Hillwood Dr, Suite 201</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89134</u></p> <p>TELEPHONE: _____      CELL: _____</p> <p>E-MAIL: _____</p>
	<b>APPLICANT</b>	<p>NAME: <u>KB Home</u></p> <p>ADDRESS: <u>5795 W Badura Ave, suite 180</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89118</u></p> <p>TELEPHONE: <u>702.266.8512</u>      CELL: _____</p> <p>E-MAIL: <u>pchao@kbhome.com</u>      REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>The WLB Group, Inc. ( Mark Bangan)</u></p> <p>ADDRESS: <u>3663 E. Sunset Road, Suite 204</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>Nevada</u>      ZIP: <u>89120</u></p> <p>TELEPHONE: <u>702-458-2551</u>      CELL: _____</p> <p>E-MAIL: <u>mbangan@wlbgroup.com</u>      REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 176-24-801-004

PROPERTY ADDRESS and/or CROSS STREETS: W Richmar Ave and S Decatur Shelbourne

PROJECT DESCRIPTION: \_\_\_\_\_

(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.

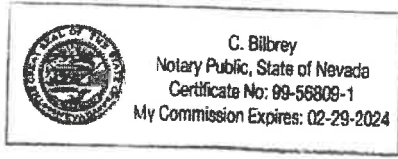
*[Signature]*  
 Property Owner (Signature)\*

KHUSROW ROOHANI, MANAGER  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON January 19, 2021 (DATE)  
 By Khusrow Roohani, Manager

NOTARY PUBLIC: C. Billrey



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

*APR-21-100098*



April 8, 2021

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

NCZ-21-0204

**RE: NCZC/Design Review/Waiver – Justification Letter for Decatur Richmar  
(APN's: 176-24-801-029, 003, 004, 006, 007, 008)**

Clark County Planning Staff,

On behalf of KB Home, The WLB Group is respectfully submitting the attached Non-Conforming Zone Change/Design Review/Waiver of Development Standards Application for the above referenced parcel numbers at the Southwest corner of Decatur Boulevard and Richmar Avenue

**Project Description**

The proposed development consists of a 118-lot detached single-family development being constructed within a gated subdivision on 16.08 acres. This development offers 1-story and 2-story homes ranging in square footage from 1,203 square feet up to 2,469 square feet. These homes will offer three distinct elevation options per plan and will feature tile roofs, attractive desert colors and paver driveways and have a maximum building height of 28'-6".

The internal park area will consist of a gazebo and table, dog stations and a grassy area. The internal street side common elements will include trees and bushes with a decomposed granite base. The perimeter landscaping will contain the required trees, bushes and ground cover as prescribed by Clark County in Title 30 for perimeter landscaping. There will be a couple of utility/drainage areas that will cross the perimeter landscaping that will have concrete to allow for water or utility crossings, which are normally required by CCPW drainage or the utility companies.

**Nonconforming Zone Change**

We are requesting to rezone the parcels listed above from R-E and C-P to R-2. The planned land use on the parcels include Residential Suburban, Residential Low and Commercial Neighborhood. With recent development approvals on neighboring parcels, there has been a shift in the character of the area. Approval of this request would be consistent with surrounding neighborhoods in terms of density and lot orientation.

**Design Review**

We are requesting two (2) design reviews which are listed below;

1. A proposed detached single-family home gated community

This proposed development includes interior private streets that are 43' wide which includes a 5' sidewalk on one side of the street and allows for parking on both sides of the street. There is a single entrance off Edmond Street. An internal park is located at the entrance to the community and landscape buffers will be provided

3663 E. Sunset Road #204 Las Vegas, NV 89120 - T 702-458-2551 - F 702-434-0491



around the perimeter and adjacent to streets in compliance with Title 30, Chapter 30.64. House plans will include one 1-story home and four 2-story homes ranging in square footage from 1,203 up to 2,469 square feet. These homes will offer three distinct elevation options per plan and will feature tile roofs, attractive desert colors and paver driveways. The buildings will be a maximum of 28'-6" in height. Each house will include a two-car garage and a two-car driveway.

2. To increase the finished grade for a single-family residential development up to 36 inches (3 feet) where 18 inches (1.5 feet) is the standard per section 30.32.040.

This request is to fill in low spots in the topography due to existing natural drainage ways that cross the site. These additional fill areas will be governed by Clark County Public Works by the approval of a drainage study and civil improvement plans and therefore are not being used to artificially increase the grade of the land for views by the developer.

**Waiver of Development Standards**

The proposed development will require the approval of one (1) waiver of development standards which are listed below;

1. To increase the allowable retaining/screen wall height from 9'-0" (3 foot retaining wall with a 6 foot screen wall) to 12'-0" (6 foot screen wall plus a 6 foot retaining wall) per section 30.64.050 to allow for drainage and grading of the site.

This increase in retaining wall height is due to the natural low spots in the topography of the land. This additional retaining wall height will also be governed by the Clark County Public Works department by approval of the drainage study and civil improvement plans and therefore is not being used to artificially increase the grade of the land for views.

We are hopeful the information provided herewith will meet with your favorable consideration. Should you have any questions or need any further information, please feel to contact me at (702) 458-2551.

Sincerely,



Mark Bangan  
Planning Department Manager



06/15/21 PC AGENDA SHEET

EASEMENTS & RIGHT-OF-WAY  
(TITLE 30)

GARY AVE/DECATUR BLVD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-21-0205-DAVID FAX OBER LLC & BUFFALO WING LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Richmar Avenue and Gary Avenue, and between Edmond Street and Decatur Boulevard; and a portion of a right-of-way being Hauck Street located between Richmar Avenue and Gary Avenue within Enterprise (description on file). JJ/al/jd (For possible action)

**RELATED INFORMATION:**

**APN:**

176-24-801-003; 176-24-801-004; 176-24-801-006 through 176-24-801-008; 176-24-801-029

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL NEIGHBORHOOD

ENTERPRISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC)

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

**BACKGROUND:**

**Project Description**

The applicant is proposing to develop the site as a single family residential development in an R-2 zone. The request is to vacate a portion of Hauck Street and various easements that the applicant indicates area not needed for development in this area. Any required right-of-way dedications and easements will be provided with the future subdivision of the site.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-1832-03	Reclassified APN 176-24-801-008 to C-P zoning for future office use	Approved by BCC	January 2004

**Surrounding Land Use**

	Planned land Use Category	Zoning District	Existing Land Use
North	Residential Low (up to 3.5 du/ac) Public Facilities & Commercial Neighborhood	R-E (RNP-I) & R-E	Single family residential & undeveloped
South	Residential Suburban (up to 8 du/ac) & Residential High (from 8 to 18 du/ac)	R-E	Single family residential & undeveloped

**Surrounding Land Use**

	<b>Planned land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
East	Commercial Neighborhood & Business and Design/research Park	R-E	Single family residential & undeveloped
West	Public Facilities	R-E	Undeveloped

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
NZC-21-0204	Nonconforming zone change to reclassify the site to R-2 zoning for a single family residential development is a companion item on this agenda.
TM-21-500051	Tentative map for a single family residential development is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

Staff cannot support the request to vacate the patent easements and BLM right-of-way grants for Gary Avenue west of Hauck Street. Gary Avenue would provide an important east/west link between Decatur Boulevard and Edmond Street. With an unknown development pattern in the area, it is premature to make a determination about the future of Gary Avenue. Eliminating the Gary Avenue alignment will result in a closed off street network for the sole benefit of one developer and could impact further development in this area.

Staff can support the other portions of the vacation application, which are portions of right-of-way for Hauck Street north of Gary Avenue and patent easements that are not necessary for Gary Avenue.

**Staff Recommendation**

Approval of the vacation of right-of-way for Hauck Street north of Gary Avenue and for patent easements not necessary for Gary Avenue; denial of the vacation of patent easements and BLM right-of-way grants for Gary Avenue west of Hauck Street. This item will be forwarded to the Board of County Commissioners' meeting for final action July 21, 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 30 feet for Gary Avenue with a portion of an elbow at Hauck Street, 30 feet for Edmond Street, 30 feet for Richmar Avenue, 5 additional feet to the back of curb for Decatur Boulevard, and associated spandrels;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**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.

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

- No objection.

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

**APPLICANT:** KB HOME

**CONTACT:** THE WLB GROUP, 3663 EAST SUNSET ROAD, SUITE 204, LAS VEGAS, NV 89120





# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 11A

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-21-0205      DATE FILED: 4-27-21  
 PLANNER ASSIGNED: AI  
 TAB/CAC: Enterprise      TAB/CAC DATE: 5-26  
 PC MEETING DATE: 6-15  
 BCC MEETING DATE: 7-21  
 FEE: 875<sup>02</sup>

PROPERTY OWNER

NAME: Buffalo Wing LLC  
 ADDRESS: 9500 Hillwood Dr, Suite 201  
 CITY: Las Vegas      STATE: NV      ZIP: 89134  
 TELEPHONE: \_\_\_\_\_      CELL: \_\_\_\_\_  
 E-MAIL: \_\_\_\_\_

APPLICANT

NAME: KB Home  
 ADDRESS: 5795 W Badura Ave, suite 180  
 CITY: Las Vegas      STATE: NV      ZIP: 89118  
 TELEPHONE: 702.266.8512      CELL: \_\_\_\_\_  
 E-MAIL: pchao@kbhome.com      REF CONTACT ID #: \_\_\_\_\_

CORRESPONDENT

NAME: The WLB Group, Inc. ( Mark Bangan)  
 ADDRESS: 3663 E. Sunset Road, Suite 204  
 CITY: Las Vegas      STATE: Nevada      ZIP: 89120  
 TELEPHONE: 702-458-2551      CELL: \_\_\_\_\_  
 E-MAIL: mbangan@wlbgroup.com      REF CONTACT ID #: \_\_\_\_\_

ASSESSOR'S PARCEL NUMBER(S): 176-24-801-004

PROPERTY ADDRESS and/or CROSS STREETS: W Richmar Ave and S Decatur Shelbourne

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.

*[Handwritten Signature]*

Property Owner (Signature)\*

STATE OF NEVADA      Clark  
COUNTY OF

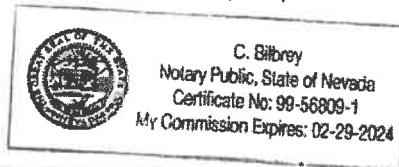
SUBSCRIBED AND SWORN BEFORE ME ON January 19, 2021 (DATE)

By Khusrow Roodhani as manager.

NOTARY PUBLIC: C. Billey

KHUSROW ROODHANI, MANAGER

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.

APR-21-100098



# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	DEPARTMENT USE	APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
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PROPERTY OWNER	NAME: <u>CFT Lands LLC</u> ADDRESS: <u>250 Pilot Rd, Suite 140</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
----------------	---

APPLICANT	NAME: <u>KB Home</u> ADDRESS: <u>5795 W Badura Ave, Suite 180</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702.266.8512</u> CELL: _____ E-MAIL: <u>pchao@kbhome.com</u> REF CONTACT ID #: _____
-----------	--

CORRESPONDENT	NAME: <u>The WLB Group, Inc. ( Mark Bangan)</u> ADDRESS: <u>3663 E. Sunset Road, Suite 204</u> CITY: <u>Las Vegas</u> STATE: <u>Nevada</u> ZIP: <u>89120</u> TELEPHONE: <u>702-458-2551</u> CELL: _____ E-MAIL: <u>mbangan@wlbgroup.com</u> REF CONTACT ID #: _____
---------------	---

ASSESSOR'S PARCEL NUMBER(S): 176-24-801-029

PROPERTY ADDRESS and/or CROSS STREETS: W Richmar Ave and S Decatur Blvd

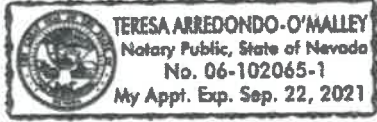
I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

[Signature]  
 Property Owner (Signature)\*

Lawrence D. Cannorelli, President  
 Property Owner (Print) Investment Manager Inc, Manager

STATE OF NEVADA  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON December 28, 2020 (DATE)  
 By Lawrence D. Cannorelli, President  
 NOTARY PUBLIC: Teresa Arredondo-O'Malley



\*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

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: _____	DATE FILED: _____
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: _____	TAB/CAC DATE: _____
		TAB/CAC: _____	
		PC MEETING DATE: _____	
		BCC MEETING DATE: _____	
		FEE: _____	

<b>PROPERTY OWNER</b>	NAME: <u>David Fax Ober LLC</u> ADDRESS: <u>9500 Hillwood Dr, Suite 201</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
-----------------------	--

<b>APPLICANT</b>	NAME: <u>KB Home</u> ADDRESS: <u>5795 W Badura Ave, Suite 180</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702.266.8512</u> CELL: _____ E-MAIL: <u>pchao@kbhome.com</u> REF CONTACT ID #: _____
------------------	--

<b>CORRESPONDENT</b>	NAME: <u>The WLB Group, Inc. ( Mark Bangan)</u> ADDRESS: <u>3663 E. Sunset Road, Suite 204</u> CITY: <u>Las Vegas</u> STATE: <u>Nevada</u> ZIP: <u>89120</u> TELEPHONE: <u>702-458-2551</u> CELL: _____ E-MAIL: <u>mbangan@wlbgroup.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 176-24-801-004, 007, 008

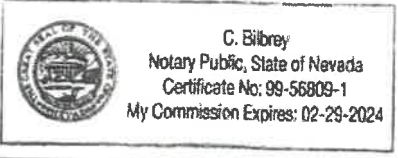
PROPERTY ADDRESS and/or CROSS STREETS: W Richmar Ave and S Decatur Blvd

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

[Signature]  
 Property Owner (Signature)\*

ICHUSROW ROOHANI, MANAGER  
 Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON January 19, 2021 (DATE)  
 By Ichusrow Roohani as manager.  
 NOTARY PUBLIC: C. B. Oley



\*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

<b>APPLICATION TYPE</b>		<b>DEPARTMENT USE</b>	APP. NUMBER: _____	DATE FILED: _____
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____			PLANNER ASSIGNED: _____	TAB/CAC DATE: _____
			TAB/CAC: _____	
			PC MEETING DATE: _____	
			BCC MEETING DATE: _____	
			FEE: _____	

<b>PROPERTY OWNER</b>	NAME: <u>Roohani Khusrow Family Trust</u>
	ADDRESS: <u>9500 Hillwood Dr, Suite 201</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

<b>APPLICANT</b>	NAME: <u>KB Home</u>
	ADDRESS: <u>5795 W Badura Ave, Suite 180</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702.266.8512</u> CELL: _____
	E-MAIL: <u>pchao@kbhome.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>The WLB Group, Inc. ( Mark Bangan)</u>
	ADDRESS: <u>3663 E. Sunset Road, Suite 204</u>
	CITY: <u>Las Vegas</u> STATE: <u>Nevada</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702-458-2551</u> CELL: _____
	E-MAIL: <u>mbangan@wlbgroup.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-24-801-003, 006, and 007, -008

PROPERTY ADDRESS and/or CROSS STREETS: W Richmar Ave and S Decatur Blvd

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

[Signature]  
 Property Owner (Signature)\*  
 STATE OF NEVADA COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON January 19, 2021 (DATE)  
 By Khusrow Roohani as Trustee.  
 NOTARY PUBLIC: C. Bulley

KHUSROW ROOHANI, TRUSTEE  
 Property Owner (Print)  
  
 C. Bulley  
 Notary Public, State of Nevada  
 Certificate No: 99-56809-1  
 My Commission Expires: 02-29-2024

\*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.



April 8, 2021

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

**RE: *Vacation Application – Justification Letter for Decatur Richmar  
APN's: 176-24-801-029, 003, 004, 006, 007, 008***

Clark County Planning Staff,

On behalf of KB Home, The WLB Group respectfully submits the attached Vacation Application for the above referenced parcel numbers located on the southwest corner of Decatur Blvd and Richmar Ave.

We are respectfully requesting to vacate patent easements and right-of-way's that are no longer required due to the proposed single-family development that is a companion item to this vacation.

**Vacation of Patent Easements**

We are requesting to vacate all patent easements located on APN's 176-24-801-003 (OR:1510:1469694), 004 (OR:395:318741), 006 (OR:396:319737), 007 (BLM patent 27-2017-004 (N-94207)), 008 (OR:629:305747) & 029 (OR:20150827:02826) Excepting therefrom the proposed rights-of-way for Gary Avenue, Edmond Street, Richmar Avenue, and Decatur Boulevard per the proposed single family development.

**Vacation of Right-of-Ways**

We are also requesting to vacate the 30' wide road easement that was recorded under OR:950725:01103 located on the south boundary of parcel 176-24-801-029. We are also requesting to vacate the 30' wide Public Right-Of-Way easement that was recorded under OR:19950725:1103 located on the north side of parcel 176-24-801-011 excepting therefrom the spandrel from Gary Avenue to Hauck Street. We are also requesting to vacate the 30' wide road easement that was recorded under OR:19901107:00884 being that portion of Hauck Street included in parcel 176-24-899-001, including the spandrel at Richmar Avenue.

We are hopeful the information provided herewith will meet with your favorable consideration. Should you have any questions or need any further information, please feel to contact me at (702) 458-2551.

Sincerely,

A blue ink handwritten signature, appearing to read "Mark Bangan", with a horizontal line extending to the right.

Mark Bangan  
Planning Department Manager

3663 E. Sunset Road #204 Las Vegas, NV 89120 - T 702-458-2551 - F 702-434-0491



06/15/21 PC AGENDA SHEET

BELCARRA  
(TITLE 30)

GARY AVE/DECATUR BLVD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-21-500051-DAVID FAX OBER LLC & BUFFALO WING LLC:**

**TENTATIVE MAP** consisting of 118 residential lots and common lots on 16.1 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the northwest corner of Decatur Boulevard and Gary Avenue within Enterprise. JJ/al/jd (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-24-801-003; 176-24-801-004; 176-24-801-006 through 176-24-801-008; 176-24-801-029

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL NEIGHBORHOOD

ENTERPRISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC)

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Acreage: 16.1
- Number of Lots: 118 residential/14 common elements
- Density (du/ac): 7.3
- Minimum/Maximum Lot Size (square feet): 3,300/7,008
- Project Type: Single family residential development

**Site Plans**

The plans depict a gated single family residential development on 16.1 acres consisting of 118 lots with a density of 7.3 dwelling units per acre. The site has frontage along Richmar Avenue, Edmond Street, Gary Avenue, and Decatur Boulevard; however, none of the proposed lots will take access directly from any of these streets. The plans depict the entrance to the subdivision is from Edmond Street on the west side of the site. Access to the lots within the development will be provided by 43 foot wide private streets that will have a 5 foot wide sidewalk on 1 side of the streets. The plans depict 2 stub streets and 4 radius curb cul-de-sacs within the development. The stub streets will provide access to 3 lots each and are located on the eastern portion of the site.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-1832-03	Reclassified APN 176-24-801-008 to C-P zoning for future office use	Approved by BCC	January 2004

**Surrounding Land Use**

	Planned land Use Category	Zoning District	Existing Land Use
North	Residential Low (up to 3.5 du/ac) Public Facilities & Commercial Neighborhood	R-E (RNP-I) & R-E	Single family residential & undeveloped
South	Residential Suburban (up to 8 du/ac) & Residential High (from 8 to 18 du/ac)	R-E	Single family residential & undeveloped
East	Commercial Neighborhood & Business and Design/Research Park	R-E	Single family residential & undeveloped
West	Public Facilities	R-E	Undeveloped

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

**Related Applications**

Application Number	Request
NZC-21-0204	Nonconforming zone change to reclassify the site to R-2 zoning for a single family residential development is a companion item on this agenda.
VS-21-0205	Vacation of easements and right-of-way is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis  
Current Planning**

This request meets the tentative map requirements as outlined in Title 30; however, staff does not support NZC-21-0204 and therefore, cannot support this request.

**Department of Aviation**

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

A portion of the property lies within the AE-60 (60 - 65 DNL) noise contour for McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand

for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade McCarran International facilities to meet future air traffic demand.

#### **Staff Recommendation**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on July 21, 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:

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Gary Avenue with a portion of an elbow at Hauck Street, 30 feet for Edmond Street, 30 feet for Richmar Avenue, 5 additional feet to the back of curb for Decatur Boulevard, and associated spandrels;
- Coordinate with Public Works - Design Division for the Decatur Boulevard improvement project;
- Dedicate any necessary right-of-way and easements for the Decatur Boulevard improvement Project.
- 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.

##### **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;

- Lynn Creek Avenue shall maintain the same name as Aurora Gale Avenue shown on TM 21-500055 if the two streets are on the same alignment.

**Department of Aviation**

- For that portion in the AE-60, 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;
- For that portion in the AE-60, 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;
- For that portion in the AE-60, 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;
- For that portion in the AE-60, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

**Building Department - Fire Prevention**

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

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0392-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** KB HOME

**CONTACT:** THE WLB GROUP, 3663 EAST SUNSET ROAD, SUITE 204, LAS VEGAS, NV 89120





# TENTATIVE MAP APPLICATION DEPARTMENT OF COMPREHENSIVE PLANNING

# 12A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>Tm-21-5000 51</u>	DATE FILED: <u>4-27-21</u>
		PLANNER ASSIGNED: <u>AI</u>	TAB/CAC DATE: <u>5-26</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		TAB/CAC: <u>Entropm</u>	
		PC MEETING DATE: <u>6-15</u>	
		BCC MEETING DATE: <u>7-21</u>	
		FEE: <u>750<sup>00</sup></u>	

<b>PROPERTY OWNER</b>	NAME: <u>Buffalo Wing LLC</u>
	ADDRESS: <u>9500 Hillwood Dr, Suite 201</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

<b>APPLICANT</b>	NAME: <u>KB Home</u>
	ADDRESS: <u>5795 W Badura Ave, suite 180</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702.266.8512</u> CELL: _____
	E-MAIL: <u>pchao@kbhome.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>The WLB Group, Inc. ( Mark Bangan)</u>
	ADDRESS: <u>3663 E. Sunset Road, Suite 204</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702-458-2551</u> CELL: _____
	E-MAIL: <u>mbangan@wlbgroup.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-24-801-004

PROPERTY ADDRESS and/or CROSS STREETS: W Richmar Ave and S Decatur Shelbourne

TENTATIVE MAP NAME: Belcarra

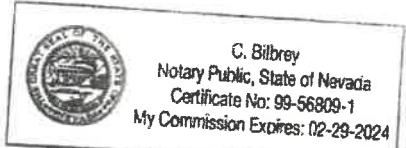
I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON January 19, 2021 (DATE)  
 By Khusrow Roohani as Manager.

NOTARY PUBLIC: C. Bille



\*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.



06/15/21 PC AGENDA SHEET

PLAN AMENDMENT  
(TRANSPORTATION ELEMENT)

RAINBOW BLVD/ERIE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**PA-21-70002-PETERSON S & A 1997 TRUST ET AL & PETERSON N SCOTT & AVA  
TRS ET AL:**

**PLAN AMENDMENT** to amend Map 1.3 of the Transportation Element of the Clark County Comprehensive Master Plan by removing a portion of an 80 foot right-of-way being Erie Avenue (alignment).

Generally located on Erie Avenue (alignment) between Rainbow Boulevard and Torrey Pines Drive. JJ/pd (For possible action)

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**RELATED INFORMATION:**

**APN:**

176-35-201-002; 176-35-201-003; 176-35-201-005; 176-35-401-002

**LAND USE PLAN:**

ENTERPRISE – BUSINESS AND DESIGN/RESEARCH PARK, PUBLIC FACILITY, OPEN LAND

**BACKGROUND:**

**Project Description**

This is a request to remove a 1,075 foot section of an 80 foot wide right-of-way designated as a collector street on Map 1.3 of the Transportation Element of the Clark County Comprehensive Master Plan. This section of Erie Avenue from Rainbow Boulevard to Redwood Street will be used as a pedestrian bridge over the existing Union Pacific Railroad tracks to access Desert Oasis High School.

**Applicant's Justification**

The applicant states this is a request for a plan amendment to remove a portion of Erie Avenue from the Transportation Element (Map 1.3), between Rainbow Boulevard and Redwood Street. The County has just completed a pedestrian bridge over this portion of Erie Avenue which allows students safe passage to Desert Oasis High School to the east. In addition, Union Pacific has indicated that no street crossing can occur at Erie Avenue as all vehicular traffic crossing the tracks occurs at the Cactus Avenue bridge just north of the subject site.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Business and Design/Research Park & Public Facilities	R-E	Undeveloped
South	Open Land	R-E	Undeveloped
East	Public Facilities & Open Land	P-F	Desert Oasis High School & undeveloped
West	Major Development Project	R-E & RUD	Single family residential & undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-21-0191	Zone change for an Industrial Park is a companion item on this agenda.
VS-21-0190	A request to vacate and abandon easements of interest is a companion item on this agenda.
TM-21-500047	Tentative map for a 1 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****Community Planning**

Staff finds the request for the plan amendment to the Transportation Element appropriate for this location. The section of right-of-way will not be used as a collector street as designated on Map 1.3. The pedestrian bridge is complete, and the Union Pacific Railroad has indicated that no street crossings will be allowed at this location; therefore, staff can support this request.

**Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on July 7, 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.

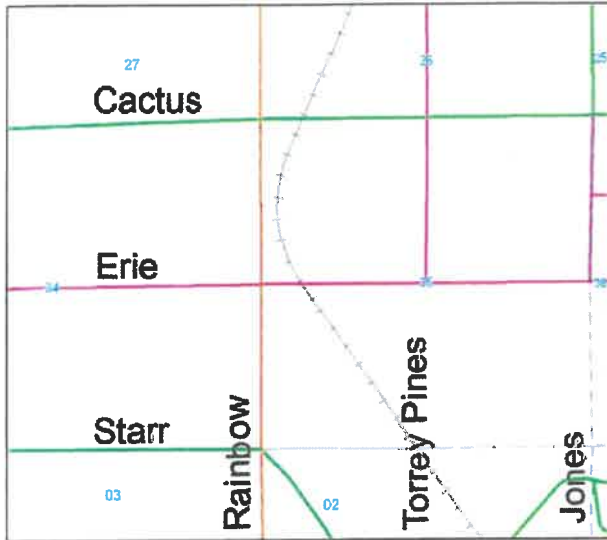
**TAB/CAC:**

**APPROVALS:**

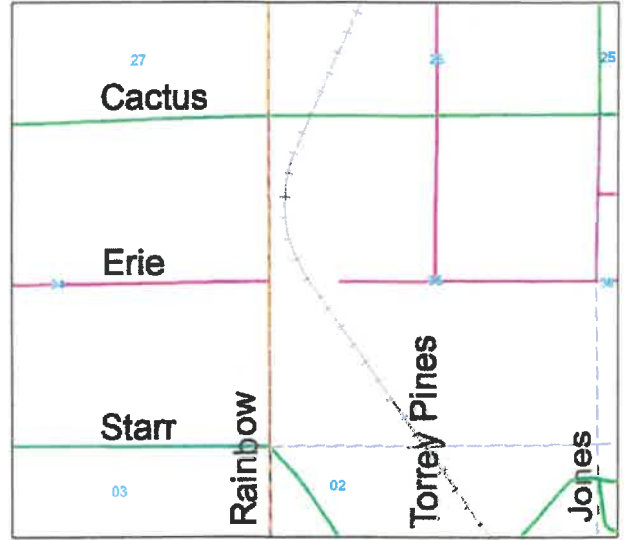
**PROTEST:**

**APPLICANT:** I20, LLC

**CONTACT:** ERIC RIETZ, RIETZ CONSULTING INC, 3203 E WARM SPRINGS RD, STE 400, LAS VEGAS, NV 89120



**Adopted**













**Requested**

## Transportation Element

### Map 1.3

PA-21-700002

Las Vegas Valley - Southwest  
Clark County, Nevada

-  Beltway
-  Las Vegas Blvd (300+ ft R-O-W)
-  Las Vegas Blvd (200+ ft R-O-W)
-  Interstates/State Hwys (per NDOT)
-  Arterials (120+ ft R-O-W)
-  Arterials (100+ ft R-O-W)
-  Collectors (80+ ft R-O-W)
-  Collectors (60+ ft R-O-W)
-  Railroads
-  Interchanges

*Note: Categories denoted in the legend may not apply to the presented area.*

**DRAFT**





06/15/21 PC AGENDA SHEET

INDUSTRIAL COMPLEX  
(TITLE 30)

RAINBOW BLVD/ERIE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-21-0191- PETERSON S & A 1997 TRUST ET AL:**

**ZONE CHANGE** to reclassify 15 acres from an R-E (Rural Estates Residential) zone to an M-D (Designed Manufacturing) zone for an industrial complex.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setbacks; 2) eliminate landscaping; 3) increase retaining wall height; 4) reduce parking; and 5) reduce driveway throat depth.

**DESIGN REVIEWS** for the following: 1) alternative landscaping; 2) an industrial complex; and 3) finished grade.

Generally located on the east side of Rainbow Boulevard and the north side of Erie Avenue (alignment) within Enterprise (description on file). JJ/jor/jd (For possible action)

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RELATED INFORMATION:

**APN:**

176-35-201-001, 176-35-201-002, & 176-35-201-003

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce the interior side setback (south property line) of a proposed industrial complex from a non-industrial or non-commercial use to zero feet where 20 feet is required per Table 30.40-5 (a 100% decrease).
- b. Reduce the interior side setback (east property line) of a proposed industrial complex from a non-industrial or non-commercial use to zero feet where 20 feet is required per Table 30.40-5 (a 100% decrease).
2. a. Eliminate the required landscaping along the south property line where Figure 30.64-11 is required per Table 30.64-2.
- b. Eliminate the required landscaping along the east property line where Figure 30.64-11 is required per Table 30.64-2.
3. Increase the retaining wall height to 6 feet where a 3 foot maximum height is allowed per Section 30.64.020 (a 100% increase).
4. Reduce the required parking spaces to 160 spaces where 165 spaces are required per Table 30.60-1 (a 3% decrease).
5. Reduce the driveway throat depth to 53 feet where 75 feet is required per Uniform Standard Drawing 222.1 (a 29% decrease).

**DESIGN REVIEWS:**

1. Alternative parking lot landscaping.
2. Industrial complex design.
3. Increase the finished grade to 72 inches (6 feet) where a maximum of 18 inches is the standard per Section 30.32.040 (a 300% increase).

**LAND USE PLAN:****ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK****BACKGROUND:****Project Description****General Summary**

- Site Address: N/A
- Site Acreage: 15
- Number of Lots: 1
- Project Type: Industrial complex
- Number of Stories: 2
- Building Height (feet): 39 feet, 6 inches (maximum)
- Square Feet: 110,288 (total enclosed building area)/9,284 (Building 1)/5,685 (Building 2)/8,500 (Building 3)/7,141 (Building 4)/9,358 (Building 5)/10,282 (Building 6)/11,827 (Building 7)/12,956 (Building 8)/9,419 (Building 9)/9,793 (Building 10)/16,043 (Building 11)
- Parking Required/Provided: 165/160

**Site Plan**

The site plan depicts a proposed industrial complex on the north side of Erie Avenue (alignment) and the east side of Rainbow Boulevard. There are 3 parcels which make up the entire 15 acres of the proposed industrial complex. When the parcels are combined via the 1 lot commercial subdivision (related application), an L-shaped development will be created. Ten acres of the site are within APNs 176-35-201-001 and 176-35-201-002, both located along the east side of Rainbow Boulevard. The third parcel APN 176-35-201-003 makes up the southeast corner of the overall development (located east of APN 176-35-201-002). In addition, there is a proposed Transportation Element Amendment that is a companion item to this application which will remove the required 80 foot right-of-way dedication for Erie Avenue (located to the south). This There is an existing pedestrian bridge which provides pedestrian connectivity for students attending the existing school to the east.

On the site there is an existing Union Pacific Railroad (UPRR) easement that is 100 feet wide and runs north to southeast through the proposed development. In addition, there is an existing communication tower lease area on the western portion of APN 176-35-201-003. Due to the existing 100 foot wide railroad easement, the applicant is proposing to only develop the western portion of APN 176-35-201-001, the entire area of APN 176-35-201-002, and the south west corner of APN 176-35-201-003.

The site plan proposes 11 office warehouse buildings. Buildings #1, #2, and #3 are located on the northernmost lot (APN 176-35-201-001); Buildings #4, #5, #6, #7, #8, #9, and #11 are



located on the southwestern parcel (APN 176-35-201-002); and lastly Building #10 is located on the southeastern parcel (APN 176-35-201-003). Building #10 is a proposed film studio with a dedicated managers unit and warehouse space.

All 11 buildings have a minimum setback of 20 feet from the right-of-way (Rainbow Boulevard). Building #1 (northern end) and Building #10 (southeast corner) are directly adjacent to the UPRR easement to the east. Buildings #2 through #9 are centrally located on the site and are oriented north to south in numerical order with Building #2 being towards the north half and Building #9 towards the southern half. Building #11 is located south of Buildings #8 and #9 and is directly adjacent to the south property line. The applicant is requesting waivers of development standards to reduce the interior side building setbacks on the south and eastern portion of the development to zero feet where 20 feet is required when a proposed industrial development is adjacent to a non-industrial or non-commercial use. A waiver to eliminate landscaping adjacent to a less intense use is also required, since there is a setback reduction request.

Each building has its own dedicated loading zones, trash enclosures, and gated yard area with parking spaces. All gates to each yard area will remain open during business hours and a knock box will be provided for fire department access. Furthermore, Buildings #3, #4, #5, #6, #9, and #11 have dedicated loading docks for large semi-trucks. A site plan was provided to show semi-truck maneuverability throughout the site. Pedestrian walkways are located throughout the site and connect the buildings for pedestrian accessibility. One hundred sixty parking spaces are provided where 165 parking spaces are required; therefore, the applicant is also requesting to reduce the required parking spaces by 3%.

On-site screening includes a 7 foot high CMU block wall on 220 linear feet of the northeastern area of Building #1. An 8 foot high CMU block wall is located between the gated yard areas of Building #2 and Building #3 and between Buildings #10 and #11. An 8 foot high CMU block wall is also located along the south property line and the southwest corner of the overall site (west of Buildings #9 and #11). In addition, an 8 foot high wrought iron fencing will be utilized for the gated yard areas for Buildings #4, #5, #6, and #7. Lastly, the applicant is proposing an 8 foot high CMU block wall along the UPRR easement (western easement line), which follows the shape of the proposed development.

The site plan shows that with the unique shape of the development, the applicant is proposing parking spaces and trash enclosures west of the UPRR easement, in turn, a proposed 8 foot high CMU block wall creates a physical and visual barrier between the development and the railroad easement. Due to the grade differences on the site, retaining walls are located throughout the site in conjunction with an increase in finished grade underneath some of the building pads. The applicant is requesting a 6 foot high retaining wall where a maximum 3 foot high retaining wall is allowed per Title 30. A design review is also requested for an increase in finished grade to 6 feet where 18 inches is the standard per code.

Access to the site is provided via 2 proposed commercial driveways along the west property line, adjacent to Rainbow Boulevard. Lastly, a waiver of development standards for reduced throat depth is requested for the proposed driveway on the northern half of the site.

### Landscaping

The landscape plan depicts detached sidewalks along the west property line (adjacent to Rainbow Boulevard). The applicant is proposing 112 trees throughout the site, but a majority of the trees are located along the west property line adjacent to Rainbow Boulevard. Parking lot landscaping is also provided adjacent to the buildings. The applicant is requesting a design review for alternative parking lot landscaping since perimeter landscaping, including 64 various 24 inch box trees with over 100 shrubs, is provided adjacent to the right-of-way (Rainbow Boulevard). Waiving landscaping adjacent to a less intense use (east and south property lines) is requested since there is an existing railroad easement to the east, and the buildings to the south are adjacent to the south property line. Due to the site's unique shape, 4 trees and 10 shrubs are provided adjacent to the railroad easement to the east, and 3 trees and 12 shrubs are in between Buildings #10 and #11 (adjacent to the south property line). Typically, Figure 30.64-11 is required adjacent to a less intense use.

### Elevations

The elevation plans depict exterior materials which include stucco exterior walls, CMU walls with neutral tones, and aluminum storefront and window systems. The maximum building height with parapet roofs for the development is 39 feet, 6 inches.

### Floor Plans

The floor plans depict 11 office warehouse buildings for the entire development totaling 110,288 square feet. Buildings #1 through #9 and Building #11 include first floor office space, with the potential to build a second floor and develop a warehouse area within each building. Lastly, Building #10 is a proposed private film studio with office/warehouse space.

### Signage

Signage is not a part of this request.

### Applicant's Justification

Per the applicant's justification letter, the project is proposing a conforming zone change that is compatible with the planned land use of Business and Design/Research Park. The industrial buildings will serve a visual and physical buffer between Rainbow Boulevard and the existing railroad to the east. Due to the site's unique shape, size, and existing railroad easement to the east, the requested waivers are required to fully utilize the development. Ample landscaping is provided along Rainbow Boulevard (with detached sidewalks) to enhance the streetscape, thus a design review for alternative parking lot landscaping is requested. A Transportation Element Amendment to remove the right-of-way dedication requirement on Erie Avenue is a companion item to this application. The setback reduction waivers are warranted to the east (adjacent to the railroad easement) since there is an existing high school that is over 100 feet to the east, and the railroad serves as a barrier. The setback reduction waiver to the south is warranted since Erie Avenue includes a pedestrian bridge and there are no existing residences to the south. Increasing the retaining wall height to a maximum of 6 feet is required to contain the increase finished grade under some of the building pads, and screen walls attached to the retaining wall meet Title 30 standards; subsequently, a design review for increased finished grade is also requested. A parking reduction waiver is requested because 160 parking spaces are provided where 165 are

required (3% reduction). A throat depth reduction for the northern driveway is required due to the site's size constraint on the northern end of the development.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ADR-1150-07	Allowed a communication tower	Approved by ZA	August 2007
ZC-1386-01	Reclassified APN 176-35-201-003 from R-E to M-D zoning for an office/warehouse building - expired	Approved by BCC	March 2002

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	R-E	Undeveloped & Union Pacific Railroad
South	Open Land	R-E	Undeveloped & Union Pacific Railroad
East	Public Facilities	R-E & P-F	Desert Oasis High School & undeveloped western portion
West	Office Professional and Major Projects - Mountains Edge (up to 14 du/ac)	RUD	Undeveloped

**Related Applications**

Application Number	Request
PA-21-700002	A transportation element amendment for Erie Avenue is a companion item on this agenda.
VS-21-0190	A vacation and abandonment for easements is a companion item on this agenda.
TM-21-500047	A tentative map for a 1 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**

**Current Planning**

The proposed conforming zone change supports Goal 100 and 101 of the Clark County Land Use Plan which states in part, that proposed development should display compatibility with existing land use patterns, appropriate access routes and traffic volumes, environmental concerns, as well as complementary uses through site planning and building design on the perimeter of the site. The site plan shows that large semi-truck parking and loading areas are screened from residential uses and from Rainbow Boulevard to the west, ultimately supporting Goal 102 of the Land Use

Plan. Lastly, the proposed conforming zone change supports Goal 103, which states that landscaping adjacent to public right-of-way to improve visual quality of the site. Since the proposed development is conforming to the Business and Design/Research Park planned land use, and the proposed design supports the aforementioned goals for industrial development within Clark County, staff can support this request.

#### Waivers of Development Standards

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

#### Waiver of Development Standards #1a

Staff does not object to the proposed reduction of the interior side setback (south property line) of a proposed industrial complex from a non-industrial or non-commercial use to zero feet where 20 feet is required per Table 30.40-5. The proposed complex will be adjacent to Erie Avenue which will no longer be a dedicated right-of-way due to the construction of a pedestrian bridge. Staff finds that reducing the setback will not impose a negative impact since the rear of Buildings #10 and #11 will be adjacent to the south property line. The proposed development will not have any driveways along the south property line; therefore, staff supports this request.

#### Waiver of Development Standards #1b

Staff does not object to the proposed reduction of the interior side setback (east property line) of a proposed industrial complex from a non-industrial or non-commercial use to zero feet where 20 feet is required per Table 30.40-5. The submitted cross sections show that the east property line consists of an existing railroad easement that is at a higher finished grade than the proposed development; furthermore, there is an existing high school that is over 100 feet to the east. Since the applicant is proposing screening, parking, and a drive-aisle as a buffer to the eastern part of the development, staff finds that setback reduction is warranted and will not impose any adverse effects to the area. Staff also supports this request.

#### Waiver of Development Standards #2a

Since staff supports the waiver of development standards to reduce the setback of the proposed development to the south property line, staff can also support eliminating the required landscaping along the south property line where Figure 30.64-11 is required per Table 30.64-2. The provided landscape plan shows that there will be some landscaping adjacent to the south property line, even though Buildings #10 and #11 will be constructed directly adjacent to the south property line. The landscape plan shows that there is approximately 90 linear feet of landscaping adjacent to the south property line which will include 3 trees and 12 shrubs. Since the applicant did not completely eliminate the required landscaping, staff can support this request.

#### Waiver of Development Standards #2b

Due to the site's peculiar shape and the necessity to provide as much parking as possible while incorporating an existing 100 foot wide railroad easement to the east, staff supports eliminating the required landscaping along the east property line where Figure 30.64-11 is required per Table 30.64-2. The east property lines of the entire site will not have landscaping since only the westernmost portions of all 3 parcels are being developed. Landscaping would be difficult to maintain along the east property line since the 100 foot wide railroad easement is a physical barrier between the east property line and the proposed development; therefore, staff supports this request.

#### Waiver of Development Standards #3

The provided plans show that the increased retaining wall height would be a maximum of 6 feet under Building 1. Furthermore, the cross sections show that the finished grade differences vary in height, and the proposed retaining walls vary from 2 feet to 6 feet. Staff does not object to the proposed retaining walls since they are adjacent to the railroad easement to the east, and the 2 retaining walls adjacent to Rainbow Boulevard are behind the required landscaping, and the retaining walls will be under the finished grade to support an 18 inch stem wall behind the landscaping; therefore, staff supports this request.

#### Waiver of Development Standards #4

Staff does not foresee a negative impact to reduce the required parking spaces to 160 spaces where 165 spaces are required per Table 30.60-1. A 3 % decrease in required parking should have minimal impact on the site since the proposed uses are less intense uses; therefore, staff supports this request.

#### Design Review #1

Staff supports the site's alternative parking lot landscaping since the applicant is proposing to plant over 100 trees within the proposed development. The detached sidewalks and the proposed landscaping adjacent to Rainbow Boulevard encompass a sufficient amount of landscaping adjacent to the right-of-way and proposed buildings.

#### Design Review #2

Staff has no objection to the proposed design review. The proposed buildings are modern and aesthetically pleasing, and the overall development will enhance the streetscape adjacent to Rainbow Boulevard. The schematic design of the site is appropriate for the site's overall shape, and since staff support the conforming zone change and all of the waivers of development standards, staff can also support this request.

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

##### Waiver of Development Standards #5

Staff has no objection to the reduced throat depth for the northernmost commercial driveway on Rainbow Boulevard. Although the throat depth does not comply with the minimum standard, the applicant provided a significant distance, even with the limited depth of the site.

### Design Review #3

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

### **Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners meeting for final action July 7, 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**

- 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 substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 4 years of approval date or it will expire.

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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 55 feet to the back of curb for Rainbow Boulevard;
- If required by the Regional Transportation Commission (RTC), dedicate and construct a 5 foot by 25 foot shelter area behind the sidewalk, approximately 80 feet north of Erie Avenue (alignment), in accordance with RTC standards;
- Coordinate with Public Works - Design Division for the Rainbow Boulevard improvement project;
- Dedicate any necessary right-of-way and easements for the Rainbow Boulevard improvement project.

- 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 that fire/emergency access must comply with the Fire Code as amended (Fire access T turnaround may not be proper size).

**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@cleanwater.com](mailto:sewerlocation@cleanwater.com) and reference POC Tracking #0193-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** PETERSON S&A 1997 TRUST ET AL

**CONTACT:** ERIC RIETZ, RIETZ CONSULTING INC, 3203 E WARM SPRINGS RD, STE 400, LAS VEGAS, NV 89120







PLANNER C14A

# LAND USE APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input 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 #)	STAFF	DATE FILED: <u>4/22/21</u> PLANNER ASSIGNED: <u>JOR</u> ACCEPTED BY: _____ FEE: <u>ZC/WS/DR</u> CHECK #: <u>3978</u>  APP. NUMBER: <u>ZC-21-0191</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC MTG DATE: <u>5/26</u> TIME: _____ PC MEETING DATE: <u>6/15/21</u> BCC MEETING DATE: <u>7/7/21</u>
	PROPERTY OWNER	NAME: <u>I20 LLC</u> ADDRESS: <u>7490 WEST SAHARA</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: <u>702.</u> CELL: <u>same</u> E-MAIL: <u>jlybbert3@gmail.com</u>
	APPLICANT	NAME: <u>I20 LLC</u> ADDRESS: <u>7490 WEST SAHARA</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: <u>702.768.5923</u> CELL: _____ E-MAIL: <u>jlybbert3@gmail.com</u> REF CONTACT ID #: _____
	CORRESPONDENT	NAME: <u>Eric Rietz</u> ADDRESS: <u>3203 E. WARM SPRINGS RD., STE 400</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702.521.3355</u> CELL: <u>same</u> E-MAIL: <u>eric.rietz@rietzconsulting.com</u> REF CONTACT ID #: <u>136579</u>

PG 1

ASSESSOR'S PARCEL NUMBER(S): 176-35-201-003

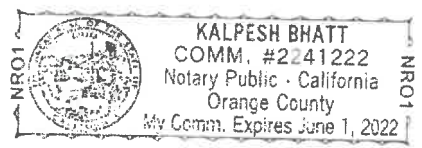
PROPERTY ADDRESS and/or CROSS STREETS: RAINBOW /LEVI

PROJECT DESCRIPTION: Industrial Park

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

Property Owner (Signature)\* [Signature]  
 Property Owner (Print) Jason Lybbert

STATE OF CALIFORNIA  
 COUNTY OF ORANGE  
 SUBSCRIBED AND SWORN BEFORE ME ON DECEMBER 14, 2020 (DATE)  
 By KALPESH BHATT  
 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.



PLAN 2  
COPY

# LAND USE APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

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

STAFF

DATE FILED: 4/22/21  
 PLANNER ASSIGNED: Jon  
 ACCEPTED BY: \_\_\_\_\_

APP. NUMBER: 20-210191  
 TAB/CAC: Enterprise  
 TAB/CAC MTG DATE: 5/26 TIME: \_\_\_\_\_  
 PC MEETING DATE: 6/15/21  
 BCC MEETING DATE: 7/7/21

pg 2

PROPERTY OWNER

NAME: PETERSON S & A 1997 TRUST ETAL  
 ADDRESS: 5738 ASPEN FALLS CIRCLE  
 CITY: LAS VEGAS STATE: NV ZIP: 89149  
 TELEPHONE: 702.813.6910 CELL: same  
 E-MAIL: scottpeterson48@yahoo.com

APPLICANT

NAME: I20 LLC  
 ADDRESS: 7490 WEST SAHARA  
 CITY: LAS VEGAS STATE: NV ZIP: 89117  
 TELEPHONE: 702.768.5923 CELL: \_\_\_\_\_  
 E-MAIL: jlybbert3@gmail.com REF CONTACT ID #: \_\_\_\_\_

CORRESPONDENT

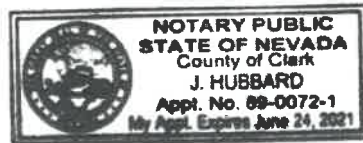
NAME: Eric Rietz  
 ADDRESS: 3203 E. WARM SPRINGS RD., STE 400  
 CITY: LAS VEGAS STATE: NV ZIP: 89120  
 TELEPHONE: 702.521.3355 CELL: same  
 E-MAIL: eric.rietz@rietzconsulting.com REF CONTACT ID #: 136579

ASSESSOR'S PARCEL NUMBER(S): 176-35-201-001 & 002  
 PROPERTY ADDRESS and/or CROSS STREETS: RAINBOW /LEVI  
 PROJECT DESCRIPTION: Industrial Park

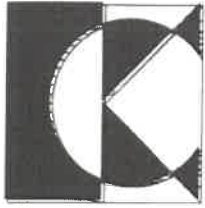
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code, that the information on the attached legal description, all plans, and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

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

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON Dec 11, 2020 (DATE)  
 By Scott Peterson  
 NOTARY PUBLIC: J. Hubbard



\*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.



**KC CAMIS  
ARCHITECT**

652 MIDDLEGATE suite B  
HENDERSON NEVADA 89011  
702 262-9413 kccamis@gmail.com

**PLANNER  
COPY**

**ZC-21-0191**

To: Clark County Comprehensive Planning  
Attn: Planners  
Re: i20@Rainbow Industrial Park

**Justification Letter**

**Project Information:**

We are submitting this justification letter in support of a newly proposed industrial park. The project is referred to as the I20@Rainbow Industrial Park located on the West side of Rainbow between Levi and Erie. APN numbers 176-35-201-001, 002 and 003.

The project will consist of a building footprint of 86135 sf (110662 sf including anticipated 2nd floor area) which is inclusive of 11 buildings located on 15 gross acres of land currently zoned RE (net 6.83 acres). We are seeking a conforming zone change to MD. The planned use of the property is BDRP (Business Development and Research Park). The proposed development is compatible with the planned use. There is an existing 100' Railroad R.O.W. for the entire length of the property on the East side. We are proposing an 8' tall decorative CMU wall, a portion of which will be retaining, adjacent to the Railroad R.O.W. as a vision buffer.

The project consists of eleven industrial buildings ranging from a footprint of 4435 SF to 13043 SF with a maximum height of 39'-6". Buildings 1 thru 7 will have gated yards. The buildings are intended to have office build-out (approximately 40%) with the remaining as warehouse. The range in sizes of the buildings is suitable for a variety of small businesses. Site lighting will be provided by building mounted, fully shielded lights so that light does not spill onto adjacent properties. The buildings are designed for light storage and light office/industrial and would be very low impact on the area. They are not intended for heavy manufacturing or heavy distribution.

The buildings are designed as Concrete Masonry Units using a mix of CMU types and styles, stepped parapet of differing heights from 37'-6" to 39'-6". The buildings use split face and scored CMU styles with stucco accent at the entry and parapets. Please refer to elevations for locations and colors. The entry to each of the buildings will be highlighted by decorative reveals and generous storefront glazing bisected by a decorative metal canopy. The design of the buildings strives to express an industrial, but modern flavor through the mix of colors, materials and forms.

The frontage along Rainbow will be heavily landscaped as will the drives into the property. The interior of the project has been configured such that the building orientations vary. That is both to add interest to the property, as well as giving each building an individual identity, while still maintaining an overall project continuity. Each building will have its own designated trash enclosure constructed of decorative split face CMU matching the building.

**We are applying for the following land use applications:**

1. Tentative Map for a commercial subdivision
2. Vacation and Abandonment for patent easements
3. Zone change from R-E zoning to M-D zoning.
4. Waivers of Development Standards for the following:

Reduced Setbacks

- a) Reduced interior side setback (South Property Line) from a non-industrial and non-commercial use to 0 feet where 20 feet is required.
- b) Reduced interior side setback (East ROW Line) from a non-industrial and non-commercial use to 0 feet where 20 feet is required

Eliminated Landscaping

- a) Eliminate required landscaping along the South property line where Figure 30.64-11 is required per Table 30.64-2
- b) Eliminate required landscaping along the east property line where figure 30.64-11 is required per table 30.64-2

Property Line/ROW screen/retaining wall

- a) Allow total maximum height of 13' where 6' would be retaining and 7' would be screen wall. This occurs on the East ROW wall on the North end. The remainder of screenwall would be 8'. Retaining condition reduces to nothing at the south end of the property.

Reduced Parking

- a) Reduced parking to 160 spaces where 165 spaces are required

Driveway Geometrics:

- a) A reduction of throat depth to 53' where 75' is required

5. Design reviews for the following

- a) Alternative Landscaping
- b) Increase the finished grade to 6'-0" where 18" is the maximum allowed.
- c) Overall design of the industrial complex

**Justification for the Zone Change**

The zone change is justified as not only would it be conforming but it is also in alignment with the planned use. The difficulties presented by the large portion of property lost to the railroad ROW make a low impact use like the one proposed ideal for the location. The project will serve as an effective and attractive buffer between Rainbow and the Railroad.

**Justification for the Vacation and Abandonment**

We are seeking to vacate the patent easements. The property to the North also has a planned use of BDRP. The Levi ROW dead ends into the Railroad ROW and is of insufficient length to be of any suitable use. The Erie ROW to the south is adjacent to a planned use as open space. We would ask for a waiver to eliminate the 20' building setback and 10' landscape requirements adjacent to a less intense use. This would enable internalizing the project by placing the buildings on the property line and providing an 8' decorative wall between the buildings. We would also seek a waiver for a reduction in parking lot landscaping. The east side of the property abuts the Railroad ROW and parking along that wall is predominantly within yards.

**Justification for the Waivers of Development Standards.**

The property adjacent to the South is planned use as open space. We are requesting a waiver to eliminate the building and landscape setbacks as the concept of the development is to internalize the complex. We are also requesting a reduction on the East ROW setback. That is the Railroad ROW and the intent of the design is to provide screening in the form of an 8' decorative wall. The grades will require some retaining ranging from 0 feet on the South end to 6' on the North end. We are requesting a maximum combined wall height of 13'. Screen wall will be reduced to 7' where retaining over 5' to 6' maximum. The required parking would be 165 spaces (1.5/1000 sf plus 1 for the managers apartment on building 10) where only 160 are provided. Therefore, we are requesting a waiver for parking. The office area in each building justifies a reduction in the parking requirement as it accounts for 44% of the total floor area. A blended ratio with 51% warehouse allows parking at 1.5/1000. We are asking for a waiver for the required throat depth on the North property access because the Railroad ROW reduces the property width such that adding a drive aisle to navigate the

property does not leave adequate room to achieve the required throat depth. The usable depth of the property at that location from tangent point of curve to the screen wall on the railroad ROW is roughly 82' and reduces as you move to the North. The drive aisles are oversized to make on site maneuverability better.

**Justification for the Design Reviews**

The project infills a difficult to develop location with much of the property sacrificed to a railroad right of way. It will provide a small complex of buildings that are internalized to have minimal impact on the main street (Rainbow) or the planned open space to the South. The buildings are of contemporary and lasting design and provide much needed space for a number of small businesses. The nature of the businesses that would occupy this complex should be of relatively low impact to the area. Additional trees have been added to the street frontage to justify the granting of alternative landscaping. The grades are necessary to account for drainage due to the size of the site and to fill in natural arroyos on the site.

We thank staff for their consideration on these matters. The nature of the development would be low impact and it is the opinion of this office that it is well suited to the area.

Sincerely  
KC Camis Architect



06/15/21 PC AGENDA SHEET

**EASEMENTS  
(TITLE 30)**

RAINBOW BLVD/ERIE AVE

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**VS-21-0190-PETERSON S & A 1997 TRUST ET AL:**

**VACATE AND ABANDON** easements of interest to Clark County located between Rainbow Boulevard and Redwood Street (alignment) and between Erie Avenue (alignment) and Levi Avenue (alignment) within Enterprise (description on file). JJ/jor/jd (For possible action)

**RELATED INFORMATION:**

**APN:**

176-35-201-001, 176-35-201-002, & 176-35-201-003

**LAND USE PLAN:**

ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK

**BACKGROUND:**

**Project Description**

The site plan depicts 3 parcels located on the east side of Rainbow Boulevard, and the north side of Erie Avenue (alignment). APNs 176-38-201-001 and 176-38-201-002 are located east of Rainbow Boulevard, and the third parcel APN 176-35-201-003 is located east of APN 176-38-201-002.

APN 176-35-201-001 has a 3 foot wide easement along the north property line adjacent to an existing Las Vegas Valley Water District easement and there are existing government patent easements along the east and south property lines of this parcel. Furthermore, there are existing patent easements along the north, east, and south sides of APN 176-35-201-002. In addition, there are existing government patent easements along the north, south, east, and west property lines of APN 176-35-201-003. Per the applicant, these easements are no longer necessary and need to be vacated for future development.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ADR-1150-07	Allowed a communication tower	Approved by ZA	August 2007
ZC-1386-01	Reclassified APN 176-35-201-003 from R-E to M-D zoning for an office/warehouse building - expired	Approved by BCC	March 2002

**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	Undeveloped & Union Pacific Railroad
South	Open Land	R-E	Undeveloped & Union Pacific Railroad
East	Public Facilities	R-E & P-F	Desert Oasis High School & undeveloped western portion
West	Office Professional and Major Projects - Mountains Edge (up to 14 du/ac)	RUD	Undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
PA-21-700002	A transportation element amendment for Erie Avenue is a companion item on this agenda.
ZC-21-0191	A zone change, waiver of development standards, and design review for an industrial development is a companion item on this agenda.
TM-21-500047	A tentative map for a 1 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 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 July 7, 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 55 feet to the back of curb for Rainbow Boulevard;
- If required by the Regional Transportation Commission, grant an easement for a 5 foot by 25 foot bus shelter pad area behind the sidewalk approximately 80 feet north of Erie Avenue (alignment);
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Building Department - Fire Prevention**

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended (Fire access T turnaround may not be proper size).

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** PETERSON S&A 1997 TRUST ETAL

**CONTACT:** ERIC RIETZ, RIETZ CONSULTING INC, 3203 E WARM SPRINGS RD, STE 400, LAS VEGAS, NV 89120





AGENDA LOG AMENDMENT
Department of Comprehensive Planning

15A

Application Number: VS-21-0190

Property Owner or Subdivision Name: Peterson S&A 1997 Trust ET AL

Public Hearing: Yes [X] No [ ]

Staff Report already created: Yes [X] No [ ]

Delete this application from the: TAB/CAC PC BCC

Add this application to the: TAB/CAC PC BCC

Change(s) to be made:

- Held no date specific
Withdrawn
[X] No change to meeting(s) 5/26/21 Enterprise / 6/15/21 PC and 7/7/21 BCC
Amend Write-up
Renotify
Make a public hearing (Radius: )
Rescheduling
[X] Other: Add additional APN number
Additional fees - \$AMOUNT OF ADDITIONAL FEES:
Refund
80%
100% (please include justification for full refund below)
AMOUNT OF REFUND\$:

Reason for Change: Added missing APN number which is 176-35-201-002. Companion PA, TM, and ZC are okay an Accela.

Change initiated by: jor Date: 5/4/21
Change authorized by: JCT Date: 5/4/21
Change processed by: ds Date: 5/4/21
Follow up assigned to: Instructions:

Parcel Number(s): 176-35-201-001, 176-35-201-002, & 176-35-201-003
Town Board(s): ENTERPRISE



# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

PLANNER  
COPY 15A

<b>APPLICATION TYPE</b>  <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>VS-21-0190</u> DATE FILED: <u>4/22/21</u> PLANNER ASSIGNED: <u>JOE</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>5/26/21</u> PC MEETING DATE: <u>June 15, 2021</u> BCC MEETING DATE: <u>July 7, 2021</u> FEE: <u>\$875</u>
--	----------------	---

Pg 1

PROPERTY OWNER	NAME: <u>I20 LLC</u> ADDRESS: <u>7490 WEST SAHARA AVENUE</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: <u>702.768.5923</u> CELL: <u>N/A</u> E-MAIL: <u>jlybbert3@gmail.com</u>
----------------	---

APPLICANT	NAME: <u>I20 LLC</u> ADDRESS: <u>7490 WEST SAHARA AVENUE</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: <u>702.768.5923</u> CELL: <u>N/A</u> E-MAIL: <u>jlybbert3@gmail.com</u> REF CONTACT ID #: _____
-----------	---

CORRESPONDENT	NAME: <u>Eric Rietz</u> ADDRESS: <u>3203 E Warm Springs Rd #400</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: _____      CELL: <u>702-521-3355</u> E-MAIL: <u>eric.rietz@rietzconsulting.com</u> REF CONTACT ID #: <u>136579</u>
---------------	---

ASSESSOR'S PARCEL NUMBER(S): 176-35-201-003

PROPERTY ADDRESS and/or CROSS STREETS: RAINBOW/LEVI

I, 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)*	<u>Jason Lybbert</u> _____ Property Owner (Print)
--	---

STATE OF NEVADA - CLARK COUNTY  
 COUNTY OF \_\_\_\_\_

SUBSCRIBED AND SWORN BEFORE ME ON DEC 14, 2020 (DATE)  
 By JASON LYBBERT KALPESH BHATT

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

KALPESH BHATT  
 COMM. #2241222  
 Notary Public - California  
 Orange County  
 My Comm. Expires June 1, 2022

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



# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

PLANNER  
COPY

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>15-21-0190</u>	DATE FILED: <u>4/22/21</u>
<input type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: <u>JOR</u>	TAB/CAC DATE: <u>5/26/21</u>
		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: <u>June 15, 2021</u>	
		BCC MEETING DATE: <u>July 7, 2021</u>	
		FEE: <u>\$875</u>	

Pg 2

<b>PROPERTY OWNER</b>	NAME: <u>PETERSON S &amp; A 1997 TRUST ETAL</u>
	ADDRESS: <u>5738 ASPEN FALLS CIRCLE</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89149</u>
	TELEPHONE: <u>702.813.6910</u> CELL: _____
	E-MAIL: <u>scottpeterson48@yahoo.com</u>

<b>APPLICANT</b>	NAME: <u>I20 LLC</u>
	ADDRESS: <u>7490 WEST SAHARA AVENUE</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89117</u>
	TELEPHONE: <u>702.768.5923</u> CELL: <u>n/a</u>
	E-MAIL: <u>jlybbert3@gmail.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Eric Rietz</u>
	ADDRESS: <u>3203 E Warm Springs Rd #400</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: _____ CELL: <u>702-521-3355</u>
	E-MAIL: <u>eric.rietz@rietzconsulting.com</u> REF CONTACT ID #: <u>136579</u>

ASSESSOR'S PARCEL NUMBER(S): 176-35-201-001 & 002

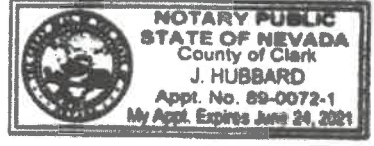
PROPERTY ADDRESS and/or CROSS STREETS: RAINBOW/LEVI

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.

scottpeterson atty in fact  
Property Owner (Signature)\*

Scott Peterson  
Property Owner (Print)

STATE OF NEVADA  
COUNTY OF Clark  
SUBSCRIBED AND SWORN BEFORE ME ON Dec 11, 2020 (DATE)  
By Scott Peterson  
NOTARY PUBLIC: J. Hubbard



\*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.



April 21, 2021

VS-21-0190  
PLANNER  
COPY

Clark County Development Services  
Comprehensive Planning Department  
500 Grand Central Parkway  
Las Vegas, NV 89155

RE: I 20 @ Rainbow Industrial Park - APN # 176-35-201-001, 002 and 003 vacation of patent easements.

Dear Mrs. Opiniano-Roland,

Please accept this justification letter and application to vacate 33-foot patent easements for the subject three parcels

There is a 33-foot patient easement for APN 176-35-201-001 on the east and south sides and only 3 feet on the forth as LVVWD has facilities in the 30' alignment of Levi

And on the north, east, and south 33-foot patient easement on the west half of parcel 176-35-201-002

And lastly, the north, east, south and west 33.00 feet on parcel 176-35-201-003.

Furthermore, our client wishes to vacate these patient as they are no longer needed

The patents are as follows.

1220677 recorded as 315.255025 OR

1221530 record as 945.758593 OR

1205292 recorded as 1409.1368154 OR

If you have any questions, or require any additional information, please do not hesitate to contact me or Eric Rietz

Thank you.

*Patricia Salazar-Ticano*

Patricia Salazar-Ticano  
Senior Coordinator Engineering/Survey

Rietz Consulting Inc., 3203 E. Warm Springs Road #400, Las Vegas, NV 89120

06/15/21 PC AGENDA SHEET

I-20 @ RAINBOW INDUSTRIAL PARK  
(TITLE 30)

RAINBOW BLVD/ERIE AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-21-500047- PETERSON S & A 1997 TRUST ET AL:**

**TENTATIVE MAP** for a 1 lot commercial subdivision on 15 acres in an R-E (Rural Estates) Residential Zone.

Generally located on the east side of Rainbow Boulevard and the north side of Erie Avenue (alignment) within Enterprise. JJ/jor/jd (For possible action)

**RELATED INFORMATION:**

**APN:**  
176-35-201-001, 176-35-201-002, & 176-35-201-003

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: None
- Site Acreage: 15
- Number of Lots: 1
- Project Type: Industrial park

**Site Plan**

The site plan depicts a proposed 1 lot commercial subdivision on 15 gross acres (13.41 net acres). The proposed commercial subdivision is located on the east side of Rainbow Boulevard and the north side of Erie Avenue (alignment). There is an existing communication tower located on the south east portion of the site, and an existing 100 foot wide Union Pacific Railroad easement that runs north to southeast through the site. Access to the site is provided by 2 proposed driveways along the west property line adjacent to Rainbow Boulevard.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ADR-1150-07	Allowed a communication tower	Approved by ZA	August 2007
ZC-1386-01	Reclassified APN 176-35-201-003 from R-E to M-D zoning for an office/warehouse building - expired	Approved by BCC	March 2002

**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	Undeveloped & Union Pacific Railroad
South	Open Land	R-E	Undeveloped & Union Pacific Railroad
East	Public Facilities	R-E & P-F	Desert Oasis High School and undeveloped western portion
West	Office Professional and Major Projects - Mountains Edge (up to 14 du/ac)	RUD	Undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
PA-21-700002	A transportation element amendment for Erie Avenue is a companion item on this agenda.
ZC-21-0191	A zone change, waiver of development standards, and design review for an industrial development is a companion item on this agenda.
VS-21-0190	A vacation and abandonment for easements is a companion item on this agenda.

**STANDARDS FOR APPROVAL.**

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

**Analysis**

**Current Planning**

This request meets the tentative map requirements as outlined in Title 30.

**Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action July 7, 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 55 feet to the back of curb for Rainbow Boulevard;
- If required by the Regional Transportation Commission (RTC), dedicate and construct a 5 foot by 25 foot shelter area behind the sidewalk, approximately 80 feet north of Erie Avenue, in accordance with RTC standards;
- Coordinate with Public Works - Design Division for the Rainbow Boulevard improvement project;
- Dedicate any necessary right-of-way and easements for the Rainbow Boulevard improvement project.
- 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.

**Current Planning Division - Addressing**

- No comment

**Building Department - Fire Prevention**

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended (Fire access Turnaround may not be proper size).

**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 #0193-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** PETERSON S&A 1997 TRUST ET AL

**CONTACT:** ERIC RIETZ, RIETZ CONSULTING INC, 3203 E WARM SPRINGS RD, STE 400, LAS VEGAS, NV 89120





**TENTATIVE MAP APPLICATION**  
**DEPARTMENT OF COMPREHENSIVE PLANNING**

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-21-500047</u>	DATE FILED: <u>4/22/21</u>
		PLANNER ASSIGNED: <u>JOR</u>	TAB/CAC DATE: <u>5/26/21</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		TAB/CAC: <u>ENTERPRISE</u>	PC MEETING DATE: <u>JUNE 15, 2021</u>
		BCC MEETING DATE: <u>JULY 7, 2021</u>	
		FEE: <u>\$750</u>	

pg 1

PROPERTY OWNER	NAME: <u>I20 LLC</u>
	ADDRESS: <u>7490 WEST SAHARA AVENUE</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89117</u>
	TELEPHONE: <u>702.768.5923</u> CELL: <u>N/A</u>
	E-MAIL: <u>jlybbert3@gmail.com</u>

APPLICANT	NAME: <u>I20 LLC</u>
	ADDRESS: <u>7490 WEST SAHARA AVENUE</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89117</u>
	TELEPHONE: <u>702.768.5923</u> CELL: <u>N/A</u>
	E-MAIL: <u>jlybbert3@gmail.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Eric Rietz</u>
	ADDRESS: <u>3203 E Warm Springs Rd</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: _____ CELL: <u>702-521-3355</u>
	E-MAIL: <u>eric.rietz@rietzconsulting.com</u> REF CONTACT ID #: <u>136579</u>

ASSESSOR'S PARCEL NUMBER(S): 176-35-201-003

PROPERTY ADDRESS and/or CROSS STREETS: RAINBOW & LEVI  
TENTATIVE MAP NAME: I 20 @ Rainbow Industrial Park

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)\*

Jason Lybbert  
 Property Owner (Print)

STATE OF CALIFORNIA  
 COUNTY OF ORANGE

SUBSCRIBED AND SWORN BEFORE ME ON DECEMBER 14<sup>TH</sup> 2020 (DATE)

By KALPESH BHATT

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

KALPESH BHATT  
 COMM. #2241222  
 Notary Public - California  
 Orange County  
 My Comm. Expires June 1, 2022

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



# TENTATIVE MAP APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

PLANNER COPY

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>TM-21-50047</u>	DATE FILED: <u>4/22/21</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>JOE</u>	TAB/CAC DATE: <u>3/26/21</u>
		TAB/CAC: <u>ENTERPRISE</u>	
		PC MEETING DATE: <u>JUNE 15, 2021</u>	
		BCC MEETING DATE: <u>JULY 7, 2021</u>	
		FEE: <u>\$750</u>	pg 2

<b>PROPERTY OWNER</b>	NAME: <u>PETERSON S &amp; A 1997 TRUST ETAL</u>
	ADDRESS: <u>5738 ASPEN FALLS CIRCLE</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89149</u>
	TELEPHONE: <u>702.813.6910</u> CELL: <u>same</u>
	E-MAIL: <u>scottpeterson48@yahoo.com</u>

<b>APPLICANT</b>	NAME: <u>Jason Lybbert</u>
	ADDRESS: <u>7490 WEST SAHARA AVENUE</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89117</u>
	TELEPHONE: <u>702.768.5923</u> CELL: <u>N/A</u>
	E-MAIL: <u>jlybbert3@gmail.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Eric Rietz</u>
	ADDRESS: <u>3203 E Warm Springs Rd</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: _____ CELL: <u>702-521-3355</u>
	E-MAIL: <u>eric.rietz@rietzconsulting.com</u> REF CONTACT ID #: <u>136579</u>

ASSESSOR'S PARCEL NUMBER(S): 176-35-201-001 & 002

PROPERTY ADDRESS and/or CROSS STREETS: RAINBOW & LEVI

TENTATIVE MAP NAME: I 20 @ Rainbow Industria Park

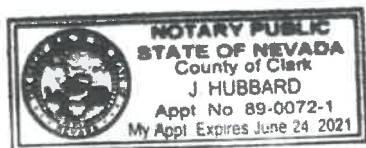
I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code, that the information on the attached legal description, all plans, and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

Scott Peterson *attn: in fact* Scott Peterson  
 Property Owner (Signature)\* Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON Dec 11, 2020 (DATE)  
 By Scott Peterson

NOTARY PUBLIC: J Hubbard



\*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.

06/15/21 PC AGENDA SHEET

BILLIARD HALL  
(TITLE 30)

SERENE AVE/LAS VEGAS BLVD S

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0196-REAL EQUITIES, LLC:**

**USE PERMITS** for the following: 1) billiard hall; and 2) alcohol, on-premises consumption (service bar) in conjunction with an existing shopping center on a portion of 28.7 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the northwest corner of Serene Avenue and Las Vegas Boulevard South within Enterprise. MN/jt/jo (For possible action)

**RELATED INFORMATION:**

**APN:**

177-20-602-009 ptn

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 9155 Las Vegas Boulevard South, Suites 222, 226, and 230
- Site Acreage: 28.7 (portion)
- Project Type: Billiard hall
- Number of Stories: 1
- Square Feet: 11,100 (lease)
- Parking Required/Provided: 1,080/1,226 (overall complex)

**Site Plan**

The site is the Vegas Point Plaza Shopping Center (formally the Factory Stores of America and the Las Vegas Outlet Stores) which was constructed in 1992. The center consists of 2 buildings that are divided into lease spaces and anchor stores, which are located along the north, west, and south sides of the site. Parking for the shopping center is in the center of the parcel between the buildings, and access to the shopping center is provided from Las Vegas Boulevard South and Serene Avenue. The proposed billiard hall with on-premises consumption of alcohol (service bar) is located within an in-line retail building located along the west side of the shopping center.

### Landscaping

There is existing landscaping along the exterior of the shopping center, as well as some parking lot landscaping. There are no proposed or required modifications to the existing landscaping.

### Elevations

The photos show an existing 1 story building, painted in earth tone colors, with a flat roof and parapet walls at varying heights.

### Floor Plans

The proposed billiard hall will occupy 3 lease spaces (total of 11,100 square feet) within the shopping center. The plan depicts a total of 31 pool tables, tables with chairs, a bar/service counter, office, storage area, and restrooms.

### Signage

Signage is not a part of this request.

### Applicant's Justification

According to the applicant, the billiard hall with the sale of beer and wine is compatible with other uses in the shopping center and the surrounding area. Abundant parking is located on the premises, and the business will not require any additional infrastructure. Lastly, the business intends to operate 7 days a week from 9:00 a.m. to 2:00 a.m. and employ approximately 8 individuals.

### Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0082	Banquet facility	Approved by PC	March 2019
UC-18-0073	Minor training facility (piano, martial arts, guitar, voice lessons and after school programs)	Approved by PC	March 2018
UC-0412-17	Daycare facility	Approved by PC	July 2017
UC-0148-14	Place of worship	Approved by PC	May 2014
UC-0062-14	Daycare facility - expired	Approved by PC	March 2014
UC-0475-13	Reduced the separation of a tavern from a residential use	Approved by PC	October 2013
UC-0488-12	Secondhand sales (clothing)	Approved by PC	October 2012
UC-0355-11	Swap meet, farmer's market, and recreational facility with wall signs	Approved by PC	September 2011
UC-0009-11	Place of worship	Approved by PC	March 2011
UC-0332-10	Banquet facility	Approved by PC	September 2010

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0929-08	Massage establishment	Approved by PC	November 2008
UC-0849-08	Reduced the separation of a supper club from a residential use - expired	Approved by PC	October 2008
UC-0364-07	Tavern - expired	Approved by PC	May 2007
UC-0962-05	Daycare facility - expired	Approved by PC	August 2005
ZC-0036-04	Reclassified the property from C-2 to H-1 zoning for an existing shopping center	Approved by BCC	February 2004
UC-0497-99	Day care facility - expired	Approved by PC	May 1999
ZC-154-90	Reclassified the property from R-E & H-1 to C-C zoning for a shopping center	Approved by BCC	October 1990

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Emerald Suites Condominiums
South	Commercial Tourist	H-1	Boca Raton Resort Condominiums & undeveloped
East	Commercial Tourist	H-1	Manhattan Residential Condominiums, undeveloped, & Lee's Discount Liquor Store
West	Commercial Tourist	R-3 & R-4	Apartments

**STANDARDS FOR APPROVAL:**

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

**Analysis  
Current Planning**

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

The existing shopping center includes a variety of commercial uses, and staff does not anticipate any negative impacts from the proposed billiard hall with a service bar. Abundant parking is available to accommodate the additional uses, and although residential uses are located around the periphery of the shopping center, the size of the development (28.7 acres) acts as a buffer between the proposed billiard hall and surrounding residential development. As a result, staff can support the request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Applicant is advised that approval of this application does not constitute or imply approval of any other County issues permit, license, or approval; 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**

- Traffic study and compliance.

**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:** BANGIN BALLZ BILLIARDS BAR  
**CONTACT:** SALTZMAN MUGAN DUSHOFF P, LLC, 1835 VILLAGE CENTER CIRCLE,  
LAS VEGAS, NV 89134





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 17A

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 checked="" type="checkbox"/> USE PERMIT (UC)  <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>	APP. NUMBER: <u>UC-21-0196</u> DATE FILED: <u>4/27/21</u> PLANNER ASSIGNED: <u>JLT</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>5/26/21</u> PC MEETING DATE: <u>6/15/21</u> BCC MEETING DATE: <u>—</u> FEE: <u>\$675</u>
	<b>PROPERTY OWNER</b>	NAME: <u>REAL EQUITIES LLC</u> ADDRESS: <u>14039 Sherman Way, #201</u> CITY: <u>Van Nuys</u> STATE: <u>CA</u> ZIP: <u>91405</u> TELEPHONE: <u>818-901-8800</u> CELL: <u>—</u> E-MAIL: <u>welco@yahoo.com</u>
	<b>APPLICANT</b>	NAME: <u>BANGIN BALLZ BILLIARDS BAR LLC</u> ADDRESS: <u>9077 Spur Creek Ave.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89178</u> TELEPHONE: <u>702-526-6446</u> CELL: <u>702-857-2098</u> E-MAIL: <u>lydiachang@me.com</u> REF CONTACT ID #: <u>—</u>
	<b>CORRESPONDENT</b>	NAME: <u>SALTZMAN MUGAN DUSHOFF PLLC / Allison J. Gigante, Esq.</u> ADDRESS: <u>1635 Village Center Circle</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-405-8500</u> CELL: <u>—</u> E-MAIL: <u>agigante@nvbusinesslaw.com</u> REF CONTACT ID #: <u>207151</u>

ASSESSOR'S PARCEL NUMBER(S): 177-20-602-009

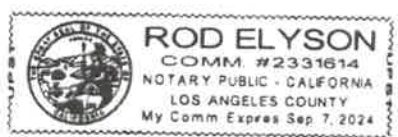
PROPERTY ADDRESS and/or CROSS STREETS: 9165 Las Vegas Blvd S. Suits #222, #226 and #230, Las Vegas, NV 89123

PROJECT DESCRIPTION: Special Use Permits for Pool Hall and Alcohol Use - Retail Beer and Wine

(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.

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

STATE OF California  
 COUNTY OF Los Angeles  
 SUBSCRIBED AND SWORN BEFORE ME ON May 25, 2021 (DATE)  
 By Shawn Bidsal



NOTARY PUBLIC  
Rod Elyson

\*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.



# SALTZMAN MUGAN DUSHOFF

ATTORNEYS AT LAW

1835 VILLAGE CENTER CIRCLE, LAS VEGAS, NEVADA 89134

PHONE (702) 405-8500 FAX (702) 405-8501

April 6, 2021

UC-21-0196

**Via Hand-Delivery**

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

**Re: Application for Special Use Permit – Billiard Hall; and Alcohol, On-Premises Consumption**

**Applicant: Bangin Ballz Billiards Bar LLC**  
**Project: Bangin Ballz Billiards Bar**  
**APN: 177-20-602-009**  
**Address: 9155 Las Vegas Blvd S, Suites #222, #226 and #230  
Las Vegas, NV 89123**

Dear Sir/Madam:

This firm represents Bangin Ballz Billiards Bar LLC (the “Applicant”) with respect to liquor licensing matters in Nevada. Enclosed, please find a Special Use Permit Application for the operation of a billiard hall and on-premise consumption of beer and wine at the above-referenced business location.

The Applicant has entered into a Lease Agreement with Real Equities, LLC (the “Property Owner”) for the operations of a billiard hall business at 9155 Las Vegas Blvd South, Suites #222, #226 and #230, Las Vegas, Nevada, 89123, and comprising of approximately 11,100 square feet of tenant space (the “Premises”). The Premises is located within the Vegas Point Plaza Shopping Center at the corner of Las Vegas Blvd South and West Serene Avenue.

The Applicant’s business will consist of approximately 30 billiard tables, food and beverages services, including service of beer and wine.

The Premises is located within the H-1 (Limited Resort and Apartment) zoning district which allows for a billiard hall and alcohol, on-premises sales with approved Special Use Permits.

The applicant is committed to ensuring compliance with all local and State laws regarding the sale and service of beer and wine for on-premises consumption. The Applicant will implement and adhere to strict internal policies and an alcohol security plan to prevent the sale of beer and wine to minors and to ensure that patrons are not overserved.

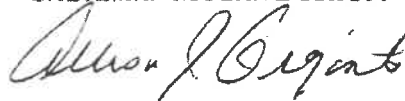
Clark County Department of Comprehensive Planning  
April 6, 2021  
Page 2 of 2

The billiard hall with the sale of beer and wine is compatible with other uses in the immediate community and will not have a detrimental impact on adjacent properties or the traffic conditions in the area. No additional public services, utilities or parking accommodations will be necessary to accommodate the proposed use at the Business. There will be adequate employee and customer parking available and the site will provide adequate pedestrian and vehicle ingress/egress to and from the Premises from Las Vegas Boulevard and W. Serene Ave. The Business intends to operate 7 days a week from 9:00 a.m. to 2:00 a.m. and employ approximately 8 individuals.

In the event you have any questions with regard to the foregoing, please do not hesitate to contact us. Thank you.

Very truly yours,

SALTZMAN MUGAN DUSHOFF



Allison J. Gigante, Esq.

AJG:dms  
Enclosures  
cc: Matthew D. Saltzman, Esq. (w/o encls.)



06/16/21 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT  
(TITLE 30)

HUALAPAI WY/OLETA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-21-400066 (NZC-0872-16)-AMH NV8 DEVELOPMENT, LLC:**

**ZONE CHANGE SECOND EXTENSION OF TIME** to reclassify 15.2 acres from an H-2 (General Highway Frontage) Zone and an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone for a single family residential development.

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

Generally located on the south side of Agate Avenue and the east side of Hualapai Way within Enterprise (description on file). JJ/lm/jd (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-19-201-031; 176-19-201-032

**DESIGN REVIEWS:**

1. A proposed single family residential development.
2. Increase the finished grade for a single family residential development to 54 inches (4.5 feet) where 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 200% increase).

**LAND USE PLAN:**

ENTERPRISE - PUBLIC FACILITIES

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 15.2
- Number of Lots/Units: 120 (residential lots)/9 (common lots)
- Density (du/ac): 7.9
- Minimum/Maximum Lot Size (square feet): 3,318/9,248 (net & gross)
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): Up to 35
- Square Feet: 1,616 to 2,574

### Site Plans

The previously approved plans depict a single family residential subdivision consisting of 120 lots with a density of 7.9 dwelling units per acre. The lots range in area between 3,318 square feet to 9,248 square feet with an average lot size of 3,867 square feet. The site has frontage along Conquistador Street to the east, Hualapai Way to the west, and is bisected by Oleta Avenue. The easternmost approximately 2.5 acres of this parcel is planned Residential Suburban (up to 8 du/ac) with the majority of the site planned for Public Facility uses. The plan indicates that 16 lots have access from Oleta Avenue and 5 lots have access from Conquistador Street, which are both 60 foot wide public streets. Access to the remaining lots will be provided by 41 foot wide private streets which include sidewalks on 1 side of the streets. The previously approved plans indicate that 4 of the private streets will terminate into cul-de-sacs. There is an existing overhead power line that runs through the site, which the plans indicate will be removed or relocated. There is an approved single family residential development to the south and east of this site. The previously approved plans indicate that access will be established between the southernmost portion of the site and the approved residential development to the south and east. There is an existing easement for drainage for the Upper Duck Creek Detention Basin along the west side of the site within the future right-of-way for Hualapai Way. The development is being constructed with 2 different tentative maps, but the design has not changed.

### Landscaping

The previously approved plan depicts a minimum 15 foot wide landscape area consisting of trees, shrubs, and groundcover with a detached sidewalk adjacent to Hualapai Way. The northeast corner of the site is adjacent to Blue Diamond Road and the plans depict a 20 foot wide landscape area with trees, shrubs, and groundcover at this location. The previously approved plans also depict Conquistador Street terminating in a cul-de-sac at the northeast corner of the site. A minimum 6 foot wide landscape area with trees, shrubs, and groundcover is depicted adjacent to this cul-de-sac.

### Elevations

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

### Previous Conditions of Approval

Listed below are the approved conditions for ADET-20-900155 (NZA-0872-16):

#### Current Planning

- Until March 8, 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 NZC-0872-16:

#### Current Planning

- A resolution of intent to complete in 3 years;
- Enhance the articulation to the rear of the houses and rear landscaping along the north property line;
- Add a 24 inch box tree to rear yard of each lot;
- Add color variation on rear elevations;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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 Title 30.32-040-9 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 back of curb for Hualapai Way, 30 to 60 feet for Oleta Avenue, 30 feet for Conquistador Street with a cul-de-sac at the proposed north end, and all associated spandrels;
- Applicant must provide written communication from the Nevada Department of Transportation (NDOT) in regards to the Conquistador Street outlet onto Blue Diamond Road.
- Applicant is advised that the installation of detached sidewalk 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 the CCWRD requires full frontage to the south along Hualapai Way.

**Applicant's Justification**

The applicant indicates that the developer needs additional time to get the improvement plans approved and the final map recorded for the portion of the development south of Oleta Avenue.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ADET-20-900155 (NZC-0872-16)	First extension of time to reclassify 15.2 acres from H-2 & R-E to R-2 zoning for a single family residential subdivision	Approved by ZA	March 2020
ET-19-400144 (WS-0850-17)	First extension of time to reduce street intersection off-set and modified street improvement standards for a single family residential subdivision	Approved by PC	December 2019
DA-19-900116	Standard development agreement	Approved by BCC	May 2019
VS-18-0424	Vacated and abandoned easements	Approved by PC	July 2018
VS-0919-17	Vacated and abandoned easement	Approved by PC	December 2017
WS-0850-17	Reduced street intersection off-set and modified street improvement standards for a single family residential subdivision	Approved by PC	November 2017
TM-0162-17	1 1/7 lot single family residential subdivision for the subdivision to the south	Approved by PC	November 2017
ZC-0470-17	Reclassified 2.5 acres from R-E to R-2 zoning and design review on 14.7 acres for a single family residential to the south	Approved by BCC	July 2017
NZC-0872-16	Reclassified 15.2 acres from H-2 & R-E to R-2 zoning for a single family residential subdivision	Approved by BCC	March 2017

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Neighborhood	H-2	Undeveloped
South	Public Facilities & Residential Suburban (up to 8 du/ac)	R-2, R-E, & H-2	Undeveloped
East	Residential Suburban (up to 8 du/ac)	R-2 & H-2	Single family residential
West	Residential Rural (up to 0.5 du/ac)	R-U & H-2	Undeveloped



**Related Applications**

<b>Application Number</b>	<b>Request</b>
WS-21-0189	A waiver of development standards to increase combination of screen and retaining wall height on 13.6 acres is a companion item on this agenda.
TM-21-500046	A tentative map for a 109 lot single family residential subdivision is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis****Current Planning**

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.

Staff has no objection to this request. Staff can support a 4 year extension as the applicant and records indicate the project for the southern portion of the site is near to recordation, and there is a companion tentative map on the northerly portion of the site.

**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 June 12, 2025 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.

**Building Department - Fire Prevention**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: THOMASON CONSULTING ENGINEERS**

**CONTACT: THOMASON CONSULTING ENGINEERS, 7080 LA CIENEGA ST., STE 200,  
LAS VEGAS, NV 89119**

**DRAFT**



# LAND USE APPLICATION 18A

## DEPARTMENT OF COMPREHENSIVE PLANNING

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 (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> <b>WAIVER OF DEVELOPMENT STANDARDS (WS)</b></p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input checked="" type="checkbox"/> <b>EXTENSION OF TIME (ET)</b></p> <p style="padding-left: 20px;">NZC-16-0872</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p style="text-align: center; color: green; font-size: 1.2em;">ET-21-400066</p> <p>APP. NUMBER: _____ DATE FILED: <u>4/26/2021</u></p> <p>PLANNER ASSIGNED: <u>LMN</u></p> <p>TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>5/26/2021</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>6/16/2021</u></p> <p>FEE: <u>\$600.00</u></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>AMH NV8 Development LLC</u></p> <p>ADDRESS: <u>280 Pilot Road, Suite 200</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u></p> <p>TELEPHONE: <u>702-270-5375</u> CELL: _____</p> <p>E-MAIL: <u>jsweet@ah4r.com</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>AMH NV8 Development LLC</u></p> <p>ADDRESS: <u>280 Pilot Road, Suite 200</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u></p> <p>TELEPHONE: _____ CELL: _____</p> <p>E-MAIL: <u>jsweet@ah4r.com</u> REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Sonia Macias @ TCE</u></p> <p>ADDRESS: <u>7080 La Cienega St. #200</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u></p> <p>TELEPHONE: <u>702-932-6125</u> CELL: <u>702-336-4071</u></p> <p>E-MAIL: <u>smacias@tce-lv.com</u> REF CONTACT ID #: <u>170761</u></p> <p style="text-align: right; color: blue; font-size: 1.2em;"># 136354</p>

ASSESSOR'S PARCEL NUMBER(S): 176-19-201-031

PROPERTY ADDRESS and/or CROSS STREETS: Hualapai Way / Oleta Ave.

PROJECT DESCRIPTION: Extension of time for NZC-16-0872

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

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

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON February 12, 2021 (DATE)

By Jeremy Fritz

NOTARY PUBLIC: Sonia Macias



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



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<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"/> 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) NZC-16-0872 (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
	<b>PROPERTY OWNER</b>  NAME: <u>Lewis Investment Company of 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 Investment Company of NV LLC</u> ADDRESS: <u>5240 S. Polaris Ave.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-262-7315</u> CELL: _____ E-MAIL: <u>David.Diffley@lewismc.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Sonia Macias @ TCE</u> ADDRESS: <u>7080 La Cienega St. #200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-932-6125</u> CELL: <u>702-336-4071</u> E-MAIL: <u>smacias@tce-lv.com</u> REF CONTACT ID #: <u>170761</u>

ASSESSOR'S PARCEL NUMBER(S): 176-19-201-032

PROPERTY ADDRESS and/or CROSS STREETS: Hualapai Way / Oleta Ave.

PROJECT DESCRIPTION: Extension of Time for NZC-16-0872

(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.

None see attached  
 Property Owner (Signature)\* \_\_\_\_\_ Property Owner (Print) \_\_\_\_\_

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

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

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

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

Signature Block for EOT on NZC-16-0872

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

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

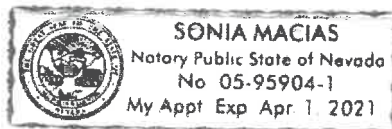
By:   
Name: Jennifer Lewis  
Its: Authorized Agent

STATE OF NEVADA  
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 2-10-21 (Date)

BY: Jennifer Lewis

NOTARY PUBLIC: Sonia Macias



T THOMASON  
C CONSULTING  
E ENGINEERS

ET-21-400066

March 16, 2021

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

Re: Hualapai/Oleta  
Extension of time Request NZC-0872-16  
And Waiver of Development Standards  
APN# 176-19-201-031

On behalf of Lewis Investment Co. NV LLC and AMH NV8 Development LLC, we respectfully request your approval of the application to be filed after the expiration date of March 8, 2021 for NZC-0872-16.

**Location:** The proposed project is located at Hualapai Way and Oleta Ave. within Section 19, Township 22 South, Range 60 East.

**Request #1:** Extension of time for NZC-0872-16. The Developer needs additional to time get the Improvement Plans approved and the final map recorded.

*Justification: Substantial progress has been made on the project: drainage study approval under PW17-56820, drainage study update approval under PW20-20459, traffic mitigation approval under PW19-17450. The Improvement plans (PW20-13605) are currently processing through Public Works. A final map (NFM-20-500081) is approved to Mylar. A grading permit (BD20-16362) is ready to be released upon approval of the civil plans.*

**Request #2:** Waiver of Development Standards to allow a maximum 12' perimeter wall height (with 6' screen and 6' retaining) where 9' wall height is allowed by Title 30 section 30.64.050(a)(4).

*Justification: The proposed perimeter wall height occurs along subdivision lots that rear Hualapai Way in locations where the street grade of Hualapai Way is elevated to accommodate public storm drain facilities within the street right-of-way. The subdivision lots are lower than Hualapai Way therefore the view from the public street side is a 6' screen wall.*

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

Sincerely,

Thomason Consulting Engineers

Sonia Macias  
Project Coordinator

06/16/21 BCC AGENDA SHEET

WALL HEIGHT  
(TITLE 30)

HUALAPAI WY/OLETA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-21-0189-AMH NV8 DEVELOPMENT, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** to increase the retaining wall height in conjunction with a single family residential development on 13.6 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the south side of Agate Avenue and the east side of Hualapai Way within Enterprise. JJ/lm/jd (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-19-201-031

**WAIVER OF DEVELOPMENT STANDARDS:**

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

**LAND USE PLAN:**

ENTERPRISE - PUBLIC FACILITIES

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 13.6
- Project Type: Increase retaining wall height

**Site Plans**

The plans depict a single family residential subdivision on 13.6 acres on the east side of Hualapai Way and the north side of Oleta Avenue. Access to the lots are from Oleta Avenue (60 foot wide public street) on the south, Conquistador Street (60 foot wide public street) on the east, an interior spine street (private street 41 feet wide) that runs from Hualapai Way to Conquistador Street, and 4 interior cul-de-sac streets (private street 41 feet wide). Lots range in size from 3,318 square feet to 5,736 square feet.

**Landscaping**

The plans depict street landscaping, per Title 30 standards, located along Hualapai Way (15 feet wide) with a detached sidewalk. Landscaping is also provided along the south side of the spine street. Sidewalks are provided along 1 side of the private street's interior to the subdivision. The retaining wall height increase is located along the west side of the development behind the 15 foot wide street landscaping adjacent to Hualapai Way. The requested retaining wall is up to 6 feet high where 3 feet is allowed with a 6 foot screen wall for an overall height of 11 feet. The 6 foot high screen wall is visible from Hualapai Way, with the overall retaining and screen wall visible interior to the subdivision.

**Applicant's Justification**

The applicant indicates that the proposed perimeter wall height occurs along the west side of the subdivision where the street grade for Hualapai Way is elevated to accommodate public storm drain facilities within the street right-of-way. The subdivision grade for the adjoining lots are lower than Hualapai Way; therefore, the wall height will appear to be 6 feet from the public street side.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ADET-20-900155 (NZC-0872-16)	First extension of time to reclassify 15.2 acres from H-2 & R-E to R-2 zoning for a single family residential subdivision	Approved by ZA	March 2020
ET-19-400144 (WS-0850-17)	First extension of time to reduce street intersection off-set and modified street improvement standards for a single family residential subdivision	Approved by PC	December 2019
DA-19-900116	Standard development agreement	Approved by BCC	May 2019
VS-18-0424	Vacated and abandoned easements	Approved by PC	July 2018
VS-0919-17	Vacated and abandoned easement	Approved by PC	December 2017
WS-0850-17	Reduced street intersection off-set and modified street improvement standards for a single family residential subdivision	Approved by PC	November 2017
TM-0162-17	117 lot single family residential subdivision for the subdivision to the south	Approved by PC	November 2017
ZC-0470-17	Reclassified 2.5 acres from R-E to R-2 zoning and design review on 14.7 acres for a single family residential to the south	Approved by BCC	July 2017
NZC-0872-16	Reclassified 15.2 acres from H-2 & R-E to R-2 zoning for a single family residential subdivision	Approved by BCC	March 2017



**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Neighborhood	H-2	Undeveloped
South	Public Facilities & Residential Suburban (up to 8 du/ac)	R-2, R-E, & H-2	Undeveloped
East	Residential Suburban (up to 8 du/ac)	R-2 & H-2	Single family residential
West	Residential Rural (up to 0.5 du/ac)	R-U & H-2	Undeveloped

**Related Applications**

Application Number	Request
ET-21-400066 (NZN-0872-16)	A second extension of time to reclassify 15.2 acres from H-2 & R-E to R-2 zoning for a single family residential subdivision is a companion item on this agenda.
TM-21-500046	A tentative map for a 109 lot single family residential subdivision is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis****Current Planning**

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

The increased retaining wall height is only for a portion of the site, is set back for landscaping, and a 6 foot screen wall will be visible from Hualapai Way, which is an appropriate buffer. The request is consistent with Urban Specific Policy 39 of the Comprehensive Master Plan, which encourages, in part, appropriate buffers for single family residential developments. Furthermore, staff supports additional time for the expiration of the request to be commensurate with the companion tentative map. With the aforesaid considerations, staff has no objection to this request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- 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 4 years of approval date or it will expire.

**Public Works - Development Review**

- Update drainage study PW20-20459 to reflect current project plans.

**Building Department - Fire Prevention**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** THOMASON CONSULTING ENGINEERS

**CONTACT:** THOMASON CONSULTING ENGINEERS, 7080 LA CIENEGA ST., STE 200,  
LAS VEGAS, NV 89119



# LAND USE APPLICATION 19A

## 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"/> <b>WAIVER OF DEVELOPMENT STANDARDS (WS)</b> <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) NZC-16-0872 (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>	APP. NUMBER: <u>WS-21-0189</u> DATE FILED: <u>4/26/2021</u> PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>5/26/2021</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>6/16/2021</u> FEE: <u>\$ 475.00</u>
	<b>PROPERTY OWNER</b>	NAME: <u>AMH NV8 Development LLC</u> ADDRESS: <u>280 Pilot Road, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-270-5375</u> CELL: _____ E-MAIL: <u>jsweet@ah4r.com</u>
	<b>APPLICANT</b>	NAME: <u>AMH NV8 Development LLC</u> ADDRESS: <u>280 Pilot Road, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: _____      CELL: _____ E-MAIL: <u>jsweet@ah4r.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>	NAME: <u>Sonia Macias @ TCE</u> ADDRESS: <u>7080 La Cienega St. #200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-932-6125</u> CELL: <u>702-336-4071</u> E-MAIL: <u>smacias@tce-lv.com</u> REF CONTACT ID #: <u>170761</u> <div style="text-align: right; color: blue; font-weight: bold; font-size: 1.2em;"># 136354</div>

ASSESSOR'S PARCEL NUMBER(S): 176-19-201-031

PROPERTY ADDRESS and/or CROSS STREETS: Hualapai Way / Oleta Ave.

PROJECT DESCRIPTION: Extension of time for NZC-16-0872

(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.

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

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON February 12, 2021 (DATE)  
 By Jeremy Fritz  
 NOTARY PUBLIC: Son Wean



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



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<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"/> <b>WAIVER OF DEVELOPMENT STANDARDS (WS)</b> <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) NZC-16-0872 (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
	<b>PROPERTY OWNER</b>  NAME: <u>Lewis Investment Company of 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 Investment Company of NV LLC</u> ADDRESS: <u>5240 S. Polaris Ave.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-262-7315</u> CELL: _____ E-MAIL: <u>David.Diffley@lewismc.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Sonia Macias @ TCE</u> ADDRESS: <u>7080 La Cienega St. #200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-932-6125</u> CELL: <u>702-336-4071</u> E-MAIL: <u>smacias@tce-lv.com</u> REF CONTACT ID #: <u>170761</u>

ASSESSOR'S PARCEL NUMBER(S): 176-19-201-032

PROPERTY ADDRESS and/or CROSS STREETS: Hualapai Way / Oleta Ave.

PROJECT DESCRIPTION: Extension of Time for NZC-16-0872

(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.

None see attached

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

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


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

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

Signature Block for EOT on NZC-16-0872

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

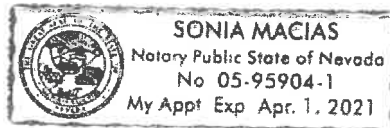
STATE OF NEVADA

COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 2-10-21 (Date)

BY: Jennifer Lewis

NOTARY PUBLIC: Sonia Macias





March 16, 2021

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

**Re: Hualapai/Oleta  
Extension of time Request NZC-0872-16  
And Waiver of Development Standards  
APN# 176-19-201-031**

WS-21-0189

On behalf of Lewis Investment Co. NV LLC and AMH NV8 Development LLC, we respectfully request your approval of the application to be filed after the expiration date of March 8, 2021 for NZC-0872-16.

**Location:** The proposed project is located at Hualapai Way and Oleta Ave. within Section 19, Township 22 South, Range 60 East.

**Request #1:** Extension of time for NZC-0872-16. The Developer needs additional to time get the Improvement Plans approved and the final map recorded.

*Justification: Substantial progress has been made on the project: drainage study approval under PW17-56820, drainage study update approval under PW20-20459, traffic mitigation approval under PW19-17450. The Improvement plans (PW20-13605) are currently processing through Public Works. A final map (NFM-20-500081) is approved to Mylar. A grading permit (BD20-16362) is ready to be released upon approval of the civil plans.*

**Request #2:** Waiver of Development Standards to allow a maximum 12' perimeter wall height (with 6' screen and 6' retaining) where 9' wall height is allowed by Title 30 section 30.64.050(a)(4).

*Justification: The proposed perimeter wall height occurs along subdivision lots that rear Hualapai Way in locations where the street grade of Hualapai Way is elevated to accommodate public storm drain facilities within the street right-of-way. The subdivision lots are lower than Hualapai Way therefore the view from the public street side is a 6' screen wall.*

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

Sincerely,

Thomason Consulting Engineers

Sonia Macias  
Project Coordinator

7080 La Cienega Street, Suite 200  
Las Vegas, Nevada 89119  
Phone (702) 932-6125 • Fax (702) 932-6129  
Page 4 of 4

06/16/21 BCC AGENDA SHEET

HUALAPAI/OLETA  
(TITLE 30)

HUALAPAI WY/OLETA AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-21-500046-AMH NV8 DEVELOPMENT, LLC:**

**TENTATIVE MAP** consisting of 109 lots on 13.6 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the south side of Agate Avenue and the east side of Hualapai Way within Enterprise. JJ/lm/jd (For possible action)

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**RELATED INFORMATION:**

**APN:**  
176-19-201-031

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

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

- Site Address: N/A
- Site Acreage: 13.6
- Number of Lots/Units: 109
- Density (du/ac): 7.98
- Minimum/Maximum Lot Size (square feet): 3,318/5,736
- Project Type: Single family subdivision

The plans depict a single family residential subdivision on 13.6 acres on the east side of Hualapai Way and the north side of Oleta Avenue. Access to the lots are from Oleta Avenue (60 foot wide public street) on the south, Conquistador Street (60 foot wide public street) on the east, an interior spine street (private street 41 feet wide) that runs from Hualapai Way to Conquistador Street, and 4 interior cul-de-sac streets (private street 41 feet wide). Lots range in size from 3,318 square feet to 5,736 square feet. Street landscaping, per Title 30 standards, located along Hualapai Way (15 feet wide) with a detached sidewalk. Landscaping is also provided along the south side of the spine street. Sidewalks are provided along 1 side of the private street's interior to the subdivision.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ADET-20-900155 (Nzc-0872-16)	First extension of time to reclassify 15.2 acres from H-2 & R-E to R-2 zoning for a single family residential subdivision	Approved by ZA	March 2020
ET-19-400144 (WS-0850-17)	First extension of time to reduce street intersection off-set and modified street improvement standards for a single family residential subdivision	Approved by PC	December 2019
DA-19-900116	Standard development agreement	Approved by BCC	May 2019
VS-18-0424	Vacated and abandoned easements	Approved by PC	July 2018
VS-0919-17	Vacated and abandoned easement	Approved by PC	December 2017
WS-0850-17	Reduced street intersection off-set and modified street improvement standards for a single family residential subdivision	Approved by PC	November 2017
TM-0162-17	117 lot single family residential subdivision for the subdivision to the south	Approved by PC	November 2017
ZC-0470-17	Reclassified 2.5 acres from R-E to R-2 zoning and design review on 14.7 acres for a single family residential to the south	Approved by BCC	July 2017
Nzc-0872-16	Reclassified 15.2 acres from H-2 & R-E to R-2 zoning for a single family residential subdivision	Approved by BCC	March 2017

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Neighborhood	H-2	Undeveloped
South	Public Facilities & Residential Suburban (up to 8 du/ac)	R-2, R-E, & H-2	Undeveloped
East	Residential Suburban (up to 8 du/ac)	R-2 & H-2	Single family residential
West	Residential Rural (up to 0.5 du/ac)	R-U & H-2	Undeveloped

**Related Applications**

Application Number	Request
ET-21-400066 (Nzc-0872-16)	A second extension of time to reclassify 15.2 acres from H-2 & R-E to R-2 zoning for a single family residential subdivision s a companion item on this agenda.
WS-21-0189	A waiver of development standards to increase combination of screen and retaining wall height on 13.6 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**

**Current Planning**

This request meets the tentative map requirements as outlined in Title 30.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Applicant is advised that 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**

- Update drainage study PW20-20459 to reflect current project plans;
- Compliance with approved traffic study PW19-17450;
- Full off-site improvements.

**Current Planning Division - Addressing**

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

**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 #0438-20190 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: THOMASON CONSULTING ENGINEERS**  
**CONTACT: THOMASON CONSULTING ENGINEERS, 7080 LA CIENEGA ST., STE 200,**  
**LAS VEGAS, NV 89119**

DRAFT



# TENTATIVE MAP APPLICATION 20A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>TM-21-500046</u> DATE FILED: <u>4/26/2021</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>5/26/2021</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>6/16/2021</u> FEE: <u>\$750.00</u>

<b>PROPERTY OWNER</b>	NAME: <u>AMH NV8 Development LLC</u> ADDRESS: <u>280 Pilot Road, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-270-5375</u> CELL: _____ E-MAIL: <u>jsweet@ah4r.com</u>
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<b>APPLICANT</b>	NAME: <u>AMH NV8 Development LLC</u> ADDRESS: <u>280 Pilot Road, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-270-5375</u> CELL: _____ E-MAIL: <u>jsweet@ah4r.com</u> REF CONTACT ID #: _____
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<b>CORRESPONDENT</b>	NAME: <u>Sonia Macias @ TCE</u> ADDRESS: <u>7080 La Cienega St. #200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-932-6125</u> CELL: <u>702-336-4071</u> E-MAIL: <u>smacias@tce-lv.com</u> REF CONTACT ID #: <u>170761</u> <div style="text-align: right; color: blue; font-weight: bold;"># 136354</div>
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ASSESSOR'S PARCEL NUMBER(S): 176-19-201-031

PROPERTY ADDRESS and/or CROSS STREETS: Hualapai Way / Oleta Ave.

TENTATIVE MAP NAME: Hualapai / Oleta

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

 _____ Property Owner (Signature)*	<u>Jeremy Fritz</u> _____ Property Owner (Print)
STATE OF <u>Nevada</u> COUNTY OF <u>Clark</u>	
SUBSCRIBED AND SWORN BEFORE ME ON <u>February 12, 2021</u> (DATE)	
By <u>Jeremy Fritz</u>	
NOTARY PUBLIC: <u>Sonia Macias</u>	



\*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.



06/16/21 BCC AGENDA SHEET

CONVENIENCE STORE/GAS STATION/  
VEHICLE WASH  
(TITLE 30)

WINDMILL LN/DECATUR BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0188-UTE INDIAN TRIBE:**

**USE PERMITS** for the following: 1) convenience store; 2) gasoline station; 3) vehicle wash; 4) reduce the separation from a proposed convenience store to a residential use; 5) reduce the separation from a proposed gasoline station to a residential use; 6) reduce the separation from a convenience store to a section line road; and 7) reduce the separation from a gasoline station to a section line road.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) alternative driveway geometrics; 2) reduce driveway approach distances; 3) reduce driveway departure distances; 4) reduce vehicle wash separation from residential; 5) reduce pedestrian walkway width; 6) reduce height to setback ratio; 7) reduce trash enclosure setback from residential use; 8) alternative drive-thru talk box location; 9) reduce number of loading zones; and 10) modify area of landscape island fingers.

**DESIGN REVIEWS** for the following: 1) convenience store; 2) gasoline station (fuel canopy); 3) vehicle wash; 4) restaurant and drive-thru; 5) retail buildings; 6) finished grade; and 7) alternative parking lot landscaping on 2.5 acres in a C-1 (Local Business) Zone.

Generally located on the southwest corner of Decatur Boulevard and Windmill Lane within Enterprise. JJ/bbjd (For possible action)

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**RELATED INFORMATION:**

**APN:**  
176-13-501-008

**USE PERMITS:**

1. Allow a convenience store.
2. Allow a gasoline station.
3. Allow a vehicle wash.
4. Reduce the separation from a proposed convenience store to a residential use to 135 feet where 200 feet is required per Table 30.44-1 (a 33% reduction).
5. Reduce the separation for a proposed gasoline station to a residential use to 130 feet where 200 feet is required per Table 30.44-1 (a 35% reduction).
6. Reduce the separation for a convenience store to a section line road to 15 feet 3 inches where 30 feet is required per Table 30.44-1 (a 49% reduction).
7. Reduce the separation for a gasoline station to a section line road to 15 feet 3 inches where 30 feet is required per Table 30.44-1 (a 49% reduction).

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce the throat depth for a driveway at Windmill Lane to 8 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 68% reduction).
- b. Reduce the throat depth for a driveway at Decatur Boulevard to 4 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (an 84% reduction).
2. Reduce the approach distance to the intersection of Decatur Boulevard and Windmill Lane to 111 feet where a minimum distance of 150 feet is required per Uniform Standard Drawing 222.1 (a 26% reduction).
3. a. Reduce the departure distance from the intersection of Windmill Lane and Ribbon Falls Street to 56 feet where a minimum distance of 190 feet is required per Uniform Standard Drawing 222.1 (a 71% reduction).
- b. Reduce the departure distance from the intersection of Windmill Lane and Decatur Boulevard to 154 feet where a minimum distance of 190 feet is required per Uniform Standard Drawing 222.1 (a 19% reduction).
4. Reduce the separation for a vehicle wash to a residential use to 150 feet where 200 feet is required per Table 30.44-1 (a 25% reduction).
5. Reduce an on-site pedestrian walkway around retail building to 4 feet in width where 5 feet is required per Section 30.60.050 (a 20% reduction).
6. a. Reduce the 3:1 height/setback ratio to a residential use (west) to 19 feet where 65 feet 3 inches is required per Figure 30.56-10 (a reduction of 68%).
- b. Reduce the 3:1 height/setback ratio to a residential use (south) to 21 feet where 65 feet 3 inches is required per Figure 30.56-10 (a reduction of 68%).
7. Reduce trash enclosure setback (west) from a residential development to 36 feet where a minimum of 50 feet is required per 30.56.120 (a 48% reduction).
8. Allow talk boxes adjacent to and facing a residential development where required to be buffered per Table 30.56-2.
9. Reduce the number of loading zones to 1 where 2 loading zones are required per Section 30.60.070 (a reduction of 50%).
10. Allow the width of a landscape finger island to 5 foot 9 inches where 6 feet is the standard per Figure 30.64-14.

**DESIGN REVIEWS:**

1. Convenience store.
2. Gasoline station (fuel canopy).
3. Vehicle wash.
4. Restaurant with drive-thru.
5. Retail buildings.
6. Increase the finished grade to 30 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 67% increase).
7. Allow 1 landscape island finger per 18 parking spaces where 1 landscape finger island per 6 parking spaces is the standard per Figure 30.64-14.

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 2.5
- Project Type: Gas station/vehicle wash
- Number of Stories: 1
- Building Height: 27 feet, 9 inches
- Square Feet: 11,000 (retail)/4,000 (convenience store)
- Parking Required/Provided: 60/60

Site Plan

The C-1 zoned property is bordered by developed residential on the west and east and undeveloped residential on the south. The proposed uses will have a total of 60 parking spaces where 60 parking spaces are required. The property will be accessed from Windmill Lane on the north and Decatur Boulevard from the east. A bus lane is being developed as part of the right turn lane along Decatur Boulevard, south of Windmill Lane and adjacent to the east property line. The proposed retail building is oriented from north to south near the western property line. The convenience store and associated gas station with canopy are located on the east side of the retail building. The vehicle wash is located on the north side of the convenience store, adjacent to Windmill Lane. Vehicle wash access proceeds from east to west on the north side of the convenience store. The vehicle wash service bay doors face east and west, with landscaping between openings and the property lines.

The setbacks for the convenience store, fuel canopy, and vehicle wash are as follows:

- The convenience store is set back 135 feet from the western property line (residential development) and 15 feet 3 inches from the northern property line (section line).
- The fuel canopy is located approximately 59 feet south of the convenience store and covers 6 fuel islands. The fuel canopy is 130 feet 11 inches from the west property line (residential), 37 feet 8 inches from the east property line (residential development is across the street), and 85 feet 9 inches to the south property line (residential).
- The vehicle wash is set back 150 feet from the west property line and residential development.

The retail building will include up to 9 possible lease spaces and will include a drive-thru entering from the northwest portion of the building turning south and exiting at the southeast. The talk box is located on the southwest side of the retail building, adjacent to the residential development to the west. A trash enclosure and loading zone are located on the north edge of the retail building, with another trash enclosure located on the southeast corner of the convenience store. The trash enclosure adjacent to the retail building is located 36 feet 7 inches from the west property line and residential uses. The required pedestrian walkway around the retail building is only 4 feet 6 inches wide along the west, north, and south sides of the building. The pedestrian

walkway adjacent to the east wall of the convenience store is only 4 feet 1 inch where 5 feet is required. The applicant will provide lighting that meets Title 30 requirements, with 20 foot high down shielded lighting poles and wall lights. Bike racks are provided for both buildings and pedestrian pathways are provided in parking areas.

#### Landscaping

The landscape plan depicts a 5 foot 6 inch landscape strip meeting Figure 30.64-11 with trees every 20 feet on center along the west and south property lines. Those areas of the landscaping that require detached sidewalks adjacent to Windmill Lane and Decatur Boulevard are landscaped in accordance with Figure 30.64-17, including associated trees and shrubs. The plans depict 1 landscape finger island per 18 parking spaces rather than the 1 island per 6 parking spaces as required per Figure 30.64-14. The applicant is providing 5 medium trees in excess of the minimum number required. However, the width of the island is 5 foot 9 inches where 6 feet is required.

#### Elevations

The elevations depict an in-line retail building with 2 parapet elevations ranging between 23 feet and 28 feet. The building is constructed of stucco exteriors and includes 11 fabric canopy covers over the pedestrian walkways and above dark bronze glazed aluminum storefront systems. The parapet walls shield the mechanical equipment from view by the public and adjacent residential. The convenience store elevations depict the same type of construction, with a total of 5 fabric canopy covers over similar aluminum storefront windows and entrance. The convenience store height is 27 feet 9 inches at the highest point on the south side of the building. The vehicle wash is 23 feet 8 inches in height at the north side of the building. The portion of building surrounding the vehicle wash is single color stucco siding with no wall enhancements or architectural treatments. The north side elevation (vehicle wash) is single color stucco with no wall enhancements, material upgrades, or architectural features.

#### Floor Plans

The plans depict a 2.5 acre property with an 11,000 square retail building, 4,000 square foot convenience store with attached vehicle wash, and 3,096 square foot fuel canopy, and drive-thru restaurant. A restroom will be included with the convenience store as required in Title 30 and Title 6.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant is proposing to construct a neighborhood commercial development with convenience store, vehicle wash, retail building, and gasoline station. The required 60 parking spaces are provided along with 39 foot driveway entrances at Windmill Lane and Decatur Boulevard. Bike racks are provided within 100 feet of the building entrances. Lighting will meet design standards and be down shielded as required in the parking areas and along the walls of the buildings. All planting materials will be low water and low maintenance species, and native to the southwest. Plants will comply with the Southern Nevada Regional Planning Coalition plant list as outlined in the landscape plan. The convenience store with gas station,



vehicle wash, and retail building will attract new business to the area, add employment opportunities and be convenient for neighborhood use.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0135-07	Reclassified from R-E to C-1 zoning	Approved by BCC	March 2007

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Place of worship
South	Residential Low (up to 2 du/acre)	R-E	Undeveloped
East	Residential High (8 to 18 du/ac)	R-2	Single family residential
West	Residential Suburban (up to 8 du/ac)	R-2	Single family residential

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

**Use Permits**

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

Urban Specific Policy 61 of the Comprehensive Master Plan discourages nuisances caused by incompatible uses, noise, lighting, and signs that detract from and are not consistent with the existing residential development. Urban Specific Policy 62 encourages intense buffering and design features on the perimeter of parcels adjacent to existing or proposed single family uses. Appropriate buffers, such as setbacks, drought-tolerant landscaping, building height and materials should be considered and integrated into commercial developments. If the retail building had appropriate 4 sided architecture and roof improvements, it could be compatible with the adjacent residential uses. The proximity of commercial structures to residential uses is not off-set by enhanced architectural, material, or roof treatments. The trees located along the west property line are the minimum needed to screen the existing homes from the buildings, which conflicts with the policy to provide intense buffers. The design of the vehicle wash and convenience store facing Windmill Lane does not provide adequate enhancements for consideration. The proposed uses are reasonable if developed to be compatible with the surrounding area; however, since staff does not support many of the related characteristics of this proposal, staff does not support the use permits.

#### 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 #4, #7, & #10

The vehicle wash is oriented adjacent to and parallel with Windmill Lane. The noise generated by the vehicle wash will be negated by distance to the nearest houses, and the existing and future road noise generated by Windmill Lane. The location of the trash enclosure on the north side of the retail building will not be detrimental to the surrounding area or character of the neighborhood when considering the nearest home to the west is screened from view by intense landscaping on both sides of the wall, and 80 additional feet from the property line/wall to the home. The reduced dimensions of the parking lot landscape fingers are minimal and will not limit the planting of trees or shrubs. However, since staff does not support the other waivers of development standards and design reviews, staff does not support this portion of the request.

#### Waivers of Development Standards #5, #6a, #6b, #8, & #9

The pedestrian walkway access around the retail building and convenience store needs to be the full 5 foot width to accommodate ingress and egress of emergency personnel and those with mobility and access requirements. The lack of architectural material, and roof enhancements on the west side of the retail building, makes the reduction of the 3:1 height setback ratio incompatible with the adjacent residential uses and character of the neighborhood. The proposed talk box faces west and will negatively impact the character of the residential area when considering noise during business hours. The talk box will disrupt the harmony of the residential neighborhood during business hours, which can occur at night. The removal of 1 of the required loading zones will negatively impact the circulation of traffic within the proposed development and specifically will not serve the convenience store with the proposed location of the 1 proposed loading zone on the north end of the retail building. The proposed loading zone will require access across the main entry driveway to connect with the convenience store. In addition, there is no pedestrian pathway access shown on the site plan from the north end of the retail building to the convenience store. Staff recommends denial of waivers #5, #6a, #6b, #8, and #9.

#### Design Reviews #1 through #5, & #7

The applicant is providing 5 additional trees than required; therefore, staff can support the alternative parking lot landscaping. However, staff cannot support the proposed design of the buildings without significant improvements to the building materials, architecture, and roof to match the residential character of the neighborhood. Urban Specific Policy 78 encourages compatible building material treatments on all building sides to eliminate blank building elevations along public rights-of-way and areas visible to the general public to improve visual quality. This also includes design variations to a building's mass, including different roof forms. The stark elevation treatment along the north side of the convenience store and vehicle wash is the face of the building to the public on Windmill Lane. The west side of the retail

building is limited to painted stucco and no enhancements. This property should be greatly enhanced with 4 sided architecture and design that includes stone or brick accents and improved rooflines, with matching materials to the surrounding residential uses. Staff does not support these requests.

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

##### Waiver of Development Standards #1a

Staff has no objection to the reduction in the throat depth for the Windmill Lane commercial driveway. The applicant provided landscape buffers adjacent to the driveway and oriented the car wash exit to prevent vehicles from stacking in the drive aisle avoiding immediate conflicts with vehicles exiting the right-of-way. However, since Planning is recommending denial of the application, staff cannot support this waiver.

##### Waiver of Development Standards #1b

The applicant is providing a right turn lane adjacent to the Decatur Boulevard commercial driveway for a safe transition into the site from the right-of-way. Additional landscaping on both sides further mitigates potential impacts from the reduction in the throat depth. Therefore, staff does not object to this request. However, since Planning is recommending denial of the application, staff cannot support this waiver.

##### Waivers of Development Standards #2 & #3a

Staff has no objection to the reduction in the approach or departure distance for the Windmill Lane commercial driveway. Ribbon Falls Street serves an 80 lot subdivision and should see minimal usage and the applicant placed the driveway closer to the private street to minimized the potential safety hazards. Although the departure and approach distances do not comply with the minimum standards, staff finds the location allows vehicles to safely access the site. However, since Planning is recommending denial of the application, staff cannot support this waiver.

##### Waiver of Development Standards #3b

Staff has no objection to the reduction in the departure distance for the Decatur Boulevard commercial driveway. The applicant placed the driveway as far south as the site will allow. However, since Planning is recommending denial of the application, staff cannot support this waiver.

##### Design Review #6

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

#### **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.

### **Staff Recommendation**

Denial.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

If approved:

- 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**

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 50 feet to the back of curb for Windmill Lane, 60 feet for Decatur Boulevard, and a 54 foot property line radius spandrel at the northeast corner of the site;
- 90 days to record required right-of-way dedications and any corresponding easements;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a combination bus turnout/right turn lane, including passenger loading/shelter areas in accordance with RTC standards;
- Coordinate with Public Works - Design Division for the Decatur Boulevard improvement project;
- Dedicate any right-of-way and easements necessary for the Decatur Boulevard improvement project.
- 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 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.
- 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.

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

- Applicant is advised that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

#### **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 #0049-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

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

**APPLICANT:** REMINGTON NEVADA

**CONTACT:** SHELDON COLEN, SCA DESIGN, 2580 ST. ROSE PARKWAY, SUITE 305,  
HENDERSON, NV 89074





# LAND USE APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

# 21A

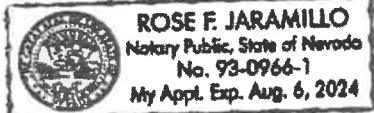
<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>	DATE FILED: <u>4-20-2021</u> PLANNER ASSIGNED: <u>RBB</u> ACCEPTED BY: <u>RBB</u> FEE: _____ CHECK #: _____ COMMISSIONER: <u>JJ</u> OVERLAY(S)? _____ PUBLIC HEARING? <u>Y/N</u> TRAILS? <u>Y/N</u> PFNA? <u>Y/N</u> APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>UC/WS/DR-21-0188</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>5-26</u> TIME: <u>6pm</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>6-16-2021</u> ZONE / AE / RNP: <u>C-1</u> PLANNED LAND USE: <u>CN</u> NOTIFICATION RADIUS: <u>500</u> SIGN? <u>Y/N</u> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	<b>PROPERTY OWNER</b>	NAME: <u>REMINGTON LITE, LLC</u> ADDRESS: <u>5920 S. RAINBOW BLVD. #11</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>(702) 222-1420</u> CELL: <u>(702) 239-8066</u> E-MAIL: <u>TOM@REMINGTONNEVADA.COM</u>	
	<b>APPLICANT</b>	NAME: <u>REMINGTON NEVADA</u> ADDRESS: <u>5920 S. RAINBOW BLVD. #11</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>(702) 222-1420</u> CELL: <u>(702) 239-8066</u> E-MAIL: <u>SAME</u> REF CONTACT ID #: _____	
	<b>CORRESPONDENT</b>	NAME: <u>Sheldon Colen</u> ADDRESS: <u>2580 St. Rose Parkway, Suite 305</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u> TELEPHONE: <u>702-719-2020</u> CELL: _____ E-MAIL: <u>sheldon@scadesign.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 176-13-501-008  
 PROPERTY ADDRESS and/or CROSS STREETS: S. Decatur Blvd. & W. Windmill Ln.  
 PROJECT DESCRIPTION: Retail center with C-Store and gas pumps.

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

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

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON August 28, 2020 (DATE)  
 By David DelZotto  
 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.



2580 St. Rose Parkway, Suite 305,  
Henderson, NV 89074  
Tel: (702) 719-2020 Fax: (702) 269-9673  
Gary L. Carlson, Architect (License No. 1859)  
Sheldon Colen, Architect (License No. 7701)

April 08, 2021

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

PLANNER  
COPY  
UC-21-0188

**RE: Justification Letter for proposed C-Store with Gas Station and Car Wash and Retail Building at W. Windmill Ln. & S. Decatur Blvd.**

Please accept this letter as justification for a Gasoline Station Special Use Permit for the proposed construction of a new c-store with gas station and car wash, and retail building located at the northwest corner of W. Windmill Ln. and S. Decatur Blvd. (APN: 176-13-501-008) currently zoned as Local Business (C-1). Through this design review, on behalf of our client we respectfully request for your approval of the following waivers of development standards:

- 1) Request Waiver of Development Standards for Gasoline Station Special Use in C-1 #4, for a building setback of +/- 192'-5" to the east, 135'-6" to the west, and 184'-5" to the south from any residential use where 200 feet is required. Providing the 200-foot setback would impact the flow of traffic within the site. There is a street that serves as a buffer between our property and the residential uses to the east. To help mitigate this request, we are providing a landscape buffer along the west property line with large canopy trees, which abuts a landscape buffer.
- 2) Request Waiver of Development Standards of USDCCA 222.1 (Throat Depth) as follows:
  - a. For a turn-out throat depth distance of 18'-9" and turn-in depth of 8'-5" on W. Windmill Ln. where 25 feet is required. Providing the 25-foot throat depth would have a negative impact on the flow of traffic and required parking.
  - b. For a turn-out throat depth distance of 4'-10" and a turn-in depth of 4'-0" on S. Decatur Blvd. where 25 feet is required. Providing the 25-foot throat depth would have a negative impact on the flow of traffic and required parking. We are also providing a right turn only / bus turnout lane to help with traffic turning into the site from S. Decatur Blvd.
- 3) Request Waiver of Development Standards of USDCCA 222.1 (Departure Distance) for the driveway located on S. Decatur Blvd. Due to the narrowness of the site along S. Decatur Blvd., we are only able to provide a departure distance of 154'-9" where 190'-0" are required, without impacting the flow of traffic within the site. We are also providing a right turn only / bus turnout lane to help with traffic turning into the site from S. Decatur Blvd.



PLANNER  
COPY

UC-21-0188

- 4) Request Waiver of Development Standards of USDCCA 222.1 (Departure Distance) for the driveway located on W. Windmill Ln. We have worked closely with Public Works on the placement of the driveway. Per Public Works recommendation, the driveway has been placed away from the Windmill and Decatur intersection. We are only able to provide a departure distance of 56'-11" from Ribbon Falls St. to the point of tangent of the driveway where 190'-0" are required.
- 5) Request Waiver of Development Standards of USDCCA 222.1 (Approach Distance) for the driveway located on W. Windmill Ln. Due to the narrowness of the site along W. Windmill Ln., we are only able to provide an approach distance of 111'-4" where 150'-0" are required, without impacting the flow of traffic within the site.
- 6) Request Waiver of Development Standards of USDCCA 234.4 (Bus Stop within Right Turn Lane) to allow for alternative bus turnout/right turn lane dimensions. We worked closely with RTC on the geometry of the bus turnout/right turn lane. RTC reviewed our site plan and found the proposed dimensions acceptable.
- 7) Request Waiver of Development Standards 30.64-14(C) for landscape fingers to be installed at every 18 parking spaces where it is required to be at every 6 parking spaces. Note, this only occurs along the perimeter parking where a continuous landscape buffers occurs. To help mitigate this request further, we are providing 5 more medium canopy trees than the minimum required.
- 8) Request Waiver of Development Standards 30.64-14 for a minimum landscape finger width to be 5'-9" where 6'-0" is required. To help mitigate this request, it is proposed to have larger landscape terminal islands where it is possible, as well as providing 5 more medium canopy trees than the minimum required.
- 9) Request Waiver of Development Standards 30.60.070(a) for 1 loading space where 2 loading spaces are required.
- 10) Request Waiver of Development Standards 30.56-10 (Height/Setback) for a west setback of 19'-0" where 53'-0" is required and a south setback of 21'-9" where 65'-3" is required per the 3:1 setback ratio, for the retail building. To help mitigate this request, we are providing additional shrubs between required trees at 20'-0" on center to create a denser landscape buffer.
- 11) Request Waiver of Development Standards Table 30.56-2 for a talk box to face a residential use, where it must be faced away from residential uses. The talk box is adjacent to a vacant parcel and will have a volume control device to help mitigate noise.
- 12) Request Waiver of Development Standards 30.32.040(a)(9) to allow for an increased fill of 2.6 feet where 18" is allowed. The site is sloping away from Windmill Lane, in order to meet flood criteria of having a finished floor elevation 18" above street centerline, more than 18" of fill is required.
- 13) Request Waiver of Development Standards 30.56.120 to allow for a trash enclosure to be setback 36'-7" from a residential development. To help mitigate this request the trash enclosure is being screened by large canopy trees.
- 14) Request Waiver of Development Standards 30.60.050(c)(15) to allow for walkways around buildings to be less than 5 feet. Providing the 5 feet walkways would have a negative impact on the amount of landscaping that we would be able to provide. To help mitigate this request, we provide

larger walkways where possible.

The proposed retail building will be 11,000 sq. ft. and stand 27'-9" high. The proposed c-store building will be 4,000 sq. ft. and stand 27'-9" high. The design intent, color scheme, and finishes are to harmoniously blend with the existing developments in the surrounding area. The site is accessible from W. Windmill Ln. and S. Decatur Blvd. via minimum 39-foot driveways, as well as ADA compliant pedestrian walkways.

The required parking total of 60 spaces are provided including 2 car accessible and 1 van accessible space. A total of 4 bike racks are provided within 100 feet of the building entrances. All parking can be easily accessed by customers and employees via walkways located at the building entrance. As shown on site plan, all parking is to be illuminated by new 20-foot-tall shielded down-light posts to eliminate any light pollution outside of the site, to comply with Clark County regulations. Additional wall mounted lighting is provided along the perimeter of the building which will help illuminate the walkways surrounding the building, making this building a safe and illuminated environment.

Adequate landscape is being provided in the form of terminal islands, landscape fingers and landscape buffers where parking occurs. All plants being used are low maintenance, low water, and native to Southern Nevada, complying with the regional SNRPC plant list.

There are two proposed trash enclosures, one for each building. The trash enclosures will have 6-foot-high splitface CMU walls. A solid cover over the trash enclosures will be provided which consists of tube steel beams and columns with corrugated metal sheets to compliment the site and building. Landscaping will be provided surrounding the enclosure for screening purposes, although still illuminated by wall mounted lighting to keep it safe for employees and away from vandalism.

We feel that the c-store with gas station and car wash, and retail building will attract new businesses to the area, which in return will create employment opportunities for the community. With these items in mind we respectfully ask for your approval recommendation for this project.

Thank you,

Sergio A. Comparan  
SCA Design

PLANNER  
COPY

UC-21-0188

06/16/21 BCC AGENDA SHEET

EASEMENTS/RIGHT-OF-WAY  
(TITLE 30)

TOMSIK ST/CAMERO AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-21-0200-HAMILTON, BERNARD JR.:**

**VACATE AND ABANDON** easements of interest to Clark County located between Camero Avenue and Shelbourne Avenue (alignment) and between Tomsik Street and Gagner Boulevard (alignment) and a portion of a right-of-way being Tomsik Street located between Camero Avenue and Shelbourne Avenue (alignment) within Enterprise (description on file). JJ/vm/jd (For possible action)

**RELATED INFORMATION:**

**APN:**

176-16-201-004; 176-16-201-051; 176-16-201-059 through 176-16-201-060

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

This request is to vacate and abandon both easements and right-of-way. The easements to be vacated include 33 foot wide patent easements along the northern and western boundary and 3 foot wide patent easements along the eastern and southern boundaries. The right-of-way being vacated is a 30 foot wide portion of Tomsik Street north of the southern cul-de-sac including a previously dedicated cul-de-sac on the east side of the Tomsik Street alignment.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-1026-05	Zone change to add RNP overlay	Approved by BCC	October 2005

**Surrounding Land Use**

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
WS-21-0201	A waiver of development standards for wall height and design review for increased finished grade is a companion item on this agenda.
TM-21-500049	A tentative map for a 9 lot single family subdivision is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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**

- Applicant shall provide a 20 foot wide access easement for the Flood Channel on APN: 176-16-196-001, with said easement to automatically terminate upon the recordation of a vacation for said APN;
- 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: PINNACLE HOMES**

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

**DRAFT**



APR 21-100181



# VACATION APPLICATION 22A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-21-0200</u>	DATE FILED: <u>4/27/21</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: <u>NR</u>	TAB/CAC DATE: <u>5/26/21</u>
		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: _____	
		BCC MEETING DATE: <u>6/16/21</u>	
		FEE: <u>875</u>	

<b>PROPERTY OWNER</b>	NAME: <u>Lotus NV Inc.</u> ADDRESS: <u>6190 Darby Ave.</u> CITY: <u>Las Vegas</u> STATE: <u>Nevada</u> ZIP: <u>89146</u> TELEPHONE: _____ CELL: <u>702-625-3288</u> E-MAIL: <u>ywy2k@icloud.com</u>
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<b>APPLICANT</b>	NAME: <u>Pinnacle Homes Attn: Frank Wyatt</u> ADDRESS: <u>9225 W. Flamingo Rd. Ste 190</u> CITY: <u>Las Vegas</u> STATE: <u>Nevada</u> ZIP: <u>89147</u> TELEPHONE: <u>702-228-0720</u> CELL: <u>n/a</u> E-MAIL: <u>Frank@PinnacleLV.com</u> REF CONTACT ID #: _____
------------------	--

<b>CORRESPONDENT</b>	NAME: <u>Taney Engineering Attn: Elisha Scrogum</u> ADDRESS: <u>6030 S. Jones Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: <u>n/a</u> E-MAIL: <u>elishas@taneycorp.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 176-16-201-059 & 176-16-201-060

PROPERTY ADDRESS and/or CROSS STREETS: S. Tomsik St. & W. Camero Ave.

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.

	<u>Lotus NV Inc/Xiangjun Liu</u>
Property Owner (Signature)*	Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON JAN 13th 2021 (DATE)  
 By XIANGJUN LIU  
 NOTARY PUBLIC: ANITA SANTABANA

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



**TANEY ENGINEERING**

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

**PLANNER  
COPY**

VS-21-0200

March 15, 2021

Mark Donohue, Principal Planner  
Clark County Comprehensive Planning  
500 S. Grand Central Parkway  
Las Vegas, NV 89155

**RE: Tomsik and Camero: Vacate Patent Easement & Right-of-Way  
APN 176-16-201-004, -059, & -060**

Dear Mr. Donohue,

On behalf of our client, Pinnacle Homes, Taney Engineering is respectfully submitting a project description letter for a Patent Easement & Right-of-Way Vacation with our concurrent submittal of a Tentative Map, Design Review, and a Waiver of Development Standards for a residential subdivision.

Patent Vacation:

The purpose is to vacate 33-ft of the patent easement along the north and west boundaries; a portion of 33-ft of east boundary as shown in Vacaton Patent Exhibit provided with this submittal; and, 3-ft of the patent easement along the south boundary and remaining portion of east boundary reserved by the United States of America per that certain patent no. 1203075 (recorded in book 419) boundary of subject parcels.

Right-of-Way:

A portion of Tomsik Right-of-Way, west half, adjacent to lot 9, is to be vacated as reserved by Document #1054:1013925. A portion of Tomsik Right-of-Way, east half, Document #2003031301266. Any other required right of way will be dedicated to Clark County where necessary. The portion of Tomsik alignment north of Camero is not needed for traffic circulation and Tomsik dead-ends permanently at the north end, past the Private street.

A legal description, exhibit, and supporting documents for each vacation have been provided with this application for review.

If you have any questions or require additional information, please do not hesitate to call our office.

Sincerely,

Elina Prajapati  
Designer I



06/16/21 BCC AGENDA SHEET

WALL HEIGHT  
(TITLE 30)

TOMSIK ST/CAMERO AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-21-0201-HAMILTON, BERNARD JR.:**

**WAIVER OF DEVELOPMENT STANDARDS** for increased wall height.

**DESIGN REVIEWS** for the following: **1)** finished grade; and **2)** single family residential subdivision on 5.1 acres in an R-E (Rural Estates Residential) (RNP-1) Zone.

Generally located on the north side of Camero Avenue and the west side of Tomsik Street within Enterprise. JJ/jvm/jd (For possible action)

---

**RELATED INFORMATION:**

**APN:**

176-16-201-004; 176-16-201-059 through 176-16-201-060

**WAIVER OF DEVELOPMENT STANDARDS:**

Increase the height of a block wall to 12 feet (6 foot screen wall and 6 foot retaining) where a maximum height of 9 feet (6 foot screen wall and 3 foot retaining) is allowed per Section 30.64-050 (a 33% increase).

**DESIGN REVIEWS:**

1. Increase finished grade up to 6 feet 6 inches (78 inches) where a maximum of 18 inches is the standard per Section 30.32.040 (a 333% increase).
2. Single family residential subdivision.

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Acreage: 5.1
- Number of Lots/Units: 9
- Density (du/ac): 1.8
- Minimum/Maximum Lot Size (square feet): 18,677/21,793 (net)

- Project Type: Single family residential
- Number of Stories: 1
- Building Height (feet): 23
- Square Feet: 3,638 to 4,260

**Site Plans**

The submitted plans depict a 9 lot single family residential development on 5.1 acres for a density of 1.8 units per acre. The minimum net lot size is 18,677 square feet and the maximum is 21,793 square feet. Three of the lots front directly onto Camero Avenue and the other 6 lots will be accessed from a 39 foot wide private street from Tomsik Street. Walls up to 12 feet high are located along the southwest and northwest portions of the subdivision (Lot 1 and Lot 7).

**Landscaping**

A 6 foot wide landscape planter is provided along Tomsik Street with a 6 foot tall decorative screen wall. No sidewalks are provided along Tomsik Street as the roadway will be developed to rural street standards.

**Elevations**

Three distinct elevation options are offered for each of the 4 single story home floor plans. Exterior elements will include pitched tile roofs, stucco exteriors with stone veneer.

**Floor Plans**

The proposed homes range in size from 3,638 square feet to 4,260 square feet and are composed of typical room types within this size of home.

**Applicant's Justification**

The applicant states that the increase in wall height is needed because there is approximately 9 feet of fall from north to south across the site. In addition, because of the natural wash that runs from east to west the increase in finished grade is needed. The applicant indicates that these 2 requests should have little to no impact on adjacent properties.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-1026-05	Zone change to add RNP overlay	Approved by BCC	October 2005

**Surrounding Land Use**

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

### Related Applications

Application Number	Request
VS-21-0200	A vacation and abandonment of easements and right-of-way is a companion item on this agenda.
TM-21-500049	A tentative map for a 9 lot single family subdivision is a companion item on this agenda.

### STANDARDS FOR APPROVAL:

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

#### Analysis

##### Current Planning

##### Waiver of Development Standards

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

The request is to increase the height of a retaining wall and screen wall (6 feet retaining wall and 6 foot screen wall) within the development in order to provide for additional increased grade. Waivers of development standards have been approved for other developments in the County to increase retaining wall heights in conjunction with screen walls which has created walls that are of little or no negative impact on adjacent properties. Staff finds that the proposed retaining and screen wall height increase will have minimal impact on adjacent residential properties; therefore, staff can support this request.

##### Design Review #2

The proposed subdivision layout is compatible with the surrounding land uses and is in compliance with Code requirements related to lot size and design. The elevations incorporate architectural elements and color and are aesthetically pleasing. Therefore, staff supports the design review.

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

##### Design Review #1

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

**Staff Recommendation**

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the 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 4 years of approval date or it will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant shall provide a 20 foot wide access easement for the Flood Channel on APN: 176-16-196-001, with said easement to automatically terminate upon the recordation of a vacation for said APN.
- 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)**

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: PINNACLE HOMES**

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

APR 21-100184



# LAND USE APPLICATION 23A

## 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 (N2C)  <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>WS-21-0201</u> DATE FILED: <u>4/27/21</u> PLANNER ASSIGNED: <u>NR</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>5/26/21</u> PC MEETING DATE: <u>        </u> BCC MEETING DATE: <u>6/16/21</u> FEE: <u>1150</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Hamilton Bernard Jr.</u> ADDRESS: <u>6675 Desert Crimson Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>502-762-6955</u> CELL: <u>502-762-6955</u> E-MAIL: <u>bj342@bellsouth.net</u>
	<b>APPLICANT</b>  NAME: <u>Pinnacle Homes Attn: Frank Wyatt</u> ADDRESS: <u>9225 W. Flamingo Rd. Ste 190</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89147</u> TELEPHONE: <u>702-228-0720</u> CELL: <u>N/A</u> E-MAIL: <u>Frank@pinnaclelv.com</u> REF CONTACT ID #: <u>        </u>
<b>CORRESPONDENT</b>  NAME: <u>Taney Engineering Attn: Elisha Scrogum</u> ADDRESS: <u>6030 S. Jones Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: <u>N/A</u> E-MAIL: <u>elishas@taneycorp.com</u> REF CONTACT ID #: <u>        </u>	

ASSESSOR'S PARCEL NUMBER(S): 176-16-201-004, 176-16-201-060, 176-16-201-059

PROPERTY ADDRESS and/or CROSS STREETS: W. Camero Ave. & S. Tomsik St.

PROJECT DESCRIPTION: Single Family Residential Subdivision

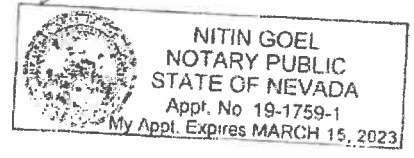
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Bernard Hamilton Jr      Bernard Hamilton Jr  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON January 12th 2021 (DATE)  
 By Bernard Hamilton Jr

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 21-100181



# 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 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>WS-21-0201</u> DATE FILED: <u>4/27/21</u> PLANNER ASSIGNED: <u>NR</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>5/26/21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>6/16/21</u> FEE: <u>1,150</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Lotus NV Inc.</u> ADDRESS: <u>6190 Darby Ave.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: _____      CELL: <u>702-625-3288</u> E-MAIL: <u>ywy2k@icloud.com</u>
	<b>APPLICANT</b>  NAME: <u>Pinnacle Homes Attn: Frank Wyatt</u> ADDRESS: <u>9225 W. Flamingo Rd. Ste 190</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89147</u> TELEPHONE: <u>702-228-0720</u> CELL: <u>N/A</u> E-MAIL: <u>Frank@pinnaclelv.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Taney Engineering Attn: Elisha Scrogum</u> ADDRESS: <u>6030 S. Jones Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: <u>N/A</u> E-MAIL: <u>elishas@taneycorp.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-16-201-059 & 176-16-201-060, 176-16-201-004

PROPERTY ADDRESS and/or CROSS STREETS: W. Camero Ave. & S. Tomsik St.

PROJECT DESCRIPTION: Single Family Residential Subdivision

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or 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 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 will not be accurate before a hearing can be concluded. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the property and to place the required signs on said property for the purpose of advising the public of the proposed application.

[Signature]  
Property Owner (Signature)

Lotus NV Inc/Xiangjun Liu  
Property Owner (Print)

STATE OF NEVADA  
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 05/13/21 (DATE)

By XIANGJUN LIU  
NOTARY PUBLIC: ANITA SANTANA



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



**TANEY ENGINEERING**

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

**PLANNER  
COPY**

WS-21-0201

March 15, 2021

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

**Re: Waterstone 2 @ Tomsik & Camero – Justification Letter**  
**APN: 176-16-201-004, -059, & -060**

To whom it may concern:

On behalf of our client, Pinnacle Homes, Taney Engineering is respectfully submitting a project description letter for a Tentative Map, Design Review, and Waiver of Standards for a proposed 5.07 gross acre, 9 lot residential subdivision.

**Project Description:**

The project consists of a 5.07 gross-acre, 9 lot residential subdivision with 1.78 lots per acre located north of Camero Avenue and west of Tomsik Street. Currently the site is zoned R-E – Rural Estates Residential, with a planned land use RNP – Rural Neighborhood Preservation. We are requesting the site to remain zoned R-E.

Our project will consist of high-end estate homes. All public streets abutting the development will remain in the existing rural road conditions and the private cul-de-sac, 39-ft in width, will have 30" modified roll curb. In addition to stylish exteriors, the homes will include full length 20' driveways with multi-car garages.

The project site is bound by properties with planned land use and zoning as follows:

- North, South and West: R-E Rural Estates Residential (2 units/acre); RNP – Rural Neighborhood Preservation (currently undeveloped)
- East: R-E Rural Estates Residential (2 units/acre); RNP – Rural Neighborhood Preservation (north half developed, south half mostly undeveloped)

Lots 1-3 in the subdivision will have direct access off of Camero Avenue. The remaining 6 lots will have access from a private cul-de-sac off of Tomsik Street. There will be multi-car garages provided for each unit for a minimum of 18 parking spaces provided, in addition to full length driveways that can park at a minimum 2 vehicles each. Perimeter landscaping is being provided on Tomsik Street in excess of code requirements by a 6-ft landscape area adjacent to the right of way and a decorative cmu wall. Each lot owner will maintain the landscaping on their individual lots.

The subdivision proposes to use standard crown streets with 2% minimum cross slopes. This cul-de-sac street will drain east toward Tomsik Street.

As per the title 30 development standards, a 60-ft public right-of-way in an R-E (RNP-Rural Neighborhood Preservation Area) is allowed to improve offsite street to non-urban standards. Therefore, we are keeping the same standards for Tomsik Street and Camero Avenue, which are both 60-ft right-of-way, with no curb, gutter, sidewalk, street lights and install a paved roadway section of 32-ft width per uniform standard drawing 209.



## TANEY ENGINEERING

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

The houses will range in size from approximately 3,638 square feet to 4,260 square feet and will consist of one-story homes (height of one-story homes will not exceed 23') with multi-car garages. There are 4 model plans casita option and 3 elevation types. All casita plans (shown in the Floor/Elevation Plans) are chosen, these structures will meet accessory structure setbacks for R-E zoning.

### **Waiver of Standards – Wall Height**

On behalf of our client, we would like to request waiver of standards for retaining walls up to the heights of 6-ft, in combination of 6-ft cmu wall on top of the 6-ft retaining wall, resulting in up to 12-ft high combination wall height where code allows 9-ft. These walls would be located along the northern boundary and portion of western boundary on lot 1 and 7. The site has approximately 9-ft of elevation change from south to north.

### **Design Review – Excess Fill**

On behalf of our client, we would like to apply for a design review for the excess fill along our northern lots 7-9 and southern lots 1-3. We believe that the difference in elevation between the proposed and existing grade is 6.5-ft (78") max. of fill above the existing elevations on the site due to the existing natural wash from west to east. The impact to the adjacent properties should be minimal. The adjacent properties to the north, south, and west are currently undeveloped. Adjacent properties to the east are similarly developed so there should be little to no impact to the existing homes.

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,  
Taney Engineering

Elina Prajapati  
Designer I



06/16/21 BCC AGENDA SHEET

WATERSTONE 2 AT TOMSIK & CAMERO  
(TITLE 30)

TOMSIK ST/CAMERO AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-21-500049-HAMILTON, BERNARD JR.:**

**TENTATIVE MAP** consisting of 9 lots and common lots on 5.1 acres in an R-E (Rural Estates Residential) (RNP-1) Zone.

Generally located on the north side of Camero Avenue and the west side of Tomsik Street within Enterprise. JJ/jvm/jd (For possible action)

**RELATED INFORMATION:**

**APN:**

176-16-201-004; 176-16-201-059 through 176-16-201-060

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Acreage: 5.1
- Number of Lots/Units: 9
- Density (du/ac): 1.8
- Minimum/Maximum Lot Size (square feet): 18,677/21,793 (net)
- Project Type: Single family residential

The submitted plans depict a 9 lot single family residential development on 5.1 acres for a density of 1.8 units per acre. The minimum net lot size is 18,677 square feet and the maximum is 21,793 square feet. Three of the lots front directly onto Camero Avenue and the other 6 lots will be accessed from a 39 foot wide private street accessed from Tomsik Street. A 6 foot wide landscape planter is provided along Tomsik Street with a 6 foot tall decorative screen wall. No sidewalks are provided along Tomsik Street as the roadway will be developed to rural street standards.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-1026-05	Zone change to add RNP overlay	Approved by BCC	October 2005

**Surrounding Land Use**

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-21-0200	A vacation and abandonment of easements and right-of-way is a companion item on this agenda.
WS-21-0201	A waiver of development standards for wall height and a design review for increased finished grade is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis****Current Planning**

This request meets the tentative map requirements as outlined in Title 30.

**Staff Recommendation**

Approval.

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

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

- Applicant is advised that 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;

- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant shall provide a 20 foot wide access easement for the Flood Channel on APN: 176-16-196-001, with said easement to automatically terminate upon the recordation of a vacation for said APN.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

**Current Planning Division - Addressing**

- Approved street name list from the Combined Fire Communications Center shall be provided;
- The private street shall have an approved name with the suffix of Court.

**Building Department - Fire Prevention**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0009-2021 to obtain your POC exhibit, and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

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

**APPLICANT: RINNACLE HOMES**

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



APR 21-100181



# TENTATIVE MAP APPLICATION 24A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-21-500049</u>	DATE FILED: <u>4/27/21</u>
		PLANNER ASSIGNED: <u>NR</u>	TAB/CAC DATE: <u>5/26/21</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: <u>        </u>	
		BCC MEETING DATE: <u>6/16/21</u>	
		FEE: <u>750</u>	

PROPERTY OWNER	NAME: <u>Lotus NV Inc.</u>
	ADDRESS: <u>6190 Darby Ave.</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u>
	TELEPHONE: _____ CELL: <u>702-625-3288</u>
	E-MAIL: <u>ywy2k@icloud.com</u>

APPLICANT	NAME: <u>Pinnacle Homes Attn: Frank Wyatt</u>
	ADDRESS: <u>9225 W. Flamingo Rd. Ste 190</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89147</u>
	TELEPHONE: <u>702-228-0720</u> CELL: <u>n/a</u>
	E-MAIL: <u>Frank@pinnaclelv.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Taney Engineering Attn: Elisha Scrogum</u>
	ADDRESS: <u>6030 S. Jones Blvd.</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-362-8844</u> CELL: <u>n/a</u>
	E-MAIL: <u>elishas@taneycorp.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-16-201-059 & 176-16-201-060

PROPERTY ADDRESS and/or CROSS STREETS: S. Tomsik St. & W. Camero Ave.

TENTATIVE MAP NAME: Tomsik & Camero

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.

	<u>Lotus NV Inc/Xiangjun Liu</u>
Property Owner (Signature)	Property Owner (Print)
STATE OF <u>NEVADA</u>	
COUNTY OF <u>CLARK</u>	
SUBSCRIBED AND SWORN BEFORE ME ON <u>01/18/2021</u> (DATE)	
By <u>XIANGJUN LIU</u>	
NOTARY PUBLIC: <u>XIANTA SANTANA</u>	



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

APP 21-100181



# 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: <u>TM-21-5000049</u>	DATE FILED: <u>4/27/21</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>NR</u>	TAB/CAC DATE: <u>5/26/21</u>
		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: <u>-</u>	
		BCC MEETING DATE: <u>6/16/21</u>	
		FEE: <u>750</u>	

<b>PROPERTY OWNER</b>	NAME: <u>Hamilton Bernard Jr.</u>
	ADDRESS: <u>6675 Desert Crimson Street</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u>
	TELEPHONE: <u>502-762-6955</u> CELL: <u>502-762-6955</u>
	E-MAIL: <u>bj342@bellsouth.net</u>

<b>APPLICANT</b>	NAME: <u>Pinnacle Homes Attn: Frank Wyatt</u>
	ADDRESS: <u>9225 W. Flamingo Rd. Ste 190</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89147</u>
	TELEPHONE: <u>702-228-0720</u> CELL: <u>n/a</u>
	E-MAIL: <u>Frank@pinnaclelv.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Taney Engineering Attn: Elisha Scrogum</u>
	ADDRESS: <u>6030 S. Jones Blvd.</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-362-8844</u> CELL: <u>n/a</u>
	E-MAIL: <u>elishas@taneycorp.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-16-201-004

PROPERTY ADDRESS and/or CROSS STREETS: S. Tomsik St. & W. Camero Ave.

TENTATIVE MAP NAME: Tomsik & Camero


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)\*      Bernard Hamilton Jr Property Owner (Print)

STATE OF Nevada  
 COUNTY OF CLARK

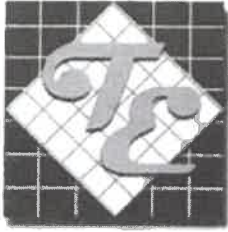
SUBSCRIBED AND SWORN BEFORE ME ON January 12th 2021 (DATE)  
 By Bernard Hamilton Jr

NOTARY PUBLIC: [Signature]



NITIN GOEL  
 NOTARY PUBLIC  
 STATE OF NEVADA  
 Appl No 19-1759-1  
 My Appl Expires MARCH 15, 2023

\*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.



TM-21-500049

TANEY ENGINEERING

6030 SOUTH JONES BLVD.

LAS VEGAS, NV 89118

TELEPHONE: 702-362-8844

FAX: 702-362-5233

February 11, 2021  
PNN-20-007

**PLANNER  
COPY**

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

**Re: Tomsik & Camero- Tentative Map**

To Whom it May Concern:

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

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

Sincerely,  
TANEY ENGINEERING

Elisha Scrougm  
Project Coordinator





06/16/21 BCC AGENDA SHEET

RETAIL COMPLEX/CONVENIENCE STORE/  
GASOLINE STATION/DRIVE-THRU RESTAURANT  
(TITLE 30)

CACTUS AVE/AMIGO ST

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-21-0186-REGIONAL CACTUS, LLC:**

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

**USE PERMITS** for the following: **1)** convenience store, **2)** gasoline station; and **3)** reduce the setback for a proposed convenience store to a section line street.

**WAIVER OF DEVELOPMENT STANDARDS** to allow alternative driveway geometrics.

**DESIGN REVIEWS** for the following: **1)** convenience store with gasoline station within a proposed retail complex; and **2)** finished grade.

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

---

**RELATED INFORMATION:**

**APN:**

177-34-101-002

**USE PERMITS:**

1. Convenience store.
2. Gasoline station.
3. Reduce the setback from a convenience store to a section line street (Cactus Avenue) to 22 feet 2 inches where 30 feet is required per Table 30.44-1 (a 26% decrease).

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the driveway departure distance from Amigo Street to 166 feet along Cactus Avenue where 190 feet is required by Uniform Standard Drawing 222.1 (a 12.6% reduction).

**DESIGN REVIEWS:**

1. Convenience store with gasoline station.
2. Increase finished grade to 19 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 5.5% increase).

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL NEIGHBORHOOD

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: N/A
- Site Acreage: 1.7
- Project Type: Convenience store with gasoline station within a proposed retail complex
- Number of Stories: 1
- Building Height (feet): 30 (north)/30 (south)/17 feet, 7 inches (fuel)
- Square Feet: 6,001 (northern building with convenience store and restaurant)/6,000 (southern building with restaurant and retail)/2,090 (4 pump fuel island)
- Parking Required/Provided: 84/84

#### Site Plans

The plans depict a proposed retail center with access to Cactus Avenue and Amigo Street. The site consists of a convenience store with attached drive-thru restaurant located at the northwest corner of the site. The drive-thru lane runs along the north and west sides of the convenience store and restaurant building with the convenience store located in the northerly portion of the building. A fuel canopy, located in the north central portion of the site, and a restaurant with retail building is located near the south property line. The convenience store is set back 22 feet 2 inches from the radius of Cactus Avenue, 31 feet 4 inches from the back of curb along Cactus Avenue, and 30 feet from the back of curb along Amigo Street. The gasoline station (fuel canopy) is set back over 40 feet from Cactus Avenue. The restaurant and retail building is set back 12 feet from the south property line and 90 feet from the west property line. Bicycle racks are located on the east side of the drive-thru restaurant and to the northwest of the restaurant and retail building. The project site provides 84 parking spaces located throughout the site. A cross access point is located along the east property line to provide future access to the undeveloped property to the east. There are 2 loading spaces centrally located on the site, with 2 trash enclosures provided along the east and north property lines and set back over 100 feet from the residential properties to the south.

#### Landscaping

The plan depicts a 15 foot wide detached sidewalk landscaping area along Cactus Avenue and Amigo Street consisting of large and medium Evergreen trees (such as Aleppo Pine, and Desert Museum Palo Verde and accent Phoenix Palms) and shrubbery, with a 10 foot wide intense landscape buffer per Figure 30.64-12 consisting of large Evergreen trees along the south property line, and a 10 foot wide landscape buffer along the east property line. Parking lot landscaping includes a mix of trees and shrubbery utilizing similar materials described above.

#### Elevations

The plans depict both proposed buildings (northerly convenience store and retail building, and southerly restaurant and retail building) ranging in height from 21 feet 8 inches to 30 feet to the top of the roof detail. A traditional storefront door and window system, along with painted stucco finish, tile accents, and decorative stone veneer is featured on all sides of both buildings.

**Floor Plans**

The plans depict 2 proposed buildings. The northerly building consists of 6,001 square feet with a 3,001 square foot convenience store (located in the north part of the building) and a 3,000 square foot restaurant with drive-thru. The front entrance of the building faces east with service access on the north and south. The southerly building consists of 6,000 square feet with a 3,000 square foot restaurant in the westerly portion of the building and a 3,000 square foot retail space. The front entrance of the building is located on the north side of the building with service access on the east and west faces.

**Signage**

Signage is not a part of this request.

**Applicant's Justification**

The applicant indicates that the request conforms to the planned land use and conforms to the planning goals of the area, such as providing for a mix of uses within the retail complex. The proposed design will allow for an integrated retail complex that is harmonious and accessible to the nearby residences. Additionally, providing the required driveway departure distance is not possible, due to the available street frontage along Cactus Avenue, and would reduce the available area to provide adequate parking for the site along the east property line.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-1852-98 (ET-0409-00)	First extension of time for a vacation and abandonment of easements and rights-of-way	Approved by BCC	December 2000
VS-1852-98 (WC-0410-00)	Waive the conditions of right-of-way dedication and obtaining Master Streets and Highway Plan update for a vacation and abandonment of easements and rights-of-way	Approved by BCC	December 2000
VS-1852-98 (WC-0183-00)	Waive the condition for a traffic study to be brought back to the Board for final approval for a vacation and abandonment of easements and rights-of-way	Approved by BCC	June 2000
VS-1852-98	Vacated and abandoned easements and rights-of-way	Approved by BCC	January 1999

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Residential Suburban (up to 8 du/ac)	R-2	Single family residential
East & West	Commercial Neighborhood	C-1	Undeveloped

**Related Applications**

Application Number	Request
VS-21-0187	A vacation of easements and right-of-way is a companion item on this agenda.

## **STANDARDS FOR APPROVAL:**

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

### **Analysis**

#### **Current Planning**

##### Zone Change

The requested C-1 zoning conforms to the Enterprise Land Use Plan which designates this site as Commercial Neighborhood. Staff finds that the proposed zoning is compatible with the existing and approved land uses in the area. The adjacent property to the east is zoned C-1, and while the latest development on that site is expired, it was previously planned for a retail development with cross access to the proposed site. This site has provided future cross access to encourage compatible development with the property to the east. Additionally, the site is also located on an arterial street (Cactus Avenue) and a collector street (Amigo Street) which is conducive to commercial zoning. Therefore, staff can support the zone change request.

##### Use Permits

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

The proposed convenience store and gasoline station comply with several goals and policies of the Comprehensive Master Plan including Urban Specific Policy 10 which encourages site designs to be compatible with adjacent land uses, especially when the adjacent land use is a lower density or intensity. The proposed convenience store consists of varying rooflines with building height ranging from 21 feet 8 inches to a maximum height up to 30 feet. Additionally, the location of the convenience store, to the location of the radius of the intersection of Cactus Avenue and Amigo Street is less than 30 feet, while the physical location of the right-of-way is over 30 feet. Separating the building from the right-of-way is the drive-thru aisle and the public entrance of the building faces east into the retail complex. The convenience store is also buffered from the southerly residential properties by the attached restaurant suite to the south within the same building. With the varying rooflines and building height, in addition to the building orientation, the reduced separation should not have an adverse impact on the residential development to the south; therefore, staff can support the 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.

### Design Review #1

Staff finds that the request complies with Commercial Policy 78 of the Comprehensive Master Plan which encourages several design variations to a building's mass including varying rooflines and building height. An intense landscape buffer per Figure 30.64-12 is proposed along the south property line to screen and buffer the site from the residential to the south. Architectural elements are also provided along all sides of the buildings; therefore, the request complies with Urban Specific Policy 78 which encourages architectural treatments on all building sides to eliminate blank building elevations along public rights-of-way and areas visible to the general public to improve visual quality.

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

#### Waiver of Development Standards

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

### Design Review #2

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

### **Staff Recommendation**

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the 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 substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permits, waiver 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;
- Applicant must provide reimbursement payment for the vacated right-of-way.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; 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 that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

**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 #0385-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

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

**APPLICANT: MING SZE  
CONTACT: BRUCE YU, 4358 MELROSE ABBEY PLACE, LAS VEGAS, NV 89141**



# LAND USE APPLICATION 25A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

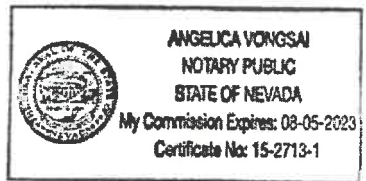
<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC)  <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING  <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)  <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  _____ (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-21-0186</u> DATE FILED: <u>4/26/2021</u> PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>5/26/2021</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>6/16/2021</u> FEE: <u>\$ 3050.00</u>
	<b>PROPERTY OWNER</b>	NAME: <u>Regional Cactus LLC</u> ADDRESS: <u>6 Caves Valley Court</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: _____      CELL: <u>646-229-8398</u> E-MAIL: <u>ming@opl.hk</u>
	<b>APPLICANT</b>	NAME: <u>Ming Sze</u> ADDRESS: <u>6 Caves Valley Court</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: _____      CELL: <u>646-229-8398</u> E-MAIL: <u>lr_sze@yahoo.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>	NAME: <u>Bruce Yu</u> ADDRESS: <u>4358 Melrose Abbey Pl</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89141</u> TELEPHONE: _____      CELL: <u>702-807-9359</u> E-MAIL: <u>legend9359@gmail.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 17734101002  
 PROPERTY ADDRESS and/or CROSS STREETS: Cactus Ave and Amigo St  
 PROJECT DESCRIPTION: Change of Zoning, R-E to C-1

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

*[Signature]*
MING W SZE  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 01/25/2021 (DATE)  
 By Ming W. Sze  
 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.

**LC&D Construction**  
4358 Melrose Place  
Las Vegas, NV 89141  
Lic # 0071658  
702-807-9359 / legend9359@gmail.com

Revised April 15<sup>h</sup>, 2021

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

20-21-0186

**RE: Land Use Application - 20-100680  
SEC of Cactus and Amigo (177-34-101-002)**

On Behalf of Kuk Sui Sze, Ming Sze, and REGIONAL CACTUS L L C, we are requesting a zone boundary amendment from the R-E zone on the development site to Zone C-1 . The subject site consists of one parcel for a total of 1.78 acres and is located at the SE corner of Cactus Ave. and Amigo St.

**ZC & DR - Zone Boundary Amendment from R-E to C-1 Zone**

Request: This site is currently zoned R-E with a planned land use of CN – Commercial Neighborhood. The zone change is proposing R-E to C-1 zoning on the overall site to allow for the integrated retail complex with convenience store and restaurants.

Justification: This zone change should be granted because it conforms to the planning goals of the site.

**UC1 - Special Use Permit for Convenience Store in C-1 Zone**

Request: Within this proposal is a Convenience Store in a C-1, Special Use Permit is required by Title 30.

Justification: This special use should be granted because the addition of a convenience store and gas station would be a harmonious contribution to this neighborhood. There is not such a development as easily accessible to the nearby residences.

**UC2 - Special Use Permit for Fuel Canopy in C-1 Zone**

Request: Within this proposal is a Fuel Canopy in a C-1, Special Use Permit is required by Title 30.

Justification: This special use should be granted because the addition of a convenience store and gas station would be a harmonious contribution to this neighborhood. There is not such a development as easily accessible to the nearby residences.

**UC3 – Special Use Permit for Distance From Convenience Store**

Request: This proposal seeks a Waiver of distance requirement of 30' setback for all buildings and canopies from the ROW line of any section line street. This proposal has the convenience store at 22'2".

Justification: This waiver should be granted because this is a minor intrusion on the setback, and it only occurs at the NW radius. The nature of laying out a relatively small site made it impractical to keep the full 30'. The distance is over 30' at the



linear new ROW boundaries.

**WS - Waiver of Development Standards:  
Reduction of Driveway distance requirement**

Request: This proposal seeks a Waiver of the distance requirement for the intersection of Cactus and Amigo to the North East Driveway on Cactus. This proposal seeks to reduce the distance requirement from 190' – 0" to 166' – 0".

Justification: This waiver should be granted because:

1. The full length of the title requirement is not possible to accomplish as there is not enough length of the site on Cactus.
2. We would like to keep room at the East of the site for uniformity of the parking spaces there.

**DR1 - Design Review as a Public Hearing: review for a retail center with convenience store, gasoline sales, and drive thru restaurant.**

Request:

Justification:

**DR2 - Design Review as a Public Hearing: Site Sections over 18"**

Request: To allow the moving of greater than 18" of earth. The maximum amount of fill will be 1.6' (19").

Justification: The site grading is needed to conform with Public works drainage requirements. This excess of 18" occurs in a few areas, not across the entire site. The neighboring parcels will not be affected.

**VS1 – ROW**

Request: Vacation of 5' of Right of Way along Cactus and Amigo to facilitate detached sidewalk.

Justification: Required for detached sidewalk in Title 30.

**VS2 – Southerly Patent Easement**

Request: Vacation of Patent Easement in South portion of property.

Justification: Easement is not necessary.

**Summary**

The goals of this proposal should be granted because of the following:

The project furthers Land Use Goal 2, which encourages 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, both vertical and horizontally, which are connected and integrated.

This project also complies with Land Use Goal 9, which encourages providing for commercial development integrated in appropriate locations throughout the community.

Therefore, the proposed uses 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 an will not impose an undue burden.

Thank you for your consideration.

Regards,



Kang Bruce Yu  
LC&D Construction

06/16/21 BCC AGENDA SHEET

RIGHT-OF-WAY/EASEMENT  
(TITLE 30)

CACTUS AVE/AMIGO ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-21-0187-REGIONAL CACTUS, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Amigo Street and Aphrodite Street, and between Cactus Avenue and Mystic Cliffs Avenue, and a portion of a right-of-way being Cactus Avenue located between Amigo Street and Aphrodite Street, and a portion of a right-of-way being Amigo Street located between Cactus Avenue and Mystic Cliffs Avenue within Enterprise (description on file). MN/lm/jd (For possible action)

**RELATED INFORMATION:**

**APN:**  
177-34-101-002

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

**BACKGROUND:**

**Project Description**

The plan depicts the vacation and abandonment of a 33 foot wide patent easement located along the south property line, a 5 foot wide portion of Cactus Avenue located along the north property line, and a 5 foot wide portion of Amigo Street located along the west property line. The applicant indicates that the easement is no longer necessary for access and the requested rights-of-way are to allow for the detached sidewalks.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-1852-98 (ET-0409-00)	First extension of time for a vacation and abandonment of easements and rights-of-way	Approved by BCC	December 2000
VS-1852-98 (WC-0410-00)	Waive the conditions of right-of-way dedication and obtaining Master Streets and Highway Plan update for a vacation and abandonment of easements and rights-of-way	Approved by BCC	December 2000
VS-1852-98 (WC-0183-00)	Waive the condition for a traffic study to be brought back to the Board for final approval for a vacation and abandonment of easements and rights-of-way	Approved by BCC	June 2000

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-1852-98	Vacated and abandoned easements and rights-of-way	Approved by BCC	January 1999

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Residential Suburban (up to 8 du/ac)	R-2	Single family residential
East & West	Commercial Neighborhood	C-1	Undeveloped

**Related Applications**

Application Number	Request
ZC-21-0186	A conforming zone change request to reclassify the project site from R-E to C-1 zoning for a retail complex with convenience store and gasoline station 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 and right-of-way on Cactus Avenue and Amigo Street to accommodate detached sidewalks.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

- Applicant must provide reimbursement payment for the vacated right-of-way;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Building Department - Fire Prevention**

- No comment.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: MING SZE**

**CONTACT: BRUCE YU, 4358 MELROSE ABBEY PLACE, LAS VEGAS, NV 89141**





# VACATION APPLICATION

# 26A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-21-0187</u>	DATE FILED: <u>4/26/2021</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: <u>LMN</u>	TAB/CAC DATE: <u>5/26/2021</u>
		TAB/CAC: <u>ENTERPRISE</u>	
		PC MEETING DATE: _____	
		BCC MEETING DATE: <u>6/16/2021</u>	
		FEE: <u>\$875.00</u>	

<b>PROPERTY OWNER</b>	NAME: <u>Regional Cactus LLC</u> ADDRESS: <u>6 Caves Valley Court</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: _____ CELL: <u>646-229-8398</u> E-MAIL: <u>ming@opl.hk</u>
-----------------------	---

<b>APPLICANT</b>	NAME: <u>Ming Sze</u> ADDRESS: <u>6 Caves Valley Court</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: _____ CELL: <u>646-229-8398</u> E-MAIL: <u>lr_sze@yahoo.com</u> REF CONTACT ID #: _____
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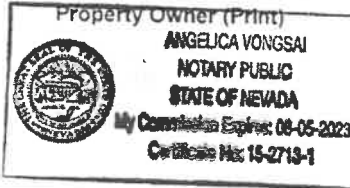
<b>CORRESPONDENT</b>	NAME: <u>Bruce Yu</u> ADDRESS: <u>4358 Melrose Abbey Pl</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89141</u> TELEPHONE: _____ CELL: <u>702-807-9359</u> E-MAIL: <u>legend9359@gmail.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 17734101002

PROPERTY ADDRESS and/or CROSS STREETS: Cactus Ave. and Amigo St.

I (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Roll's 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 01/25/2021 (DATE)  
 By MING W SZE  
 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

**LC&D Construction**  
4358 Melrose Place  
Las Vegas, NV 89141  
Lic # 0071658  
702-807-9359 / legend9359@gmail.com

Revised April 15<sup>th</sup>, 2021

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

VS-21-0187

**RE: Land Use Application - 20-100680  
SEC of Cactus and Amigo (177-34-101-002)**

On Behalf of Kuk Sui Sze, Ming Sze, and REGIONAL CACTUS L L C, we are requesting a zone boundary amendment from the R-E zone on the development site to Zone C-1 . The subject site consists of one parcel for a total of 1.78 acres and is located at the SE corner of Cactus Ave. and Amigo St.

**ZC & DR - Zone Boundary Amendment from R-E to C-1 Zone**

Request: This site is currently zoned R-E with a planned land use of CN – Commercial Neighborhood. The zone change is proposing R-E to C-1 zoning on the overall site to allow for the integrated retail complex with convenience store and restaurants.

Justification: This zone change should be granted because it conforms to the planning goals of the site.

**UC1 - Special Use Permit for Convenience Store in C-1 Zone**

Request: Within this proposal is a Convenience Store in a C-1, Special Use Permit is required by Title 30.

Justification: This special use should be granted because the addition of a convenience store and gas station would be a harmonious contribution to this neighborhood. There is not such a development as easily accessible to the nearby residences.

**UC2 - Special Use Permit for Fuel Canopy in C-1 Zone**

Request: Within this proposal is a Fuel Canopy in a C-1, Special Use Permit is required by Title 30.

Justification: This special use should be granted because the addition of a convenience store and gas station would be a harmonious contribution to this neighborhood. There is not such a development as easily accessible to the nearby residences.

**UC3 – Special Use Permit for Distance From Convenience Store**

Request: This proposal seeks a Waiver of distance requirement of 30' setback for all buildings and canopies from the ROW line of any section line street. This proposal has the convenience store at 22'2".

Justification: This waiver should be granted because this is a minor intrusion on the setback, and it only occurs at the NW radius. The nature of laying out a relatively small site made it impractical to keep the full 30'. The distance is over 30' at the



linear new ROW boundaries.

**WS - Waiver of Development Standards:  
Reduction of Driveway distance requirement**

Request: This proposal seeks a Waiver of the distance requirement for the intersection of Cactus and Amigo to the North East Driveway on Cactus. This proposal seeks to reduce the distance requirement from 190' – 0" to 166' – 0".

Justification: This waiver should be granted because:

1. The full length of the title requirement is not possible to accomplish as there is not enough length of the site on Cactus.
2. We would like to keep room at the East of the site for uniformity of the parking spaces there.

**DR1 - Design Review as a Public Hearing: review for a retail center with convenience store, gasoline sales, and drive thru restaurant.**

Request:

Justification:

**DR2 - Design Review as a Public Hearing: Site Sections over 18"**

Request: To allow the moving of greater than 18" of earth. The maximum amount of fill will be 1.6' (19").

Justification: The site grading is needed to conform with Public works drainage requirements. This excess of 18" occurs in a few areas, not across the entire site. The neighboring parcels will not be affected.

**VS1 – ROW**

Request: Vacation of 5' of Right of Way along Cactus and Amigo to facilitate detached sidewalk.

Justification: Required for detached sidewalk in Title 30.

**VS2 – Southerly Patent Easement**

Request: Vacation of Patent Easement in South portion of property.

Justification: Easement is not necessary.

**Summary**

The goals of this proposal should be granted because of the following:

The project furthers Land Use Goal 2, which encourages 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, both vertical and horizontally, which are connected and integrated.

This project also complies with Land Use Goal 9, which encourages providing for commercial development integrated in appropriate locations throughout the community.

Therefore, the proposed uses 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 your consideration.

Regards,

A handwritten signature in black ink, appearing to read 'Kang Bruce Yu', with a long horizontal line extending to the right.

Kang Bruce Yu  
LC&D Construction

06/16/21 BCC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT BRUNER AVE/ENSWORTH ST  
(TITLE 30)

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-21-0193-I-15 BIG 4 REAL ESTATE, LLC:**

**ZONE CHANGE** to reclassify 7.2 acres from an H-2 (General Highway Frontage) Zone and an R-E (Rural Estates Residential) Zone to an H-1 (Limited Resort and Apartment) Zone.

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

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) landscaping; 2) setback for decorative fence; 3) increase wall height; and 4) alternative driveway geometrics.

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

Generally located on the north side of Bruner Avenue and the west side of Ensworth Street (alignment) within Enterprise (description on file). MN/t/jd (For possible action)

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**RELATED INFORMATION:**

**APN:**

191-05-801-013; 191-05-801-014

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce parking lot landscaping (landscape finger islands and trees) where landscaping per Figure 30.64-14 is required.
2. Allow a 6 foot high decorative fence along Ensworth Street which is not setback 6 feet for landscaping where required per Figure 30.64-10.
3. Increase wall height to 10 feet (4 feet of retaining wall plus 6 feet of screen wall) where 9 feet (3 feet of retaining wall plus 6 feet of screen wall) is the maximum allowed per Section 30.64.050 (a 11% increase).
4. Reduce throat depth to 14 feet where 150 feet is the minimum distance allowed per Uniform Standard Drawing 222.1 (an 89% reduction).

**DESIGN REVIEWS:**

1. Multiple family residential development.
2. Increase finished grade to 54 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 200% increase).

**LAND USE PLAN:**

ENTERPRISE - COMMERCIAL TOURIST

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: 12015 & 12085 Ensworth Street
- Site Acreage: 7.2
- Number of Units: 258
- Density (du/ac): 36
- Project Type: Multiple family residential development
- Number of Stories: 5
- Building Height (feet): 70
- Open Space Required/Provided: 25,800/33,900
- Parking Required/Provided: 448/449

#### Site Plan

The site plan depicts a proposed multiple family residential development located in the center of the site, set back approximately 120 feet from the north property line, 80 feet from the east property line along Ensworth Street, 75 feet from the south property line along Bruner Avenue, and 135 feet from the west property line. The residential building is "G" shaped with parking spaces and carports around the perimeter of the site. Common area, including a pool is located within the center of the "G." Access is provided from a driveway on Ensworth Street. Trash enclosures are located on the east and south sides of the building, and garage spaces are located along the north and west sides of the building. Lastly, the reduced throat depth for the driveway is due to the internal drive aisles and parking spaces.

There are 2 existing off-premises (billboard) signs located on the site. One is in the northwest corner of the site, and the second is in the southwest corner of the site.

#### Landscaping

A 6 foot wide area is located along the north property line with fingers extending into the parking lot. Trees are not provided due to a water line in the area. In addition, a 10 foot high wall, 4 foot of retaining wall with a 6 foot screen wall, are located on the northern property line. Perimeter landscaping on other parts of the site include a 15 foot wide landscape area along the west property line adjacent to the I-15, and a 6 foot wide landscape strip with a detached sidewalk and a 5 foot wide landscape strip along Bruner Avenue to the south. A 6 foot landscape strip is provided along Ensworth Street; however, the decorative fence is located on the property line, rather than setback 6 foot from the property line, behind the landscaping as required by Code.

Internal to the site, parking lot landscaping consists of landscape fingers with a ratio less than every 6 parking spaces, which necessitates a waiver of development standards. A 25,600 square foot amenity area is near the center of the building, which includes a pool and courtyard.

#### Elevations

Elevations depict a 5 story multiple family residential building with off-set surface planes to reduce the visual mass of the building. Maximum height is approximately 70 feet to the top of

several decorative roof elements on portions of the building; however, most of the building is approximately 61 feet tall to the top of the parapet walls along the roofline. Exterior materials include painted stucco, stone veneer, metal railing, glazing, and garage doors.

Floor Plans

Residential portions of the building will include 127, one bedroom units and 131, two bedroom units. Other portions of the building will include leasing office, multiple purpose room, demonstration kitchen, and fitness center.

Signage

Signage is not a part of this request.

Applicant's Justification

According to the applicant, a zone change to H-1 is appropriate since the zoning is conforming to the Commercial Tourist land use designation, and in addition, H-1 zoning is compatible with the surrounding properties that are zoned H-1 and R-4.

The applicant goes on to state that a multiple family residential development is appropriate in the H-1 zone, and the proposed density of 36 dwelling units per acre is less than the 50 dwelling units per acre allowed in the H-1 zone. Also, a more intense multiple family residential development was approved nearby at the intersection of Las Vegas Boulevard South and Neal Avenue that included 53 dwelling units per acre (UC-0922-17). The applicant states that the proposed multiple family residential development complies with several urban specific policies in the Comprehensive Master Plan for multiple family residential developments regarding massing of buildings, amenities for residents, and drought-tolerant landscaping.

The applicant indicates a water line with a patent easement is located along the north property line, which does not allow trees in this area. Also, the internal parking lot landscape fingers were reduced over the entire site to meet the parking demands of the project. The 10 foot wall is necessary due to a wash on the northern portion of the site. Regarding the decorative fence along the eastern property line, the applicant indicates, although interior to the fence, the landscaping is visible from the street.

Lastly, the applicant states that the increase in finished grade is necessary to comply with Americans with Disability Act (ADA) requirements.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-20-0053	Reclassified the site to R-5 zoning for a multiple family residential development	Withdrawn	July 2020
VS-20-0149	Vacated and abandoned easements and right-of-way	Withdrawn	May 2020
UC-1132-94	Allowed two, 40 foot high, 672 square foot off-premises signs on the site	Approved by PC	September 1995

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial Tourist	R-4	Undeveloped
South	Commercial Tourist	H-1	Multiple family residential
East	Commercial Tourist	R-4 & R-E	Undeveloped
West	Major Development Project (Southern Highlands) & Residential High (8 du/ac to 18 du/ac)	H-1 & R-3	Multiple family residential & undeveloped

I-15 is located along the western boundary of the site, and this site and the surrounding area are in the Public Facilities Needs Assessment (PFNA) area.

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-21-0192	A vacation and abandonment of patent easements is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Zone Change

The conforming zone boundary amendment is consistent with the residential density anticipated for this site by the Commercial Tourist designation in the Enterprise Land Use Plan. In addition, the adjacent property to the north is zoned R-4 in anticipation of a future Clark County affordable housing project, and the abutting property to the south across Bruner Avenue is developing with an approved multiple family development in the H-1 zone. As a result, staff finds that the zone boundary amendment is compatible with the surrounding zoning and developing projects.

Use Permit

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

The site is surrounded by existing and proposed multiple family developments. In addition, Land Use Goal 7 encourages housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. Therefore, multiple family housing is appropriate for the area and it is consistent with the Clark County Comprehensive Master Plan. As a result, staff would typically support the use permit for multiple family housing, which will create additional residential opportunities. However, as noted below, staff does not support the waivers of development standards or design review; therefore, staff does not support the use permit.

### 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

Parking lot trees provide many benefits including reducing the urban heat island effect, noise and glare, and water run-off. In addition, trees improve the comfort and aesthetics of a site. Although the applicant is reducing the required number of parking lot trees, trees are still provided throughout the parking lot, and additional trees are provided along the east, west, and south property lines and within the common area. Furthermore, carports are located throughout the parking lot that will provide shading, which is one purpose of parking lot trees. However, since Public Works staff does not support the waiver for throat depth, which changes the layout of the site, staff does not support this request.

#### Waiver of Development Standards #2

While it is preferred to have landscaping free of structures along the streetscape, staff can support the request for the decorative fence at the property line. Since the landscaping is still visible through the fence, it should not create the canyon effect sometimes caused by walls close to the street. However, since Public Works staff does not support the waiver for throat depth, staff does not support this request.

#### Waiver of Development Standards #3

Staff does not have a concern with the request for 1 additional foot to the retaining wall. There is a wash across the site necessitating the increased height for proper drainage flow. The wall should not have a negative impact to the surrounding area. However, since Public Works staff does not support the waiver for throat depth, staff does not support this request.

#### Design Review #1

The proposed design is consistent with Urban Specific Policy 53, which encourages appropriate buffers, setbacks, drought-tolerant landscaping, building height and materials, along with on-site and off-site circulation for multiple family residential developments. The proposed setbacks exceed the minimum requirements, and the proposed on-site circulation is appropriate for the development. Also, Urban Specific Policy 51 encourages multiple family projects to provide several amenities such as usable open space, swimming pools, and barbeque pits. Here, the project includes a pool, multiple purpose room, demonstration kitchen, and fitness rooms. However, although landscaping is not required along the northern property line, staff finds shrubs and ground cover should be planted within the 6 foot area and the northern landscape areas to soften up the look of the taller wall. Although the design is consistent with policies in the Comprehensive Master Plan, Public Works staff does not support the waiver for throat depth, which changes the layout of the site; therefore, staff does not support this request.

**Public Works - Development Review**  
**Waiver of Development Standards #4**

Staff finds that the reduced throat depth for the Ensworth Street commercial driveway will result in driver confusion and the potential for vehicles to stack into Ensworth Street. Although the applicant indicates that Ensworth Street does not exist north or south of the site, Ensworth Street will serve as the future frontage road in this area. As such, heavy traffic volumes are expected in the future. Based on the future plans for this area, staff finds that there is not sufficient justification for this waiver of development standards.

**Design Review #2**

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

**Staff Recommendation**

Approval of the zone change and design review #2; denial of the use permit, waivers of development standards, and design review # 1.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Provide landscaping, consisting of but not limited to shrubs and groundcover, in the landscape strip and landscape islands along the northern property line;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permit, waivers of development standards, and design reviews must commence within 2 years of approval date or they will expire.



**Public Works - Development Review**

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of curb for Bruner Avenue with a County-approved turnaround, 30 feet for Ensworth Street, and associated spandrel;
- Execute 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**

- 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 #0191-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

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

**APPLICANT:** HOLDEN DEVELOPMENT COMPANY, LLC  
**CONTACT:** KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., STE 650, LAS VEGAS, NV 89135



APR 21-100050



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 27A

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 checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC)  <input checked="" type="checkbox"/> USE PERMIT (UC)  <input type="checkbox"/> VARIANCE (VC)  <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)  <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING  <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)  <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)  <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  _____ (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-21-0193</u> DATE FILED: <u>4/22/21</u> PLANNER ASSIGNED: <u>NR</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>5/26/21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>6/16/21</u> FEE: <u>2,875</u>
	<b>PROPERTY OWNER</b>  NAME: <u>I-15 Big 4 Real Estate, LLC</u> ADDRESS: <u>3605 S. Town Center Drive, Suite A</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>Holden Development Company, LLC</u> ADDRESS: <u>10161 Park Run Drive, Suite 150</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89145</u> TELEPHONE: <u>702-580-4700</u> CELL: <u>n/a</u> E-MAIL: <u>danielholden@cox.net</u> REF CONTACT ID #: <u>n/a</u>
	<b>CORRESPONDENT</b>  NAME: <u>Kaempfer Crowell -- Jennifer Lazovich</u> ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>n/a</u> E-MAIL: <u>jlazovich@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 191-05-801-013 and 191-05-801-014

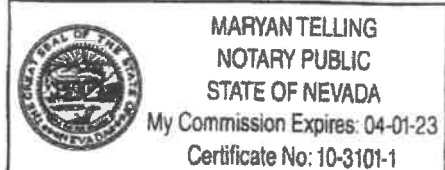
PROPERTY ADDRESS and/or CROSS STREETS: 12015 & 12085 Ensworth Street -- Bruner & I-15

PROJECT DESCRIPTION: Multi-family Apartments

(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.

Dominic Polizzotto      Dominic Polizzotto  
 Property Owner (Signature)      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON January 5, 2021 (DATE)  
 By Dominic Polizzotto  
 NOTARY PUBLIC: Maryann Telling



\*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

JENNIFER LAZOVICH

[jlazovich@kcwvlaw.com](mailto:jlazovich@kcwvlaw.com)

702.792.7050

Planner  
Copy

ZC-21-0193

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Fax: 702.796.7181

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Tel: 775.852.3900  
Fax: 775.327.2011

CARSON CITY OFFICE  
510 West Fourth Street  
Carson City, NV 89703  
Tel: 775.864.8300  
Fax: 775.882.0257

April 13, 2021

**VIA EMAIL**

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

**Re: *Ovation Contracting, Inc.  
Justification Letter – Conforming Zone Change to H-1; Design Review and Special Use Permit for Multi-Family Development; Waiver of Development Standards for (1) Non-Standard Street Improvements for Ensworth Street, (2) Reduce Throat Depth and (3) Required Landscaping Along North Property Line and Reduce Parking Lot Island Landscaping; and Design Review to Increase Grade  
APN: 191-05-801-013 & 014***

To Whom It May Concern:

Please be advised our office represents Ovation Contracting, Inc. (the "Applicant") in the above-referenced matter. The proposed project is located on approximately 7.15 acres located at the northeast corner of I-15 and Bruner Avenue in Clark County, Nevada. The property is more particularly described as APNs: 191-05-801-013 and 014 ("Site"). The Applicant is requesting a conforming zone change to H-1 and the development of an apartment complex.

**Conforming Zone Change Request:**

The Site is currently zoned H-2 and R-E. The Applicant is requesting a zone change to H-1. A zone change to H-1 is harmonious and compatible to the surrounding area for the following reasons:

- The zone change request to H-1 conforms to the master plan. The Site is master planned Commercial Tourist (CT). A CT master plan designation contemplates an H-1 zoning district.
- The Site is located between I-15 and Las Vegas Boulevard.
- The properties in the immediate area are zoned H-1 and R-4.

ZC-21-0193

**Design Review and Special Use Permit to Allow a Multi-Family Development:**

A multi-family project is an appropriate use in an H-1 zoned district subject to special use permit approval and conformance to R-5 development standards. While an H-1 zoning district permits up to 50 dwelling units per acre, the Applicant is seeking approximately 36 dwelling units per acre on the Site. The proposed density is appropriate, and in fact, less dense than an already approved, via UC-0922-17, multi-family development located at the southwest corner of Las Vegas Boulevard and Neal Avenue. UC-0922-17's approved density is approximately 53 dwelling units per acre. Additionally, the Site complies with the 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 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.

The Site is located at the northwest corner of Bruner Avenue and Ensworth Street. The Applicant is proposing a 256-unit multi-family development. The Applicant is proposing to build a five (5) story building at a height of 70'. The proposed height is well within the 100 foot limitations in the H-1 zoned district. Additionally, the proposed height is compatible as other approved developments in the area are approved at similar heights including UC-0922-17 which is approved at 67' in height. The bedroom mix is as follows: 127 one-bedroom units and 131-two-bedroom units. Main access to the Site is from Ensworth Street. The Applicant is proposing a drive aisle that circulates around the Site. The Site complies with parking by providing 449 parking spaces where 448 parking spaces are required. The development will provide at a minimum the following amenities:

20-21-0193

- Picnic and BBQ areas
- Pool/Cabana/Recreational Deck area
- Outdoor Kitchen Area
- Business Center
- Demonstration Kitchen
- Social Club
- Collaboration Rooms
- Clubhouse featuring full cardio and strength training facility

Lighting and signage is not part of this request. The Applicant will submit lighting and signage separately.

**Waiver of Development Standards:**

- **Non-Standard Street Improvements for Ensworth Street**

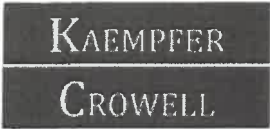
The Applicant is requesting to pave approximately 20 feet of Ensworth Street with a 5 foot landscape strip and a 5 foot wide detached sidewalk. Since Ensworth Street is not dedicated south of Bruner and north of the Project, the reduction in paving in this area will not provide any public safety issues. Additionally, Ensworth Street provides almost no other purpose other than entry into the Project.

- **Reduce Throat Depth**

The Site's entry throat depth is 16' where 150' is required. Although the Site does not meet the throat depth, access to the Site does not propose a safety risk because (1) Ensworth is a lightly traveled right-of-way that is not dedicated north or sought of the Site and (2) there are no gates restricting the flow of vehicle access.

- **Landscaping and Parking Lot Island Landscaping**

The Applicant is requesting to waive the required perimeter landscaping along the north property line as well as waive the parking lot landscape islands every (6) six parking spaces. The Applicant is providing parking lot islands albeit less to meet the parking demands of the Site. Additionally, along the north property line is a water line within a patent easement. Because of the location of the water line, no trees are allowed.



# Planner Copy

20-21-0193

Clark County Comprehensive Planning  
April 13, 2021  
Page 4

**Design Review for Increase Grade**

The Applicant is requesting to increase the finished grade to 4,6" where 18" is allowed. The slight increase in grade of an additional 18" is required in order to comply with ADA requirements.

We thank you in advance for your time and consideration of this matter. Should you have any questions or concerns, please feel free to contact me.

Sincerely,

KAEMPFER CROWELL

Jennifer Lazovich

JJL/sfm





06/16/21 BCC AGENDA SHEET

EASEMENTS  
(TITLE 30)

BRUNER AVE/ENSWORTH ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-21-0192-I-15 BIG 4 REAL ESTATE, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Jonathan Drive (alignment) and Bruner Avenue, and between Ensworth Street (alignment) and I-15 within Enterprise (description on file). MN/jt/jd (For possible action)

**RELATED INFORMATION:**

**APN:**  
191-05-801-013; 191-05-801-014

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

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

The plans depict the vacation and abandonment of government patent easements. On the northern parcel, the easements to be vacated include 33 foot wide easements along the north and south sides and 3 feet of the easement along the east side, adjacent to Ensworth Street. This will leave the 30 foot wide easement along the east property line for dedication for Ensworth Street.

On the southern parcel, the easements to be vacated include 33 feet along the north side and 3 feet along the east side, adjacent to Ensworth Street. Similar to the northern parcel, this will leave a 30 foot wide easement along the east property line for dedication for Ensworth Street. According to the applicant, the easements to be vacated are not needed for future roadways.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-20-0053	Reclassified the site to R-5 zoning for a multiple family residential development	Withdrawn	July 2020
VS-20-0149	Vacated and abandoned easements and right-of-way	Withdrawn	May 2020
UC-1132-94	Allowed two, 40 foot high, 672 square foot off-premises signs on the site	Approved by PC	September 1995

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial Tourist	R-4	Undeveloped
South	Commercial Tourist	H-1	Multiple family residential
East	Commercial Tourist	R-4 & R-E	Undeveloped
West	Major Development Project (Southern Highlands) & Residential High (8 du/ac to 18 du/ac)	H-1 & R-3	I-15, multiple family residential, & undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-21-0193	A zone change to reclassify the site to H-1 zoning for a multiple family residential development is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the 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 Bruner Avenue with a County-approved turnaround, 30 feet for Ensworth Street, 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 dedication to back of curb 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:** HOLDEN DEVELOPMENT COMPANY, LLC

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

DRAFT



APR 21-10051



# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING 28A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-21-0192</u> DATE FILED: _____ PLANNER ASSIGNED: <u>NR</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>5/26/21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>6/16/21</u> FEE: <u>875</u>
--	-----------------------	---

<b>PROPERTY OWNER</b>	NAME: <u>I-15 Big 4 Real Estate, LLC</u>
	ADDRESS: <u>3605 S. Town Center Drive, Suite A</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>Holden Development Company, LLC</u>
	ADDRESS: <u>10161 Park Run Drive, Suite 150</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89145</u>
	TELEPHONE: <u>702-580-4700</u> CELL: <u>n/a</u>
	E-MAIL: <u>danielholden@cox.net</u> REF CONTACT ID #: <u>n/a</u>


<b>CORRESPONDENT</b>	NAME: <u>Kaempfer Crowell – Jennifer Lazovich</u>
	ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702-792-7000</u> CELL: <u>n/a</u>
	E-MAIL: <u>jlazovich@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 191-05-801-013 & 191-05-801-014

PROPERTY ADDRESS and/or CROSS STREETS: 12015 & 12085 Ensworth Street – Bruner & I-15

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.

Dominic Polizzotto  
 Property Owner (Signature)  
 STATE OF NEVADA      Clark  
 COUNTY OF \_\_\_\_\_  
 SUBSCRIBED AND SWORN BEFORE ME ON January 5, 2021 (DATE)  
 By Dominic Polizzotto  
 NOTARY PUBLIC: Maryann Telling

Dominic Polizzotto  
 Property Owner (Print)  
  
 MARYANN TELLING  
 NOTARY PUBLIC  
 STATE OF NEVADA  
 My Commission Expires: 04-01-23  
 Certificate No: 10-3101-1

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

# Impulse

Civil Engineering & Planning

7485 West Azure Drive, Suite 226

Las Vegas, NV 89130

PHONE 702-815-0720

FAX 702-478-8535

January 7, 2021

Clark County Planning  
500 South Grand Central Parkway  
Las Vegas, NV 89155-1744

**Re: Letter of Justification for Vacation  
Bruner - 15 Apartments  
Impulse Reference Number OV-2049**

Planner  
Copy

VS-21-0192

To Whom It May Concern:

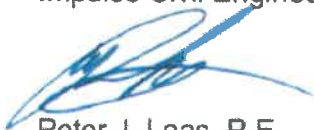
The proposed Bruner - 15 Apartment project is generally located on the north side of Bruner Avenue and the east side of I-15, in Section 5, of Township 23 South, Range 61 East, M.D.M. Clark County, Nevada. The site consists of parcels APN 191-05-801-013 and 191-05-801-014. The purpose of this letter is to provide justification for vacating a portion of the existing 33-foot patent easement around each parcel.

On APN 191-05-801-013, we are respectfully requesting to vacate 33 feet of the existing patent easement along the north and south sides and 3 feet of the existing patent along the east side leaving the 30-feet for the future Ensworth Street dedication. This patent easement, identified as Serial Patent 1219495 as recorded in Book 299, Instrument Number 241712 that is being vacated is not needed for future roadways.

On APN 191-05-801-014, we are respectfully requesting to vacate 33 feet of the existing patent easement along the north side and 3 feet of the existing patent along the east side leaving the 30-feet for the future Ensworth Street dedication along the east. We are also leaving the 35-feet for the future Bruner Avenue dedication along the south. This patent easement, identified as Serial Patent 1219173 as recorded in Book 299, Instrument Number 241713 that is being vacated is not needed for future roadways.

If you have any questions or comments about this letter, please call me at 702-815-0720.

Sincerely,  
Impulse Civil Engineering



Peter J. Laas, P.E.  
Principal

Cc: Jan Goyer, Ovation Development

$$I = \int F \cdot dt$$