



ENTERPRISE TOWN ADVISORY BOARD

Windmill Library
7060 W. Windmill Lane
Las Vegas, NV 89113

July 13, 2022
6:00pm

AGENDA

Note:

- 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 or chayes70@yahoo.com.
 - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
 - Supporting material is/will be available on the County's website at <https://clarkcountynv.gov/EnterpriseTAB>.

Board/Council Members: David Chestnut - Chair
Tanya Behm
Justin Maffett

Barris Kaiser – Vice Chair
Joseph Throneberry

Secretary: Carmen Hayes (702) 371-7991 chayes70@yahoo.com
Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Tiffany Hesser (702) 455-7388 TLH@clarkcountynv.gov
Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

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

- III. Approval of Minutes for June 29, 2022. (For possible action)
- IV. Approval of the Agenda for July 13, 2022 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
 - 1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
- VI. Planning and Zoning
 - 1. **WC-22-400074 (NZC-1563-04)-DIAMOND BLUE LP:**
WAIVER OF CONDITIONS of a zone change that requires a 15 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area along Blue Diamond Road and Westwind Road on 1.7 acres in a C-1 (Local Business) Zone. Generally located on the south side of Blue Diamond Road and the east side of Westwind Road within Enterprise (description on file). JJ/jad/syp (For possible action) **07/20/22 BCC**
 - 2. **VS-22-0329-DIAMOND BLUE, LP:**
VACATE AND ABANDON easements of interest to Clark County located between Blue Diamond Road and Agate Avenue, and between Westwind Road and Lindell Road within Enterprise (description on file). JJ/md/syp (For possible action) **07/20/22 BCC**
 - 3. **UC-22-0313-DIAMOND BLUE LP:**
USE PERMITS for the following: **1)** convenience store; **2)** reduced separation from a convenience store to a residential use; **3)** gasoline station; **4)** reduced separation from a gasoline station to a residential use; and **5)** secondhand sales.
WAIVER OF DEVELOPMENT STANDARDS for alternative driveway geometrics.
DESIGN REVIEWS for the following: **1)** alternative parking lot landscaping; and **2)** shopping center on 3.9 acres in a C-1 (Local Business) Zone and an H-2 (General Highway Frontage) Zone. Generally located on the south side of Blue Diamond Road and the east side of Westwind Road within Enterprise. JJ/jad/syp (For possible action) **07/20/22 BCC**
 - 4. **UC-22-0312-DIAMOND WINDMILL, LLC:**
USE PERMIT to increase the maximum combined area of all manager's units.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; **2)** reduce landscaping; and **3)** alternative driveway geometrics.
DESIGN REVIEWS for the following: **1)** office complex with a non-residential design; **2)** balconies and clear windows above the first story; and **3)** lighting on 1.0 acre in a C-P (Office and Professional) Zone. Generally located on the southwest corner of Windmill Lane and Gillespie Street within Enterprise. MN/jt/jo (For possible action) **08/02/22 PC**

5. **UC-22-0357-SOUTHWEST MARKETPLACE STATION LLC:**
USE PERMIT to reduce the setback for an existing communication tower to a residential development.
DESIGN REVIEWS for the following: 1) increase height of an existing communication tower; and 2) modifications to an existing communication tower and associated equipment within an existing shopping center on a portion of 16.2 acres in a C-2 (General Commercial) Zone. Generally located on the northeast corner of Rainbow Boulevard and Windmill Lane within Enterprise. MN/md/tk (For possible action) **08/02/22 PC**

6. **WS-22-0342-JM LEASING, LLC:**
WAIVER OF DEVELOPMENT STANDARDS for setbacks in conjunction with a single family residence on 0.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Ford Avenue, 288 feet west of Miller Lane within Enterprise. JJ/lm/syp (For possible action) **08/02/22 PC**

7. **WC-22-400084 (ZC-1198-07)-CHELSEI HOLDING, LLC:**
WAIVER OF CONDITIONS of a zone change for a right-of-way dedication for Las Vegas Boulevard South to accommodate 300 foot full street width. Generally located on the east and west sides of Las Vegas Boulevard South, 315 feet south of Welpman Way within Enterprise. JJ/jvm/syp (For possible action) **08/03/22 BCC**

8. **UC-22-0361-CHELSEI HOLDING, LLC:**
USE PERMIT for a multiple family development
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; 2) increase building height; 3) non-standard improvements in the right-of-way; and 4) throat depth.
DESIGN REVIEWS for the following: 1) multiple family residential development; 2) alternative parking lot landscaping; and 3) finished grade on 10.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east and west sides of Las Vegas Boulevard South, 315 feet south of Welpman Way within Enterprise. JJ/jvm/syp (For possible action) **08/03/22 BCC**

9. **VS-22-0336-NEW WEST RESIDENTIAL 1, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Placid Street and Fairfield Avenue, and between Robindale Road and Maulding Avenue within Enterprise (description on file). MN/rk/syp (For possible action) **08/03/22 BCC**

10. **WS-22-0335-NEW WEST RESIDENTIAL 1, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot area for residential lots; and 2) increase wall height.
DESIGN REVIEW for finished grade in conjunction with a single family residential subdivision on 2.4 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Placid Street and the north side of Robindale Road within Enterprise. MN/rk/syp (For possible action) **08/03/22 BCC**

VII. General Business

1. None.

- VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.
- IX. Next Meeting Date: July 27, 2022.
- X. Adjournment.

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



Enterprise Town Advisory Board

June 29, 2022

MINUTES

Board Members	David Chestnut, Chair PRESENT Tanya Behm PRESENT Justin Maffett PRESENT	Barris Kaiser, Vice Chair PRESENT Joseph Throneberry PRESENT
Secretary:	Carmen Hayes 702-371-7991 chayes70@yahoo.com PRESENT	
County Liaison:	Tiffany Hesser 702-455-7388 TLH@clarkcountynv.com PRESENT	

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

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

Steve McDermitt, Current Planning

II. Public Comment

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- None

III. Approval of Minutes for June 15, 2022 (For possible action)

Motion by David Chestnut

Action: **APPROVE** Minutes as published for June 15, 2022.

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

IV. Approval of Agenda for June 29, 2022 and Hold, Combine or Delete Any Items (For possible action)

Motion by David Chestnut

Action: **APPROVE** as amended.

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

Applicant requested holds:

14. WC-22-400074 (NZC-1563-04)-DIAMOND BLUE LP: The applicant has requested a **HOLD** to the Enterprise TAB meeting on July 13, 2022.

15. VS-22-0329-DIAMOND BLUE, LP: The applicant has requested a **HOLD** to the Enterprise TAB meeting on July 13, 2022.

16. UC-22-0313-DIAMOND BLUE LP: The applicant has requested a **HOLD** to the Enterprise TAB meeting on July 13, 2022.

Related applications to be heard together:

2. NZC-22-0317-LEBARON INDUSTRIAL 87, LLC:
3. VS-22-0318-LEBARON INDUSTRIAL 87, LLC:
4. TM-22-500106-LEBARON INDUSTRIAL 87, LLC:

6. VS-22-0304-LOCKE JOHN MARSHALL & AUDRIE:
7. UC-22-0303-LOCKE JOHN MARSHALL & AUDRIE

17. ZC-22-0321-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:
18. VS-22-0322-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:
19. TM-22-500107-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

9. UC-22-0316-RIVIERA SHOPPING CENTER LTD will be heard before
8. UC-22-0314-LV CACTUS SCHIRLLS, LLC:

V. Informational Items

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

- **I-11 PUBLIC COMMENTS**

The meeting and town hall serve as opportunities for the public to review findings on a Planning and Environmental Linkages (PEL) Study initiated in 2019 by the Federal Highway Administration, the Nevada Department of Transportation said in a Wednesday news release.

Based on evaluation criteria and extensive assessments, the central corridor alternative (currently Interstate 515 and U.S. Highway 95) was identified as the best performing corridor and has been recommended for interstate highway designation through the Las Vegas metropolitan area.

The online public meeting is available at i11nv.com 24 hours a day starting Thursday and running until 5 p.m. on July 22.

Comments can be submitted until July 22 using the form on the project's virtual meeting, via email at info@i11nv.com, or by telephone (702) 472-8018.

The bilingual telephone town hall is from 5:30 to 6:30 p.m. on July 7. For English, call (833) 589-2166. For Spanish, call (833) 589-2167.

More information on the I-11 corridor report is at i11nv.com.

- **1 OCTOBER MEMORIAL**

We invite you to help create a lasting memorial that remembers the 58 lives lost on 1 October 2017, as well as those who have succumbed to injuries since the tragic events at the Route 91 Harvest Music Festival. The memorial will also honor the survivors,

first responders and everyday heroes who inspired our nation with their bravery while also recognizing the resiliency and compassion of our community.

THREE WAYS TO PARTICIPATE

- Call for Creative Expressions/Submit Your Ideas (July 1 - Sept. 30, 2022)
- Call for Qualifications/Professional RFQ Teams (Aug. 1 - Oct. 31, 2022)
- Call for Evaluators/Help Select the Design Team (July 1 - 31, 2022)

1 October Memorial 3-Phase Selection Process

SUMMER 2022: The public & artists are encouraged to submit ideas/express interest in participating on a professional design team.

WINTER 2023: Up to 5 professional design teams will be selected to develop memorial concepts influenced by public submissions for the memorial's design.

LATE SUMMER 2023: 1 October Memorial Committee to make formal design recommendation to the Clark County Commission.

The project will launch July 2022 ClarkCountyNV.gov/1OctoberMemorial

VI. Planning & Zoning

1. **NZC-22-0305-GRAND CANYON LLC & NAHAI ILIEN:**
ZONE CHANGE to reclassify 15.9 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.
WAIVER OF DEVELOPMENT STANDARDS to reduce street width.
DESIGN REVIEW for a single family residential development. Generally located on the south side of Pebble Road and the west side of Grand Canyon Drive within Enterprise (description on file). JJ/rk/jo (For possible action) **07/19/22 PC**

Motion by David Chestnut

Action: **Deny**

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

2. **NZC-22-0317-LEBARON INDUSTRIAL 87, LLC:**
ZONE CHANGE to reclassify 18.8 acres from an R-E (Rural Estates Residential) Zone to an R-1 (Single Family Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) reduce street width; and 3) street dedication.
DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade. Generally located on the west side of Dean Martin Drive and the north side of Pyle Avenue within Enterprise (description on file). JJ/rk/jo (For possible action) **07/19/22 PC**

Motion by Barris Kaiser

Action: **APPROVE**

ADD Current Planning Conditions

- Install detached sidewalk along Polaris Ave.
- Increase fenestrations on elevations facing public roads.
- Terrace and landscape any combination of retaining and wall over 9 ft adjacent to public right of way.

Per staff conditions

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

3. **VS-22-0318-LEBARON INDUSTRIAL 87, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Pyle Avenue and Le Baron Avenue, and between Dean Martin Drive and Polaris Avenue, and a portion of right-of-way being Jo Rae Avenue located between Dean Martin Drive and Polaris Avenue, and a portion of right-of-way being Le Baron Avenue located between Dean Martin Drive and Polaris Avenue, and a portion of right-of-way being Pyle Avenue located between Dean Martin Drive and Polaris Avenue, and a portion of right-of-way being Dean Martin Drive located between Pyle Avenue and Le Baron Avenue within Enterprise (description on file). JJ/rk/jo (For possible action) **07/19/22 PC**

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

4. **TM-22-500106-LEBARON INDUSTRIAL 87, LLC:**
TENTATIVE MAP consisting of 70 single family residential lots and common lots on 18.8 acres in an R-1 (Single Family Residential) Zone. Generally located on the west side of Dean Martin Drive and the north side of Pyle Avenue within Enterprise. JJ/rk/jo (For possible action) **07/19/22 PC**

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

- Install detached sidewalk along Polaris Ave.
- Increase fenestrations on elevations facing public roads.
- Terrace and landscape any combination of retaining and wall over 9 ft adjacent to public right of way.

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

5. **NZC-22-0324-GUNN DOREEN FAMILY TRUST & GUNN DOREEN & JAMES TRS:**
ZONE CHANGE to reclassify 0.6 acres from an R-E (Rural Estates Residential) Zone to a C-1 (Local Business) Zone.
DESIGN REVIEW for a retail building (coffee shop) with drive-thru service. Generally located on the south side of Cactus Avenue, 250 feet west of Dean Martin Drive within Enterprise (description on file). JJ/rk/tk (For possible action) **07/19/22 PC**

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

- Design review as a public hearing for lighting and signage.

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

6. **VS-22-0304-LOCKE JOHN MARSHALL & AUDRIE:**
VACATE AND ABANDON easements of interest to Clark County located between Schirlls Street and Hinson Street and between Arby Avenue and Capovilla Avenue within Enterprise (description on file). MN/nr/tk (For possible action) **07/19/22 PC**

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

7. **UC-22-0303-LOCKE JOHN MARSHALL & AUDRIE:**
USE PERMIT to allow an accessory structure larger than one half the footprint of the existing principal dwelling.
WAIVER OF DEVELOPMENT STANDARDS for modified driveway design in conjunction with a single family residence on 0.6 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Arby Avenue, 208 feet east of Schirlls Street within Enterprise. MN/nr/tk (For possible action) **07/19/22 PC**

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

8. **UC-22-0314-LV CACTUS SCHIRLLS, LLC:**
USE PERMIT for a pawn shop.
DESIGN REVIEW for signage in conjunction with a pawn shop within an existing shopping center on 2.0 acres in a C-2 (General Commercial) Zone. Generally located on the northwest corner of Cactus Avenue and Schirlls Street within Enterprise. JJ/bb/syp (For possible action) **07/19/22 PC**

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

- Operating hours to be 9 am to 7 pm.
- Wall signs to be turned off during non-operating hours.

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

9. **UC-22-0316-RIVIERA SHOPPING CENTER LTD:**
USE PERMIT for a pawn shop.
WAIVERS OF DEVELOPMENT STANDARDS to reduce the separation between a pawn shop and a residential use.
DESIGN REVIEW for signage in conjunction with a pawn shop within an existing shopping center on 2.8 acres in a C-1 (Local Business) Zone. Generally located on the west side of Cimarron Road and the south side of Blue Diamond Road within Enterprise. JJ/md/syp (For possible action) **07/19/22 PC**

Motion by David Chestnut
Action: **APPROVE** per staff conditions
Motion **PASSED** (3-1) / Kaiser-Nay

10. **VS-22-0326-KELEGIAN SHELLY:**
VACATE AND ABANDON an easement of interest to Clark County located between Cameron Street and Decatur Boulevard and between Blue Diamond Road and Ford Avenue within Enterprise (description on file). JJ/sd/syp (For possible action) **07/19/22 PC**

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

11. **WS-22-0323-HORTON, TONIA & MARK L.:**
WAIVER OF DEVELOPMENT STANDARDS to reduce the setback of a proposed patio cover in conjunction with an existing single family residence on 0.5 acres in an R-E (Rural Estates Residential) Zone. Generally located on the northeast corner of Warbonnet Way and Cougar Avenue within Enterprise. JJ/jor/syp (For possible action) **07/19/22 PC**

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

12. **ET-22-400075 (NZN-18-1028)-PN II, INC.:**
ZONE CHANGE FIRST EXTENSION OF TIME to reclassify 15.0 acres from R-E (Rural Estates Residential) Zone to R-1 (Single Family Residential) Zone and R-D (Suburban Estates Residential) Zone. Generally located on the north side of Starr Avenue and the west side of Fairfield Avenue (alignment) within Enterprise (description on file). MN/lm/tk (For possible action) **07/20/22 BCC**

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

13. **UC-22-0288-NEVADA INVESTMENT ASSN GRP, LLC:**
USE PERMIT for a mini-warehouse facility.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase wall height; **2)** increase building height; **3)** not provide a sidewalk between parking spaces and a building; and **4)** reduce throat depth.
DESIGN REVIEW for a mini-warehouse facility on 2.0 acres in a C-1 (Local Business) Zone. Generally located on the northwest corner of Warm Springs Road and La Cienega Street within Enterprise. MN/jt/syp (For possible action) **07/20/22 BCC**

Motion by Barris Kaiser
Action:
APPROVE: Use Permit.
APPROVE: Waiver of Development Standards #s 1 and 2.
DENY: Waiver of Development Standards #s 3 and 4.
ADD Current Planning condition

- Design Review as a public hearing for lighting and signage.

Per staff if approved conditions
Motion **PASSED** (4-0) /Unanimous

14. **WC-22-400074 (NZN-1563-04)-DIAMOND BLUE LP:**
WAIVER OF CONDITION of a zone change requiring providing a 15 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area along Blue Diamond Road and Westwind Road on 1.7 acres in a C-1 (Local Business) Zone. Generally located on the south side of Blue Diamond Road and the east side of Westwind Road within Enterprise (description on file). JJ/jad/syp (For possible action) **07/20/22 BCC**

The applicant has requested a **HOLD** to the Enterprise TAB meeting on July 13, 2022.

15. **VS-22-0329-DIAMOND BLUE, LP:**
VACATE AND ABANDON easements of interest to Clark County located between Blue Diamond Road and Agate Avenue, and between Westwind Road and Lindell Road within Enterprise (description on file). JJ/md/syp (For possible action) **07/20/22 BCC**

The applicant has requested a **HOLD** to the Enterprise TAB meeting on July 13, 2022.

16. **UC-22-0313-DIAMOND BLUE LP:**
USE PERMITS for the following: **1)** convenience store; **2)** reduced separation from a convenience store to a residential use; **3)** gasoline station; **4)** reduced separation from a gasoline station to a residential use; and **5)** secondhand sales.
WAIVER OF DEVELOPMENT STANDARDS for alternative driveway geometrics.
DESIGN REVIEWS for the following: **1)** alternative parking lot landscaping; and **2)** shopping center on 3.9 acres in a C-1 (Local Business) Zone and H-2 (General Highway Frontage) Zone. Generally located on the south side of Blue Diamond Road and the east side of Westwind Road within Enterprise. JJ/jad/syp (For possible action) **07/20/22 BCC**

The applicant has requested a **HOLD** to the Enterprise TAB meeting on July 13, 2022.

17. **ZC-22-0321-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:**
ZONE CHANGE to reclassify 6.5 acres from an H-1 (Limited Resort and Apartment) Zone and an R-E (Rural Estates Residential) Zone to an R-3 (Multiple Family Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase wall height; **2)** street intersection off-set; and **3)** driveway geometrics.
DESIGN REVIEWS for the following: **1)** single family residential subdivision; **2)** hammerhead street design; and **3)** finished grade. Generally located on the west side of Haven Street and the north and south sides of Pyle Avenue within Enterprise (description on file). MN/sd/jo (For possible action) **07/20/22 BCC**

Motion by David Chestnut

Action:

APPROVE: Zone Change.

APPROVE: Waiver of Development Standards #s 1 and 2.

DENY: Waiver of Development Standards # 3.

APPROVE: Design Review #s 1 and 3.

DENY: Design Review # 2.

CHANGE Current Planning Bullet to read:

- Resolution of Intent to complete by July 15, 2025

ADD Current Planning conditions

- Increase fenestrations on elevations facing public roads.
- Terrace and landscape any combination of retaining and wall over 9 ft adjacent to public right of way.
- Provide a stand along disclosure for regarding animals for lots 43 and 44.
- Provide internal open space for the north and south parcels.

Per staff if approved conditions

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

18. **VS-22-0322-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS: VACATE AND ABANDON** easements of interest to Clark County located between Pyle Avenue and Frias Avenue, and between Giles Street and Haven Street and a portion of a right-of-way being Pyle Avenue between Haven Street and Giles Street and a portion of right-of-way being Giles Street between Pyle Avenue and Jo Rae Avenue (alignment) within Enterprise (description on file). MN/sd/syp (For possible action) **07/20/22 BCC**

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

19. **TM-22-500107-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS: TENTATIVE MAP** consisting of 48 single family residential lots and common lots on 6.5 acres in an R-3 (Multiple Family Residential) Zone. Generally located on the west side of Haven Street and the north and south sides of Pyle Avenue within Enterprise. MN/sd/jo (For possible action) **07/20/22 BCC**

Motion by David Chestnut
Action: **DENY**
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.

- None.

IX. Next Meeting Date

The next regular meeting will be July 13, 2022 at 6:00 p.m. at the Windmill Library.

X. Adjournment:

Motion by David Chestnut
Action: **ADJORN** meeting at 8:21 p.m.
Motion **PASSED** (4-0) /Unanimous

CONVENIENCE STORE/GASOLINE/RETAIL/ RESTAURANT/SECONDHAND SALES (TITLE 30) BLUE DIAMOND RD/WESTWIND RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-22-400074 (NZC-1563-04)-DIAMOND BLUE LP:

WAIVER OF CONDITIONS of a zone change that requires a 15 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area along Blue Diamond Road and Westwind Road on 1.7 acres in a C-1 (Local Business) Zone.

Generally located on the south side of Blue Diamond Road and the east side of Westwind Road within Enterprise (description on file). JJ/jad/syp (For possible action)

RELATED INFORMATION:

APN:

176-24-101-024

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.7
- Project Type: Convenience store/gasoline station/retail & restaurant/secondhand sales
- Building Height (feet): 24 (convenience store)/21 (canopy)/25 (retail & restaurant)/32 (secondhand sales)
- Square Feet: 3,541 (convenience store)/3,550 (retail & restaurant)/24,864 (secondhand sales)
- Parking Required/Provided: 237/254

History:

This site is a portion of a proposed development which includes the property to the south companion application (UC-22-0313). The original application (NZC-1563-04) was approved for a convenience store and car wash which was never developed. Today the applicant is requesting a new design to include a convenience store, gasoline station, and a retail/restaurant pad on the subject parcel, in conjunction with a secondhand sales building to the south and is requesting the subject waiver of conditions to accommodate the proposed development.

Site Plan

The overall site is located on the southeast corner of Blue Diamond Road and Westwind Road. The proposed plans, which includes the property to the south, depict a retail center with 2 points of access from Westwind Road. A convenience store with covered gasoline pumps is located at the northwest corner of the site. The convenience store is oriented towards the center of the site, with parking along the east side of the building. The gasoline station is to the east of the convenience store, and a retail/restaurant pad site is located at the northeast corner of the site. Covered outside dining is located on the eastern portion of the building. Lastly, a Goodwill Donation Center is located to the south of the convenience store and gasoline pumps. Parking is located throughout the site and cross access is provided to the commercial site to the east.

Landscaping

The plans depict 10 feet of landscaping along the north property line and 15 feet of landscaping behind an attached sidewalk along Westwind Road on the west side of the site. Extensive landscaping is provided around the convenience store. Landscaping is also provided along the east and south property lines, including an intense landscape buffer per Figure 30.64-12 adjacent to the residential development. Parking lot landscaping is provided throughout the parking lot with the exception of few areas which exceed the requirement of landscaping fingers for every 6 parking spaces; however, the number of trees exceeds the minimum required per Code. Landscaping also surrounds the Goodwill Donation Center.

Previous Conditions of Approval

Listed below are the approved conditions for NZC-1563-04:

- Subject to no resolution of intent and staff preparing an ordinance to adopt the zoning;
- Entering into a 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;
- A design review as a public hearing;
- Providing a 15 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area along Blue Diamond Road and Westwind Road;
- A detached sidewalk along Blue Diamond Road unless prohibited by NDOT;
- Right-of-way dedication of 30 feet for Westwind Road;
- Additional right-of-way may be needed along Blue Diamond Road per Nevada Department of Transportation standards;
- Full off-site improvements;
- Off-sites along Blue Diamond Road per Nevada Department of Transportation standards;
- If the sidewalk is detached, dedication to be to back of curb and grant necessary pedestrian access, streetlight, and traffic control easements;
- If required by Regional Transportation Commission, dedicate and construct right-of-way for bus turnouts including passenger loading/shelter areas in accordance with Regional Transportation Commission standards;
- Drainage and traffic studies and compliance;

- Vacate any unnecessary rights-of-way and/or easements;
- Any applicable vacations to be recordable prior to building permit issuance or applicable map submittal;
- All applicable standard conditions for this application type.

Applicant's Justification

The applicant indicates that this request is only for a portion of the condition along Blue Diamond Road. The applicant will install landscaping within the Blue Diamond Road right-of-way per Nevada Department of Transportation standards which together with the proposed landscaping on-site will exceed the 15 feet of landscaping.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-1563-04	Reclassified to C-1 zoning for a convenience store and car wash	Approved by BCC	February 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D	Blue Diamond Road & developing industrial park
South	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-1	Single family residential
East	Neighborhood Commercial; Ranch Estate Neighborhood (up to 2 du/ac); & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	H-2, R-E (RNP-1), & R-E	Commercial building & single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	H-2 & R-2	Single family residential

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

Related Applications

Application Number	Request
UC-22-0313	A use permit for a convenience store, gasoline station, retail/restaurant pad site, and secondhand sales is a companion item on this agenda.
VS-22-0329	A vacation and abandonment for 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

Staff finds with the addition of the proposed landscaping in the Blue Diamond Road right-of-way, the proposed landscaping exceeds the intent of the condition of approval. In addition, the proposed landscaping shown on-site per the plans submitted with UC-22-0313, although less in width, includes large trees, as well as medium trees. While staff can support the request for this particular project, staff is concerned that if the proposed project is not developed, a future project may not provide an appropriate landscape buffer to meet the intent of the original condition. Additionally, since staff does not support UC-22-0313, staff cannot support this request.

Staff Recommendation

Denial.

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

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Approval limited to UC-22-0313 only.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

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

Clark County Water Reclamation District (CCWRD)

- No comment.

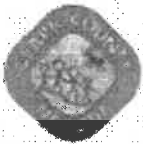
TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: ACTIVE COMMERCIAL, LLC

CONTACT: DIONICIO GORDILLO, 204 BELLE ISLE CT., HENDERSON, NV 89012



LAND USE APPLICATION

1A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) NZC-1583-04 (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (AR) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WC-22-40074</u> DATE FILED: <u>5/25/22</u> PLANNER ASSIGNED: <u>JCT</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>6/21/22</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>7/20/22</u> FEE: <u>200.00</u>
	PROPERTY OWNER NAME: <u>Diamond Blue, LP</u> ADDRESS: <u>3075 Rosaryna Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>
	APPLICANT NAME: <u>Active Commercial</u> ADDRESS: <u>5725 S. Eastern Avenue, Unit 2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>(702) 888-7870</u> CELL: <u>(702) 812-5500</u> E-MAIL: <u>asa@activecom.com</u> REF CONTACT ID #: <u>N/A</u>
CONSULTANT NAME: <u>Dionicio Gordillo, DG Consultants</u> ADDRESS: <u>204 Belle Isle Ct.</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u> TELEPHONE: <u>(702) 379-8601</u> CELL: <u>(702) 379-6601</u> E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: <u>191488</u>	

ASSESSOR'S PARCEL NUMBER(S): 178-24-101-008 & 024

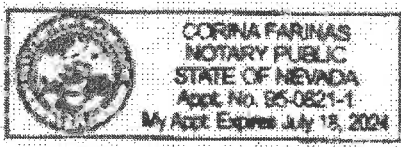
PROPERTY ADDRESS and/or CROSS STREETS: SEC Blue Diamond Road and Westwind Road

PROJECT DESCRIPTION: Shopping center consisting of Goodwill Donation Center and vehicle wash

I, We, the undersigned swear and say that I, we, we are the beneficiary of record on the Tax Rolls of the property involved in this application, or I, we are otherwise qualified to make 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.

Ronald Michie Ronald Michie
 Property Owner (Signature) Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND GIVEN RECORD ME ON 12/1/2021 (DATE)
 BY RONALD MICHIE
 NOTARY PUBLIC: Corina Farinas



*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 22, 2022

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

WC-22-400074

RE: REVISED – Waiver of Conditions – Vehicle Wash Facility and Goodwill Donation Center (APN: 176-24-101-006 & 024)

On behalf of Active Commercial, LLC, we are requesting a waiver of conditions of NZC-1563-04. The subject site is 3.8 acres, zoned C-1 and H-2, and located on the south side of Blue Diamond Road and the east side of Westwind Road. While the overall parcel is not symmetrical and is oddly shaped, generally the north half is zoned C-1 while the south half is zoned H-2. By way of background, the zoning for the northern portion of the site was approved with NZC-1563-04 in February 2005. The zone boundary amendment had multiple conditions of approval with full compliance on all conditions except the request for waiver of conditions.

Waiver of Conditions

The condition requested to be waived reads as follows: ***providing a 15 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area along Blue Diamond Road and Westwind Road.*** The request is intended to waive a portion of the condition and not the entire condition. The plan depicts a 10 foot wide landscape buffer along Blue Diamond Road. The site and landscape plan full comply with all other portions of the condition. This waiver of conditions is entirely appropriate for the following reasons: **1)** there will be landscaping in the right-of-way between our north property line and the leading edge of the off-site improvements along Blue Diamond Road which means the full width of the landscaping along Blue Diamond Road will exceed 15 feet; and **2)** we have continued the 15 feet of landscaping along Westwind Road to the southern parcel which does not have the imposed condition. Therefore, through the above referenced factors, the condition will no longer fulfill its intended purpose.

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 the consideration.

Sincerely,

Dionisio Smith

EASEMENTS
(TITLE 30)

BLUE DIAMOND RD/WESTWIND RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0329-DIAMOND BLUE, LP:

VACATE AND ABANDON easements of interest to Clark County located between Blue Diamond Road and Agate Avenue, and between Westwind Road and Lindell Road within Enterprise (description on file). JJ/md/syp (For possible action)

RELATED INFORMATION:

APN:

176-24-101-006

LAND USE PLAN:

ENTERPRISE - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC)

BACKGROUND:

Project Description

The plans depict the vacation of government patent easements measuring 33 feet in width along the north, east, and south property lines of the subject property. A patent easement measuring 3 feet in width, located along the west property line adjacent to Westwind Road will also be vacated. The patent easements are no longer needed for road and/or easement purposes. The vacation of the easements will facilitate the development of the project site.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	C-1	Undeveloped
South	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-1	Single family residential
East	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E	Single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential

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

Related Applications

Application Number	Request
UC-22-0313	A secondhand sales and a vehicle wash (automobile) facility is a companion item on this agenda.

Related Applications

Application Number	Request
WC-22-400074 (NJC-1563-04)	A waiver of conditions for providing a 15 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area along Blue Diamond Road and Westwind Road 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 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 Westwind Road and spandrel at the northwest corner of the site;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

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

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ACTIVE COMMERCIAL, LLC

CONTACT: DIONICIO GORDILLO, 204 BELLE ISLE CT., HENDERSON, NV 89012

DRAFT



VACATION APPLICATION

2A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs.) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #)	DEPARTMENT USE	APP NUMBER: <u>VS-22-0329</u>	DATE FILED: <u>5/24/22</u>
		PLANNER ASSIGNED: <u>DND</u>	TAB/CAC DATE: <u>6/29/22</u> <u>@ 6:00 P.M.</u>
		TAB/CAC: <u>ENTERPRISE</u>	
		PC MEETING DATE: <u>-</u>	
		BCC MEETING DATE: <u>7/20/22 @ 9:00 AM</u>	
		FEE: <u>\$875.00</u>	

PROPERTY OWNER	NAME: <u>Diamond Blue, LP</u>
	ADDRESS: <u>3075 Rosanna Street</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u>
	TELEPHONE: <u>N/A</u> CELL: <u>N/A</u>
	E-MAIL: <u>N/A</u>

APPLICANT	NAME: <u>Active Commercial</u>
	ADDRESS: <u>6725 S. Eastern Avenue, Unit 2</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u>
	TELEPHONE: <u>(702) 868-7870</u> CELL: <u>(702) 612-5500</u>
	E-MAIL: <u>asif@activecre.com</u> REF CONTACT ID #: <u>N/A</u>

CORRESPONDENT	NAME: <u>Dionicio Gordillo, DG Consultants</u>
	ADDRESS: <u>204 Belle Isle Ct.</u>
	CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u>
	TELEPHONE: <u>(702) 379-6601</u> CELL: <u>(702) 379-6601</u>
	E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: <u>191488</u>

ASSESSOR'S PARCEL NUMBER(S): 176-24-101-006

PROPERTY ADDRESS and/or CROSS STREETS: SEC Blue Diamond Road and Westwind Road

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

Ron Michal ^{IT'S} General Partner
 Property Owner (Signature)

Ron Michal
 Property Owner (Print) General Partner

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON March 14, 2022 (DATE)
 by Ron Michal
 NOTARY PUBLIC Andrew Spang Henderson

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

D G Consultants

March 15, 2022

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

VS-22-0329

RE: Vacation and Abandonment of Patent Easements – (APN: 176-24-101-006)

On behalf of Active Commercial, LLC, we are requesting a vacation and abandonment of patent easements for a proposed development consisting of a vehicle wash facility and Goodwill Donation Center. The patent easements are located on the southern parcel of the overall development site. The subject parcel is located on the east side of Westwind Road, approximately 200 feet south of Blue Diamond Road. This request is a companion to the pre-review request APR-22-100046.

The request is to vacate and abandon patent easements consisting of the following: 1) 3 foot wide easement along the west property line; and 2) 33 feet wide easements along the north, east, and south property lines. The easements are no longer needed for road and/or easements purposes. This request will facilitate the development of the subject site.

Thank you for your consideration.

Sincerely,

Dominic Smith

PLANNER
COPY

CONVENIENCE STORE/GASOLINE/RETAIL
/SECONDHAND SALES
(TITLE 30)

BLUE DIAMOND RD/WESTWIND RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0313-DIAMOND BLUE LP:

USE PERMITS for the following: 1) convenience store; 2) reduced separation from a convenience store to a residential use; 3) gasoline station; 4) reduced separation from a gasoline station to a residential use; and 5) secondhand sales.

WAIVER OF DEVELOPMENT STANDARDS for alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; and 2) shopping center on 3.9 acres in a C-1 (Local Business) Zone and an H-2 (General Highway Frontage) Zone.

Generally located on the south side of Blue Diamond Road and the east side of Westwind Road within Enterprise. JJ/jad/syp (For possible action)

RELATED INFORMATION:

APN:

176-24-101-006; 176-24-101-024

USE PERMITS:

1. Allow a convenience store in a C-1 zone per Table 30.44-1.
2. Reduce the separation from a convenience store to a residential use to 106 feet where 200 feet is required per Table 30.44-1 (a 47% reduction).
3. Allow a gasoline station in a C-1 zone per Table 30.44-1.
4. Reduce the separation from a gasoline station to a residential use to 131 feet where 200 feet is required per Table 30.44-1 (a 35% reduction).
5. Allow secondhand sales in an H-2 zone per Table 30.44-1.

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce the throat depth to 25 feet where 75 feet is required per Uniform Standard Drawing 222.1 (a 67% reduction).
- b. Reduce the approach distance between a driveway and an intersection to 100 feet where 150 feet is required per Uniform Standard Drawing 222.1 (a 33% reduction).

DESIGN REVIEWS:

1. Alternative parking lot landscaping.

2. A shopping center including a convenience store, gasoline station, retail/restaurant building, and secondhand sales business.

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

ENTERPRISE - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 8990 Westwind Road
- Site Acreage: 3.9
- Project Type: Convenience store/gasoline station/retail & restaurant/secondhand sales
- Building Height (feet): 24 (convenience store)/21 (canopy)/25 (retail & restaurant)/32 (secondhand sales)
- Square Feet: 3,541 (convenience store)/3,550 (retail & restaurant)/24,864 (secondhand sales)
- Parking Required/Provided: 237/254

Site Plan

The site is located on the southeast corner of Blue Diamond Road and Westwind Road. The plans depict a retail center with 2 points of access from Westwind Road. Nevada Department of Transportation has indicated that access to Blue Diamond Road is not permitted. A convenience store with covered gasoline pumps is located at the northwest corner of the site. The convenience store (Pad B) is located 40 feet south of the northern property line, 15 feet from Westwind Road to the west and 106 feet from the residential development on the west side of Westwind Road. The convenience store is oriented towards the center of the site, with parking along the east side of the building. The gasoline station is to the east of the convenience store and set back 58 feet from the north property line and 131 feet from the residential use to the southeast. A retail/restaurant pad site (Pad C) is located at the northeast corner of the site, 10 feet from the northern property line. Covered outside dining is located on the eastern portion of the building. Lastly, a pad site with a secondhand sales building (Pad A), Goodwill Donation Center, is located to the south of the convenience store and gasoline pumps, 17 feet from the east property line which is adjacent to residential development and 75 feet from the south property line which is adjacent to residential development. A loading dock is on the west side of the building. Since the building is less than 35 feet high, an intense landscape buffer is provided to meet Option 3 of Figure 30.56-10. Parking is located throughout the site and cross access is provided to the commercial site to the east.

Landscaping

The plans depict 10 feet of landscaping along the north property line and 15 feet of landscaping behind an attached sidewalk along Westwind Road on the west side of the site. Extensive landscaping is provided around the convenience store. Landscaping is also provided along the east and south property lines, including an intense landscape buffer per Figure 30.64-12 adjacent to the residential development. Parking lot landscaping is provided throughout the parking lot

with the exception of few areas which exceed the requirement of landscaping fingers for every 6 parking spaces; however, the number of trees exceeds the minimum required per Code. Landscaping also surrounds the Goodwill Donation Center.

Elevations

Per the plans, the convenience store (Pad B) is 24 feet high and the retail/restaurant building (Pad C) is 25 feet high, both with a flat roof behind a varied parapet wall. The exterior finish of both buildings includes stucco walls painted with earth tones, with decorative metal accent bands. Aluminum storefront window and door systems are provided on the front elevations.

The gasoline canopy is 21 feet high with stucco covered columns.

The secondhand sales building (Goodwill Donation Center, Pad A) is a total of 32 feet to the top of the highest parapet wall with varied parapet walls 25 feet to 27 feet high. The color scheme is the same as the other buildings within the development with additional stone veneer accents. The loading dock contains a metal roll-up door on the west elevation and aluminum storefront windows/doors are located at the entrance on the northwest portion of the building.

Floor Plan

The convenience store and retail/restaurant building are 3,541 square feet and 3,550 square feet, respectively with an open floor plan for future tenant improvements. The Goodwill Donation Center is 24,864 square feet with a majority of the floor plan designated for a sales floor, but also includes a back of house storage area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the site plan depicts an effective layout of building, parking, circulation, cross access and shared parking, even with the odd shape of the property. The elevations of the buildings consist of multiple surface plane variations with architectural articulation on all sides of the buildings. The convenience store and gasoline station are neighborhood serving uses as intended by the zoning district and Master Plan. The convenience store is designed to be sensitive to the neighbors, oriented to the interior of the site with extensive landscaping surrounding the building. The convenience store is a buffer between the gasoline station and residential to the west. In addition, the gasoline station is separated from the residential to the southeast by parking, drive aisle, and intense landscaping. Regarding the Goodwill Donation Center, the retail portion is accessory to the secondhand sales use. The applicant further indicates the design of the driveways will result in minimal site conflicts that will result in no stacking of vehicles within the right-of-way. Lastly, enhanced landscaping is provided throughout the site to compensate for the alternative parking lot landscaping.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-1889-03	Reclassified to C-1 zoning for a mini-warehouse on the southern parcel - expired	Approved by BCC	April 2004
ZC-1563-04	Reclassified to C-1 zoning for a convenience store and car wash on the northern parcel	Approved by BCC	February 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D	Blue Diamond Road & industrial park
South	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-1	Single family residential
East	Neighborhood Commercial; Ranch Estate Neighborhood (up to 2 du/ac); & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	H-2, R-E (RNP I), & R-E	Commercial building & single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	H-2 & R-2	Single family residential

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

Related Applications

Application Number	Request
WC-22-400074 (NZC-1563-04)	A waiver of conditions of a zone change requiring a 15 foot wide landscape strip along Blue Diamond Road and Westwind Road is a companion item on this agenda.
VS-22-0329	A vacation and abandonment for 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
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 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 Permits #1 & #2

A convenience store is allowed in a C-1 zone if it is appropriate and compatible with the surrounding area. Although the convenience store does not meet the required separation, the orientation of the building and extensive landscaping help to buffer the building from the residential development to the southwest, which is not directly across from the convenience store. The proposed northern driveway to this site is across from the most northern tip of the residential development and will not extend into the neighborhood. The cross access with the property to the east will reduce the traffic on Westwind Road. However, staff does not support the design review and; therefore, cannot support these requests.

Use Permits #3 & #4

A minimum separation of 200 feet between gasoline stations and residential uses is necessary to help mitigate negative impacts from noise, odor, other nuisances, and to air quality. While staff does not typically support a reduction to the setback, the gasoline station is located to the northwest of the residential development and not directly across from the residential development. A drive aisle, parking and intense landscaping are located within the separation. However, staff does not support the design review and; therefore, cannot support these requests.

Use Permit #5

The proposed secondhand sales use is located to the south of the convenience store and gasoline station. The parcel is zoned H-2, but master planned for low-intensity residential uses with a density of 5 dwelling units per acre. The H-2 zone is an antiquated zoning district which allows for both commercial and residential uses subject to approval of a special use permit. This parcel is not fronting along Blue Diamond Road as other properties commercially zoned; therefore, the expectation should not be for commercial development on this site. Unlike the C-1 zoned site to the north, the driveway to the southern portion of the site extends into the residential neighborhood. In addition, staff is concerned with the loading docks which face the residential development to the west. This use is too intense for this site which is surrounded by residential uses, including R-1 and R-E (RNP-I) zoned properties, on 3 sides. Staff does not 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.

Design Reviews

The applicant has provided extensive landscaping throughout the site; therefore, the alternative design meets the intent of the parking lot landscaping requirements. The building elevations are designed with architectural enhancements which are encouraged in the Master Plan and a finding of a design review. The parcel to the east will be developing with additional commercial uses and with the cross access between the subject parcel, the site will establish a commercial center appropriate for the Blue Diamond Road frontage. While staff supports the uses on the northern

parcel, staff does not support the use on the southern parcel; therefore, staff does not support these requests.

Public Works - Development Review

Waiver of Development Standards #1a

Staff has no objection to the reduced throat depth for the southern driveway on Westwind Road. Two driveways on Westwind Road and a driveway on Lindell Road with cross access will help mitigate potential of conflicts in the right-of-way.

Waiver of Development Standards #1b

Staff can support the reduction in approach distance for the northern driveway on Westwind Road. Placing 2 driveways on Westwind Road will allow traffic to enter more quickly. In order to have 2 driveways, there is no way that the minimum standard can be met.

Staff Recommendation

Approval of waiver of development standards; denial of the use permits and design reviews.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the 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;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Westwind Road and spandrel at the northwest corner of the site;

- Vacate any unnecessary rights-of-way and/or easements.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0209-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

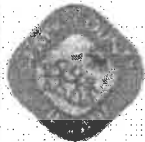
TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ACTIVE COMMERCIAL, LLC

CONTACT: DIONICIO GORDILLO, 204 BELLE ISLE CT., HENDERSON, NV 89012



LAND USE APPLICATION

3A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

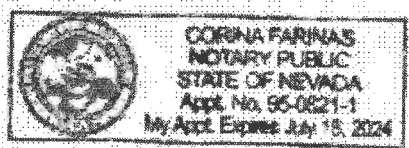
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (2C) <input type="checkbox"/> NONCONFORMING (M2C) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WVS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WVS) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANR) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>UC-22-0317</u> DATE FILED: <u>5/25/22</u> PLANNER ASSIGNED: <u>JCT</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>6/29/22</u> PC MEETING DATE: _____ SCC MEETING DATE: <u>7/20/22</u> FEE: <u>\$1,875.00</u>
	PROPERTY OWNER NAME: <u>Diamond Blue LP</u> ADDRESS: <u>3075 Rosanna Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>
	APPLICANT NAME: <u>Active Commercial</u> ADDRESS: <u>6725 S. Eastern Avenue, Unit 2</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>(702) 858-7970</u> CELL: <u>(702) 612-5500</u> E-MAIL: <u>asf@activecra.com</u> REF CONTACT ID #: <u>N/A</u>
	CORRESPONDENT NAME: <u>Dionicio Cordillo DG Consultants</u> ADDRESS: <u>204 Belle Isle Ct</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u> TELEPHONE: <u>(702) 379-8601</u> CELL: <u>(702) 379-8601</u> E-MAIL: <u>dcordillo@cox.net</u> REF CONTACT ID #: <u>191-488</u>

ASSESSOR'S PARCEL NUMBER(S): 175-24-101-006 & 024
 PROPERTY ADDRESS and/or CROSS STREETS: SEC Blue Diamond Road and Westwind Road
 PROJECT DESCRIPTION: Shopping center consisting of Goodwill Donation Center and vehicle wash

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

Ronald Michie Ronald Michie
 Property Owner (Signature) Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN before me on 12/1/2021 (DATE)
 by RONALD MICHIE
 Notary Public Corina Farinas



*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 22, 2022

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

UC-22-0313

RE: REVISED - Special Use Permits, Waivers of Development Standards, and Design Reviews - Vehicle Wash Facility and Goodwill Donation Center (APN: 176-24-101-006 & 024)

On behalf of Active Commercial, LLC, we are requesting special use permits, waivers of development standards, design reviews, and waiver of conditions for a proposed vehicle wash facility and Goodwill Donation Center. The subject site is 3.8 acres, zoned C-1 and H-2, and located on the south side of Blue Diamond Road and the east side of Westwind Road. While the overall parcel is not symmetrical and is oddly shaped, generally the north half is zoned C-1 while the south half is zoned H-2. By way of background, the zoning for the northern portion of the site was approved with NZC-1563-04 in February 2005. The zone boundary amendment had multiple conditions of approval with full compliance on all conditions except the request for waiver of conditions.

The proposed project requires special use permits in a C-1 and H-2 zoning districts. The request is entirely consistent with the intent of the C-1 zoning district and Neighborhood Commercial (NC) planned land use designation and in compliance with several Goals and Policies contained within the Clark County Master Plan. The C-1 zoning district is intended to provide for the development of retail business uses or personal services and to serve as a convenience to neighborhoods and limited local markets typically on a site less than 10 acres. The NC category lists primary land uses, in part, as a mix of retail, restaurants, offices, service commercial, and other professional services. Characteristics of the NC category are listed as providing opportunities for compact nodes of low-intensity retail, services, and offices that serve residents of the immediate neighborhoods and scale and intensity of uses should be mitigated where centers are adjacent to existing or planned neighborhoods to promote compatibility.

Special Use Permits

Certain prescribed uses are only permitted with a special use permit and not permitted by right due to a special characteristic of its operation or installation. The use may be permitted with discretion in a district subject to review by the Commission or the Board to ensure compatibility with existing or planned surrounding uses and characteristics of development.

The first use permit is for a vehicle wash facility in a C-1 zoning district. The proposed facility is oriented towards Blue Diamond Road which is principal arterial and oriented away from any nearby residential uses. With a combination of enhanced landscaping and transitional space, the proposed use will not have any adverse impact on the immediate area. While a car wash bay faces Westwind Road, we have enhanced the 15 foot wide street landscaping to include additional evergreen trees which will completely obscure the bay. A vehicle (car) wash is entirely consistent with the C-1 zoning district and the NC land use category since the use primarily serves the immediate neighborhoods.

The second use permit is for second hand sales in an H-2 zoning district. The second hand sales consists of a Goodwill Donation Retail Center. While retail sales is a function of the store, retail is not the primary use and therefore is ancillary to the second hand sales and does not require a use permit in the H-2 zoning district. As with the car wash, this use is intended to primarily serve the immediate neighborhoods and will not adversely impact the immediate area.

For the two special use permit requests, the applicant has designed a facility on the site in a manner that not only buffers the use from the residential use but eliminates any potential impacts. The buildings are oriented so that they face away from the residential use. Other existing, site, building design, and operational elements that will ameliorate and mitigate possible negative impacts include the following: 1) the proposed buildings are not immediately adjacent to residential uses but rather separated by a block wall at the south and east property lines with landscape buffering and a commercial drive aisle; 2) the proposed facility will include screening and buffering walls on the perimeter with enhanced landscaping; and 3) portions of the proposed buildings will also function as screening. Therefore, the combination of the above referenced elements provides for a mitigation of the required separation or building buffer and provides for a proposed project that is a compatible use that can harmoniously coexist abutting the residential use with minimal impacts.

Waivers of Development Standards

While the proposed alternatives do not comply with required provisions, it is recognized that individual sites may present unique characteristics, the operation and location of site uses that could be best developed through the application of alternative site development standards which depart from the requirements of Title 30. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

The first waiver of standards request is to reduce the set back between the proposed car wash and a residential use. The request is to reduce to 159 feet where 200 feet is the standard. As with the use permits, a combination of site, building design, and operational elements will mitigate any potential noise impacts. Additionally, Westwind Road also functions as transitional space from the residential use.

The second waiver of standards request is for alternative driveway geometrics for a reduced throat depth of 25 feet. The required throat depth per Uniform Standard Drawing 222.1 is 75 feet. The proposed throat depth is consistent with other driveway geometrics in the immediate area with no known adverse impacts. Farther east, there are existing commercial developments on non-arterial or collector streets with throat depths that are less than what we are providing. The proposed throat depth is on the egress side of the driveway and therefore will not have any adverse impact on vehicles that could queue in the right-of-way. The ingress sides of both driveways along Westwind Road are 75 feet. Finally, the affected driveway is on Westwind Road which is a local street with minimal traffic generation. Therefore, we believe the alternative standard we are proposing, will provide for minimal site conflicts that will result in no stacking of vehicles within the right-of-way.

The third waiver of standards request is for alternative driveway geometrics for an approach distance for the north driveway along Westwind Road. The required approach distance per Uniform Standard Drawing 222.1 is 150 feet and our site plan proposes 100 feet. The intent of the standard is to minimize any potential vehicular conflicts between vehicles turning north on Westwind Road and queuing of vehicles that are at the intersection of Westwind Road and Blue Diamond Road and turning east on Blue Diamond

Road. As with the throat depth waiver request, the proposed approach distance is consistent with other approach distances farther east between local streets and Blue Diamond Road with no known adverse impacts. Additionally, the affected driveway is on Westwind Road which is a local street with minimal traffic generation. Finally, the requested approach distance is from a possible future right-of-way line and not the current improved Blue Diamond Road. Therefore, we believe the alternative standard we are proposing, will provide for minimal site conflicts that will result in no stacking of vehicles within the right-of-way.

Design Reviews

The applicant is requesting a design review for the following: **1)** site and building design as referenced per plans; and **2)** alternative parking lot landscaping.

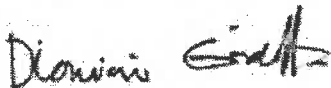
The first design review with the submitted site plan depicts an effective layout of the buildings, parking areas, circulation, cross access and shared parking, and sensitivity to the nearby residential uses to the southwest and southeast. The elevations for the proposed buildings consist of multiple surface plane variations to give both vertical and horizontal articulation along with various elements such as stucco siding, accent bands, reveal lines, and other unique and modern materials and features. **The architectural detailing is provided on all sides consistent with the primary/front elevation.**

The second design review is for alternative parking lot landscaping per Figure 30.64-14. The majority of the site fully complies with all provisions of Figure 30.64-14. Under Option 1 of Figure 30.64-14, the maximum number of parking spaces between islands are 6 spaces with no 8 foot wide planting strip. Due to the asymmetry of the site, there are parking areas with more than 6 spaces between landscape islands. That is partially due to the arrangement of the parking areas to mitigate for the reduced driveway throat depths. The alternative that is provided is that the site is substantially enhanced with additional landscaping along Westwind Road and southern and eastern property line. Additionally, the parking areas are designed in smaller courts with several obscured by a building which will obscure the parking area from public view from a street.

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 the consideration.

Sincerely,



08/02/22 PC AGENDA SHEET

OFFICE COMPLEX/MANAGER'S UNITS
(TITLE 30)

WINDMILL LN/GILESPIE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-22-0312-DIAMOND WINDMILL, LLC:

USE PERMIT to increase the maximum combined area of all manager's units.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) reduce landscaping; and 3) alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) office complex with a non-residential design; 2) balconies and clear windows above the first story; and 3) lighting on 1.0 acre in a C-P (Office and Professional) Zone.

Generally located on the southwest corner of Windmill Lane and GilesPie Street within Enterprise. MN/jt/jo (For possible action)

RELATED INFORMATION:

APN:

177-16-102-043

USE PERMIT:

Increase the combined area of all manager's units to 6,400 square feet where 2,400 square feet (25% of the total square footage of the development) is the maximum per Table 30.44-1 (a 167% increase).

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce the interior side setback to 10 feet where 15 feet is the minimum per Table 30.40-4 (a 34% reduction).
 - b. Reduce the rear setback to 8 feet where 10 feet is the minimum per Table 30.40-4 (a 20% reduction).
 - c. Reduce the setback from a residential use to the south to 10 feet where 81 feet is required per Figure 30.56-10 (an 88% reduction).
 - d. Reduce the setback from a residential use to the west to 8 feet where 81 feet is required per Figure 30.56-10 (a 90% reduction).
2. Reduce landscaping width to a less intense use to 4 feet where 5.5 feet is the minimum per Figure 30.64-11 (a 27% reduction).
3.
 - a. Reduce the driveway departure distance to 92 feet where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 52% reduction).
 - b. Reduce throat depth to 6 feet where 75 feet is the minimum per Uniform Standard Drawing 222.1 (a 92% reduction).

Design Reviews:

1. Office complex with a non-residential design.
2. Balconies (decks) and clear windows above the first story adjacent to residential uses per Table 30.40-4.
3. Lighting.

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

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

- Site Address: N/A
- Site Acreage: 1
- Number of Manager's Units: 8
- Project Type: Office complex with manager's units.
- Number of Stories: 2
- Building Height (feet): 33
- Square Feet: 6,400 living/16,000 total
- Parking Required/Provided: 47/51

Site Plan

The site plan depicts a 1 acre lot with access from Giles pie Street to the east and 2 buildings, each with a footprint of 4,800 square feet. The lower floor of each building will be commercial lease space with the second floor being used as manager unit's. Parking is provided on the north and east sides of the building with a total of 51 spaces provided where 47 are required. The southern building is proposed 10 feet from the south property line (15 feet required) and is adjacent to a 20 foot wide drainage easement on the adjacent property. The southern building will be approximately 85 feet from the nearest residential home to the south. Both buildings are proposed 8 feet from the rear property line on the west (10 feet required). Both buildings will have manager unit's on the second floor with sliding glass doors leading to 200 square foot decks at the front and back of each unit.

Landscaping

A detached sidewalk is proposed along Giles pie Street, with an existing attached sidewalk along Windmill Lane, both are collector/arterial streets. Fifteen feet of landscaping is proposed behind the attached sidewalk along Windmill Lane. Giles pie Street landscaping will include 5 foot landscape strips on either side of the detached sidewalk. A decorative concrete courtyard with landscape planters and a steel tube trellis is proposed between the 2 buildings. The parking lot landscaping will include landscape fingers and median areas.

Elevations

The elevations depict 2 modern flat roof facades with stone veneer, metal cladding, and a specialty exterior finish insulation system (EFIS) with up to 5 colors. Metal clad trellis and awnings, decorative deck railings, and aluminum storefronts and windows will be included.

Roof access is provided by a controlled access fixed ladder on each building, facing the courtyard area.

Floor Plans

The floor plans depict commercial lease space on the lower level of each building with up to 4 potential units in each building. Four manager units are shown on the second level of each building, each with a separate glass front door entrance at the ground level within an enclosed entry that also provides access by separate door to the commercial space. The second floor residential manager units include a deck on each side of the building, 1 bedroom, full kitchen, living room, bathroom, and closet spaces. Bedrooms are located on the front side of each building, while living rooms are shown at the back side of each building.

Lighting

Light poles are shown near the northeast corner of each building, adjacent to the parking area. A third light pole is shown on the northern side of the parking lot, on the north side of the north building.

Signage

Signage is not a part of this request. Space for wall signs is included above each commercial unit on the east and north facing walls. The applicant will be expected to meet Code for proposed signs.

Applicant's Justification

The applicant is proposing a combination of commercial lease space and 800 square foot residential manager unit's on a second floor. The proposed development is designed to accommodate a mix of residential units and commercial lease space at the corner of Gilesie Street and Windmill Lane. The 800 square foot manager unit's provide comparable living space as would be found in condominium and apartment developments. Each living unit will provide 1 bedroom, full kitchens, laundry facilities, living space, and outdoor decks on both sides. The second floor of the units backing to the west will likely be adjacent to future commercial uses. The south facing windows of the manager units in Building are approximately 90 feet from the existing home. The front of the existing home faces north.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-19-0314	Reduced driveway separation, throat depth, setbacks, and parking for an office facility - expired	Approved by PC	August 2019
WS-0229-09	Alternative design standards for an office building on a portion of the site	Withdrawn by BCC	May 2009
ZC-1662-05	Reclassified the site from R-E to C-P zoning with a design review for an office building and waivers to reduce setbacks and parking	Approved by BCC	January 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	R-E	Undeveloped
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
East	Neighborhood Commercial	C-P	Undeveloped
West	Neighborhood Commercial	R-E	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 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 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. Master Plan Policy 1.5.2 supports clustering higher density residential development, in this case, just 8 units, away from shared edges of the RNP areas. This development has only 1 unit of 8 with a shared side of the unit facing the RNP. Policy 1.1.1 of the Master Plan supports a mix of housing types at numerous locations, and to expand opportunities for "middle" housing, including smaller multiple family complexes like this development. Master Plan Policy 1.2.6 supports expansion of the number of affordable dwelling units. The 800 square foot 1 bedroom manager units will provide a more affordable product than other larger single family housing products. Master Plan Policy 1.4.1 supports development that reduces the potential for neighborhood crime, and supports neighborhood pride and quality. Eight manager units will provide for additional security when considering on-site residents can monitor the property after commercial business hours. Master Plan Policy 1.4.4 supports in-fill development while promoting compatibility with the scale and intensity of the surrounding areas. The proposed 8 units are far fewer units, with far fewer traffic impacts than could be associated with potential multiple family development on the same property. However, since staff does not support the throat depth waiver for access, staff cannot 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.

Waivers of Development Standards #1 & #2

Manager units are one way to address critical shortages in smaller living opportunities that can contribute to providing much needed attainable housing in Clark County. Master Plan Policy

1.5.1 supports protection of rural neighborhood preservation (RNP) areas and the proposed development only has 1 unit that side faces an RNP-I property, with no deck facing the RNP-I property. This property is not located in the RNP-I overlay. Although, the adjacent parcel to the west is designated Neighborhood Commercial in the Master Plan, the property is currently developed as a single family residential use that is currently zoned R-E (but not in RNP-I). The existing single family residential home on the west side of the proposed manager units has access to Windmill Lane, a busy 100 foot right-of-way. The addition of 8 manager units with living spaces oriented towards the west and bedrooms to the east, will not create a substantially greater annoyance or disruption to the neighborhood than Windmill Lane will create over time with noise and traffic impacts in relationship to access and safety. Deck lights on the west side of the building can be shielded to keep light from shining to the west. However, since staff cannot support the throat depth waiver, staff cannot support this request.

Design Review #1

While the overall design of the building could be considered a match for the character of the live-work use of the property, staff cannot support the current design that does not meet access requirements.

Design Review #2

The windows of the single (side facing) unit on the south side of Building 2 are not primary windows, with several serving more of a utility purpose than viewing purpose. The angle and height make it less likely for a direct view into the adjacent homes to the south or southwest. The house to the southwest has a covered patio area that would likely keep anyone in a second story unit from having a direct view of the rear windows in that home. However, since staff cannot support the throat depth waiver, staff cannot support this request.

Design Review #3

The proposed commercial lease space is oriented to the east and inward towards the courtyard. Lighting has been limited to specific areas of the lot that are not positioned to impact the adjacent neighborhood. The proposed development is compatible with adjacent development and development in the area when considering the small scale of the structure and orientation. The proposed development is consistent with the applicable land use plan, this Title, and other regulations, plans and policies of the County. Elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance and deck lighting can be mitigated to be in harmony with the surrounding area. FAA and other additional requirements and standards as established will not be violated with the proposed development. However, since staff cannot support the throat depth waiver, staff cannot support this request.

Public Works - Development Review

Waiver of Development Standards #3

The reduction in throat depth combined with the reduced distance for the driveway on Giles pie Street from the intersection of Warm Springs Road and Giles pie Street reduces the safety of vehicles entering and exiting the site. The driveway on Giles pie Street could be redesigned to allow for a larger departure distance, even with the limited frontage. Staff has concerns with increased traffic as traffic volumes are high enough to trigger the need for a traffic signal.

Further complicating off-site to on-site movements, the reduced throat depth will compound the impact of the reduced departure distance, resulting in an increased potential for collisions. Therefore, staff cannot support this request.

Department of Aviation

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

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- Deck lights shall be designed, shielded, and oriented to keep illumination on the decks;
- Light poles shall not exceed 20 feet in height.
- Applicant is advised that landscape planting shall comply with the Southern Nevada Regional Planning Coalition and SNWA water smart plant list; 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;
- Full off-site improvements;
- Right-of-way dedication to include a 54 foot property line radius;
- Reconstruct unused driveways;
- Vacate any unnecessary rights-of-way and easements;
- 30 days to coordinate with Public Works - Traffic Division and to dedicate any necessary right-of-way and easements for the Windmill Lane/Gilespie Street traffic signal improvement project;

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Duck Creek/Bermuda Road to Las Vegas Boulevard improvement project.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; that landscaping is not permitted in the right-of-way; and that nothing over 24 inches in height is permitted in sight visibility zones.

Department of Aviation

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

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0209-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: DIAMOND WINDMILL LLC

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



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

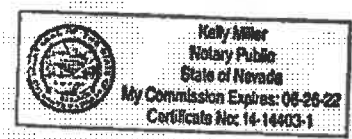
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> 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 #)	STAFF APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
	PROPERTY OWNER NAME: <u>DIAMOND WINDMILL LLC</u> ADDRESS: <u>5052 S. JONES BLVD. SUITE 110</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702 - 734 - 9393</u> CELL: <u>702 - 236 - 1802</u> E-MAIL: <u>dpetersen@visiconlv.com</u>
	APPLICANT NAME: <u>DIAMOND WINDMILL LLC</u> ADDRESS: <u>5052 S. JONES BLVD. SUITE 110</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702 - 734 - 9393</u> CELL: <u>702 - 236 - 1802</u> E-MAIL: <u>dpetersen@visiconlv.com</u> REF CONTACT ID #: <u>186247</u>
	CORRESPONDENT NAME: <u>RICHARD GALLEGOS - D C PETERSEN CONSULTANTS</u> ADDRESS: <u>5052 S. JONES BLVD. SUITE 110</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702 - 524 - 0054</u> CELL: <u>702 - 524 - 0054</u> E-MAIL: <u>rgallegos@visiconlv.com</u> REF CONTACT ID #: <u>168799</u>

ASSESSOR'S PARCEL NUMBER(S): 177 -16 -102 - 043
 PROPERTY ADDRESS and/or CROSS STREETS: Southwest corner of WINDMILL LANE and GILESPIE STREET
 PROJECT DESCRIPTION: design review, use permit and waivers for 2 - 2 story office bldgs with managers units

(I, We) the undersigned swear 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 law; 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 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 reviewing the proposed application.

Property Owner (Signature): [Signature]
 STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME BY Darren C Petersen (DATE) 09/01/2021
 NOTARY PUBLIC: [Signature]

DARREN C PETERSEN - MGR.
 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.

DC PETERSEN, LLC
5052 S. Jones Blvd, Suite 110., Las Vegas, NV 89118 (702) 734-9393

November 05, 2021 Revised February 08, 2022

Clark County Current Planning
500 S. Grand Central Parkway, 1st Floor
Las Vegas, NV 89155

Attn: Jared Tasko, AICP, LEED Green Associate

RE: WINDMILL CORPORATE PARK
APN: 177-16-102-043
APR-21-10156
DESIGN REVIEWS, WAIVER OF DEVELOPMENT STANDARDS AND USE PERMIT
JUSTIFICATION LETTER

Dear Jared,

We respectfully request favorable consideration for the above referenced project application for three (3) Design Reviews, (4) Waiver of Development Standards and a Use Permit.

The proposed Design Review #1 is for 2- 2 story office buildings approximately 9,600 sq. ft. each on 1.3 acres in a CP zoning district with Planned Land Use designation of NC. The proposed height is 32 feet 6 inches. Landscaping is provided along the south and west landscape planters to protect the existing uses. Site parking and parking lot landscaping are in compliance with Title 30. The building exterior finishes have various finish materials including stone veneer metal cladding and a specialty exterior finish insulation system (EFIS) with 2 colors.

Design Review # 2 is also to allow a non-residential design for an office park. (This request was previously granted with prior action WS-19-0314)

Design Review #3 is for Site Lighting. Site Lighting is submitted for review since we are in Enterprise. Site lighting does not spill onto adjacent properties while providing the code required on-site lighting levels.(This request was previously granted with prior action WS-19-0314)

Waiver of Development Standards # 1 is to allow a 92' foot driveway departure where 190 feet is required. The driveway is placed in the middle of parcel to maintain maximum practical separation from adjacent residential development and the intersection. (This request was previously granted with prior action WS-19-0314)

Waiver of Development Standards # 2 is to allow a 6 foot throat depth where 75 feet is required. Due to the site constraints achieving the desired throat depth is not practical. The parking lot is serving a small amount of vehicles and the office is a light traffic use.(This request was previously granted with prior action WS-19-0314)

Waiver of Development Standards # 3 is to allow a 8 foot building and landscape setback where 10 feet is required (20% reduction) along the rear west property. 36" box trees will be used in lieu of 24" box trees. There is a very strong possibility that the property to the west will be developed as a C-P use in the very near future and the setback would not be applicable. (This request was previously granted with prior action WS-19-0314)

Waiver of Development Standards #4 is to allow a 10 foot interior side setback where 15 feet is required. (a 34% reduction). A 10 foot wide intense landscape buffer with 36 inch box trees has been provided as a compensating benefit. There is a overhead power line easement and a drainage easement separating the existing residence.

Use Permit to allow 6,400 square feet of managers unit area where 2,400 square feet is allowed. To encourage quality and stable employees, the Property Owner's want to provide a compatible size living unit to other 1 bedroom apartment size communities. The proposed unit size is 800 square feet and contains 1 bedroom with a full kitchen and laundry facilities with 400 square feet of exterior decks (200 sq. ft each side) which is acting as open space for the occupant. The second floor west or rear balcony faces in what in all probability will be developed as a commercial use and the south facing windows of building 2 are over 90 feet away from the existing home.

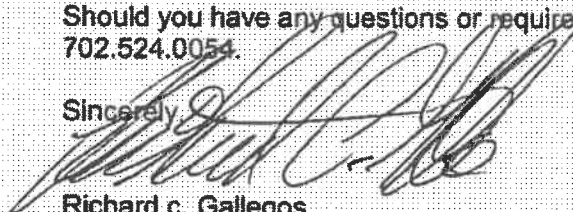
The proposed project is designed to contain mixed uses as allowed by code such as retail, coffee shop/ or deli in addition to the traditional office uses

The proposal is appropriate based on the following finding of facts

1. The proposed development is compatible with adjacent development and development in the area;
2. The proposed development is consistent with the Enterprise Land Use Plan, Title 30, other regulations, plans and policies of the County;
3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;
4. Building and landscape materials are appropriate for the area and for the County;
5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment ; and are harmonious and compatible with development in the area;
6. Appropriate measures are taken to secure and protect the public health, safety, and general welfare; and
7. FAA and other additional requirements and standards if required will be complied with.

Should you have any questions or require additional information please contact me at 702.524.0054.

Sincerely,



Richard c. Gallegos
Project Director

08/02/22 PC AGENDA SHEET

COMMUNICATION TOWER
(TITLE 30)

RAINBOW BLVD/WINDMILL LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0357-SOUTHWEST MARKETPLACE STATION LLC:

USE PERMIT to reduce the setback for an existing communication tower to a residential development.

DESIGN REVIEWS for the following: 1) increase height of an existing communication tower; and 2) modifications to an existing communication tower and associated equipment within an existing shopping center on a portion of 16.2 acres in a C-2 (General Commercial) Zone.

Generally located on the northeast corner of Rainbow Boulevard and Windmill Lane within Enterprise. MN/md/tk (For possible action)

RELATED INFORMATION:

APN:

176-11-416-003 ptn

USE PERMIT:

Reduce the setback for an existing communication tower to a residential development to 153 feet where a minimum of 240 feet is required per Table 30.44-1 (a 36.3% reduction).

DESIGN REVIEWS:

1. Increase the height of an existing communication tower to 80 feet where a height of 65 feet was previously approved (a 23.1% increase).
2. Modifications to an existing communication tower and associated equipment.

LAND USE PLAN:

ENTERPRISE -CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 8050 S. Rainbow Blvd
- Site Acreage: 16.2 (portion)
- Project Type: Communication tower (monopine)
- Tower Height (feet): 65 (existing)/15 (proposed)/80 (total)
- Parking Required/Provided: 490/806

History and Request

UC-0862-17 was approved by the Planning Commission (PC) in December 2017 for a 65 foot high communication tower and associated equipment on a portion of 16.2 acres within an existing shopping center. The applicant is proposing to increase the height of the existing communication tower to 80 feet to collocate additional antenna arrays on the structure. The increase in tower height necessitates a use permit to reduce the required setback distance of 240 feet to the single family residential development to the east. The Federal Communications Commission requires the installation of an emergency back-up generator in high risk areas and/or fire risk areas. The generator does not run on a continual basis and will only be utilized in the event of a power failure.

Site Plans

The plans depict an existing communication tower (monopine) located within an existing shopping center. The communication tower is located within a lease area measuring 256 square feet. The tower is set back 153 feet from the east property line, adjacent to an existing single family residential development. The tower is also set back 615 feet from the north property line adjacent to Mesa Verde Lane, 435 feet from the west property line along Rainbow Boulevard, and 610 feet from the south property line adjacent to Windmill Lane. An existing equipment enclosure servicing the tower, measuring 1,120 square feet in area, is located 55 feet to the east of the tower. The equipment enclosure is set back 79 feet from the east property line, adjacent to the single family residential development. An emergency generator measuring 7.5 feet in height will be installed within the equipment enclosure, which is surrounded by an existing 8 foot high decorative masonry wall. Furthermore, the existing equipment enclosure is screened from the residential development to the east by a 6 foot high block wall with a landscape area measuring 10 feet in width that includes large evergreen trees.

Landscaping

All street and site landscaping exists and no additional landscaping is proposed or required.

Elevations

The plans depict an existing 65 foot high communications tower with a proposed height increase of 15 feet (80 feet total) that is necessary to accommodate the collocation of 6 additional antennas. The communication tower consists of a monopine design with the proposed addition matching the design of the existing structure.

Applicant's Justification

The applicant states the proposed stealth extension and design will have very little impact visually to the surrounding area and will have great impact for community coverage of wireless services. The additional tower height will allow the collocation of additional antennas to the tower. Furthermore, the increase in tower height will allow the applicant to decommission an existing communication tower located 3,300 feet to the north of the project site, immediately east of the Eldorado Lane and Rainbow Boulevard intersection. The applicant indicates there are no adverse impacts with the extension of the monopine design and that the tower provides a service to the entire community. The height increase will increase the number of additional antennas, thereby reducing the proliferation of towers.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-20-0596	Supper club	Approved by PC	February 2021
UC-0862-17	65 foot high mono-pine cellular tower	Approved by PC	December 2017
DR-0042-17	Restaurant with drive-thru within an existing shopping center (now a separate parcel)	Approved by BCC	March 2017
DR-0818-16	Building addition to an existing shopping center	Approved by BCC	January 2017
TM-0197-08	Commercial subdivision for a shopping center	Approved by PC	January 2009
ZC-1271-05	Reclassified a previously approved commercial center to C-2 zoning	Approved by BCC	October 2005
DR-0142-03	Commercial center	Approved by PC	March 2003
VS-1697-02	Vacated and abandoned patent easements, and rights-of-way	Approved by BCC	February 2003
ZC-0252-02	Reclassified the subject property to C-2 zoning - expired	Approved by BCC	May 2002
ZC-1006-01	Reclassified the subject parcel to C-2 zoning - expired	Approved by BCC	October 2001
ZC-0122-98	Original reclassification of the subject property to C-2 zoning - expired	Approved by BCC	May 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Compact Neighborhood (up to 18 du/ac)	R-3	Multiple family complex
South	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	C-1 & R-4	Undeveloped & multiple family apartment complex
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
West	Neighborhood Commercial	C-1	Commercial uses & undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit and Design Reviews

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must

establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

The existing communication tower will continue to provide essential wireless communication services to the surrounding area. While the existing tower is the tallest structure within the immediate area, staff finds the height increase allows for the collection of antennas for multiple carriers on the tower; thereby, reducing the need for additional communication towers within the area. The increase to the tower height should have minimal to no impact on the surrounding land uses and properties. The proposed addition to the communications tower matches the monopine design and provides a necessary utility service to the residents of Clark County. Staff does not anticipate any adverse impacts with the design and proposed height increase to the communications tower; therefore, recommends approval of the requests.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that a bond (or other guarantee per Table 30.44) is required prior to the construction of the tower; that this approval also includes all future antennas proposed in conjunction with this tower, provided all future antennas are determined to not be visually obtrusive to this area; that in order to construct this tower, building permits must be obtained for this tower prior to building permits being issued for any other communication tower within a radius of 600 feet otherwise additional land use applications may be required; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

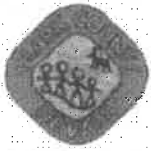
Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: PARALLEL INFRASTRUCTURE
CONTACT: CYNTHIA SQUIER, INFINITY COORDINATORS, 234 CAROLINA LAUREL
STREET, HENDERSON, NV 89074

DRAFT



LAND USE APPLICATION

5A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (N/C) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>UC-22-0357</u> DATE FILED: <u>6/2/22</u> PLANNER ASSIGNED: <u>MND</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>7/13/22</u> PC MEETING DATE: <u>8/2/22</u> @ <u>6:00 P.M.</u> BCC MEETING DATE: <u>-</u> FEE: <u>\$1,350.00</u>
	PROPERTY OWNER NAME: <u>Southwest Marketplace, LLC</u> ADDRESS: <u>11501 Northlake Drive</u> CITY: <u>Cincinnati</u> STATE: <u>OH</u> ZIP: <u>45249</u> TELEPHONE: <u>513-313-4503</u> CELL: _____ E-MAIL: _____
	APPLICANT NAME: <u>Parallel Towers III</u> ADDRESS: _____ CITY: <u>Charlotte</u> STATE: <u>NC</u> ZIP: <u>28277</u> TELEPHONE: <u>919-244-3558</u> CELL: _____ E-MAIL: <u>annette.hellmich@piflowers.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Cynthia Squier</u> ADDRESS: <u>234 Carolina Laurel St.</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u> TELEPHONE: <u>559-280-0590</u> CELL: <u>559-280-0590</u> E-MAIL: <u>csquier@infinitycoordinators.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-11-416-003

PROPERTY ADDRESS and/or CROSS STREETS: 8050 S Rainbow Rd. Las Vegas, NV 89139

PROJECT DESCRIPTION: PINV004 / VG21006A SUP for 15' Extension to Existing Mono pine for TMO Colo

(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)

Robert F. Myers
Property Owner (Print)

STATE OF Ohio
COUNTY OF Hamilton

SUBSCRIBED AND SWORN BEFORE ME ON May 16, 2022 (DATE)

By [Signature]
NOTARY PUBLIC: Amanda Young, Notary Public, State of Ohio



AMANDA YOUNG
Notary Public, State of Ohio
My Commission Expires 08-19-2024

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

2/18/2022

3/15/2022 Response to Staff Comments

Clark County
500 S. Grand Central
Las Vegas, NV 89148
Department of Planning

PLANNER
COPY

Re: Request for a Special Use Permits
15ft Tower Extension for T-Mobile to Co-locate on Existing Telecommunication Tower at
8050 S. Rainbow Road, Las Vegas, NV 89139 (APN: 176-11-416-003)

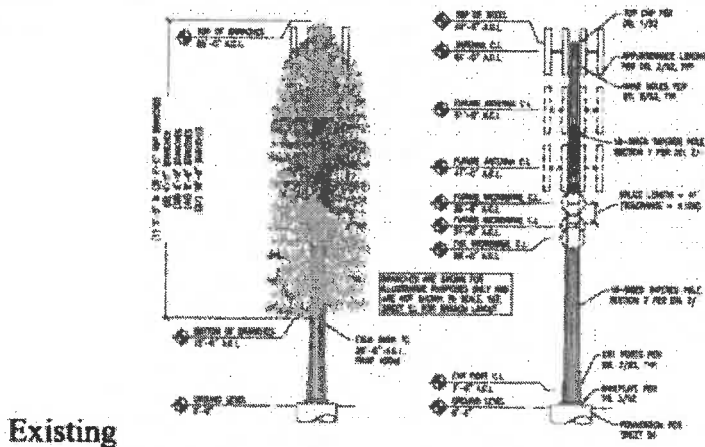
- Use Permit -Increase tower height from 65ft to 80ft
- Use Permit-Reduce Tower Setback from residential to 153ft where 240ft required
- Design Review for Modifications to Existing Communication Tower

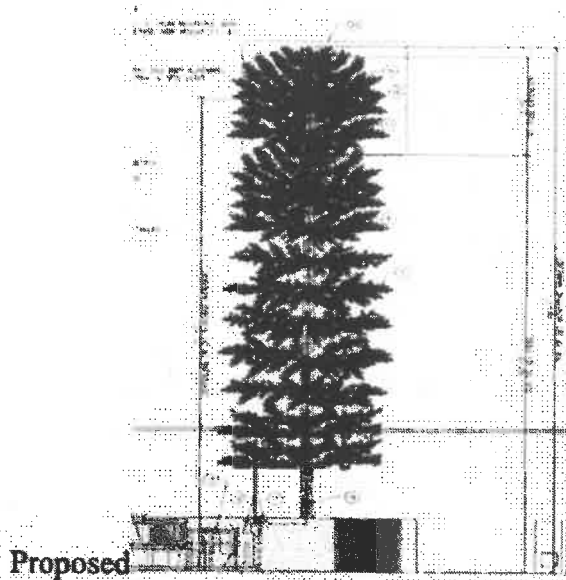
Current Planning Division:

This is a request to allow PI Tower Development, LLC the tower owner of a telecommunications tower located on APN: 176-11-416-003 add a 15ft extension so the THIRD carrier (aka TMO) can collocate on the new extension. All other changes proposed are concealed within the existing compound which stays within the existing property lines to an existing business, which is commercial property zoned C-2. The closest single-family residents are to the east same setbacks when tower originally approved. The proposed stealth extension will have very little impact visually to the surrounding area but will have great impact for community coverage of wireless service including but not limited to 5G. Sims included

PI Towers is requesting a Use Permit to construct a new 15ft extension for an overall height of 79.1' which T-MOBILE (proposed third for collocation) would attach with a RAD (TMO height on tower) of 71'. All equipment will be outdoors and concealed from view in existing compound. This fence will be within the existing property lines of which are already fenced with limited view.

- 15ft Extension and TMO would have gone lower, but the last carrier is at 61ft RAD and TMO needs a 71ft RAD for antennas to have clearance from the existing & surrounding buildings, homes and trees which puts TMO at 79.1ft total; see drawings included with this submittal.





Note: Due to the building next to tower = does not allow for lower colocation.

PI Towers LLC believes this project meets the basis of approval based on the following:

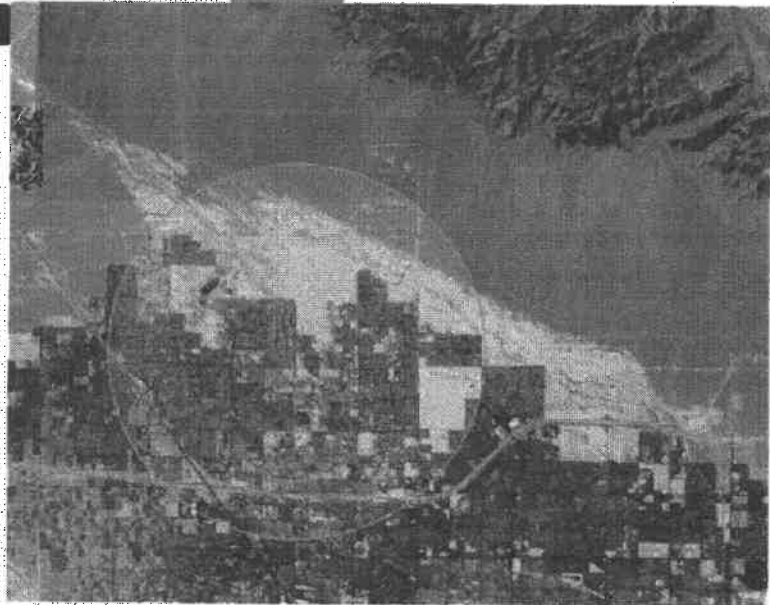
- Minimum of 600' ft from any existing telecommunications facility. *The closest Tower is 1 mile away; A visual map and list have also been included to show distance & surrounding tower owners.*

Results Summary

77 towers and 88 antennas within a 3.0 mile radius of 8950 N Rainbow Blvd, Las Vegas, NV 89133, United States.

Registered Towers

ID	Carrier/Owner	Distance
0	App Towers, LLC	0.0 mi
1	Crown Castle M.U. LLC	1.9 mi
2	Sba 2012 Tc Assets, LLC	2.0 mi
3	Sun State Towers, LLC	2.1 mi
4	Craft, LLC	2.4 mi
5	Sba 2012 Tc Assets, LLC	2.4 mi
6	American Towers, LLC	2.4 mi
7	Crown Castle M.U. LLC	2.6 mi
8	T mobile	2.6 mi
9	App towers, LLC	2.7 mi
10	American Towers, LLC	3.0 mi



2 towers within 3 miles operated/owned by ATC

VG09210A

Operated/Owned by ATC aka American Tower

Address: 7508 S. Rainbow Blvd / 176-11-201-014

TMO will decommission their equipment and remove themselves from this asset with this extension approval. (In Nevada Power Substation)

The distance between VG09210A and the proposed Tower extension is approx. 3295ft away



Response to Planning

- Street shows Rainbow for both sites.
- Site address and APN of VG09210A provided above
- Distance between the Decommissioned site and the proposed 3295ft

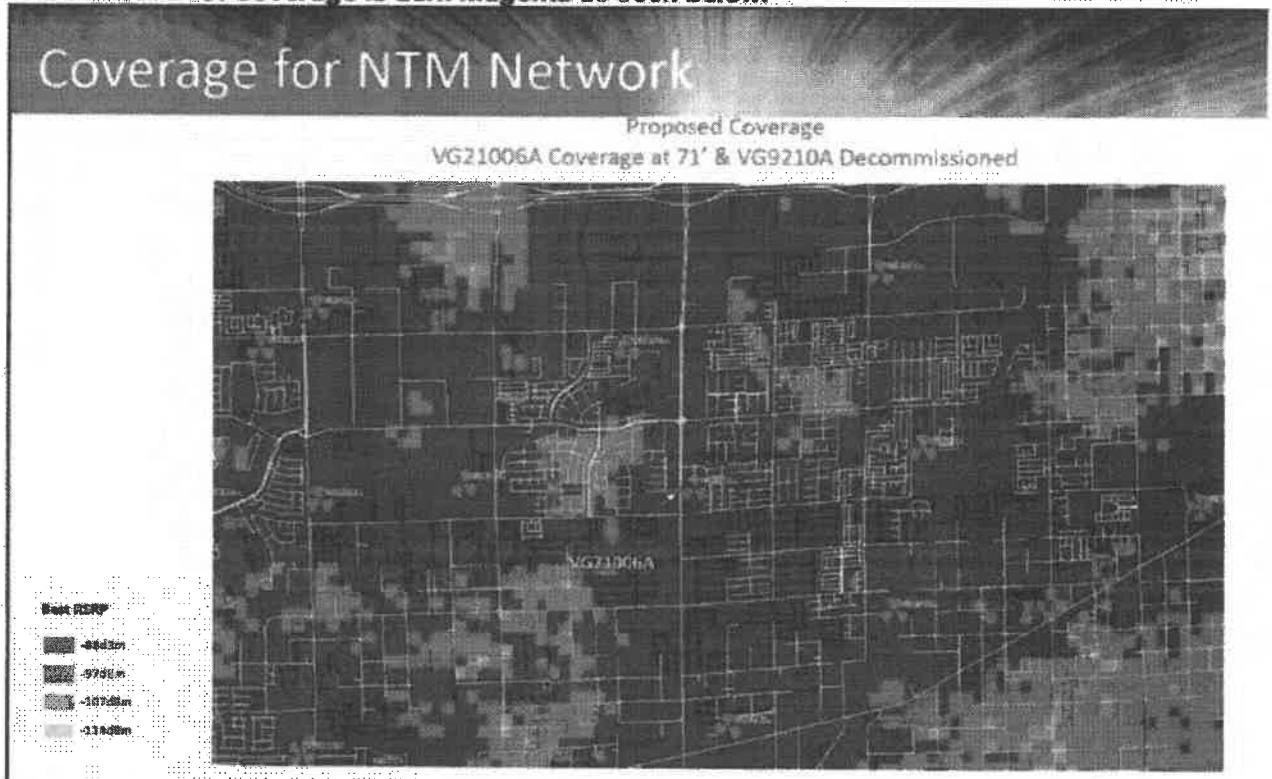
These sites are investments in the community that T-Mobile has already made to provide service to these areas. Now as these communities have grown T-Mobile has identified a tower (VG09210A) that is no longer of benefit to the community and needs to be replaced.

PI TOWERS proposes to extend their existing site for T-Mobile to collocate IF extension is approved at this proposed location.

TMO will then relocate and remove their equipment from this tower facilities. This adheres to code and reduces the number of tower structures in this community.

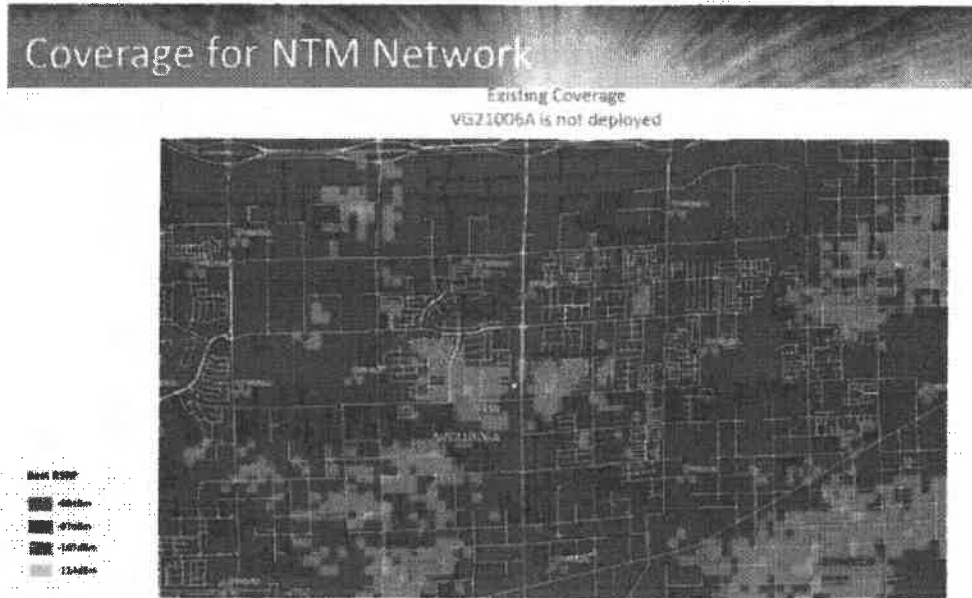
Maps included show TMO NETWORK to Decommission off one site and move to our Proposed New location with extension approved.

Please note Best Coverage is dark magenta as seen below.

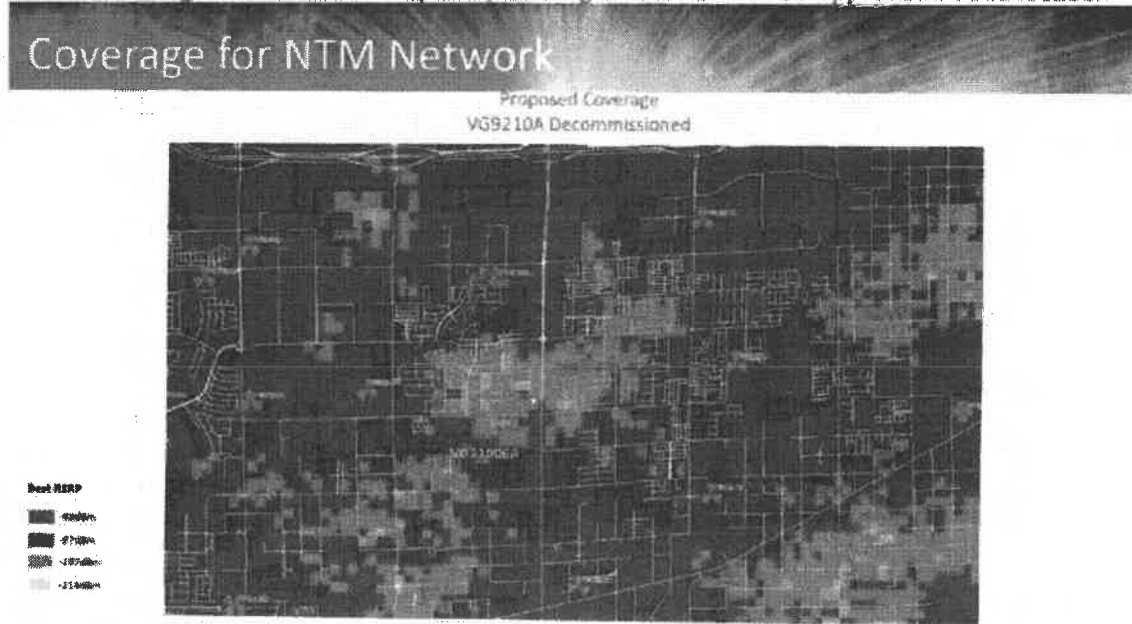


- Any communication tower may provide a security fence or wall. No permanent staff is assigned to this facility. All required equipment will be located behind wall in existing compound, no visual to equipment. Fence Shown A-4
- Parking. No existing parking spaces will be affected.
- The communication tower shall be structurally designed to accommodate more than one antenna array. **The tower is structurally capable and designed to handle 3 antenna arrays;** at this location the tower was built next to a building so lower attachment point is not feasible to collocate at therefore an extension is being requested for 3rd carrier to collocate here.

- Propagation Maps are also included with this submittal, showing existing coverage with current tower active.
 - Showing existing coverage with current (9210 tower) site active



Showing current 9210 tower INACTIVE / NO SERVICE
T-Mobile willing to Decommission (9210) existing tower if extension approved at this location



- The communication tower shall be designed to be architecturally compatible with the surrounding buildings and land uses in the zoning district or otherwise integrated, through location and design, to blend in with the existing characteristics of the site to the extent practical. ***The tower is an existing monopine and will remain as such, no design change requested. Photo Sim submitted in this package.***
- The communication tower shall be painted with a color generally matching the surroundings or background that minimizes its visibility unless a different color is required by the Federal Communication Commission or Federal Aviation Administration. ***As indicated above; the tower is a monopine and the accompanying antennas and attachments will be concealed and painted to match.*** As shown on A-4
- No signals, lights or signs shall be permitted on towers unless required by the Federal Communication Commission or Federal Aviation Administration; however, this shall not be construed to prevent the mounting of an antenna on a legally permitted signal, light, or sign. ***No signals, lights or signs will be placed on the tower unless required by the FCC or FAA.***
- Ground level equipment, buildings and the tower or antenna base shall be screened so as not to be visible from streets and residential development. ***Ground Level equipment and the tower including antenna base shall be within existing compound wall, the ground level equipment will not be visible from streets or residential areas.***

Development standards for C-2 property, this tower will have a street setback of 439.8 feet and tower is over 613.1 feet from North property line and over 400 feet from west property line and 624.8ft from the South property line. Exceeding the required setbacks from streets and property lines. ***All setbacks to be shown on site plan A-1***

Setback from residential properties: ***This project meets and exceeds a 2 to 1 but not 3 to 1 setback to east (only) residential; 153 ft. All other surrounding parcels are commercial. This application is including an SUP for decrease setback to the east to have a 3rd colorator on this tower as originally intended when structurally built. Request decrease in setback to add 3rd colorator and decom neighboring tower.***

This extension is required to color now or in the future regardless. We believe there is no Adverse impact only Improvements to the surrounding. TMO RF Provided Maps show the proposed site also being decom-ed and the proposed site enhancing coverage in its place. The proposed use complies with code to the best extent possible and helps reduce the proliferation of towers.

Additionally

The proposed use is compatible with the adjacent use in terms of site design and operating characteristics as this application is to extend the tower height while all characteristics and design remain the same.

There are no adverse impacts to extend this mono-pine and provide service to the entire community. This is a benefit for the community. But if any significant adverse impacts resulting from use will be mitigated or offset to the max extent practical.

The proposed use is currently already approved for other carriers and has not caused substantial diminution in value of any surrounding property, and that will be the same for TMO.

Public Safety, transportation, utility facilities and services are now and have been available to serve the subject property while maintaining levels of service for existing development now and will remain the same after tower extension approved for TMO use.

Adequate assurances of continuing maintenance have been provided and will remain the same upon approval for this application.

Any significant adverse impacts on the natural environment will be mitigated to the maximum extent possible as TMO always complies with all applicable development code to every extent possible.

- ***Per the FCC mandate & CPUC commitments- TMO is required to install a back-up power generator at sites in high-risk areas and or fire risk areas. This generator does not run or turn on all the time. It is only for emergency backup power to ensure this site has a reliable source of backup power in line with TMO's commitments to ensure continuity of service.***
- ***As of this revision and response to staff comments Fire has confirmed there is no requirement for this project and scope of work. Therefore TMO GC will handle any additional fire permits during or after building permit as required and part of normal CX process for install and inspections when adding backup power to telecommunication site.***

Federal Regulation:

Section 6409 of the Middle-Class Tax Relief and Job Creation Act of 2012, which was signed into law February 22, 2012, mandates that state and local governments provide a nondiscretionary approval of an eligible facilities request for the modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station. The FCC defines substantial change as the mounting of a proposed antenna that would increase the existing height of the tower by more than 10%. Or 20 feet, whichever is greater.

If you should have any questions or additional comments, please contact me at (559)280-0590. Thank you in advance for your consideration and time with this matter.

Cynthia Squier
Infinity Coordinators
C| +1 559-280-0590
E| csquier@infinitycoordinators.com

REDUCE SETBACK
(TITLE 30)

FORD AVE/MILLER LN

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-22-0342-JM LEASING, LLC:

WAIVER OF DEVELOPMENT STANDARDS for setbacks in conjunction with a single family residence on 0.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the south side of Ford Avenue, 288 feet west of Miller Lane within Enterprise. JJ/lm/syp (For possible action)

RELATED INFORMATION:

APN:
176-16-812-005

WAIVER OF DEVELOPMENT STANDARDS:
Reduce the interior side setback for a principal structure (attached garage) to 3 feet where 10 feet is required per Table 30.40-1 (a 70% reduction).

LAND USE PLAN:
ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:
Project Description
General Summary

- Site Address: 7935 Ford Avenue
- Site Acreage: 0.5
- Project Type: Reduce side setback
- Number of Stories: 1 (residence)/1 (attached garage)
- Building Height (feet): 17 (residence)/13 (attached garage)
- Square Feet: 3057(residence)/396 (casita)/362 (attached garage)

Site Plans

The plans depict an existing 3057 square foot single family residence with casita constructed in 2017. The residence is set back over 150 feet from Ford Avenue, 10 feet from the west property line, over 60 feet from the south property line, and the attached garage addition is set back 38 inches from the east property line.

Landscaping

There are no proposed changes to the existing landscaping.

Elevations

The plans depict a 13 foot high attached garage addition located on the east elevation of the existing residence. Roll-up entry doors are located on the north and south elevations with the exterior of the addition constructed to match the exterior materials and colors of the existing residence.

Floor Plans

The plans depict a 362 square foot open space for a garage addition with interior access to the residence.

Applicant's Justification

The applicant indicates that the structure was built too close to the property line and was constructed to meet a 1-hour fire wall on the east elevation, which will allow the exterior wall to be within 5 feet of the east property line.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-0065-14	6 lot single family residential subdivision	Approved by PC	May 2014
ZC-1026-05	County initiated zone change to establish R-E (RNP-I) zoning for 3,800 parcels within the Enterprise Planning Area including this parcel	Approved by BCC	October 2005

Surrounding Land Use

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

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

Clark County Public Response Office (CCPRO)

CE-21-12643 is an active enforcement case for construction without building permits. Plans were submitted to the Building Department in October 2021 (BD21-51250) and are in review and pending the outcome of this request.

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 subject residence is part of a 6 lot subdivision and a larger development by the original homebuilder. Setbacks and separations help to preserve the appeal and integrity of an area and to moderate visual impacts and possible safety issues. Staff generally does not support waivers without proposed mitigation measures to reduce any negative impact to surrounding properties. In this case an existing 5 foot private drainage easement is encumbered by the addition and leaves no room for mitigating measures. Staff finds that the request is a self-imposed hardship as the applicant constructed the addition without approved building permits; therefore, recommends denial.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved;

- Attached garage may not be converted to habitable space, due to the existing casita at the front of the residence.
- 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

- Applicant is advised that the grading plans approved under PW14-36196 show a 5 foot wide private drainage easement with a valley gutter along the southern and eastern property lines; and that the applicant must provide plans to Public Works - Development Review that show positive drainage through the site and calculations that demonstrate finished floor meet freeboard criteria.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: LASZLO Z. HERCZEG

CONTACT: LASZLO HERCZEG, 10705 SILVER PYRAMID CT., LAS VEGAS, NV 89144

DRAFT



LAND USE APPLICATION

6A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

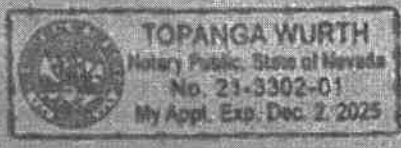
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> 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 (AR) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WS-22-0342</u> DATE FILED: <u>10/7/2022</u> PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>7/13/2022</u> PC MEETING DATE: <u>8/2/2022</u> BCC MEETING DATE: FEE: <u>\$ 775.00</u>
	PROPERTY OWNER NAME: <u>Matthew Pankow / JM Leasing LLC</u> ADDRESS: <u>7935 W Ford Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>6308187362</u> CELL: E-MAIL: <u>matthewpankow@msd.com</u>
	APPLICANT NAME: <u>Matthew Pankow</u> ADDRESS: <u>7935 W Ford Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>6308187362</u> CELL: E-MAIL: <u>matthewpankow@msd.com</u> REF CONTACT ID #:
	CORRESPONDENT NAME: <u>LASZLO HERCZEG</u> ADDRESS: <u>10705 SILVER PYRAMID CT.</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89144</u> TELEPHONE: CELL: <u>702-528-2173</u> E-MAIL: REF CONTACT ID #:

ASSESSOR'S PARCEL NUMBER(S): 176-16-182-005
 PROPERTY ADDRESS and/or CROSS STREETS: 7935 W Ford Ave Las Vegas NV 89113 / Ford & S. Warbonnet Way
 PROJECT DESCRIPTION: Reduce side setback to 38 inches where 5 feet is required per Table 30.40-1 (R-E (RNP-1) zone)

(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, we) otherwise qualified to make 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 swear to 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.

Matthew Pankow
 Property Owner (Signature)
Matthew Pankow
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME on May 09, 2022 (DATE)
 by Matthew & Daniel Pankow
 NOTARY PUBLIC: Topanga Wirth



(NOTE: Corporate declaration of authority for signatories, power of attorney, or signature documents are required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.) Page 32 of 35

JM Leasing LLC

March 2, 2022

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

Re: Justification Letter for Zoning Change for the property located at 7935 W Ford Ave, Las Vegas, NV 89113. Parcel Number 176-16-812-005

To Whom It May Concern

Please be advised that HERCZEG RESEDENTIAL DESIGN is representing the applicant, JM Leasing LLC / Matthew Pankow regarding the land use application for the construction of an additional single car attached garage. The property is located at 7935 W Ford Ave, Las Vegas, NV 89113.

We are requesting a Waiver of Development Standards to reduce Side Yard Setback. The structure has been constructed and was built too close to the Property line (38") encroaching into the 5' fire separation distance. Code Enforcement has issued a warning (CE 21-12643) and requested to apply for a Waiver and a building Permit for the garage. Our plan to build a 1-hour fire wall on the East side that faces the property line, allowing for the exterior wall to be within the 60" zoning requirement.

Please refer to the applications, and respectfully request your favorable review and approval of the application.

Sincerely

Matthew Pankow

1 630 818 7362

Matthewpankow@msn.com

08/03/22 BCC AGENDA SHEET

RIGHT-OF-WAY DEDICATION
(TITLE 30)

LAS VEGAS BLVD S/WELPMAN WAY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-22-400084 (ZC-1198-07)-CHELSEI HOLDING, LLC:

WAIVER OF CONDITIONS of a zone change for a right-of-way dedication for Las Vegas Boulevard South to accommodate 300 foot full street width.

Generally located on the east and west sides of Las Vegas Boulevard South, 315 feet south of Welpman Way within Enterprise. JJ/jvm/syp (For possible action)

RELATED INFORMATION:

APN:

191-08-801-003; 191-08-801-004

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

History

The zone change to H-1 zoning in 2007 was done without plans. In 2021, UC-21-0033 was approved to allow an apartment complex on the subject parcels. The current use permit application for these parcels is for an apartment complex with a significantly different design. Therefore, approval of the new design will result in the expunging of UC-21-0033.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-1198-07:

Current Planning

- No resolution of intent and staff to prepare an ordinance to adopt the zoning;
- Design review as a public hearing on final plans;
- All applicable standard conditions for this application type.

Civil Engineering

- Applicant to perform a Record of Survey to determine underlying title rights in relationship to "as built" improvements on Las Vegas Boulevard South, a transportation study shall identify the necessary improvements in relation to the determination of necessary rights-of-way;
- Right-of-way dedication for Las Vegas Boulevard South to accommodate 300 foot full street width;

- Right-of-way dedication of 30 feet for Mullen Avenue together with a County approved cul-de-sac at the westerly terminus of Mullen Avenue;
- Construct full off-sites;
- Detached sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control which may require a vacation of excess right-of-way or execute a license and maintenance agreement for non-standard improvements in the right-of-way;
- Drainage study and compliance;
- Traffic study and compliance;
- Submit drainage study and traffic study to City of Henderson for concurrence;
- Traffic study to also address: a) any physical improvements and pedestrian volumes generated by this project, b) dedication and construction of bus turnouts including passenger loading/shelter areas in accordance with Regional Transportation Commission Standards, c) identification and implementation of Traffic Demand Management (TDM) measures, d) turnover analysis for the porte-cocheres and recommendation of mitigation measures as applicable, e) any additional right-of-way dedications to Clark County as required by the traffic study to accommodate any physical improvements and pedestrian volumes generated by this project, f) the required width of all public walkway segments so that a minimum Level of Service "C" is maintained, g) identification and implementation of Traffic Demand Management, h) on-site circulation;
- Traffic impact mitigation plan to be reviewed by the staffs of the Regional Transportation Commission, Freeway and Arterial System of Transportation (FAST), Clark County Traffic Management Division, and Clark County Civil Engineering Division;
- Vacate any unnecessary rights-of-way and/or easements.

Applicant's Justification

The applicant states that the County Transportation Element has been amended to reduce the overall width of Las Vegas Boulevard South to 200 feet from the previously designated 300 foot width.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-21-0033	Apartment complex with associated commercial uses	Approved by BCC	April 2021
WC-21-400012 (ZC-1198-07)	Waiver of conditions of a zone change requiring a dedication of Mullen Avenue	Approved by BCC	April 2021
ZC-1198-07	Reclassified the site to H-1 zoning for future commercial uses	Approved by BCC	December 2007
UC-0349-03	Off-premises advertising sign (billboard) located on the east side of Las Vegas Boulevard South	Approved by BCC	May 2003
UC-0347-03	Off-premises advertising (billboard) located on the west side of Las Vegas Boulevard South	Approved by BCC	May 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	City of Henderson & Commercial Tourist	N/A & H-2	Clark County School District transportation facility & undeveloped
South	City of Henderson	N/A	Parking lot for a Clark County School District transportation facility
East	Commercial Tourist	H-2 & R-E	Undeveloped
West	City of Henderson	N/A	Clark County School District transportation facility

Related Applications

Application Number	Request
UC-22-0361	A use permit for a 307 unit apartment project 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 can support the waiver of conditions to reduce the dedication width of Las Vegas Boulevard South from 300 feet to 200 feet to comply with the recently adopted amendment to the Transportation Element.

Staff Recommendation

Approval.

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

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

PRELIMINARY STAFF CONDITIONS:

Public Works - Development Review

- Right-of-way dedication for Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTEST:

APPLICANT: LIV DEVELOPMENT, LLC

CONTACT: TAYLOR ERDMANN, 6671 LAS VEGAS BOULEVARD SOUTH, LAS VEGAS, NV 89119

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

7A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input checked="" type="checkbox"/> USE PERMIT (UC)</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 type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="padding-left: 20px;"><u>2C-1198-07</u> (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ARX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>WC-22-400084</u> DATE FILED: <u>6-8-2022</u></p> <p>PLANNER ASSIGNED: <u>RBR</u></p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>7-13-2022</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>8-3-2022</u></p> <p>FEE: <u>\$ 650</u></p>
PROPERTY OWNER	<p>NAME: <u>Chelsea Holdings LLC</u></p> <p>ADDRESS: <u>2740 Summerchase Lane</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u></p> <p>TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> <u>702-890-7193</u></p> <p>E-MAIL: <u>n/a</u></p>	
APPLICANT	<p>NAME: <u>LIV Development, LLC</u></p> <p>ADDRESS: <u>2204 Lakeshore Drive #450</u></p> <p>CITY: <u>Birmingham</u> STATE: <u>AL</u> ZIP: <u>35209</u></p> <p>TELEPHONE: <u>214-215-8781</u> CELL: <u>000-000-0000</u></p> <p>E-MAIL: <u>jontz@lvdev.com</u> REF CONTACT ID #: <u>n/a</u></p>	
CONSULTANT	<p>NAME: <u>Kempfer Crowell - Jennifer Lazovich</u></p> <p>ADDRESS: <u>1880 Festival Plaza Dr. #650</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u></p> <p>TELEPHONE: <u>702-792-7000</u> CELL: <u>702-792-7048</u></p> <p>E-MAIL: <u>spierce@kcmfaw.com</u> REF CONTACT ID #: <u>164674</u></p>	

ASSESSOR'S PARCEL NUMBER(S): 191-08-801-003 & 004

PROPERTY ADDRESS and/or CROSS STREETS: Las Vegas Boulevard and Weiman Way

PROJECT DESCRIPTION: 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 submit 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.

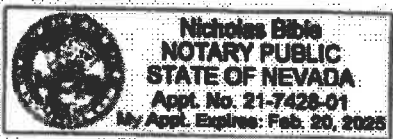
Property Owner (Signature): [Signature]

Tony Phuu Nguyen / the Chelsea Holdings LLC
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

WITNESSED AND SIGNED BEFORE ME ON 10/16/2022 (DATE)

By Tony Phuu Nguyen
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 - 109497

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

JENNIFER LAZOVICH

jlazovich@kcwlaw.com

702.792.7050

PLANNER
COPY

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 650
Las Vegas, NV 89135
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

June 2, 2022

VIA ELECTRONIC SUBMITTAL

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

**RE: *REVISED Justification Letter – Design Reviews, Special Use Permit,
Waivers of Development Standards, and Waiver of Conditions
LIV Development
APN Nos.: 191-08-801-003; 191-08-801-004***

To Whom It May Concern:

This firm represents LIV Development (the "Applicant") in the above-referenced matter. The proposed project is located on approximately 9.73 acres located southwest of Las Vegas Boulevard at Welpman Way, bearing Clark County Assessor Parcel Numbers: 191-08-801-003 and 191-08-801-004 (the "Site"). The Applicant is requesting design reviews, a special use permit, and waivers of developments standards to allow for a multi-family development.

Design Reviews

The proposed project is a single 4-story, 307 unit multi-family development. The building will consist of 3 separate amenities courtyards including a pool courtyard located at the center of the building. The building includes a unit mix of 146 one bedroom units, 145 two bedroom units and 16 three bedroom units. The building has a net rentable square footage of 298,548 sf and a gross square footage of 381,024 sf. All residential units include a private balcony or patio. Building amenities for residents will include leasing office, collaborative work space, game room, fitness area, golf simulator space, sundry space and dog area.

The building has a maximum building height of 56' above lowest level of the ground level finish floor, 54' from the highest level of the ground level finish floor. The building façade will consist of two stucco colors, a field color of off white and an accent color of gray. There will be accent features of vertical fins, approximately 2"x6" at some of the east, west and southern exposure balconies for sun control. The site will include four garage buildings, with 6 private garages each for resident to lease. The garages are not counted in the site parking count.

Finally, the Applicant is requesting a design review to allow for increased grade above 18-inches. The maximum increase to the existing grade is 4.2 feet as indicated in the cross-section exhibit provided with the application. This request is typical when the property is impacted by topography and grading is therefore necessary to balance the Site's earthworks. Similar requests under similar circumstances have been approved in the past. The drainage study will confirm the final balancing of the Site.

The Applicant is requesting a design review to deviate from code requirement 30.64-14 and requests not to install landscaping within the drainage easement on the Site. The Applicant is providing approximately 1.92 acres of landscaping and is exceeding code requirements throughout the Site except within the drainage easement.

Special Use Permit

The Site is zoned H-1 and master planned Commercial Tourist. Multi-family development are allowed with the approval of a special use permit in H-1. By way of background, in April 2021, the Board of County Commission approved a 307 unit multi-family development with retail and waivers of development standards for height and non-standard improvements under UC-21-0033.

Waiver of Development Standards

Reduce Parking

The Site is providing 477 parking space where 530 parking spaces are required which is a 10% reduction request. The ITE Parking Generation Manual (based on 73 other sites around the country) show an average rate of 1.31 spaces per dwelling unit and that 1.36 per is the 95% confidence level (only 5% of the time would it be exceeded). As a result, the parking demand for this Site is 418 spaces where the Site is providing 477 parking spaces. It should be noted, that the Applicant removed additional on site parking spaces to better accommodate the throat depth off Las Vegas Boulevard.

Increase Building Height

Although the Site is zoned H-1 which permits a height of up to 100 feet, a multi-family development is subject to the R-5 design standards which permits heights of up to 50 feet. As such, the Applicant is requesting this minor deviation to increase the building height to 56 feet. In addition to the Site being zoned H-1 which permits heights up to 100 feet, it is important to note the main reason for the increase in height is to provide architectural enhancements to shield the mechanical units; not for the use of residential space.

Waiver to Allow Non Standard Improvements within Right of Way

The Applicant is seeking a waiver to allow non standard improvements (landscaping) within the right of way along Las Vegas Boulevard as set forth on the landscape plan. The Applicant is seeking a condition for a License & Maintenance Agreement to include the landscaping in this area. The Applicant will also provide landscaping adjacent to the Las Vegas Boulevard right of way within the Site to include trees and shrubbery which will be visible from Las Vegas Boulevard.

Remove Cross Access

The Applicant is asking to remove the requirement for cross access to adjacent properties. To the west and a portion of the north is a bus yard for CCSD and cross access is not allowed. To remaining land to the north is undeveloped. Providing cross access from a multi family use to a future use that is currently unknown is not compatible with the multi family project. The Applicant believes that cross access should not be required to any adjacent properties.

Waiver to Reduce Throat Depth

The Applicant is requesting a waiver to reduce throat depth from 150 feet to 35 feet. The Applicant believes that the reduction is appropriate because the design minimizes conflict points on site by use of stops signs and stop bars as well as removal of parking spots near the driveways.

Waiver of Conditions

The Applicant is requesting to waive the following condition:

- Right-of-way dedication for Las Vegas Boulevard South to accommodate a proportionate share of a 300 foot wide right-of-way from ZC-1198-07.

The Applicant is seeking to waive the above-mentioned condition as the Transportation Element was just amended to reduce the overall width of Las Vegas Boulevard South to 200 feet instead of 300 feet.

Thank you in advance for your time and consideration. Please do not hesitate to contact us with any additional questions or concerns.

Sincerely,

KAEMPFER CROWELL



Jennifer Lazovich

PLANNER
COPY

JJL:jmd

PLANNER
COPY

08/03/22 BCC AGENDA SHEET

MULTIPLE FAMILY DEVELOPMENT
(TITLE 30)

LAS VEGAS BLVD S/WELPMAN WY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0361-CHELSEI HOLDING, LLC:

USE PERMIT for a multiple family development

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; 2) increase building height; 3) non-standard improvements in the right-of-way; and 4) throat depth.

DESIGN REVIEWS for the following: 1) multiple family residential development; 2) alternative parking lot landscaping; and 3) finished grade on 10.0 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the east and west sides of Las Vegas Boulevard South, 315 feet south of Welpman Way within Enterprise. JJ/jvm/syp (For possible action)

RELATED INFORMATION:

APN:

191-08-801-003; 191-08-801-004

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce parking to 477 spaces where 530 spaces are required per Table 30.60-1 (a 10% reduction).
2. Increase building height to 56 feet where 50 feet is the maximum per Table 30.40-3 (a 12% increase).
3. Allow non-standard improvements (landscaping, driveways, and walkways) in the right-of-way (Las Vegas Boulevard South) where not allowed per Chapter 30.52.
4. Reduce throat depth to 35 feet where 150 feet is required per Uniform Standard Drawing 222.1 (a 77% reduction).

DESIGN REVIEWS:

1. A multiple family development.
2. Allow alternative parking lot landscaping.
3. Increase finished grade to 4.2 feet where a maximum of 3 feet is the standard per Section 30.32.040 (a 40% increase).

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 10
- Number of Lots/Units: 307
- Density (du/ac): 30.7
- Project Type: Multiple family residential
- Number of Stories: 4
- Building Height (feet): 56
- Open Space Required/Provided: 30,700/57,527
- Parking Required/Provided: 530/477

Site Plan

The site plan depicts a multiple family residential building located near the center of the site. Overall setbacks for the building are 65 feet to the north property line, 261 feet to the west property line, approximately 67 feet to the south property line, and 82 feet to the east property line along Las Vegas Boulevard South.

Access to the site is provided by 1 driveway from Las Vegas Boulevard South, with a fire only access located on the south side of the parcel adjacent to Las Vegas Boulevard South, drive aisles circle the perimeter of the site. Surface parking spaces are located on the north, south, and west sides of the building; however, most of the parking spaces are provided on the west side of the parcel. Open space is provided for residents in 2 internal courtyards and a pool area that is centrally located on the north side of the building. Finished grade will be increased to a maximum of 4.2 feet.

Landscaping

Landscaping is provided within the surface parking areas, and around the perimeter of the building. In addition, a detached sidewalk is provided within the right-of-way, and another detached sidewalk is provided along the east property line. No landscaping is shown along the north and south property lines. There is a drainage easement located in the westerly parking lot where only shrubs and groundcover are being provided in the landscape fingers.

Open space is provided in the resident areas on the north side of the building and in the courtyards, which is over 27,000 square feet.

Elevations

The plans depict an up to 56 foot tall, 4 story building with a flat roof and parapet walls. The building façade will consist of 2 stucco colors, a field color of off white, and an accent color of gray.

Floor Plan

The unit mix for this project is 146, one bedroom units, 145, two bedroom units, and 16 three bedroom units, all apartments will have either a patio or balcony. The first floor will have a leasing office, game room, fitness area, golf simulator space, a sundry space, and a dog area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that a multiple family development was previously approved on the subject site in April 2021.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-21-0033	Apartment complex with associated commercial uses	Approved by BCC	April 2021
WC-21-400012 (ZC-1198-07)	Waiver of conditions of a zone change requiring a dedication of Mullen Avenue	Approved by BCC	April 2021
ZC-1198-07	Reclassified the site to H-1 zoning for future commercial uses	Approved by BCC	December 2007
UC-0349-03	Off-premises advertising sign (billboard) located on the east side of Las Vegas Boulevard South	Approved by BCC	May 2003
UC-0347-03	Off-premises advertising (billboard) located on the west side of Las Vegas Boulevard South	Approved by BCC	May 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	City of Henderson & Commercial Tourist	N/A & H-2	Clark County School District transportation facility & undeveloped
South	City of Henderson	N/A	Parking lot for a Clark County School District transportation facility
East	Commercial Tourist	H-2 & R-E	Undeveloped
West	City of Henderson	N/A	Clark County School District transportation facility

Related Applications

Application Number	Request
WC-22-400084 (ZC-1198-07)	A waiver of conditions of a zone change requiring a 300 foot right-of-way dedication for Las Vegas Boulevard South 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

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 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.

Multiple family residential uses are appropriate along Las Vegas Boulevard South. In addition, Policy 1.1.1 in part, encourages the provision of diverse housing types at varied densities and in numerous locations. Also, Policy 1.1.2 encourages concentrating higher density housing in areas with access to existing or planned high frequency transit, major employment centers, existing infrastructure, and other services. Mid-rise residential living options are appropriate at this location, which is adjacent to a transportation facility and undeveloped land. Lastly, although infrastructure may not be currently available since the site is adjacent to the City of Henderson at the south end of Las Vegas Boulevard South, the Master Plan anticipates intense Commercial Tourist uses at this location. As a result, infrastructure will eventually be available and; therefore, the project of regional significance is appropriate.

Waivers of Development Standards

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

Waiver of Development Standards #1

Staff finds that a 10 percent reduction in the required parking is a significant amount of parking that is not being provided. In addition, there is no where else on-site that would be able to absorb the need for additional parking if it were needed. The applicant had a parking analysis done by Kimley Horn which determined that based on the ITE Parking General Manual 522 parking spaces are needed for this project. Which is only 8 parking spaces less than required by Title 30. Therefore, based on the parking analysis provided by the engineer and the requirement of Title 30, staff cannot support this request.

Waiver of Development Standards #2

Increases in building height are generally appropriate in the H-1 zone along Las Vegas Boulevard South. Although this site is adjacent to a transportation facility and undeveloped land, the site is approximately one third of a mile from the M Resort Hotel located in the City of Henderson, which is a multiple story development. Also, the project will be visible from I-15 and there is no single family residential development in the area, which could be negatively

impacted by the increased building height. However, since staff cannot support the reduction in parking or the design review for the overall project, staff cannot support this request.

Design Reviews #1 & #2

The site layout meets all setback, circulation requirements, and most of the landscaping requirements, and most of the landscaping requirements. Also, the building materials, elevations, scale, and massing are appropriate and aesthetically pleasing. However, staff is not supporting the requested reduction in parking and has concerns with 307 residential units using a single ingress/egress point. Therefore, staff cannot support these requests.

Public Works - Development Review

Waiver of Development Standards #3

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any landscaping placed in the right-of-way. Staff can support waiver of development standards #3 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

Waiver of Development Standards #4

Staff can support the reduced throat depth on Las Vegas Boulevard. The site design has significant on-site space for queuing on-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 of the use permit, waivers of development standards #3 and #4, and design review #3; denial of waivers of development standards #1 and #2, and design reviews #1 and #2.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Expunge UC-21-0033;
- 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 for Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;
- Applicant to execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Vacate any unnecessary rights-of-way and/or easements.
- 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.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and for any sanitary sewer needs, to contact the City of Henderson to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel; and that an interlocal agreement with City of Henderson will also be required.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LIV DEVELOPMENT, LLC

CONTACT: TAYLOR ERDMANN, 6671 LAS VEGAS BOULEVARD SOUTH, LAS VEGAS, NV 89119



LAND USE APPLICATION

8A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WVS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>UC/WV/DR-22-0361</u> DATE FILED: <u>6-8-2022</u> PLANNER ASSIGNED: <u>BRR</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>7-13-2022</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>8-3-2022</u> FEE: <u>1325</u> <u>PRS</u>
	PROPERTY OWNER NAME: <u>Chelsea Holdings LLC</u> ADDRESS: <u>2748 Summerchase Lane</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> <u>702-890-7498</u> E-MAIL: <u>n/a</u>
	APPLICANT NAME: <u>LIV Development, LLC</u> ADDRESS: <u>2204 Lakeshore Drive #450</u> CITY: <u>Birmingham</u> STATE: <u>AL</u> ZIP: <u>35209</u> TELEPHONE: <u>214-215-9781</u> CELL: <u>000-000-0000</u> E-MAIL: <u>jentz@livdev.com</u> REF CONTACT ID #: <u>n/a</u>
	CORRESPONDENT NAME: <u>Kaempfer Crowell - Jennifer Lazovich</u> ADDRESS: <u>1980 Festival Plaza Dr. #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>702-792-7048</u> E-MAIL: <u>spierce@kcrwlaw.com</u> REF CONTACT ID #: <u>164674</u>

ASSESSOR'S PARCEL NUMBER(S): 191-09-801-003 & 004

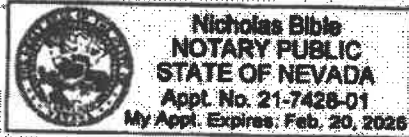
PROPERTY ADDRESS and/or CROSS STREETS: Las Vegas Boulevard and Weiman Way

PROJECT DESCRIPTION: 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 occurred 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] Tony Phu Nguyen / the Chelsea Holdings LLC
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON 10/26/2022 (DATE)
 by Tony Phu Nguyen
 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.

UC-22-0361

June 2, 2022

VIA ELECTRONIC SUBMITTAL

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

PLANNER
COPY

**RE: *REVISED Justification Letter – Design Reviews, Special Use Permit,
Waivers of Development Standards, and Waiver of Conditions
LIV Development***
APN Nos.: 191-08-801-003; 191-08-801-004

To Whom It May Concern:

This firm represents LIV Development (the "Applicant") in the above-referenced matter. The proposed project is located on approximately 9.73 acres located southwest of Las Vegas Boulevard at Welpman Way, bearing Clark County Assessor Parcel Numbers: 191-08-801-003 and 191-08-801-004 (the "Site"). The Applicant is requesting design reviews, a special use permit, and waivers of developments standards to allow for a multi-family development.

Design Reviews

The proposed project is a single 4-story, 307 unit multi-family development. The building will consist of 3 separate amenities courtyards including a pool courtyard located at the center of the building. The building includes a unit mix of 146 one bedroom units, 145 two bedroom units and 16 three bedroom units. The building has a net rentable square footage of 298,548 sf and a gross square footage of 381,024 sf. All residential units include a private balcony or patio. Building amenities for residents will include leasing office, collaborative work space, game room, fitness area, golf simulator space, sundry space and dog area.

The building has a maximum building height of 56' above lowest level of the ground level finish floor, 54' from the highest level of the ground level finish floor. The building façade will consist of two stucco colors, a field color of off white and an accent color of gray. There will be accent features of vertical fins, approximately 2"x6" at some of the east, west and southern exposure balconies for sun control. The site will include four garage buildings, with 6 private garages each for resident to lease. The garages are not counted in the site parking count.

Finally, the Applicant is requesting a design review to allow for increased grade above 18-inches. The maximum increase to the existing grade is 4.2 feet as indicated in the cross-section exhibit provided with the application. This request is typical when the property is impacted by topography and grading is therefore necessary to balance the Site's earthworks. Similar requests under similar circumstances have been approved in the past. The drainage study will confirm the final balancing of the Site.

The Applicant is requesting a design review to deviate from code requirement 30.64-14 and requests not to install landscaping within the drainage easement on the Site. The Applicant is providing approximately 1.92 acres of landscaping and is exceeding code requirements throughout the Site except within the drainage easement.

Special Use Permit

The Site is zoned H-1 and master planned Commercial Tourist. Multi-family development are allowed with the approval of a special use permit in H-1. By way of background, in April 2021, the Board of County Commission approved a 307 unit multi-family development with retail and waivers of development standards for height and non-standard improvements under UC-21-0033.

Waiver of Development Standards

Reduce Parking

The Site is providing 477 parking space where 530 parking spaces are required which is a 10% reduction request. The ITE Parking Generation Manual (based on 73 other sites around the country) show an average rate of 1.31 spaces per dwelling unit and that 1.36 per is the 95% confidence level (only 5% of the time would it be exceeded). As a result, the parking demand for this Site is 418 spaces where the Site is providing 477 parking spaces. It should be noted, that the Applicant removed additional on site parking spaces to better accommodate the throat depth off Las Vegas Boulevard.

Increase Building Height

Although the Site is zoned H-1 which permits a height of up to 100 feet, a multi-family development is subject to the R-5 design standards which permits heights of up to 50 feet. As such, the Applicant is requesting this minor deviation to increase the building height to 56 feet. In addition to the Site being zoned H-1 which permits heights up to 100 feet, it is important to note the main reason for the increase in height is to provide architectural enhancements to shield the mechanical units; not for the use of residential space.



Waiver to Allow Non Standard Improvements within Right of Way

The Applicant is seeking a waiver to allow non standard improvements (landscaping) within the right of way along Las Vegas Boulevard as set forth on the landscape plan. The Applicant is seeking a condition for a License & Maintenance Agreement to include the landscaping in this area. The Applicant will also provide landscaping adjacent to the Las Vegas Boulevard right of way within the Site to include trees and shrubbery which will be visible from Las Vegas Boulevard.

Remove Cross Access

The Applicant is asking to remove the requirement for cross access to adjacent properties. To the west and a portion of the north is a bus yard for CCSD and cross access is not allowed. To remaining land to the north is undeveloped. Providing cross access from a multi family use to a future use that is currently unknown is not compatible with the multi family project. The Applicant believes that cross access should not be required to any adjacent properties.

Waiver to Reduce Throat Depth

The Applicant is requesting a waiver to reduce throat depth from 150 feet to 35 feet. The Applicant believes that the reduction is appropriate because the design minimizes conflict points on site by use of stops signs and stop bars as well as removal of parking spots near the driveways.

Waiver of Conditions

The Applicant is requesting to waive the following condition:

- Right-of-way dedication for Las Vegas Boulevard South to accommodate a proportionate share of a 300 foot wide right-of-way from ZC-1198-07.

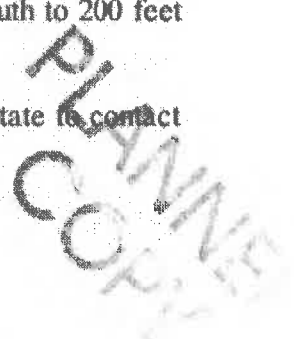
The Applicant is seeking to waive the above-mentioned condition as the Transportation Element was just amended to reduce the overall width of Las Vegas Boulevard South to 200 feet instead of 300 feet.

Thank you in advance for your time and consideration. Please do not hesitate to contact us with any additional questions or concerns.

Sincerely,

KAEMPFER CROWELL

Jennifer Lazovich



JJL:jmd

EASEMENTS
(TITLE 30)

PLACID ST/ROBINDALE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0336-NEW WEST RESIDENTIAL 1, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Placid Street and Fairfield Avenue, and between Robindale Road and Maulding Avenue within Enterprise (description on file). MN/rk/syp (For possible action)

RELATED INFORMATION:

APN:

177-09-603-016

LAND USE PLAN:

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

BACKGROUND:

Project Description

This application is a request to vacate and abandon patent easements on this site. The plans depict the vacation and abandonment of 33 foot wide patent easements along the north and east property lines. The applicant indicates these easements are no longer necessary for the proposed development or surrounding area as private and public streets will be constructed to provide proper drainage and access to the development.

Surrounding Land Use

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

Related Applications

Application Number	Request
WS-22-0335	A waiver of development standards to reduce lot area and increase wall height for a single family residential subdivision is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Right-of-way dedication to include 30 feet for Placid Street, 40 feet for Robindale Road, and associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: NEW WEST COMPANY

CONTACT: KAYLA CASSELLA, VTN, 2727 S. RAINBOW BLVD., LAS VEGAS, NV 89146



May 26, 2022
W.O. 8096

Clark County Comprehensive Planning
500 S. Grand Central Parkway
Las Vegas, NV 89155
Attention: Planning Department

VS-22-0336

Subject: Justification Letter for:
1. Design Review
2. Waiver of Development Standards
3. Vacation

APN #177-09-603-016

Planning Department,

On behalf of our client New West Company, VTN Nevada is requesting the approval of a Vacation of patent easements and Waivers of Development Standards for the above referenced parcels. New West Company is proposing to develop the subject parcel of land as a 4-Lot residential development with a proposed zoning of RE (Rural Estates Residential) with land use designation of RN (Ranch Estate Neighborhood) within the Enterprise Land Use planning area, Commissioner Michael Naft's district.

New West Company is requesting the approval of the following land use cases:

- a. Design Review
- b. Waiver of Development Standard
- c. Vacation of patent easement

The proposed property is located east of Placid Street and north of Robindale Road, specifically APN #177-09-603-016. The site is currently zoned RE (Rural Estates Residential) and is designated as RN (Ranch Estate Neighborhood) within the Enterprise Land Use Plan area.

The project site is bound by properties with planned land use and zoning as follows:

- South: RE (Rural Estates Residential) and RN (Ranch Estate Neighborhood)
- West: RE (Rural Estates Residential) and RN (Ranch Estate Neighborhood)
- North: RE (Rural Estates Residential) and RN (Ranch Estate Neighborhood)
- East: RE (Rural Estates Residential) and RN (Ranch Estate Neighborhood)

THE PROJECT:

a 4-Lot residential development on 2.39 +/- acres with an existing and proposed zoning of RE (Rural Estates Residential) with land use designation of RN (Ranch Estate Neighborhood). Lots sizes range from 21,203 sf to 22,904 sf (gross). Access to the site will be via a 38-foot private street with direct access to Placid Street.

DESIGN REVIEW:

Request # 1:

Fill greater than 36 inches.

Justification:

The applicant is requesting this waiver to allow for grading up to 5 feet of fill on lot 1 and lot 3, where 3 feet is allowed. This request is due to drainage concerns due to a portion of the site's natural elevation being depressed. This allows for positive drainage from the lot to the private street as show on the cross section.

WAIVER OF DEVELOPMENT STANDARDS:

Waiver of Development Standard for the following:

Request # 1:

To allow combination wall height up to 11.00 feet, where 9 feet is the maximum.

Justification:

The applicant is requesting this waiver in order to construct a maximum 11-foot combination retaining and screen wall along the northeast corner of the site. There will be up to five feet of retaining wall for the site drainage with a 6-foot screen wall. Due to the depression in the site's natural elevation, fill between 4 to 5 feet is required on lot 1 and lot 3.

Request # 2:

To reduce the net lot size, where 18,000 square feet is required.

Justification:

The applicant is requesting a waiver to allow the net lot size of Lot 2 to be 16,082.94 square feet, where 18,000 square feet is required per Title 30 Table 30.40-1 for R-E zoning. This area is the remaining useable space available to satisfy the required easements for pedestrian access, streetlight and traffic control, and fire hydrant. Also, the drainage and sewer easement is not able to be adjusted to provide any additional square footage to Lot 2 due to the location of the sewer point of connection on Robindale Road.

VACATION:

Vacation Request

The applicant is requesting to vacate 33 feet of patent easements along the northern and eastern property line of the property in conjunction with the proposed development. This vacation of these easements coincides with the development of subject parcel as a 4-lot residential development. The proposed development will not utilize any of these easements as a part of the development, therefore the request is appropriate.

We thank you in advance for your time and consideration. If you have any questions or comments please feel free to contact me at 702-873-7550.

Sincerely,

VTN Nevada

Kayla Cassella

Kayla Cassella

cc. Ken Nicholson, PE, VTN-Nevada

08/03/22 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT
(TITLE 30)

PLACID ST/ROBINDALE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0335-NEW WEST RESIDENTIAL 1, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce net lot area for residential lots; and **2)** increase wall height.

DESIGN REVIEW for finished grade in conjunction with a single family residential subdivision on 2.4 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the east side of Placid Street and the north side of Robindale Road within Enterprise. MN/rk/syp (For possible action)

RELATED INFORMATION:

APN:

177-09-603-016

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce net lot area for 1 lot to a minimum of 16,082 square feet where 16,200 square feet is the standard per Table 30.40-1 (a 1% reduction).
2. Increase combined screen wall and retaining wall height to 11 feet (5 foot retaining wall and 6 foot screen wall) where a maximum of 9 feet (3 foot retaining wall and 6 foot screen wall) is permitted per Section 30.64.050 (a 22% increase).

DESIGN REVIEW:

Increase finished grade to 60 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 67% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.4
- Number of Lots: 4
- Density (du/ac): 1.7
- Minimum/Maximum Lot Size Gross (square feet): 21,203/22,904

- Minimum/Maximum Lot Size Net (square feet): 16,082/19,196
- Project Type: Single family residential development

Request & Site Plan

The site plan depicts a 4 lot single family subdivision with a cul-de-sac. The entrance to the subdivision is from Placid Street to the west. One of the lots will have a minimum net lot area of less than the 16,200 square feet per Code due to a 20 foot wide drainage and sewer easement that leads out to Robindale Road. This lot is adjacent to a collector street which may be reduced from a net area of 18,000 square feet down to a net area of 16,200 square feet (a 10% reduction). Finally, the plans also depict that the finished grade of the site will be increased up to 5 feet due to a portion of the site's natural elevation being depressed. These areas of the site are also where the over height retaining walls are located near the northern portion of the development.

Applicant's Justification

According to the applicant the increase fill and wall height are needed for positive drainage from the lot to the private street. Furthermore, the applicant indicates the proposed development and density will result in a land use that is consistent with the surrounding neighborhood.

Surrounding Land Use

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

Related Applications

Application Number	Request
VS-22-0336	A request to vacate 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

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 Standard #1

This portion of the application is for a 1% reduction in net lot area for 1 lot within the subdivision. The reduction will not be discernable to the neighboring property owners. Staff finds this is a minor reduction in lot area and this will not have a negative impact on other properties in the neighborhood; therefore, staff can support this request.

Waiver of Development Standard #2

Portions of this site will have combination screen/retaining walls that are increased to accommodate street drainage, natural topography, and corresponding pad heights. Due to site constraints an increase to the overall wall height along portions of the development are warranted; therefore, staff can support this request.

Public Works - Development Review

Design Review

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

Department of Aviation

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that the 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;
- Right-of-way dedication to include 30 feet for Placid Street, 40 feet Robindale Road, and associated spandrel.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

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

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: NEW WEST COMPANY

CONTACT: KAYLA CASSELLA, VTN, 2727 S. RAINBOW BLVD., LAS VEGAS, NV 89146



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

10A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input 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>_____ (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>	STAFF	<p>APP. NUMBER: <u>WS-22-0335</u> DATE FILED: <u>5-31-22</u></p> <p>PLANNER ASSIGNED: <u>RK</u></p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>7-13-22</u></p> <p>PC MEETING DATE: <u>—</u> <u>RE</u></p> <p>BCC MEETING DATE: <u>8-3-22</u> <u>Rural Estates Neighborhood</u></p> <p>FEE: <u>\$1150.00</u> <u>MN</u></p>
PROPERTY OWNER	<p>NAME: <u>NEW WEST RESIDENTIAL 1 LLC</u></p> <p>ADDRESS: <u>1100 GRIER DRIVE</u></p> <p>CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89119</u></p> <p>TELEPHONE: <u>(702) 293-9030</u> CELL: _____</p> <p>E-MAIL: _____</p>	
APPLICANT	<p>NAME: <u>NEW WEST COMPANY</u></p> <p>ADDRESS: <u>1100 GRIER DRIVE</u></p> <p>CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89119</u></p> <p>TELEPHONE: <u>(702) 293-9030</u> CELL: _____</p> <p>E-MAIL: <u>mikemanley@newwestnv.com</u> REF CONTACT ID #: _____</p>	
CORRESPONDENT	<p>NAME: <u>VTN-NEVADA c/o: Kayla Cassella</u></p> <p>ADDRESS: <u>2727 SOUTH RAINBOW BOULEVARD</u></p> <p>CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89146</u></p> <p>TELEPHONE: <u>(702) 873-7550</u> CELL: _____</p> <p>E-MAIL: <u>kaylac@vtnnv.com</u> REF CONTACT ID #: _____</p>	

ASSESSOR'S PARCEL NUMBER(S): 177-09-603-016

PROPERTY ADDRESS and/or CROSS STREETS: PLACID STREET & ROBINDALE ROAD

PROJECT DESCRIPTION: A 4 LOT DEVELOPMENT

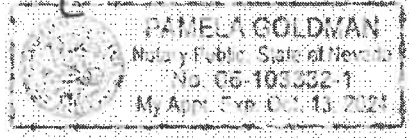
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Property Owner (Signature)* Terry Manley Property Owner (Print) Terry Manley

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON March 29, 2022 (DATE)
 By Terry Manley

NOTARY PUBLIC: Pamela Goldman



***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.



May 26, 2022
W.O. 8096

WS-22-0335

Clark County Comprehensive Planning
500 S. Grand Central Parkway
Las Vegas, NV 89155
Attention: Planning Department

Subject: Justification Letter for:
1. Design Review
2. Waiver of Development Standards
3. Vacation

APN #177-09-603-016

Planning Department,

On behalf of our client New West Company, VTN Nevada is requesting the approval of a Vacation of patent easements and Waivers of Development Standards for the above referenced parcels. New West Company is proposing to develop the subject parcel of land as a 4-Lot residential development with a proposed zoning of RE (Rural Estates Residential) with land use designation of RN (Ranch Estate Neighborhood) within the Enterprise Land Use planning area, Commissioner Michael Naff's district.

New West Company is requesting the approval of the following land use cases:

- a. Design Review
- b. Waiver of Development Standard
- c. Vacation of patent easement

The proposed property is located east of Placid Street and north of Robindale Road, specifically APN #177-09-603-016. The site is currently zoned RE (Rural Estates Residential) and is designated as RN (Ranch Estate Neighborhood) within the Enterprise Land Use Plan area.

The project site is bound by properties with planned land use and zoning as follows:

- South: RE (Rural Estates Residential) and RN (Ranch Estate Neighborhood)
- West: RE (Rural Estates Residential) and RN (Ranch Estate Neighborhood)
- North: RE (Rural Estates Residential) and RN (Ranch Estate Neighborhood)
- East: RE (Rural Estates Residential) and RN (Ranch Estate Neighborhood)

THE PROJECT:

a 4-Lot residential development on 2.39 +/- acres with an existing and proposed zoning of RE (Rural Estates Residential) with land use designation of RN (Ranch Estate Neighborhood). Lots sizes range from 21,203 sf to 22,904 sf (gross). Access to the site will be via a 38-foot private street with direct access to Placid Street.

DESIGN REVIEW:

Request # 1:

Fill greater than 36 inches.

Justification:

The applicant is requesting this waiver to allow for grading up to 5 feet of fill on lot 1 and lot 3, where 3 feet is allowed. This request is due to drainage concerns due to a portion of the site's natural elevation being depressed. This allows for positive drainage from the lot to the private street as show on the cross section.

WAIVER OF DEVELOPMENT STANDARDS:

Waiver of Development Standard for the following:

Request # 1:

To allow combination wall height up to 11.00 feet, where 9 feet is the maximum.

Justification:

The applicant is requesting this waiver in order to construct a maximum 11-foot combination retaining and screen wall along the northeast corner of the site. There will be up to five feet of retaining wall for the site drainage with a 6-foot screen wall. Due to the depression in the site's natural elevation, fill between 4 to 5 feet is required on lot 1 and lot 3.

Request # 2:

To reduce the net lot size, where 18,000 square feet is required.

Justification:

The applicant is requesting a waiver to allow the net lot size of Lot 2 to be 16,082.94 square feet, where 18,000 square feet is required per Title 30 Table 30.40-1 for R-E zoning. This area is the remaining useable space available to satisfy the required easements for pedestrian access, streetlight and traffic control, and fire hydrant. Also, the drainage and sewer easement is not able to be adjusted to provide any additional square footage to Lot 2 due to the location of the sewer point of connection on Robindale Road.

VACATION:

Vacation Request

The applicant is requesting to vacate 33 feet of patent easements along the northern and eastern property line of the property in conjunction with the proposed development. This vacation of these easements coincides with the development of subject parcel as a 4-lot residential development. The proposed development will not utilize any of these easements as a part of the development. therefore the request is appropriate.

We thank you in advance for your time and consideration. If you have any questions or comments please feel free to contact me at 702-873-7550.

Sincerely,

VTN Nevada

Kayla Cassella

Kayla Cassella

cc. Ken Nicholson.PE, VTN-Nevada

