



ENTERPRISE TOWN ADVISORY BOARD

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

September 13, 2023
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: Justin Maffett, Chair
David Chestnut
Kaushal Shah

Barris Kaiser, Vice Chair
Chris Caluya

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 – TICK SEGERBLOM, Vice-Chair
JUSTIN C. JONES – MARILYN KIRKPATRICK – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT
KEVIN SCHILLER, County Manager

- III. Approval of Minutes for August 30, 2023. (For possible action)
- IV. Approval of the Agenda for September 13, 2023 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)

- **GET CONNECTED TO DISCOUNTED HOME INTERNET**

- The Affordable Connectivity-Program (ACP) is a federal government program that provides a benefit of up to \$30 per month toward home internet services, making certain plans FREE!

- Saturday, October 7, 2023, 9:30am - 2:30pm
 - UNL V Student Union, Room 208
 - 4505 S Maryland Parkway
 - NEED HELP GETTING STARTED?

- VI. Planning and Zoning

- 1. **TM-23-500105-WARMSPRINGS DEV, LLC:**
TENTATIVE MAP for a 1 lot commercial subdivision on 1.8 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Jones Boulevard and the south side of Arby Avenue within Enterprise. MN/tpd/syp (For possible action) **09/19/23 PC**
- 2. **TM-23-500114-BD-WESTWIND LLC:**
TENTATIVE MAP for a 1 lot commercial subdivision on 1.6 acres in a C-1 (Local Business) Zone. Generally located on the east side of Westwind Road and the south side of Blue Diamond Road within Enterprise. JJ/nai/syp (For possible action) **09/19/23 PC**
- 3. **DR-23-0507-ZMZS FAMILY TRUST & MALIK, UMER Z. TRS:**
DESIGN REVIEW for a lighting plan in conjunction with an approved retail center on 1.9 acres in a C-1 (Local Business) Zone. Generally located on the west side of Rainbow Boulevard and the north side of Meranto Avenue within Enterprise. JJ/sd/syp (For possible action) **09/20/23 BCC**
- 4. **ZC-23-0489-BELTWAY BUSINESS PARK, LLC:**
ZONE CHANGE to reclassify 6.2 acres from a C-2 (General Commercial) Zone and an M-1 (Light Manufacturing) Zone to an M-D (Designed Manufacturing) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** modifications to CMA Design Overlay District standards; **2)** allow modified driveway design standards; and **3)** allow reduced street landscaping and attached sidewalks.
DESIGN REVIEWS for the following: **1)** industrial center; and **2)** finished grade on 6.7 acres in the CMA Design Overlay District. Generally located on the east side of Edmond Street and the south side of Capovilla Avenue within Enterprise (description on file). MN/rr/ja (For possible action) **09/20/23 BCC**

5. **VS-23-0490-BELTWAY BUSINESS PARK, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Decatur Boulevard and Edmond Street, and between Warm Springs Road and Capovilla Avenue and a portion of right-of-way being Hauck Street located between Warm Springs Road and Capovilla Avenue within Enterprise (description on file). MN/rr/ja (For possible action) **09/20/23 BCC**

6. **UC-23-0547-NV LAS DEC, LLC:**
USE PERMIT to allow an accessory structure prior to a principal use on 30.0 acres in an M-D (Designed Manufacturing) Zone. Generally located on the north side of Maule Avenue and the west side of Jones Boulevard within Enterprise. MN/tpd/syp (For possible action) **10/03/23 PC**

7. **WS-23-0537-RMA BICENTENNIAL, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate cross access; **2)** eliminate landscaping adjacent to a less intensive use; and **3)** reduce the height/setback ratio requirement adjacent to a single family residential use in conjunction with a previously approved restaurant with drive-thru and outside dining on 1.2 acres in a C-1 (Local Business) Zone. Generally located on the south side of Cactus Avenue, 380 feet west of Dean Martin Drive within Enterprise. JJ/md/syp (For possible action) **10/03/23 PC**

8. **ET-23-400120 (UC-19-0465)-CHURCH THE ROCK:**
USE PERMIT SECOND EXTENSION OF TIME for a place of worship.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** parking lot landscaping; **2)** modified driveway design standards; and **3)** full off-site improvements.
DESIGN REVIEW for a proposed place of worship on 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Pebble Road and the west side of Edmond Street within Enterprise. JJ/nai/syp (For possible action) **10/04/23 BCC**

9. **VS-23-0546-DBAC, LLC:**
VACATE AND ABANDON a portion of right-of-way being Valley View Boulevard located between Warm Springs Road and Eldorado Lane and a portion of right-of-way being Eldorado Lane located between Valley View Boulevard and Procyon Street (alignment) within Enterprise (description on file). MN/bb/syp (For possible action) **10/04/23 BCC**

10. **WS-23-0543-DBAC, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to increase wall height.
DESIGN REVIEWS for the following: **1)** single family residential subdivision; **2)** finished grade; and **3)** hammerhead design cul-de-sacs on 7.1 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone. Generally located on the east side of Valley View Boulevard and the north side of Eldorado Lane within Enterprise. MN/bb/syp (For possible action) **10/04/23 BCC**

11. **TM-23-500115-DBAC, LLC:**
TENTATIVE MAP consisting of 12 residential lots on 7.1 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone. Generally located on the east side of Valley View Boulevard and the north side of Eldorado Lane within Enterprise. MN/bb/syp (For possible action) **10/04/23 BCC**

12. **VS-23-0555-NAMAZ, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Blue Diamond Road and Meranto Avenue, and between Tenaya Way and Montessouri Street and a portion of right-of-way being Tenaya Way located between Blue Diamond Road and Meranto Avenue and a portion of right-of-way being Belcastro Street located between Blue Diamond Road and Meranto Avenue within Enterprise (description on file). JJ/jor/syp (For possible action) 10/04/23 BCC
13. **UC-23-0554-NAMAZ, LLC:**
USE PERMITS for the following: 1) allow retail sales and service; and 2) allow restaurants.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate sidewalk and allow reduced street landscaping; and 2) reduce the driveway throat depth.
DESIGN REVIEWS for the following: 1) a shopping center; and 2) finished grade on 3.7 acres in an H-2 (General Highway Frontage) Zone in the Mountain's Edge Master Planned Community. Generally located on the south side of Blue Diamond Road and the east side of Tenaya Way within Enterprise. JJ/jor/syp (For possible action) 10/04/23 BCC
14. **WS-23-0532-AMH NV 15 DEVELOPMENT, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to increase retaining wall height.
DESIGN REVIEW for finished grade in conjunction with a previously approved single family residential development on 5.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the southeast corner of Big Park Avenue and Tee Pee Lane within Enterprise. JJ/jud/syp (For possible action) 10/04/23 BCC
15. **WS-23-0534-DBAC, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate sidewalks and allow reduced street landscaping; 2) allow access to a collector street; and 3) waive full off-site improvements.
DESIGN REVIEWS for the following: 1) single family residential subdivision; and 2) finished grade on 1.9 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southeast corner of Hinson Street and Maule Avenue within Enterprise. MN/mh/syp (For possible action) 10/04/23 BCC
16. **ZC-23-0519-USA:**
ZONE CHANGE to reclassify 19.7 acres from an R-E (Rural Estates Residential) Zone to a P-F (Public Facility) Zone.
WAIVER OF DEVELOPMENT STANDARDS to allow modified driveway standards.
DESIGN REVIEWS for the following: 1) school; and 2) finished grade. Generally located on the south side of Starr Avenue and the west side of La Cienega Street within Enterprise (description on file). MN/lm/syp (For possible action) 10/04/23 BCC

17. **ZC-23-0548-LV BARBARA, LLC:**
ZONE CHANGE to reclassify 9.0 acres from an H-2 (General Highway Frontage) Zone and an R-E (Rural Estates Residential) Zone to an H-1 (Limited Resort and Apartment) Zone.
USE PERMIT for a multiple family residential development.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; and **2)** to allow non-standard improvements (landscaping) within a right-of-way.
DESIGN REVIEWS for the following: **1)** a multiple family residential development; **2)** alternative parking lot landscaping; and **3)** finished grade. Generally located on the northwest corner of Las Vegas Boulevard South and Barbara Lane (alignment) within Enterprise (description on file).
 MN/al/syp (For possible action) **10/04/23 BCC**
18. **ZC-23-0550-LV BARBARA, LLC:**
ZONE CHANGE to reclassify 9.3 acres from an H-2 (General Highway Frontage) Zone and an R-E (Rural Estates Residential) Zone to an H-1 (Limited Resort and Apartment) Zone.
USE PERMIT for a multiple family residential development.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; and **2)** to allow non-standard improvements (landscaping) within a right-of-way.
DESIGN REVIEWS for the following: **1)** a multiple family residential development; **2)** alternative parking lot landscaping; and **3)** finished grade. Generally located on the southwest corner of Las Vegas Boulevard South and Barbara Lane (alignment) within Enterprise (description on file).
 MN/al/syp (For possible action) **10/04/23 BCC**
19. **VS-23-0551-LV BARBARA, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Barbara Lane (alignment) and Desert Palm Drive (alignment), and between Parvin Street (alignment) and Las Vegas Boulevard South; and portions of rights-of-way being Barbara Lane located between Las Vegas Boulevard South and Parvin Street (alignment), and Gabriel Street located between Barbara Lane (alignment) and Desert Palm Drive (alignment) within Enterprise (description on file).
 MN/al/syp (For possible action) **10/04/23 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 discussion, action, or vote may be taken on this agenda item. 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: September 27, 2023.

X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
Windmill Library – 7060 W. Windmill Lane
<https://notice.nv.gov>

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



Enterprise Town Advisory Board

August 30, 2023

MINUTES

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

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

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

Brady Bernhart, Nairee Aqulien Current Planning

II. Public Comment

This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board/Council about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please spell your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chair or the Board/Council by majority vote.

- None

III. Approval of Minutes for August 9, 2023 (For possible action)

Motion by Justin Maffett

Action: **APPROVE** Minutes as published for August 9, 2023.

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

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

Motion by Justin Maffett

Action: **APPROVE** as amended.

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

Related applications to be heard together:

4. NZC-23-0471-REDWOOD B DIAMOND LLC:
5. VS-23-0453-USA:

9. VS-23-0497-NANSEN FAMILY TRUST & NANSEN ERIC N & DIANA M CO-TRS:
10. UC-23-0496-NANSEN FAMILY TRUST & NANSEN ERIC N & DIANA M CO-TRS:

11. ZC-23-0429-CIMARRON SPRING DEUX, LLC:
12. VS-23-0430-CIMARRON SPRING DEUX, LLC:
13. TM-23-500089-CIMARRON SPRING DEUX, LLC:

V. Informational Items

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

- **GET CONNECTED TO DISCOUNTED HOME INTERNET**

The Affordable Connectivity-Program (ACP) is a federal government program that provides a benefit of up to \$30 per month toward home internet services, making certain plans FREE!

Saturday, October 7, 2023, 9:30am - 2:30pm

UNL V Student Union, Room 208

4505 S Maryland Parkway

NEED HELP GETTING STARTED?

- **Important Hyundai Security upgrade**

LVMPD has partnered with ABC Hyundai for a software upgrade event!

✓ Determine eligibility

✓ Book an appointment .

✓ Protect your vehicle

✓ LVMPD on-hand Sept. 9, 215 & Rainbow location

Take the next step!

Contact ABC Hyundai today to schedule your no-charge upgrade appointment.

ABCHyundai.com

or

phone: (702) 706-7885

- **New Title 30**

After adopting the Transform Clark County Master Plan in November, the County has been working to implement the community's vision through updates to Title 30 (Development Code). On August 2, 2023 the Board approved a rewrite of Title 30 in its entirety which will take effect January 1, 2024. The more user-friendly code improves standards for pedestrian connectivity to sidewalks and surrounding uses, creates walkable neighborhoods and communities and achieves more sustainable development. The rewrite of Title 30 also allows Clark County to develop in a more sustainable, reasonable, and logical manner with more attention to neighborhood protections, sustainable design and quality development standards.

Please visit <https://www.transformclarkcounty.com/documents> to review the adopted version of the Title 30 rewrite.

The Department of Comprehensive Planning thanks you for your participation during this 3.5 yearlong effort and looks forward to its implementation.

VI. Planning & Zoning

1. **ET-23-400101 (UC-21-0329)-MARUNDE BRISTOL:**
USE PERMITS FIRST EXTENSION OF TIME for the following: 1) allow an accessory building (garage) to exceed one half the footprint of the principal dwelling; 2) allow cumulative area of accessory structures to exceed the footprint of the principal dwelling; and 3) alternative design standards.
WAIVER OF DEVELOPMENT STANDARDS to allow non-standard improvements (landscaping, driveway, and fence) within the right-of-way in conjunction with a single family residential home on 0.9 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the east side of Rancho Destino Road and the north side of Mesa Verde Lane within Enterprise. MN/mh/syp (For possible action) **09/05/23 PC**

Motion by Justin Maffett

Action: **APPROVE** per staff conditions

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

2. **WS-23-0408-RAINBOW & BLUE DIAMOND SOUTHEAST, LLC:**
AMENDED WAIVER OF DEVELOPMENT STANDARDS for alternative street landscaping (previously notified as eliminating street landscaping).
DESIGN REVIEWS for the following: 1) restaurant; and 2) finished grade in conjunction with a previously approved shopping center on a portion of 8.1 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Rainbow Boulevard and the south side of Blue Diamond Road within Enterprise. JJ/jud/syp (For possible action) **09/06/23 BCC**

Motion by David Chestnut

Action: **APPROVE** per staff conditions

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

3. **ET-23-400116 (VS-21-0301)-CAPSTONE CHRISTIAN SCHOOL:**
VACATE AND ABANDON FIRST EXTENSION OF TIME for an easement (drainage) of interest to Clark County located between Amigo Street and Radcliff Street (alignment), and between Cactus Avenue and Quaint Acres Avenue (alignment) within Enterprise (description on file). MN/tpd/syp (For possible action) **09/19/23 PC**

Motion by Justin Maffett

Action: **APPROVE** per staff conditions

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

4. **NZC-23-0471-REDWOOD B DIAMOND LLC:**
ZONE CHANGE to reclassify 9.5 acres from an R-E (Rural Estates Residential) Zone and H-2 (General Highway Frontage) Zone to a C-2 (General Commercial) Zone.
USE PERMITS for the following: **1)** assisted living facility; and **2)** permit outside dining and drinking in conjunction with a tavern where only permitted in conjunction with a supper club, tourist club, mixed-use development, or restaurant.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** dedication of right-of-way; and **2)** allow modified driveway design standards.
DESIGN REVIEWS for the following: **1)** assisted living facility; **2)** vehicle (automobile) wash; **3)** hotel; **4)** retail building; **5)** restaurant with drive-thru; **6)** on-premises consumption of alcohol establishment (tavern); and **7)** finished grade. Generally located on the east side of Redwood Street and the south side of Blue Diamond Road within Enterprise (description on file). JJ/md/ja (For possible action) **09/19/23 PC**

Motion by Justin Maffett
Action: **DENY**
Motion **PASSED** (5-0) /Unanimous

5. **VS-23-0472-REDWOOD B DIAMOND, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Blue Diamond Road and Serene Avenue, and between Redwood Street and Torrey Pines Drive within Enterprise (description on file). JJ/md/ja (For possible action) **09/19/23 PC**

Motion by Justin Maffett
Action: **DENY**
Motion **PASSED** (5-0) /Unanimous

6. **UC-23-0461-POLISH ASSET PROTECTION TRUST & POLISH LOUIS JR & TRACIM TRS:**
USE PERMIT to allow accessory structures not architecturally compatible with the principal structure.
WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks of a proposed accessory structure in conjunction with an existing detached garage and single family residence on 0.9 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the west side of Belcastro Street, 220 feet south of Gomer Road within Enterprise. JJ/tpd/syp (For possible action) **09/19/23 PC**

Motion by David Chestnut
Action: **APPROVE** per staff if approved conditions
Motion **PASSED** (3-2) / NAY - Caluya-and Kaiser

7. **UC-23-0462-GEMINI FAMILY TRUST:**
USE PERMIT to allow accessory structures not architecturally compatible with the principal building.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; and **2)** reduce required separation between structures on 0.3 acres in an R-D (Suburban Estates Residential) zone. Generally located on the north side of Star Diamond Court, 170 feet east of Gillespie Street within Enterprise. MN/dd/syp (For possible action) **09/19/23 PC**

Motion by Barris Kaiser

Action: **APPROVE: Use Permit.**

APPROVE: Waivers of Development Standards 1a and 1b

DENY: Waivers of Development Standards 1c and 1d

APPROVE: Waivers of Development Standards 2a

DENY: Waivers of Development Standards 2b and 2c

Per staff if approved conditions

Motion **PASSED** (4-1) / NAY - Caluya

8. **UC-23-0483-REYES AMBER:**
USE PERMIT to increase the area of a proposed accessory structure (casita).
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase accessory structure height; and **2)** reduce balcony setback in conjunction with a single family residence on 0.4 acres in an R-D (Suburban Estates Residential) Zone. Generally located 235 feet south of Doobie Avenue, 340 feet east of La Cienega Street within Enterprise. MN/dd/syp (For possible action) **09/19/23 PC**

Motion by Justin Maffett

Action: **APPROVE** per staff conditions

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

9. **VS-23-0497-NANSEN FAMILY TRUST & NANSEN ERIC N & DIANA M CO-TRS:**
VACATE AND ABANDON easements of interest to Clark County located between Raven Avenue and Pebble Road, and between Ullom Drive and Cameron Street within Enterprise (description on file). JJ/rk/syp (For possible action) **09/19/23 PC**

Motion by Barris Kaiser

Action: **APPROVE** per staff conditions

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

10. **UC-23-0496-NANSEN FAMILY TRUST & NANSEN ERIC N & DIANA M CO-TRS:**
USE PERMITS for the following: **1)** allow an accessory building to exceed one half the footprint of the principal dwelling; **2)** allow cumulative area of accessory structures to exceed the footprint of the principal dwelling; and **3)** allow 2 antenna (amateur radio) towers.
DESIGN REVIEW for antenna (amateur radio) towers in conjunction with a single family residence on 1.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the north side of Raven Avenue, 330 east of Ullom Drive within Enterprise. JJ/rk/syp (For possible action) **09/19/23 PC**

Motion by Barris Kaiser
Action: **APPROVE** Use Permits 1 and 2
DENY: Use Permit 3
DENY: Design Review
Per staff if approved conditions
Motion **PASSED** (5-0) /Unanimous

11. **ZC-23-0429-CIMARRON SPRING DEUX, LLC:**
ZONE CHANGE to reclassify 1.3 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** establish alternative yards for a residential lot; and **2)** allow modified driveway design standards.
DESIGN REVIEWS for the following: **1)** single family residential development; and **2)** finished grade. Generally located 995 feet east of Arville Street and on the south side of Richmar Avenue within Enterprise (description on file). JJ/md/syp (For possible action) **09/20/23 BCC**

Motion by David Chestnut
Action: **APPROVE** per staff if approved conditions
ADD Comprehensive Planning Condition:
Install amenities in the open space
Per staff if approved conditions
Motion **PASSED** (3-2) / NAY - Caluya-and Kaiser

12. **VS-23-0430-CIMARRON SPRING DEUX, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Richmar Avenue and Gary Avenue (alignment), and between Arville Street and Hinson Street within Enterprise (description on file). JJ/md/syp (For possible action) **09/20/23 BCC**

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

13. **TM-23-500089-CIMARRON SPRING DEUX, LLC:**
TENTATIVE MAP consisting of 9 residential lots and common lots on 1.3 acres in an R-2 (Medium Density Residential) Zone. Generally located on 995 feet east of Arville Street and on the south side of Richmar Avenue within Enterprise. JJ/md/syp (For possible action) **09/20/23 BCC**

Motion by David Chestnut
Action: **APPROVE** per staff conditions
Motion **PASSED** (4-1) /NAY - Kaiser

14. **VS-23-0453-USA:**
VACATE AND ABANDON easements of interest to Clark County located between Lindell Road and Jones Boulevard and between Le Baron Avenue and Jo Rae Avenue within Enterprise (description on file). JJ/nai/syp (For possible action) **09/20/23 BCC**

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

15. **WS-23-0443-DEAN MARTIN DR, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to allow ground mounted up-lighting.
DESIGN REVIEWS for the following: 1) lighting; and 2) signage in conjunction with a previously approved office/warehouse center on 15.8 acres in an M-D (Designed Manufacturing) (AE-60 & AE-65) Zone. Generally located on the north side of Robindale Road and the west side of Dean Martin Drive within Enterprise. MN/lm/syp (For possible action) **09/20/23 BCC**

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

16. **WS-23-0470-BBP PROPERTIES, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative driveway geometrics; and 2) loading area with roll-up doors not adequately screened from view.
DESIGN REVIEWS for the following: 1) warehouse; and 2) finished grade in conjunction with warehouse building on 2.4 acres in a M-D (Designed Manufacturing) Zone within CMA Design Overlay District. Generally located on the south side of Badura Avenue (alignment), 885 feet east of Jones Boulevard within Enterprise. MN/bb/ja (For possible action) **09/20/23 BCC**

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

VII. General Business:

1. Review previous fiscal year budget requests and take public input regarding requests for the next fiscal year budget (for discussion only)
The TAB reviewed the staff answers to the pervious budget request submitted.
 - The status for some requests were updated.
 - Other requests are not in any county plan.
 - The current priorities should be reviewed and updated.
 - New request be evaluated for inclusion.
 - Bullet points provided to back up the new request.
 - The budget request will be reviewed at the September 27 TAB meeting.

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 September 13, 2023 at 6:00 p.m. at the Windmill Library.

X. Adjournment:

Motion by Justin Maffett

Action: **ADJOURN** meeting at 8:02 p.m.

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

ENTERPRISE BUDGET REQUESTS 2023-2024

Enterprise's need for multiple County facilities

Enterprise requires multiple community centers, seniors' facilities, aquatic facilities, parks and trails due to rapidly increasing population, significant connectivity barriers and physical size.

Rapidly Increasing Population

- *There are 244,000+ citizens in Enterprise.*
 - *Enterprise population in 2000 was approximately 14,000*
 - *Enterprise population in 2010 was approximately 108,000*
 - *Enterprise population in 2020 was approximately 214,000*
- *Enterprise covers 67 sq. miles.*
- *Residential uses are increasing rapidly.*
 - *Higher density, multifamily projects are being built or planned.*
 - *Lower density land use is being replaced with higher density land use.*

Significant connectivity barriers

- *South of CC215, arterial roads are spaced every two miles. The standard is one every mile.*
- *Interstate 15 limits east/west access.*
- *4 Major Projects, 3 are active (Southern Highlands, Mountain's Edge and Rhodes Ranch), one failed (Pinnacle Peaks).*
 - *Arterial and collector roads have been removed from the transportation grid.*
 - *Enclosed subdivisions have vacated local roads for more homes.*
 - *Major projects' plans have not added sufficient facilities to serve the public.*
- *South of CC 215, only three east/west arterials are available. All are not fully built out from I-15 to Fort Apache Rd.*
 - *UPRR tracks block or inhibit arterial and collector road development.*
 - *Geographic features, 12% or greater slopes block arterial and collector road development.*
 - *Local roads are being vacated to build enclosed subdivisions.*
 - *Local road vacations have reduced alternate traffic routes.*
 - *Public transportation, where available, is oriented north/south*
- *The connectivity barriers significantly increase travel time to county facilities currently planned for western Enterprise.*
 - *The planned regional park facilities in Mountain's Edge are not centrally located in Enterprise.*
 - *Individuals east of I-15 most likely will not use those facilities.*

Other factors

- *If the BLM disposal boundary is expanded, Enterprise will have 4 to 5 additional square miles available for development.*
- *BLM reservations are being released and sold, significantly decreasing land available for needed county facilities.*

Budget Requests by Category

The requested priority is listed within each category

ENTERPRISE BUDGET REQUESTS 2023-2024

County Major Facilities

- **Priority #1: Enterprise Community Centers**
 - There are currently no recreational centers and/or aquatic facilities for the 244,000+ people living in Enterprise.
 - The Mountain's Edge Recreational Center and aquatic facility should be moved up on the priority list and be funded.
 - Recreation Center at Silverado Ranch Park is funded and out for bid.
 - Completion maybe late 2023
 - Recreation Center at Silverado Ranch Park improvements:
 - Dog park recently renovated;
 - Upgraded LED lighting thought the park is funded.

- **Priority #2: Enterprise Senior Centers**
 - Fund a senior center in Mountain's Edge Regional Park or other west Enterprise location.
 - Mountain's Edge Regional Park is too far west in Enterprise to accommodate seniors in eastern Enterprise.
 - Continue planning, development, and funding of parklands at Valley View\Robindale and Windmill\Dunneville.
 - Add to County's Community Park CIP list.
 - Lack of effective east/west public transportation.
 - Traffic density higher than seniors are comfortable driving in.
 - A senior room is included in the Recreation Center at Silverado Ranch Park.
 - The senior room is a start to fill the need for senior services east of I-15.
 - Reserve an additional property for a senior center east of I-15.
 - Add an eastern Enterprise senior center to CIP list and fund.

- **Priority #3: Aquatic Facilities**
 - There are no aquatic facilities for the 244,000+ people living in Enterprise.
 - Aquatic facilities are needed in Enterprise eastern and western locations.
 - Continue planning, development, and funding of parklands at Valley View\Robindale and Windmill\Dunneville.
 - Add aquatic facilities to funding list for community parks.
 - Mountain's Edge Aquatic Center project is unfunded with no cost estimate assigned. Fund this project.
 - The Mountain's Edge Regional Park is too far west to accommodate individuals in eastern Enterprise.
 - Lack of effective east/west public transportation will hinder use.
 - There is no second aquatic facility currently on the CIP list.
 - Identify and add to the CIP list for an aquatic facility east of I-15.
 - Drive time is too long from east of I-15 for a western aquatic facility.

Update Priorities # 1, 2 & 3: Parks and Recreation agrees that there is a need for Community, Recreation and Senior Centers in the Enterprise Area. Parks and Recreation has had and continues to have these facilities listed in our capital and long-range plans in the southwest. They bring these up whenever there is an opportunity. Facilities like these will require substantial investment. These kinds of capital dollars are challenging to come by, however Parks and Recreation will continue to pursue these needed amenities in Enterprise and the Southwest Valley.

ENTERPRISE BUDGET REQUESTS 2023-2024

Parks/RPM

- **Priority #1: Fund two additional neighborhood parks in Park District 4 bounded by Dean Martin Dr, Cactus Ave, Rainbow Blvd and Blue Diamond Rd.**
 - Fund at least two additional parks.
 - Enterprise population is growing rapidly.
 - Enterprise and Spring Valley towns are combined into the Southwest Park Plan area.
 - This combination makes the ratio of citizens to parks look better than it really is in Enterprise.
 - Current Enterprise population requires 610+ acres of developed parks (2.5 acres per 1000 residents).
 - At a growth rate of 10,000 resident per year, 25 acres of new parks, every year, is needed to meet the County standard.
 - Each year the ratio of park acres per 1,000 population is declining in Enterprise.
 - Southwest Ridge Park and Trailhead (176-18-301-012) opened September 30, 2022.
 - Le Baron and Lindell (APN 176-25-201-020) funded, design completed and very close to being put out to bid.
 - Park District 4 parks identified on the Neighborhood Parks CIP list include:
 - Serene and Jones (176-24-201-046) - 10-acre- 2015 estimate \$10,959,220 needs to be updated. Ranks #6.
 - Valley View and Pyle – 10 acres, 2015 estimate \$12,399,940 needs to be updated– ranked #9 up from 13 last year.
 - Cactus and Torrey Pines – 10 acres, 2015 estimate \$9,079,645 needs to be updated – ranked #14 up from 21 last year.
 - LeBaron & Rainbow (176-27-601-011) – 20 acres, 2012 estimate \$15,357,800 needs to be updated, ranked # 27

Update: As mentioned Clark County has recently completed the Southwest Ridge Park and Trailhead as a SNPLMA project. The County is currently in construction on the Le Baron and Lindell 10-acre neighborhood park, funded with Park Bond money. The other four neighborhood park remain on our CIP list with Comprehensive Planning and RPM. Currently, we know there are discussions between the Commissioner and Mtns Edge HOA on the development of Helen Stewart Park, located at Erie and Montessori (APN 17634601013). Additionally, Comprehensive Planning has been funded and hired a planning firm to assist in developing a new Parks and Recreation Plan that will identify the needs in the Southwest and determine new priorities for the future park parcels we currently maintain.

- **Priority #2: Reserve and add to the CIP list a 30-acre community park bounded by Valley View Blvd, Serene Ave, Arville St and Agate Ave.**
 - Currently, there are 66 acres, APN 177-19-601-003 identified for public use.
 - This land is centrally located in an area that does not have any parks between Dean Martin and Decatur
 - Each year the ratio of park acres per 1,000 population is declining in Enterprise.
 - Enterprise population is growing rapidly.
 - Enterprise and Spring Valley towns are combined into the Southwest Park Plan area.
 - This combination makes the ratio of citizens to parks look better than it really is in Enterprise.
 - Current Enterprise population requires 610+ acres of developed parks (2.5 acres per 1000 residents).
 - At a growth rate of 10,000 resident per year, 25 acres of new parks, every year, is needed to meet the County standard.

Update: Clark County currently has reservations or BLM Leases on some larger parcels in Enterprise, including 30 acres at Windmill and Duneville (17612401029); 20 acres at Cougar and Belcastro (17615701035); 25 acres at Riley and Ford (17617801024). At this time we are not pursuing any additional parcels. The parcel mentioned, 17719601003, is currently controlled by the Department of Aviation.

Overall, Parks and Recreation continues to build new parks in the Southwest and will continue to pursue additional park development opportunities when they present themselves.

ENTERPRISE BUDGET REQUESTS 2023-2024

ADVANCED PLANNING

Priority #1: Study and develop a plan to use electrical transmission easements for multi-modal trail system throughout Enterprise.

- 60 to 100 ft electrical transmission easements exist throughout Enterprise.
- Many areas of Enterprise are connected via the electrical transmission easements.
- Obtain permission to use electrical transmission easements for multi-modal trails.
- Identify funding sources for the multi-modal trail system.
- Design multi-modal trail system throughout Enterprise using Highlands Ranch Trail Agreement example.

Update: The Advanced Planning project you noted in the attached is not on our workplan.

There is a workplan item called the Spencer Greenway Trail which originated from the Southern Nevada's Strong (SNS) regional planning process and has ties to the Maryland Parkway Overlay efforts. This dates back to about 2013-2015. This effort would accomplish a trail system within NV Energy utility corridor. At this point in the process, we are (still) waiting for NV Energy to complete their pole consolidation study before we can really start any planning efforts in this corridor.

The Board of County Commissioners has not directed this department to initiate a study and develop a plan to use electrical transmission easements for multi-modal trail system throughout Enterprise. If/when the Board directs staff to initiate an area or region wide study and develop a plan, we will add it to our workplan to complete. Installing a pathway system down electrical transmission easements has been a condition of some projects in the southwest, but this has not been consistently required of all projects with transmission lines nor has been required on an area wide basis.

ENTERPRISE BUDGET REQUESTS 2023-2024

Public Works

- **Priority #1: Connect Cactus Ave from Buffalo Drive to Durango**
 - Construction should start fall 2022 to be completed in 9 months.
 - This project should be developed as rapidly as possible.
 - South of CC 215, there are only three roads that could provide arterial east/west travel routes.
 - South of CC 215, significant residential development west of Fort Apache Rd will require alternate route(s) to Blue Diamond Rd for east/west traffic flow.

Update: Under construction, estimated completion summer 2024

- **Priority #2: Complete the Bridge over the UPRR at Blue Diamond Rd.**
 - The plans are completed, and the ROW has been obtained.
 - The agreement with UPRR has not been completed.
 - UPRR cannot commit to a time to complete the agreement.
 - The Jones Blvd improvements south of Blue Diamond Rd have been completed.
 - The arterial north/south route is needed to help relieve traffic on Rainbow Blvd.
 - The area south of Blue Diamond Rd has increasing residential density.

Update: Construction contract awarded. Construction to start in 1st quarter 2024.

- **Priority #3: Widen Warm Springs Rd from Dean Martin Dr to Decatur Blvd.**
 - Design is at 60%.
 - The design should be completed by spring of 2023.
 - Build according to proposed plan including signalize horse crossing at Arville St.
 - No out to bid or construction date given.
 - Warm Springs Rd is a two-lane road from Dean Martin Dr to Decatur Blvd.
 - South of CC 215, there are only three arterials that could provide arterial east/west travel routes.
 - Traffic is significantly increasing on Warm Springs Rd with frequent backups at Decatur Blvd.
 - South of CC 215, significant development west of Fort Apache Rd will require an alternate route(s) to Blue Diamond Rd for east/west traffic flow.

Update: Design is at 90%. Clark County Water Reclamation District added sewer to the project, design of 12" main in Warm Springs from Decatur to Dean Martin at 10%.

- **Priority #4: Install S Island at Silverton southeast entry/exit on Dean Martin Dr.**
 - Use the plan drawn up by Traffic Management. See attached diagram.
 - The Cougar Ave connector from Dean Martin to Valley View Blvd is an excellent idea.
 - Install S Island as depicted in the attached Traffic Management diagram. (See Attachment 1)
 - The RNP-1 residents would like to see the Silverton traffic directed back to Blue Diamond Rd.
 - As the Silverton Casino grows, traffic into the RNP-1 has increased.
 - The Silverton has approval for large events on the vacant land adjacent to Dean Martin Dr.
 - RNP residents and Enterprise TAB have requested the S island each time a new Silverton addition was proposed.
 - The Silverton management position is the S island requirement and construction are solely the responsibility of Public Works.
 - Valley View Blvd will serve as the area's arterial road.
 - Dean Martin Dr was downgraded to a collector road.
 - Dean Martin Dr is developed to rural standards south of the Silverton to Silverado Ranch Blvd.

Update: Design just started, should have final design by end of year

ENTERPRISE BUDGET REQUESTS 2023-2024

- **Priority #5: Mitigate traffic on Dean Martin Dr between the Wigwam Ave and Silverado Ranch Blvd.**
 - Reduce Dean Martin to a local road from Wigwam to Silverado Ranch Blvd.
 - Install single lane traffic circles at Dean Martin Dr and:
 - Ford Ave
 - Raven Ave
 - Richmar Ave
 - Cut-through traffic is using Dean Martin Dr. to reach Silverado Ranch Blvd.
 - Dean Martin Dr was downgraded to collector road status.
 - Valley View Blvd will serve as the area's arterial road.
 - The connection to Valley View Blvd via Cougar Ave is an excellent idea.
 - As the Silverton Casino grows, the traffic into the RNP-1 has increased.

Update: Evaluated but right of way is lacking
- **Priority #6 Develop Valley View Blvd from Blue Diamond Road to Cactus using RTC diagram 244.12-100**
 - Valley View Blvd will serve as the area's arterial road to serve the eastern part of Southern Highlands.
 - Valley View Blvd either cuts through or is adjacent to Ranch Estates.
 - West of Valley View Blvd are several large R-2 housing developments.
 - Dean Martin Dr was downgraded to collector road status.

Update: It is currently not on the 10 year plan
- **Priority #7 Plan and Design Robindale Road as an east/west route from Las Vegas Blvd to Durango Drive.**
 - Additional east/west routes are needed to help relieve traffic congestion south of CC215.
 - Work with NDOT for a bridge to cross I-15
 - Begin working with the UPRR for above or below grade crossing.
 - The continued development in Enterprise will overwhelm the arterials south of CC215.
 - When the disposal boundary is expanded additional east/west routes will be needed.
 - South of CC 215, there are only three roads that could provide arterial east/west travel routes.

Update: Start design in 2025-2026
- **Priority #8 Plan and Design Windmill Lane as an east/west route from Valley View Blvd to Durango Drive.**
 - Design and fund above or below grade crossing at UPRR tracks.
 - Begin working with the UPRR for above or below grade crossing.
 - Additional east/west routes are needed to help relieve traffic congestion south of CC215.
 - The continued development in Enterprise will overwhelm the arterials south of CC215.
 - When the disposal boundary is expanded additional east/west routes will be needed.
 - South of CC 215, there are only three roads that could provide arterial east/west travel routes.

Update: Start design in 2031-2032
- **Priority #9: Build full off-sites for Wigwam Ave from Rainbow Blvd to Montessori St.**
 - Included on a list as a future project for Rainbow Blvd.
 - Additional ROW is needed.
 - We can include it in our Rainbow widening project from Warm Spring to Blue Diamond.
 - Needed to mitigate school traffic congestion.
 - Need to accommodate the traffic flow being generated by the high school and charter school.
 - Traffic flow on Rainbow Blvd is being hindered by school traffic.
 - The current local/collector roads cannot accommodate peak traffic.

Update: Under design

ENTERPRISE BUDGET REQUESTS 2023-2024

- **Priority #10: Build full off-sites for Cougar Ave from Rainbow Blvd to Montessori St.**
 - Included on a list as a future project for Rainbow Blvd.
 - Additional ROW is needed.
 - We can include it in our Rainbow widening project from Warm Springs to Blue Diamond.
 - Needed to mitigate school traffic congestion.
 - Need to accommodate the traffic flow being generated by the high school and charter school.
 - Traffic flow on Rainbow Blvd is being hindered by school traffic.
 - The current local/collector roads cannot accommodate the peak traffic.

Update: Under design

DRAFT

ENTERPRISE BUDGET REQUESTS 2023-2024

Attachment 1



SHOPS AT JONES & ARBY
(TITLE 30)

JONES BLVD/ARBY AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-23-500105-WARMSPRINGS DEV, LLC:

TENTATIVE MAP for a 1 lot commercial subdivision on 1.8 acres in a C-2 (General Commercial) Zone.

Generally located on the east side of Jones Boulevard and the south side of Arby Avenue within Enterprise. MN/tpd/syp (For possible action)

RELATED INFORMATION:

APN:
176-01-401-015

LAND USE PLAN:
ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:
Project Description
General Summary

- Site Address: 7120 S. Jones Boulevard
- Site Acreage: 1.8
- Number of Lots: 1
- Project Type: Commercial subdivision

The plans depict a 1 lot commercial subdivision with access from Jones Boulevard and Arby Avenue. A use permit to allow a commercial center, including a convenience store, was approved for the site in June of 2022.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0292	commercial center with waivers and design reviews	Approved by BCC	June 2022
VS-22-0293	Vacated and abandoned a portion of right-of-way being Jones Boulevard located between Arby Avenue and Warm Springs Road	Approved by BCC	June 2022
WC-22-400072 (ZC-1252-99)	Waived conditions of a zone change for landscaping and cross-access parking agreements for a shopping center	Approved by BCC	June 2022

Prior Land Use Requests

Application Number	Request	Action	Date
WC-19-400042 (ZC-1252-99)	Waived conditions of a zone change requiring drainage studies, traffic studies, and compliance for a shopping center	Approved by BCC	May 2019
WC-18-400231 (ZC-1252-99)	Waived conditions of a zone change requiring full off-sites to include paved legal access for a shopping center	Approved by BCC	December 2018
VS-18-0799	Vacated and abandoned easements of interest to Clark County located between Jones Boulevard and Lindell Road	Approved by BCC	December 2018
VS-0119-07	Vacated and abandoned easements of interest to Clark County located between Arby Avenue and Badura Avenue, and between Jones Boulevard and Red Rock Street, and a portion of right-of-way between Badura Avenue and Arby Avenue.	Approved by PC	May 2007
ZC-1252-99	Reclassified 5.0 acres from R-B to C-2 zoning for a shopping center	Approved by BCC	September 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	C-2	Commercial complex
South	Business Employment	C-2	Undeveloped
East	Business Employment	M-D	Warehouse
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Applicant is advised that the County has adopted a rewrite to Title 30, effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: WARMSPRINGS DEV, LLC

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



TENTATIVE MAP APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

1A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

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

PROPERTY OWNER	NAME: <u>Warm Springs Dev. LLC</u>
	ADDRESS: <u>6725 S. Eastern Avenue #2</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u>
	TELEPHONE: <u>702.868.7870</u> CELL: <u>N/A</u>
	E-MAIL: <u>asif@activecommerciallv.com</u>

APPLICANT	NAME: <u>Warm Springs Dev. LLC</u>
	ADDRESS: <u>6725 S. Eastern Avenue #2</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u>
	TELEPHONE: <u>702.868.7870</u> CELL: <u>N/A</u>
	E-MAIL: <u>asif@activecommerciallv.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Rietz Consulting, Inc.</u>
	ADDRESS: <u>3203 E. Warm Springs Rd #400</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702.921.3355</u> CELL: _____
	E-MAIL: <u>enc.rietz@rietzconsulting.com</u> REF CONTACT ID #: <u>136579</u>

ASSESSOR'S PARCEL NUMBER(S): 176-01-401-015

PROPERTY ADDRESS and/or CROSS STREETS: Jones | Arby

TENTATIVE MAP NAME: Shops AT Jones & Arby

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] Ron Opler

Property Owner (Signature)* Property Owner (Print)

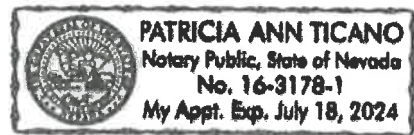
STATE OF Nevada

COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON May 23, 2023 (DATE)

By Ron Opler

NOTARY PUBLIC: Patricia Ann Ticano



*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.

09/19/23 PC AGENDA SHEET

BLUE DIAMOND\WESTWIND
(TITLE 30)

BLUE DIAMOND RD/WESTWIND RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-23-500114-BD-WESTWIND LLC:

TENTATIVE MAP for a 1 lot commercial subdivision on 1.6 acres in a C-1 (Local Business) Zone.

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

RELATED INFORMATION:

APN:
176-24-101-024

LAND USE PLAN:
ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:
The plans show a 1 lot commercial subdivision with access taken from Westwind Road. A use permit was approved for this site, along with the site to the south for a shopping center with a convenience store, gasoline station, and a secondhand store.

Project Description
General Summary

- Site Address: 8950 Westwind Road
- Site Acreage: 1.6
- Number of Lots/Units: 1
- Project Type: Commercial Subdivision

Prior Land Use Requests

Application Number	Request	Action	Date
WS-23-0212	Waived separation distance for a freestanding sign, gas canopy roof sign, and wall signs facing a residential property, with a design review for signage and lighting	Approved by BCC	July 2023
UC-22-0313	Convenience store, gas station, secondhand sales, and shopping center	Approved by BCC	July 2022
WC-22-400074 (NZC-1563-04)	Waived conditions of a zone change requiring a 15 foot wide landscape strip along Blue Diamond Road and Westwind Road	Approved by BCC	July 2022

Prior Land Use Requests

Application Number	Request	Action	Date
VS-22-0329	Vacated and abandoned patent easements	Approved by BCC	July 2022
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	Office complex & warehouses
South	Low Intensity Suburban Neighborhood (up to 5 du/ac)	R-1	Single family residential
East	Neighborhood Commercial & Low Intensity Suburban Neighborhood (up to 5 du/ac)	H-2 & R-E	Gas station & single family residential
West	Mid Intensity Suburban Neighborhood (up to 8 du/ac)	R-2 & H-2	Multiple family residential & undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

- 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 #0363-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: BD-WESTWIND LLC

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

DRAFT



TENTATIVE MAP APPLICATION DEPARTMENT OF COMPREHENSIVE PLANNING 2A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-23-500114</u>	DATE FILED: <u>8/9/2023</u>
		PLANNER ASSIGNED: _____	TAB/CAC DATE: <u>9/27/2023</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: _____	
		BCC MEETING DATE: <u>10/18/2023</u>	
		FEE: <u>\$750.00</u>	

PROPERTY OWNER	NAME: <u>BD-WESTWIND, LLC</u>
	ADDRESS: <u>8950 WESTWIND ROAD</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89139</u>
	TELEPHONE: <u>702.868.7870</u> CELL: <u>N/A</u>
	E-MAIL: <u>ASIF@ACTIVECOMMERCIALLV.COM</u>

APPLICANT	NAME: <u>BD-WESTWIND, LLC</u>
	ADDRESS: <u>8950 WESTWIND ROAD</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89139</u>
	TELEPHONE: <u>702.868.7870</u> CELL: <u>N/A</u>
	E-MAIL: <u>ASIF@ACTIVECOMMERCIALLV.COM</u>
	REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>RIETZ CONSULTING, INC.</u>
	ADDRESS: <u>3203 E. WARM SPRINGS ROAD #400</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702.521.3355</u> CELL: <u>SAME</u>
	E-MAIL: <u>ERIC.RIETZ@RIETZCONSULTING.COM</u>
	REF CONTACT ID #: <u>136579</u>

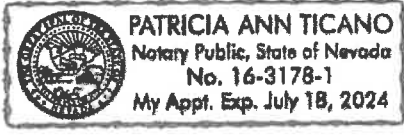
ASSESSOR'S PARCEL NUMBER(S): 176-24-101-024

PROPERTY ADDRESS and/or CROSS STREETS: BLUE DIAMOND & WESTWIND

TENTATIVE MAP NAME: Blue Diamond Westwind

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

<u>[Signature]</u> Property Owner (Signature)*	<u>ABDICK ASIF</u> Property Owner (Print)
STATE OF <u>Nevada</u>	
COUNTY OF <u>Clark</u>	
SUBSCRIBED AND SWORN BEFORE ME ON <u>May 23, 2023</u> (DATE)	
By <u>Abdick Asif</u>	
NOTARY PUBLIC: <u>Patricia Ann Ticano</u>	



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

LIGHTING PLAN
(TITLE 30)

RAINBOW BLVD/MERANTO AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

DR-23-0507-ZMZS FAMILY TRUST & MALIK, UMER Z. TRS:

DESIGN REVIEW for a lighting plan in conjunction with an approved retail center on 1.9 acres in a C-1 (Local Business) Zone.

Generally located on the west side of Rainbow Boulevard and the north side of Meranto Avenue within Enterprise. JJ/sd/syp (For possible action)

RELATED INFORMATION:

APN:

176-22-701-012

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 9375 S. Rainbow Boulevard
- Site Acreage: 1.9
- Project Type: Lighting plan
- Freestanding Sign Height (feet): 20
- Square Feet: 158
- Parking Required/Provided: 85/89

Site Plans

The approved plans depict a retail center consisting of 2 in-line retail buildings and 1 restaurant pad site building with a drive-thru. The pad site building and the smaller in-line retail building are located along Rainbow Boulevard and the larger in-line retail building is located near the western property line. A shared cross access drive aisle is shown along the north property line to the Walmart site. Parking is equitably distributed throughout the site with most of the parking spaces shown in the middle of the site. There is 1 main access point shown along Rainbow Boulevard. A freestanding sign has been approved and will be located along Rainbow Boulevard ingress/egress and is set back from the right-of-way by 10 feet. The applicant has submitted plans for lighting and is the subject of a design review for this application.

Landscaping

Landscaping is not a part of this application.

Elevations

The plans depict lighting for the project consisting of 15 pole mounted fixtures which are directed downward within the internal parking area. The pole mounted fixtures will be a maximum of 25 feet in height. The plans show a wall mounted downward facing recessed light/sconce fixture which is not located higher than 10 feet from the ground on all elevations. The plans indicate all lighting fixtures will be shielded to mitigate any light pollution leaving the site. In addition, strip lighting is shown along the entrances on the east elevation of Retail Building 1, on the west side of the property. The lighting consists of sconce fixtures on the west elevation of Retail Building 1.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the request is a result of a condition of approval from the previous application (NZN-21-0254), which as part of the review mandated that all future lighting be subject to a design review as a public hearing.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-23-0039	Freestanding sign and signage	Approved by PC	March 2023
VS-21-0255	Vacated easements and right-of-way	Approved by BCC	August 2021
NZN-21-0254	Reclassified from R-E to C-1 zoning, waivers for reduced driveway approach distance, modified driveway design, off-site improvements, and design review for retail center, alternative parking lot landscaping, and finished grade	Approved by BCC	August 2021

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-2	Commercial retail center
South	Neighborhood Commercial	C-1	Retail center
East	Business Employment	R-E	Undeveloped
West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-1)	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

The plans indicate that all of the lighting fixtures, with the exception of the ground mounted up lighting, will be shielded and/or directed away from the surrounding commercial and residential uses. All Code requirements regarding lighting, hoods, and pole heights have been observed by the applicant. The photometric calculations indicate that the on-site lighting will not have a negative impact on the abutting developments and staff does not anticipate any adverse impacts to the surrounding area and can support the request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

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

APPLICANT: ZMZS FAMILY TRUST & MALIK, UMER Z. TRS
CONTACT: MARK WHITEHOUSE, HIGH IMPACT SIGN AND DESIGN, 820 S. WIGWAM PARKWAY #100, HENDERSON, NV 89014



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

3A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE

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

STAFF

APP. NUMBER: DR-23-0507 DATE FILED: 8/2/23
 PLANNER ASSIGNED: SWD
 TAB/CAC: Enterprise TAB/CAC DATE: 9/13/23
 PC MEETING DATE: 10/3/23
 BCC MEETING DATE: _____
 FEE: 70

PROPERTY OWNER

NAME: ZMZS Family Trust, UMER MALIK
 ADDRESS: 11510 Mystic Rose Ct
 CITY: Las Vegas STATE: NV ZIP: 89138
 TELEPHONE: 702-767-3764 CELL: 702-767-3764
 E-MAIL: UMERZMALIK1@gmail.com

APPLICANT

NAME: ZMZS Family Trust, UMER MALIK
 ADDRESS: 11510 Mystic Rose Ct
 CITY: Las Vegas STATE: NV ZIP: 89138
 TELEPHONE: 702-767-3764 CELL: 702-767-3764
 E-MAIL: UMERZMALIK1@gmail.com REF CONTACT ID #: _____

CORRESPONDENT

NAME: Mark Whitehouse
 ADDRESS: 820 S. Wigwam Parkway # 100
 CITY: Henderson STATE: NV ZIP: 89014
 TELEPHONE: 702-336-3336 CELL: 702-336-3336
 E-MAIL: mwhitehouse@highimpact REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-22-701-012

PROPERTY ADDRESS and/or CROSS STREETS: Rainbow Meranto

PROJECT DESCRIPTION: Lighting

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

Umer Zaid Malik

Property Owner (Signature)*

Umer MALIK

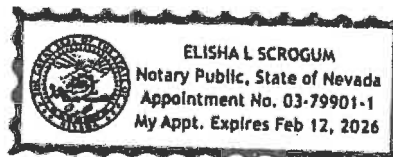
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON October 10, 2022 (DATE)

By Umer Zaid Malik

NOTARY PUBLIC:



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



To: Clark County Comprehensive Planning Dept.
500 Grand Central Pkwy
Las Vegas NV
89155

From: Mark Whitehouse
High Impact Sign and Design
820 S. Wigwam #100
Henderson, NV 89014
(702) 336-3336

DR-23-0507

November 1, 2022

RE: *Signage Design Review – Diamond Rainbow Center*

Comprehensive Planning,

We request a Signage and Lighting Design Review for public hearing an already approved retail center located at 9375 South Rainbow Boulevard Las Vegas, NV 89139.

Enclosed please find the Sign Plan Exhibit, Sign Calculations Table and Justification Letter.

The project will have the following signage which is compliant with Clark County Title 30.72 Sign Code and there are no waivers being requested.

- Sign A – Freestanding sign, this sign is being requested at a height of 20' where 35' is the maximum, which is a 40% reduction in height. Additionally the sign will be 158 square feet where 390 square feet is the maximum which is a reduction of 60% of what is allowed freestanding for signage square footage.

In closing, this freestanding sign will be compatible in materials with the building's architecture, colors, and finishes.

The sign will not negatively impact the surrounding neighborhood.

The lighting review exhibits are attached as well for this review.

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

Thank You

Regards,

Mark Whitehouse

820 Wigwam Parkway, Ste 100
Henderson, NV 89014

(702) 736-7446 office

(702) 644-0678 fax

www.highimpactsign.com

INDUSTRIAL CENTER
(TITLE 30)

EDMOND ST/CAPOVILLA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ZC-23-0489-BELTWAY BUSINESS PARK, LLC:

ZONE CHANGE to reclassify 6.2 acres from a C-2 (General Commercial) Zone and an M-1 (Light Manufacturing) Zone to an M-D (Designed Manufacturing) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modifications to CMA Design Overlay District standards; 2) allow modified driveway design standards; and 3) allow reduced street landscaping and attached sidewalks.

DESIGN REVIEWS for the following: 1) industrial center; and 2) finished grade on 6.7 acres in the CMA Design Overlay District.

Generally located on the east side of Edmond Street and the south side of Capovilla Avenue within Enterprise (description on file). MN/rr/ja (For possible action)

RELATED INFORMATION:

APN:

176-01-801-044

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Allow overhead doors not in the rear of the complex and not completely screened from public street where required in the CMA Design Overlay District per Sections 30.48.640 and 30.48.660.
 - b. Allow building facades longer than 100 horizontal feet where not permitted in the CMA Design Overlay District per Section 30.48.650.
2.
 - a. Reduce throat depth for a driveway on Edmond Street to 11 feet where 100 feet is required per Uniform Standard Drawing 222.1 (an 89% reduction).
 - b. Reduce throat depth for a driveway on Capovilla Avenue to 45 feet where 100 feet is required per Uniform Standard Drawing 222.1 (a 55% reduction).
 - c. Modify driveway geometrics.
3.
 - a. Reduce street landscaping width along Edmond Street to 6 feet where 15 feet of street landscaping is required behind an existing attached sidewalk per Section 30.64.030 (a 60% reduction).
 - b. Allow alternative landscape and an attached sidewalk on Capovilla Avenue where landscape and a detached sidewalk is required per Figure 30.64-17 and Section 30.48.660.

DESIGN REVIEWS:

1. Industrial center.
2. Increase finished grade to 84 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 133% increase).

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 6.7 (site)/6.2 (zone change)
- Project Type: Industrial buildings
- Number of Stories: 1
- Building Height (feet): 42 (Building 16)/36 (Building 17)
- Square Feet: 81,600 (Building 16)/34,650 (Building 17)
- Parking Required/Provided: 135/143

Site Plans

The plans depict 2 industrial buildings consisting of one, 81,600 square foot distribution center (Building 16) and one, 34,650 square foot warehouse (Building 17) for a total of 116,250 square feet. There are loading docks for each building with 60 foot wide concrete truck aprons located between the buildings and visible from the street. A total of 143 parking spaces are proposed on site where a minimum of 135 parking spaces are required. The property is accessed by way of 2 driveways, with 1 located on Edmond Street and the other on Capovilla Avenue. There will be no direct access to Warm Springs Road to the south as this street is substantially below grade at the Union Pacific Railroad underpass. Off-site improvements will be constructed on Capovilla Avenue which will include a cul-de-sac at the east end of the property. The easternmost portion of Building 17 is located within a dedicated right-of-way for Hauck Street which is to be vacated. This is the subject of a separate vacation request (VS-23-0490).

Landscaping

The plans indicate landscape buffers along Edmond Street, Capovilla Avenue, and Warm Springs Road. All plants appear to be selected from the Southern Nevada Water Authority Regional Plant List. The landscape area along Edmond Street is proposed to be 6 feet in width where 15 feet is normally required by Title 30. This is a subject of a waiver request. Parking lot landscape design features landscape islands/fingers each with 1 large 24 inch box tree and 2 shrubs for every 6 parking spaces in a row and at the end of the parking rows as required. Shrubs are also shown along both the building frontages. Along Capovilla Avenue a waiver is requested for alternative landscaping and an attached sidewalk. The proposed landscaping does not completely follow Section 30.48.660 which requires medium trees, 24 inch box in size or the spacing requirements of Figure 30.64.17, two off-set rows of trees planted 40 feet apart.

Elevations

The proposed buildings are concrete tilt-up construction with a maximum overall height of 42 feet for Building 16 and 36 feet for Building 17. The building parapets are varied in height approximately every 25 to 26 linear feet. Concrete tilt-up exterior walls will be painted with 5 types of colors. The building will feature glass windows with tinted glazing for the storefront. These architectural design features will help to break-up the building massing. The overhead doors and loading dock for each building face internally into the site but are still visible from the public right-of-way on Edmond Street.

Floor Plans

The plans for each building indicate large open warehouses. Building 16 will have 32 feet of internal clearance at the walls, while Building 17 will have 24 feet of clearance at the walls. Each building will have areas for future offices as accessory uses.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is seeking a conforming zone change to M-D (Designed Manufacturing) to develop an industrial center. This is desired as the site is presently divided into 3 zoning districts. The north 0.45 acre portion of the property along the south side of Capovilla Avenue is zoned M-D and is not a part of the zone change request. The remainder of the property is zoned C-2 (General Commercial) and M-1 (Light Manufacturing). Waivers to modify building design and screening requirements of the CMA are requested. Modified driveway designs are sought for throat depth and driveway geometrics to accommodate trucks for distribution that enter and exit the property concurrently from the nearest travel land while mitigating potential conflicts. Waivers for reduced and alternative street landscaping and attached sidewalks are sought as the adjoining streets are not through streets. Additionally, a design review for increased finished grade to allow up to 7 feet of on-site fill/re-grading at the northeast corner of each building to accommodate the existing grade/drainage patterns of the site while meeting the minimum required flood protection heights per the drainage manual.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-20-0281	Vacated and abandoned easements	Approved by PC	August 2020
VS-0064-08	Vacated and abandoned rights-of-way	Approved by PC	March 2008
UC-0068-00	Watchman's trailer, variances for fencing, landscaping, temporary structure, trash enclosure, outside steel fabrication, and on-site parking	Approved by BCC	April 2000
UC-1951-98	5,000 square feet restaurant/tavern within 1,500 feet of residential use	Approved by BCC	April 1999
ZC-0230-99	Reclassified 2.5 acres from M-1 to C-2 zoning for a restaurant/tavern, retail shops, and gas station	Approved by BCC	April 1999

Prior Land Use Requests

Application Number	Request	Action	Date
VC-0473-96	Watchman's trailer, multiple variances for fencing, landscaping, temporary structure, trash enclosure, outside steel fabrication, and on-site parking - expired	Approved by PC	May 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D	Warehouse/distribution facility
South	Public Use	M-1	Power substation
East	Business Employment	M-1	Undeveloped & cell tower
West	Business Employment	M-1 & M-D	Temporary construction storage site & data center

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

Related Applications

Application Number	Request
VS-23-0490	A vacation and abandonment of right-of-way and 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

**Comprehensive Planning
Zone Change**

The proposed zone change is in conformance to the Master Plan which projects Business Employment uses on the subject site. The proposed development is also compatible with existing, approved, and planned land uses in the surrounding area. Most of the area surrounding this site is developed with other distribution facilities and data centers including Switch and is located in a mixture of M-1 and M-D zoning. Therefore, staff can support the zone change request.

Waivers of Development Standards

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

Waiver of Development Standards #1

The CMA architectural standards and guidelines require non-residential buildings that are visible from a public right-of-way to not be longer than 100 horizontal feet and/or 2 stories in height. Additionally, large manufacturing buildings shall have decorative roof elements such as projecting cornices to enhance roof edges. The proposed buildings do not follow these standards precisely. The applicant states that each building will have variable rooflines, fenestration, and color accents, and that there have been other industrial buildings constructed in the area with similar designs. Very little of the buildings will be visible from Warm Springs Road because it descends downhill to the railroad underpass to the east. Additionally, while the loading areas and roll-up doors face internally into the site, there will be visibility from Edmond Street. Other industrial buildings in this area have used either walls surrounding the site to screen the buildings and roll-up doors, and/or placed the doors at the rear of the complex. Therefore, it appears there are other design solutions that could be used to meet the requirements of the CMA Design Overlay District. Therefore, staff cannot support this request.

Waiver of Development Standards #3

The applicant is seeking a reduction in the amount of street landscaping at the back of an existing attached sidewalk on Edmond Street. The applicant is proposing to provide 6 feet of landscape depth where the minimum is 15 feet. The location of an adjoining parking lot makes it difficult to meet both the landscape standard as well as the parking requirements for the proposed building (Building 16). To make-up for this reduction, the area of landscaping around the driveway entrance on Edmond Street is increased to 26 feet in depth on the north side and 78 feet in depth on the south side. Street landscaping on Capovilla Avenue on the north side of the property is also increased to 24 feet and the landscaping is 17 feet 4 inches in width along Warm Springs Road which is above the minimum requirement of 15 feet.

The applicant is seeking a waiver to allow an attached sidewalk on Capovilla Avenue rather than a detached sidewalk as normally required. The applicant is also requesting a waiver of Figure 30.64-17 which requires 24 inch box trees planted in 2 rows staged 20 feet apart when a detached sidewalk is required. The north side of Capovilla Avenue is developed, but the street has no improvements. There is only enough space to construct a 5 foot wide attached sidewalk and maintain the right-of-way width requirement. West of Edmond Street, Capovilla Avenue has attached sidewalks. The street will be a dead-end terminating in a cul-de-sac that will be dedicated 500 feet east of Edmond Street. The surrounding area is industrial and has very little foot traffic. From a pedestrian safety standpoint there would be little added benefit from having detached sidewalks instead of attached sidewalks. Large 24 inch box trees are proposed along Capovilla Avenue but are not in alternating rows on 40 foot centers since the sidewalk is requested to be attached. The street landscaping depth exceeds the minimum requirements and should be adequate to screen the area. Staff could normally support this request; however, since staff does not support the waivers for the CMA overlay requirements, staff cannot support this request.

Design Review #1

The proposed distribution center is compatible with the underlying designation of Business Employment as shown on the Master Plan. The proposed site plan, landscape plan, and building elevations, indicate appropriate design characteristics, building materials, and other architectural

features to help create an orderly and aesthetically pleasing environment that is compatible and harmonious with the surrounding area. The proposed development is consistent with the Master Plan and meets the standards of Title 30. Normally, staff could support a recommendation of approval; however, since a redesign of the site is likely necessary to meet the requirements of the CMA overlay, staff recommends denial of the design review.

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to the reduced throat depths and the increased driveway width. Both Edmond Street and Capovilla Avenue terminate adjacent to the site, so there is minimal traffic in the area.

Design Review #2

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

Department of Aviation

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

Staff Recommendation

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

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Provide cross access to APN 176-01-801-023;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective

January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include a portion of the cul-de-sac for Capovilla Avenue;
- Grant easements to Clark County for access to APN 176-01-801-023, as approved by Public Works - Development Review;
- Provide utility stubs to APN 176-01-801-023, as approved by Public Works - Development Review;
- Coordinate with Public Works - Development Review for Public Works approval of the location of access to APN 176-01-801-023.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as

determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

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.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

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 #0254-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: BELTWAY BUSINESS PARK, LLC
CONTACT: JOHN VORNSAND, 62 SWAN CIRCLE, HENDERSON, NV 89074**



LAND USE APPLICATION 4A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input checked="" type="checkbox"/> ZONE CHANGE (ZC)</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>ZC/WS/DR-23-0489</u> DATE FILED: <u>7-26-23</u></p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>8-30-23</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>9-20-23</u></p> <p>FEE: <u>\$2,200.00</u></p>
	PROPERTY OWNER	<p>NAME: <u>Beltway Business Park LLC c/o Majestic Realty Co.</u></p> <p>ADDRESS: <u>4050 W Sunset Rd, Ste H</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u></p> <p>TELEPHONE: <u>(702) 261-3081</u> CELL: _____</p> <p>E-MAIL: _____</p>
	APPLICANT	<p>NAME: <u>Beltway Business Park LLC c/o Rod Martin - Majestic Realty Co.</u></p> <p>ADDRESS: <u>4050 W Sunset Rd, Ste H</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u></p> <p>TELEPHONE: <u>(702) 896-5564</u> CELL: _____</p> <p>E-MAIL: <u>RMartin@majesticrealty.com</u> REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>John Vornsand, AICP</u></p> <p>ADDRESS: <u>62 Swan Circle</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u></p> <p>TELEPHONE: <u>(702) 896-2932</u> CELL: <u>(702) 321-8229</u></p> <p>E-MAIL: <u>john@vornsandconsulting.com</u> REF CONTACT ID #: <u>165449</u></p>

ASSESSOR'S PARCEL NUMBER(S): 176-01-801-044

PROPERTY ADDRESS and/or CROSS STREETS: North Side of Warm Springs Road, East side of Edmond Street

PROJECT DESCRIPTION: ~~445,300 sq ft~~ Warehouse/Distribution Center (two buildings) (116,250 sq ft)

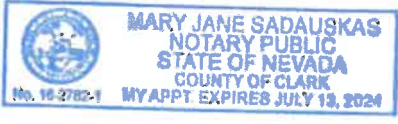
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Property Owner (Signature)* [Signature] Property Owner (Print) Rodman C. Martin - Registered Agent

STATE OF Nevada
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON MARCH 15, 2023 (DATE)
 By Rodman C. Martin

NOTARY PUBLIC: Mary Jane Sadauskas



*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.

JOHN VORNSAND, AICP

Planning & Zoning Entitlements

62 SWAN CIRCLE

HENDERSON, NEVADA 89074

Phone (702) 896-2932

Email: john@vornsandconsulting.com

April 3, 2023

Clark County Current Planning

500 South Grand Central Parkway

Las Vegas, Nevada 89101

**RE: Justification Letter for Zone Change, Design Review & Waiver of
Development Standards APN 176-01-801-044**

Vornsand Consulting is respectfully submitting this Justification Letter on behalf of the Applicant, Beltway Business Park LLC c/o Majestic Realty Company. The Applicant is proposing to develop a warehouse/distribution center on 6.7 acres located on the North side of Warm Springs Road and the East side of Edmond Street. The Applicant is requesting a conforming Zone Change from C-2 (General Commercial) and M-1 (Light Manufacturing) to M-D (Designed Manufacturing), a Design Review, and a Waiver of Development Standards as described in the project summary/description below.

Project Description:

The Applicant is requesting a conforming Zone Change from C-2 (General Commercial) and M-1 (Light Manufacturing) to M-D (Designed Manufacturing). The planned land use for the area is BE (Business Employment).

The requested land use includes both onsite and offsite improvements. Onsite improvements consist of two (2) distribution buildings containing 81,600 square feet and 34,650 square feet respectively, for a total of 116,250 square feet.

Off-site improvements presently exist on both Warm Springs Road and Edmond Street with an existing attached sidewalk on both streets. Warm Springs Road is significantly below the grade level of the subject property as the railroad underpass commences at Edmond Street going to the East. Capovilla Avenue abuts the North side of the property and is dedicated but not developed at this time. Off-site improvements will be constructed on Capovilla Avenue with this development. Capovilla Avenue is proposed to terminate in a cul-de-sac at the East end of the property. A Vacation & Abandonment is submitted concurrently with a separate application to vacate the existing Right of Way for Hauck Street located on the East side of the property.

The site is bounded by properties with existing Zoning classifications as follows:

- South across Warm Springs Road: An existing power substation zoned M-1 (Light Manufacturing).
- East: An existing cell tower zoned M-1 (Light Manufacturing).

PLANNER COPY

- Immediately adjacent to the property lines to the South and West on the Northeast corner of Warm Springs Road and Edmond Street is an existing storage yard zoned M-1 (Light Manufacturing).
- North across Capovilla Avenue: An existing warehouse/distribution facility zoned M-D (Designed Manufacturing).
- West across Edmond Street: Developed M-D (Designed Manufacturing) zoned property developed with a Switch Data Center.

All adjacent properties are master planned for BE (Business Employment).

Parking exceeds Title 30 requirements with 148 parking spaces provided where a minimum of 135 spaces are required. Bicycle parking is proposed in conformance to Title 30 requirements. Access to the development is proposed from Edmond Street and Capovilla Avenue. No access to Warm Springs Road is proposed. Landscaping and building setbacks are proposed around the entire perimeter of the development with landscaping throughout the parking area. All landscaping will comply with the approved Southern Nevada Regional Plant List. Additionally, it is noted that this project is within the Cooperative Management Agreement Area (CMA) Design Overlay District and will meet the design criteria as required per Title 30.48.

Land Use Application Requests:

Zone Change and Design Review:

The Applicant is requesting a conforming Zone Change from C-2 (General Commercial) and M-1 (Light Manufacturing) to M-D (Designed Manufacturing). A Design Review is requested to construct two (2) distribution buildings containing 81,600 square feet and 34,650 square feet respectively, for a total of 116,250 square feet. The buildings are concrete tilt-up construction at a maximum overall height of 42 feet (Building 16) and 36 feet (Building 17) with loading docks located at the rear of the buildings facing internally into the project. The dock loading areas will be screened by a combination of landscaping, building projections and concrete stem walls.

Waiver of Development Standards #1:

A Waiver of Development Standards is requested to reduce the required throat depths of the driveways accessing the property as follows:

Western Driveway on Edmond Street - Reduce throat depth to zero feet (North side) and 47'10" (South side) where a minimum of 100 feet is required per Uniform Standard Drawing 222.1 for driveways servicing 101 to 200 parking spaces.

Justification: The property to the West has no driveways accessing Edmond Street.

Northern Driveway on Capovilla Avenue – Reduce throat depth to 50'11" (West side) and 45'4" (East side) where a minimum of 100 feet is required per Uniform Standard Drawing 222.1 for driveways servicing 101 to 200 parking spaces.

Justification: The property to the North has no driveways accessing Capovilla Avenue.

Waiver of Development Standards #2:

A Waiver of Development Standards is also requested for the driveway geometrics of the driveways on Edmond Street and Capovilla Avenue.

Justification:

The applicant proposes a 44-foot width (lip-to-lip) at the access driveway on Edmond Street and 43-feet (lip-to-lip) at the access driveway on Capovilla Street where 40' from the lip of gutter to lip of gutter is the maximum allowable width per Title 30, Section 30.53.050 and the Clark County Area Uniform Design Standards (CCAUSD) 222.1. The purpose for this waiver request is to better accommodate trucks for distribution use entering and exiting the property concurrently from the nearest travel lane while mitigating potential conflicts. These widths have been established based on truck turn analyses for WB-67s.

Waiver of Development Standards #4:

A Waiver of Development Standards is also requested for reduced landscaping along Edmond Street to provide 6'9" to 7'7" where a minimum of 15' is required back of an attached sidewalk.

Justification: Edmond Street is not a through street. Landscaping at the driveway on Edmond Street is at a depth of 26 feet on the North side of the driveway and 78 feet on the South side. Ample landscaping is also provided along all other street frontages, interior property lines and within the parking lots.

We look forward to working with Current Planning for a favorable recommendation for the proposed development. Please do not hesitate to contact me if you have any questions or require any additional information.

Sincerely,


John Vornsand, AICP

RIGHT-OF-WAY/EASEMENTS
(TITLE 30)

EDMOND ST/CAPOVILLA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-23-0490-BELTWAY BUSINESS PARK, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Decatur Boulevard and Edmond Street, and between Warm Springs Road and Capovilla Avenue and a portion of right-of-way being Hauck Street located between Warm Springs Road and Capovilla Avenue within Enterprise (description on file). MN/rr/ja (For possible action)

RELATED INFORMATION:

APN:
176-01-801-044

LAND USE PLAN:
ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

The applicant states that there was a series of existing on-site patent easements that were vacated in 2020. However, a portion of 1 of the patent easements was missed and never vacated. Additionally, the dry utility companies reserved easement rights over these prior patent areas. The applicant is requesting to abandon the remnant patent easement and intends to coordinate the relinquishment of the rights/reservations of the dry utility companies prior to a building permit Certificate of Occupancy. The applicant is also requesting to vacate the right-of-way for Hauck Street as well as the corresponding adjacent streetlight and traffic control device easement on the west side of the right-of-way.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-20-0281	Vacated and abandoned easements	Approved by PC	August 2020
VS-0064-08	Vacated and abandoned rights-of-way	Approved by PC	March 2008
UC-0068-00	Watchman's trailer, variances for fencing, landscaping, temporary structure, trash enclosure, outside steel fabrication, and on-site parking	Approved by BCC	April 2000

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1951-98	5,000 square feet restaurant/tavern within 1,500 feet of residential use	Approved by BCC	April 1999
ZC-0230-99	Reclassified 2.5 acres from M-1 to C-2 zoning for a restaurant/tavern, retail shops, and gas station	Approved by BCC	April 1999
VC-0473-96	Watchman's trailer, multiple variances for fencing, landscaping, temporary structure, trash enclosure, outside steel fabrication, and on-site parking - expired	Approved by PC	May 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D	Warehouse/distribution facility
South	Public Use	M-1	Power substation
East	Business Employment	M-1	Undeveloped & cell tower
West	Business Employment	M-1 & M-D	Temporary construction storage site & data center

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

Related Applications

Application Number	Request
ZC-23-0489	A zone change from M-1 and C-2 zoning to M-D zoning for an industrial center is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation
Approval.

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:

Comprehensive Planning

- Satisfy utility companies' requirements.

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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

- Grant easements to Clark County for access to APN 176-01-801-023, as approved by Public Works - Development Review;
- Provide utility stubs to APN 176-01-801-023, as approved by Public Works - Development Review;
- Coordinate with Public Works - Development Review for Public Works approval of the location of access to APN 176-01-801-023;
- Right-of-way dedication to include a portion of the cul-de-sac for Capovilla Avenue;
- 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.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: BELTWAY BUSINESS PARK, LLC

CONTACT: JOHN VORNSAND, 62 SWAN CIRCLE, HENDERSON, NV 89074



VACATION APPLICATION 5A

DEPARTMENT OF COMPREHENSIVE PLANNING
APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>VS-23-0490</u>	DATE FILED: <u>7-26-23</u>
		PLANNER ASSIGNED: _____	TAB/CAC DATE: <u>8-30-23</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		TAB/CAC: <u>ENTERPRISE</u>	
		PC MEETING DATE: _____	
		BCC MEETING DATE: <u>9-20-23</u>	
		FEE: <u>\$875.00</u>	

PROPERTY OWNER	NAME: <u>Beltway Business Park LLC c/o Majestic Realty Co.</u>
	ADDRESS: <u>4050 W Sunset Rd, Ste H</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>(702) 261-3081</u> CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Beltway Business Park LLC c/o Rod Martin - Majestic Realty Co.</u>
	ADDRESS: <u>4050 W Sunset Rd, Ste H</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>(702) 896-5564</u> CELL: _____
	E-MAIL: <u>RMartin@majesticrealty.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>John Vornsand, AICP</u>
	ADDRESS: <u>62 Swan Circle</u>
	CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u>
	TELEPHONE: <u>(702) 896-2932</u> CELL: <u>(702) 321-8229</u>
	E-MAIL: <u>john@vornsandconsulting.com</u> REF CONTACT ID #: <u>165449</u>

ASSESSOR'S PARCEL NUMBER(S): 176-01-801-044

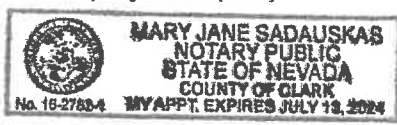
PROPERTY ADDRESS and/or CROSS STREETS: North Side of Warm Springs Road, East side of Edmond Street

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

[Signature]
Property Owner (Signature)*

Rodman C Martin - Registered Agent
Property Owner (Print)

STATE OF NEVADA
COUNTY OF CLARK
SUBSCRIBED AND SWORN BEFORE ME ON March 15, 2023 (DATE)
By Rodman C Martin
NOTARY PUBLIC: Mary Jane Sadauskas



*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.

June 27, 2023

Clark County Current Planning
500 South Grand Central Parkway
Las Vegas, Nevada 89101

RE: Majestic EJM Arroyo I (APR-23-100410)
Justification Letter for Vacation Application
APN: 176-01-801-044

To Whom it May Concern,

Vornsand Consulting is respectfully submitting this Justification Letter on behalf of the Applicant, Majestic Realty Company. The Applicant is proposing to develop a two-building warehouse/distribution center located at the southeast corner of Capovilla Ave. and Edmond St. (APN: 176-01-801-044). The Applicant is requesting Right-of-Way and Easement Vacations as described in the project summary/description below.

Project Description:

The ± 6.7 acre site is currently vacant, undeveloped land zoned M-1 (Light Manufacturing). The requested land use includes both onsite and offsite improvements. Onsite improvements consist of two (2) distribution buildings containing 34,650 square feet and 81,600 square feet, respectively, for a total of 116,250 square feet.

Based on the current Title Report and completed boundary survey, there are were a series of existing onsite patent easements that were vacated in 2020; however, it appears a portion of one of the patent easements was missed and never vacated. Additionally, it appears the dry utility companies reserved easement rights over these prior patent areas. Therefore, we are requesting to vacate the remnant patent easement and we will coordinate with the dry utility companies to relinquish the dry utility easement rights/reservations on the property prior to a Building Permit Certificate of Occupancy.

We are also requesting to vacate the existing Right-of-Way (ROW) along Hauck St. as well as the corresponding, adjacent Streetlight and Traffic Control Device easement. The proposed site plan provides sufficient circulation and redundant site access from both Capovilla Ave. and Edmond Street. A cul-de-sac is proposed at the terminus of Capovilla Ave., consistent with the intent as shown in the existing conditions.

PLANNER COPY

We look forward to working with Current Planning for a favorable recommendation for the proposed development. Please do not hesitate to contact me if you have any questions or require any additional information.

Sincerely,

A handwritten signature in cursive script that reads "John Vornsand".

John Vornsand, AICP

10/03/23 PC AGENDA SHEET

ACCESSORY STRUCTURES
(TITLE 30)

JONES BLVD/MAULE AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-23-0547-NV LAS DEC, LLC:

USE PERMIT to allow an accessory structure prior to a principal use on 30.0 acres in an M-D (Designed Manufacturing) Zone.

Generally located on the north side of Maule Avenue and the west side of Jones Boulevard within Enterprise. MN/tpd/syp (For possible action)

RELATED INFORMATION:

APN:

176-02-601-004 through 176-02-601-007; 176-02-601-010; 176-02-601-011; 176-02-601-014 through 176-02-601-016

USE PERMIT:

Allow an accessory structure (walls) prior to a principal use (data center).

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 6322 Maule Avenue
- Site Acreage: 30 (entire site)
- Number of Lots: 9
- Project Type: Accessory use/structures
- Number of Stories: 1
- Building Height (feet): 28

History and Request

The Board of County Commissioners approved ZC-19-0877 in January 2020 reclassifying a 27.4 acre portion of the project site for a data center with an 80 foot high communications tower. The applicant amended the previously approved application with ZC-23-0151 to include the addition of 2 parcels, APNs 176-02-601-006 and 176-02-601-007, that were reclassified to an M-D zoning district for an electric substation. A use permit was approved for an electric substation and a waiver was approved for the required trash enclosure. The remaining portion of that request modified the previously approved site design which included reorientating the location of

the 2 data center warehouses (Buildings 17 and 18) and communications tower. The total area of the data center warehouses was also reduced with this application. Furthermore, the waivers of development standards requested, with the exception to allow modified driveway design standards, were previously approved with the prior land use request (ZC-19-0877). The requested waivers were necessary to modify the previously approved requests to the changes proposed to the data center site. The use permit request is to allow the applicant to construct a perimeter wall around the proposed site before constructing the data center.

Site Plan

The plans depict 2 proposed data center warehouse buildings, Building 17 located on the west portion of the site, and Building 18 located on the southeast portion of the site. Building 17 is oriented in a north/south direction where Building 18 is configured in an east/west direction. Building 17 features the following setbacks: 1) 77 feet from the north property line adjacent to Roy Horn Way; 2) 150 feet from the west property line; 3) 65 feet from the south property line; and 4) 1,490 feet from the east property line adjacent to Jones Boulevard. Building 18 features the following setbacks: 1) 150 feet from the north property line adjacent to Roy Horn Way; 2) 99.5 feet from the east property line along Jones Boulevard; 3) 179 feet from the south property line; and 4) 628 feet from the west property line. Equipment yards are located on the east/west and north/south sides of Buildings 17 and 18, respectively. The required parking spaces and drive aisles are located along the west, east, and south perimeters of the site. The approved 80 foot high communications tower will be located northwest of Building 18. An electric substation is proposed with this application and will be located north of Building 18. The electric substation is enclosed within an interior equipment yard which includes a shade structure to cover equipment and an unmanned control enclosure. The shade structure and the unmanned control enclosure are set back 25 feet and 43 feet from Roy Horn Way, respectively. A pump house is located at the northwest corner of the site with a setback of 20 feet. Access to the site is granted via a driveway located adjacent to Roy Horn Way and a driveway located along Maule Avenue.

Landscaping

The plans for the data center depict a 15 foot wide landscape area with a 5 foot wide detached sidewalk along Roy Horn Way and Maule Avenue. A 15 foot wide landscape area is adjacent to an existing, attached 5 foot wide sidewalk located along Jones Boulevard. The street landscape areas consist of shrubs and groundcover. A waiver was previously approved to permit only shrubs and groundcover along CC 215, Roy Horn Way, Jones Boulevard, and Maule Avenue. The current request is to include additional portions of CC 215 and Jones Boulevard within the request for alternative street landscaping. A request to allow ground mounted up-lighting was previously approved along the north and east portions of the site where this request also includes lighting along the west portion of the site. A waiver was previously approved to increase the perimeter wall height up to a maximum of 28 feet, with a wrought iron picket on top of the wall. A waiver of development standards to allow a block wall was also previously approved around the perimeter of the site. A waiver of development standards to eliminate parking lot landscaping was previously approved with ZC-19-0877.

Elevations

The perimeter walls surrounding the entire property consist of both gray and split-face CMU walls and cast concrete walls. Perimeter walls were previously approved for a height up to 28 feet. Both walls will have pilasters evenly spaced and include a 2 foot high metal security picket structure on top. The pilasters will be painted bright red that is typical of the color scheme for this development.

Signage

A project identification sign was approved (ZC-23-0151) on the wall at the northwest corner of the site, oriented towards CC 215. A waiver of development standards was approved to increase the area of the sign up to 162 square feet. A second project identification was approved (ZC-23-0151) to be located on the wall at the southeast corner of the site, adjacent to the Jones Boulevard and Maule Avenue intersection. The signs will be up to 208 square feet with a maximum height of 16 feet. The project identification signs consist of black lettering with a red accent arrow. However, new signage is not a part of this request.

Applicant's Justification

The applicant is seeking approval to build a perimeter wall that was previously approved (ZC-23-0151), before the construction of the principal building. This is a way to progress with the development of this project while waiting on final approval from Public Works for off-site improvements.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-23-0151	Reclassified 1.3 acres from R-E and R-E (AE-60) to M-D and M-D (AE-60) zoning, with use permits, waivers of development standards, and design reviews for a data center with electric substation	Approved by BCC	May 2023
VS-23-0152	Vacated and abandoned easements of interest to Clark County located between Jones Boulevard and Torrey Pines, and between Maule Avenue and Roy Horn Way	Approved by BCC	May 2023
UC-22-0459	Electric substation, transmission lines, increase the height of utility structures, and eliminate trash enclosure; waivers of off-site improvements, modified driveway design standards; and a design review to increase finish grade	Approved by BCC	January 2023
ZC-19-0877	Reclassified 27.4 acres from C-2 and C-2 (AE-60) to M-D and M-D (AE-60) zoning, with a use permit, waivers of development standards, and design reviews for a data center	Approved by BCC	January 2020
VS-19-0878	Vacated and abandoned easements and rights-of-way - expired	Approved by BCC	January 2020

Prior Land Use Requests

Application Number	Request	Action	Date
TM-19-500232	1 lot commercial subdivision	Approved by BCC	January 2020
TM-0069-08	Commercial subdivision - expired	Approved by PC	May 2008
VS-0239-08	Vacated and abandoned portions of Pama Lane, Bronco Steet, Maule Avenue, and patent easements throughout the subject site - expired	Approved by PC	April 2008
TM-0266-05	Commercial subdivision - expired	Approved by PC	June 2005
DR-0488-04	Vehicles sales facility - expired	Approved by PC	May 2004
ZC-1730-02	Reclassified the site from C-2 to M-D zoning - expired	Approved by BCC	January 2003
ZC-0475-99	Reclassified the site from R-E to C-2 zoning	Approved by BCC	May 1999

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

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	C-2 & M-D	CC/215, parking lot, shopping center, & undeveloped
South	Business Employment	M-D, M-I, & R-E	Warehouse, vehicle repair, & undeveloped
East	Business Employment	M-D	Warehouse & commercial complex
West	Business Employment	C-2 & M-D	Shopping center

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

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

Staff finds that the applicant has taken steps to progress with the development of this project. The applicant has been approved for a traffic study (PW23-14558) and a drainage study (PW21-16085) with Public Works, as well as a commercial grading permit (BD22-59911) with the Building Department. Staff is concerned of the potential for landscaping not be installed if the project is not completed, leaving an unsightly structure that is not aesthetically pleasing to the

public. However, staff encourages the progressive efforts of a previously approved project (ZC-23-0151) and can support this request to continue that progress.

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:

Comprehensive Planning

- 3 years to review if street landscaping has not been installed.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: STEVEN ROBERTS

CONTACT: MICHAEL S. ANDERSEN AIA ARCHITECT LLC, 2714 TIMBER CROSSING CT, HENDERSON, NV 89074



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

6A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> 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-23-0547</u> DATE FILED: <u>8/9/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>9/13/23</u> PC MEETING DATE: <u>10/03/23</u> BCC MEETING DATE: _____ FEE: <u>\$675</u>
	PROPERTY OWNER NAME: <u>NV LAS DEC, LLC</u> ADDRESS: <u>c/o Switch, Ltd. 7135 S. Decatur Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-444-4111</u> CELL: _____ E-MAIL: _____
	APPLICANT NAME: <u>Switch, Ltd. c/o Steven Roberts</u> ADDRESS: <u>7135 S. Decatur Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-444-4111</u> CELL: _____ E-MAIL: <u>sroberts@switch.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Michael Andersen</u> ADDRESS: <u>2714 Timber Crossing Ct.</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u> TELEPHONE: _____ CELL: <u>702-219-4787</u> E-MAIL: <u>mike@michaelsandersen.com</u> REF CONTACT ID #: _____

PLANNER COPY

ASSESSOR'S PARCEL NUMBER(S): 176-02-1601-004 through 007; 010, 011, 014, 015, 016

PROPERTY ADDRESS and/or CROSS STREETS: Roy Horn and Jones

PROJECT DESCRIPTION: Perimeter Walls and Gates Use Permit approved per ZC-23-0151

(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)*

Steven Roberts
Property Owner (Print)

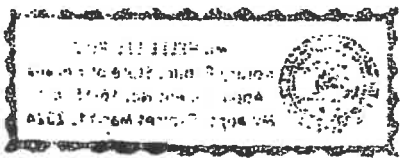
STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 07-24-2023 (DATE)
By Steven Roberts

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. 1 of 5



July 25, 2023

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

**RE: 23-1000911 Use Permit Application
Switch NAP17 and NAP18
Justification Letter for Perimeter Wall and Gates Special Use Permit from ZC-23-0151.**

To whom it may concern:

Michael Andersen AIA Architect, on behalf of our client, NV LAS DEC, LLC c/o Switch, respectfully submits this justification letter and Special Use Permit application for Perimeter Walls and Gates approval. The walls and gates were approved under ZC-23-0151 and to move forward on the wall building permit approval (BD-22-47493), we are submitting this Special Use Permit per Planning comments as an "alternate approval" process since the building shell permit is subject to Public Works "On/Off-Site Improvement Package" final approval.

Project Description: Perimeter walls and gates that surround project site on approximately 28.42± gross acres and covers APN 176-02-601-004, 176-02-601-005, 176-02-601-010, 176-02-601-011, 176-02-601-016, 176-02-601-014, 176-02-601-015, 176-02-601-006 and 176-02-601-007.

Special Use Permit

We request approval of a Special Use Permit to allow accessory structure (walls/gates) before principle structure.

Waiver of Standards

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

1. Section 30.48.660 – Architectural Standards and Guidelines

- Waiver: Item 1, "All new sound walls, masonry walls shall be decorative and designed to visually minimize the stark appearance of a monotonous block wall face by incorporating variations in surface planes (landscape pockets), height, material, or texture."
- Request: A. Allow for a grey split face CMU wall on the South and West perimeter sides, which exceeds 50 feet in length without incorporating variations in surface planes (landscape pockets), height, material, or texture. Wall height will range from 12'-0" to approximately 28'-0" including the retaining wall portion and 3'-0" high decorative wrought iron picket structure on top of the CMU wall where a maximum combined screen

wall/retaining wall height of 13 feet (10 foot screen/3 foot retaining) is permitted by Code. A Waiver of Development Standards was previously approved with ZC-19-0877 to increase the combined screen wall/retaining wall height up to a maximum of 24 feet.

B. Allow for a grey Concrete decorative wall with pilasters at approximately 48'-0" O.C. on the North, partial West, and East perimeter sides, which exceeds 50 feet in length without incorporating variations in surface planes (landscape pockets), height, material, or texture. Wall height will range from 12'-0" to approximately 28'-0" including the retaining wall and 3'-0" high decorative wrought iron picket structure on top of the CMU wall where a maximum combined screen wall/retaining wall height of 13 feet (10 foot screen/3 foot retaining) is permitted by Code. A Waiver of Development Standards was previously approved with ZC-19-0877 to increase the combined screen wall/retaining wall height up to a maximum of 24 feet.

Justification: A. The proposed new split face CMU wall along the South and West perimeter walls constructed to the height noted above with a 3'-0" decorative wrought iron picket structure will provide a secure perimeter and will incorporate 24" square pilasters at the corners and end of walls at vehicle entrance gates.

B. The proposed new Concrete wall along the North, partial West, and East perimeter walls constructed to the height noted above with a 3'-0" decorative wrought iron picket structure will provide a secure perimeter. Concrete 2'-6" wide pilasters will be spaced approx. 48'-0" apart and extend 3'-4" above the concrete wall.

2. Section 30.64.020 – Fences and Walls

Waiver: Per D. Industrial Development. Fences and walls, including security fences and walls, are permitted at 10 foot maximum height around the perimeter of the development within required setback when fence or wall is set back for required landscaping along streets. The maximum height may be increased up to 13 feet to accommodate additional height needed for retaining walls. See Table 30.64-2 for requirements for fences and walls along a street.

Request: A. Allow for a grey split face CMU wall on the South and West perimeter sides, which exceeds 50 feet in length without incorporating variations in surface planes (landscape pockets), height, material, or texture. Wall height will range from 12'-0" to approximately 24'-0" including the retaining wall portion. An additional 3'-0" high decorative wrought iron picket structure on top of the CMU wall.

B. Allow for a grey Concrete decorative wall with pilasters at approximately 56'-0" O.C. on the North, West, and East perimeter sides,

which exceeds 50 feet in length without incorporating variations in surface planes (landscape pockets), height, material, or texture. Wall height will range from 12'-0" to approximately 24'-0" including the retaining wall portion.

An additional 3'-0" high decorative wrought iron picket structure on top of the CMU wall.

- Justification:
- A. The proposed new split face CMU wall along the South and West perimeter walls constructed to the height noted above with a 3'-0" decorative wrought iron picket structure will provide a secure perimeter and will incorporate 24" square pilasters at the corners and end of walls at vehicle entrance gates.
 - B. The proposed new Concrete wall along the North, West, and East perimeter walls constructed to the height noted above with a 3'-0" decorative wrought iron picket structure will provide a secure perimeter. Concrete 2'-6" wide pilasters will be spaced approx. 48'-0" apart and extend 3'-4" above the concrete wall.

Thank you for the opportunity to submit this Special Use Permit application for your review. Please contact me at (702) 219-4787 if you have any questions regarding this application.

Sincerely,

Michael S. Andersen

Michael Andersen AIA

Michael S. Andersen AIA Architect LLC
 2714 Timber Crossing Ct.
 Henderson, NV 89074

10/03/23 PC AGENDA SHEET

RESTAURANT WITH DRIVE-THRU
(TITLE 30)

CACTUS AVE/DEAN MARTIN DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-23-0537-RMA BICENTENNIAL, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate cross access; 2) eliminate landscaping adjacent to a less intensive use; and 3) reduce the height/setback ratio requirement adjacent to a single family residential use in conjunction with a previously approved restaurant with drive-thru and outside dining on 1.2 acres in a C-1 (Local Business) Zone.

Generally located on the south side of Cactus Avenue, 380 feet west of Dean Martin Drive within Enterprise. JJ/md/syp (For possible action)

RELATED INFORMATION:

APN:

177-32-101-030

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate cross access where cross access shall be provided to non-residential land uses that are similar or complementary with consistent levels of intensity and similar parking per Table 30.56-2.
2. Eliminate landscaping adjacent to a less intensive use (single family residential use) where landscaping and screening, including a decorative block wall, is required per Figure 30.64-11.
3. Reduce the height/setback ratio requirement adjacent to a single family residential use to 43.5 feet where 67.5 feet is required per Section 30.56.070 and Figure 30.56-10 (a 35.6% reduction).

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.2
- Project Type: Retail building (coffee shop) with drive-thru and outside dining area
- Number of Stories: 1
- Building Height (feet): 22.5
- Square Feet: 2,469 (restaurant)/900 (outside dining)

- Parking Required/Provided: 28/36

History and Request

ZC-22-0441 was previously approved by the Board of County Commissioners (BCC) in September 2022 to reclassify the project site from an R-E to a C-1 zoning district for a restaurant (coffee shop) with drive-thru. The applicant is now requesting to eliminate cross access, eliminate landscaping adjacent to a less intensive use, and reduce the height/setback ratio requirement adjacent to a single family residential use between the restaurant (coffee shop) that is presently complete and the residential use to the east. No modifications are proposed to the approved site plan. The R-E zoned lot immediately adjacent to the east of the project site is currently under resolution of intent and was reclassified to a C-1 zoning district via NZC-22-0324 by the BCC in September 2022. The R-E zoned lot was previously developed with a single family residence, which has now been demolished. The lot to the east has also been approved for a coffee shop; however, the planned land use designation of Mid-Intensity Suburban Neighborhood remains, necessitating the waiver of development standards requests.

Site Plans

The previously approved plans depict a restaurant (coffee shop) with a drive-thru that is presently complete with tenant improvements currently being installed, located near the front portion of the site. The building is located along Cactus Avenue with the drive-thru aisle located on the south, east, and north sides of the building, and traffic will circulate around the building. While a single drive-thru lane provides service, there is an "escape" lane located to the east of the drive-thru lane. Parking is provided on the western portion of the site. There is 1 main access point shown along Cactus Avenue where a detached sidewalk with landscaping is located on the eastern side of the driveway. The outside dining area is located to the south of the building and is 53 feet from the east property line, 93 feet from the west property line, and over 118 feet from the south property line, all within 200 feet of a residential development. The order talk box is located east of the dining area, facing a single family residence (which has now been demolished) located approximately 36 feet to the east, with the delivery window located on the north elevation of the building. The approved site plan included an area on the south side of the lot, which extended east in an "L" shape, adjacent to the southern property line of the single family residence (which has now been demolished) to the east of the coffee shop. The portion of the "L" shaped lot is now a separate parcel, APN 177-32-101-031, and is under separate ownership. Therefore, APN 177-32-101-031 is not a part of this application and will not be landscaped, as depicted on the approved site plan. Furthermore, no development is currently proposed for APN 177-32-101-031. The drive-thru restaurant requires 28 parking spaces where 36 parking spaces are provided.

Landscaping

The approved plans depict street landscaping that includes a 25 foot wide landscape area along Cactus Avenue with a 5 foot wide detached sidewalk. The approved 11 foot wide intense landscape buffer along the east property line will now be removed, necessitating a waiver of development standards to eliminate landscaping adjacent to a less intensive use. The proposed landscape area along the east property line will now consist of a 2 foot high decorative retaining wall with a 10 foot wide landscape area consisting of shrubs and groundcover. A 10.5 foot wide intense landscape buffer is provided along the south and west property lines. While there are a

minimal number of landscape finger islands, the westernmost parking is adjacent to the landscape buffer which exceeds the required number of parking lot trees. Landscaping is provided between the outside dining and the drive-thru lane. Landscape materials include Mexican Palo Verde, African Sumac, Shoestring Acacia, Wilson Olive, Holly Oak, Purple Leaf Plum, Willow Pittosporum, various shrubbery, and groundcover.

Elevations

The approved plans depict a 1 story building with a maximum height of 22.5 feet. The building has a flat roof behind parapet walls with a patio cover over the outside dining area, and the patio area is enclosed on 3 sides by cable railing. The exterior of the building includes painted stucco siding, stone veneer accents, aluminum store front windows and doors, and metal awnings.

Floor Plans

The approved plans depict a 2,469 square foot building for the proposed coffee shop. The outside dining area is covered with open seating.

Signage

Signage is not a part of this request.

Applicant's Justification

The approved restaurant with drive-thru (Starbucks) is substantially complete with the installation of landscaping to be one of the final remaining on-site works to be completed. The building is complete with tenant improvements currently being installed. Therefore, all technical studies, such as drainage, traffic, and Civil plans, have been completed and approved. The building was permitted with BD22-60847 while the tenant improvement permit is per BD23-30642. When the original entitlement for Starbucks was processed, the adjacent property to the east was in the process of a rezoning to C-1 zoning, and therefore, was still considered a single family residential use. The single family residence on that parcel has now been demolished.

The first waiver request is to eliminate screening and buffering adjacent to a less intense use along a portion of the east property line. The southern parcel directly south of the east parcel was originally part of the approved site and was considered a flag lot. Therefore, that portion of the eastern site is permanently zoned C-1 and does not require any buffering while the property that was part of the original request is under resolution of intent to C-1 zoning (NZC-22-0324) but still considered a single family residential use until the proposed project is substantially complete and all conditions of the Resolution of Intent (ROI) have been met.

The second waiver request is to reduce the building height setback ratio for a drive-thru restaurant to a residential use to 43.5 feet where a minimum of 67.5 feet is required per Code. By eliminating the screening and buffering, which also includes elimination of the 6 foot high screen wall, the provisions for the 3 to 1 building height setback ratio apply to any non-residential building over 14 feet in height.

The third waiver request is to not provide cross access to the adjacent site that is under resolution of intent. The reason for the request is that both approved site plans conflict with either required

parking, drive-thru lanes, and/or stacking of vehicles. The project site is almost complete and it would be impossible to provide cross access with their approved plan.

The setback and screening and buffering waivers are required along the east property line since the property is still considered a single family residential use even though the property has been rezoned to C-1 and is virtually under construction. For all practical purposes, the property to the east will be zoned C-1 when the construction is substantially complete but must be considered a single family use until then. The proposed revision to the site along a portion of the east property line is a 2 foot high decorative retaining wall with a 10 foot wide landscape area consisting of shrubs and groundcover. Therefore, there will not be any adverse impacts associated with the requests.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-22-0442	Vacated and abandoned a portion of right-of-way being Cactus Avenue to accommodate the required detached sidewalk and vacate patent easements	Approved by BCC	September 2022
ZC-22-0441	Reclassified the subject property from R-E to C-1 zoning for a commercial development, with a use permit to reduce the required separation from an outside dining to a residential use, waivers of development standards for a talk box location and to allow modified driveway design standards, and design reviews for a restaurant (coffee shop) with a drive-thru and outside dining area and alternative parking lot landscaping	Approved by BCC	September 2022
PA-21-700005	Re-designated the land use category from Mid-Intensity Suburban Neighborhood (MN) to Neighborhood Commercial (NC)	Approved by BCC	February 2022
VS-17-0269	Vacated a portion of Polaris Avenue	Approved by BCC	June 2017

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-2	Retail
South & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-3	Multiple family residential
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	C-1*	Retail & Single family residential

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

*The lot immediately adjacent to the east of the project site is currently under resolution of intent and was reclassified to a C-1 zoning district via NZC-22-0324 by the BCC in September 2022. A restaurant (coffee shop) with drive-thru was approved for this site.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Waivers of Development Standards

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

Waiver of Development Standards #1

The intent of providing cross access is to promote public safety, efficient on-site vehicular circulation, shared parking with adjacent properties, and to minimize curb cuts along streets. Staff typically does not support requests to waive cross access to adjacent properties with similar land uses and parking requirements. However, staff does not object to this request for the following reasons: 1) the adjacent parcel to the east of the restaurant was also approved for a restaurant (coffee shop) with drive-thru and did not propose future cross access; and 2) the approved site plan for the restaurant east of the project site makes cross access difficult and impractical, as cross access traffic would interfere with the drive aisle and queuing lanes of the restaurant. Therefore, staff recommends approval of this request.

Waiver of Development Standards #2

The intent of providing landscaping adjacent to a less intensive use (single family residential) is to ensure there is appropriate screening through trees and decorative block walls to mitigate any potential impact from the non-residential use. The project site is currently developed with the restaurant with drive-thru, and is undergoing tenant improvements, while the parcel to the east is currently undeveloped (the single family residence on this parcel was demolished). However, the parcel to the east is currently planned for Mid-Intensity Suburban Neighborhood, requiring the waiver of development standards to eliminate the perimeter landscaping. The parcel to the east has previously been approved for a restaurant (coffee shop) with drive-thru via NZC-22-0324. Staff typically does not support requests to eliminate landscaping adjacent to a less intensive use; however, it is highly unlikely the parcel to the east will develop as a single family residence. Eliminating the landscaping along the east property line should have no impact on the parcel to the east; therefore, staff recommends approval.

Waiver of Development Standards #3

The intent of the height setback ratio is to ensure there is a sufficient setback distance from non-residential and multiple family development to a single family residential use. However, the single family residence on the parcel immediately to the east of the project site has been demolished in preparation for the construction of a restaurant with a drive-thru (NZC-22-0324). Although the single family residence has been demolished, the parcel to the east remains planned for single family residential uses (Mid-Intensity Suburban Neighborhood), necessitating the

waiver of development standards. Staff typically does not support requests to reduce the height setback ratio; however, it is highly unlikely the parcel to the east will develop as a single family residence. The reduction to the height setback ratio should have no impact on the parcel to the east; therefore, staff recommends approval.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time, the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

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

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



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 (ZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (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-23-0537</u> DATE FILED: <u>8/9/23</u></p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>9/13/23</u></p> <p>PC MEETING DATE: <u>10/3/23 @ 7:00PM</u> <u>c 6:00</u></p> <p>BCC MEETING DATE: _____</p> <p>FEE: <u>\$475.⁰⁰</u></p>
	PROPERTY OWNER	<p>NAME: <u>RMA Bicentennial LLC</u></p> <p>ADDRESS: <u>6725 S Eastern, Unit 2</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u></p> <p>TELEPHONE: <u>702-868-7870</u> CELL: <u>702-612-5500</u></p> <p>E-MAIL: <u>asif@activecre.com</u></p>
	APPLICANT	<p>NAME: <u>Active Commercial</u></p> <p>ADDRESS: <u>6725 S Eastern, Unit 2</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u></p> <p>TELEPHONE: <u>702-868-7870</u> CELL: <u>702-612-5500</u></p> <p>E-MAIL: <u>asif@activecre.com</u> REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>Dionicio Gordillo, DG Consultants</u></p> <p>ADDRESS: <u>204 Belle Isle Ct.</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89012</u></p> <p>TELEPHONE: <u>702-379-6601</u> CELL: <u>702-379-6601</u></p> <p>E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: <u>191488</u></p>

ASSESSOR'S PARCEL NUMBER(S): 177-32-101-030

PROPERTY ADDRESS and/or CROSS STREETS: 3377 West Cactus Avenue

PROJECT DESCRIPTION: Proposed Restaurant with drive-thru and outside dining

(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)*

ARDIUS ASIF
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 5/17/23 (DATE)

By Ardius Asif

NOTARY PUBLIC: _____

ALYN REEVES
NOTARY PUBLIC
STATE OF NEVADA
COUNTY OF CLARK
No. 21-0887-01 MY APPT. EXPIRES FEB. 2, 2025

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

July 5, 2023

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

**PLANNER
COPY**

RE: REVISED - Waivers of Development Standards – Restaurant with Drive-Thru (APN: 177-32-101-030)

On behalf of Active Commercial, LLC, we are requesting waivers of development standards for a drive-thru restaurant (Starbucks). The subject site is 1.2 acres, zoned C-1, and located on the south side Cactus Avenue and the east side of Polaris Avenue (alignment). By way of background, the development, which is under construction and substantially complete, was approved with ZC-22-0441 in September 2022.

Project Background

The approved restaurant with drive-thru (Starbucks) is substantially complete with the installation of landscaping to be one of the final remaining on-site works to be completed. The building is complete with tenant improvements currently being installed. Therefore, all technical studies, such as drainage, traffic, and Civil plans, have been completed and approved. The building was permitted with BD22-60847 while the tenant improvement permit is per BD23-30642. Pictures are included with this request to depict some of the on-site construction.

When the original entitlement for Starbucks was processed, the adjacent property to the east was in the process of a rezoning to C-1 zoning and therefore was still considered a single family residential use. Therefore, the plans for our Starbucks site depicted an intense landscape buffer per Figure 30.64-12 along a portion of the east property line to comply with screening and buffering provisions when adjacent to less intense use and to comply with the building height setback ratio per Figure 30.56-10.

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 eliminate screening and buffering per Figure 30.64-12 adjacent to a less intense use along a portion of the east property line. The southern parcel directly south of the east parcel was originally part of our approved site and was considered a flag lot. Therefore, that portion of the eastern site is permanently zoned C-1 and does not require any buffering while the property that was part of their original request is under resolution of intent to C-1 zoning (NVC-22-0324) but still considered a single family residential use until the proposed project is substantially complete and all conditions of the Resolution of Intent (ROI) have been met.

The second waiver of standards request is to reduce the building height setback ratio for a drive-thru restaurant to a residential use to 43.5 feet where a minimum of 67.5 feet is required per Figure 30.56-10. By eliminating the screening and buffering per Figure 30.64-12, which also includes elimination of the 6 foot high screen wall, the provisions of Figure 30.56-10 require a 3 to 1 building height setback ratio for

D G Consultants

any non-residential building over 14 feet in height. The Starbucks building is a maximum height of 22.5 feet which requires a building height setback of 67.5 feet.

The third waiver of standards request is to not provide cross access to the adjacent site that is under resolution of intent. The reason for the request is that both approved site plans conflict with either required parking, drive-thru lanes, and/or stacking of vehicles. Our site is almost complete and it would be impossible to provide cross access with their approved plan.

The setback and screening and buffering waivers are required along the east property line since the property is still considered a single family residential use even though the property has been rezoned to C-1 and is virtually under construction. For all practical purposes, the property to the east will be zoned C-1 when the construction is substantially complete but must be considered a single family use until then. The proposed revision to the site along a portion of the east property line is a 2 foot high decorative retaining wall with a 10 foot wide landscape area consisting of shrubs and groundcover. Therefore, there will not be any adverse impacts associated with the requests.

The proposed use and site location achieve the following: a) the proposed uses are in harmony with the purpose, goals, objectives and standards of the Clark County Master Plan and Title 30; b) the proposed uses will not have substantial or undue adverse effects on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare; and c) the proposed use will be adequately served by public improvements, facilities, and services and will not impose an undue burden.

Thank you for your consideration.

Sincerely,

Dionisio Smith

PLANNER
COPY

10/04/23 BCC AGENDA SHEET

PLACE OF WORSHIP
(TITLE 30)

PEBBLE RD/EDMOND ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-23-400120 (UC-19-0465)-CHURCH THE ROCK:

USE PERMIT SECOND EXTENSION OF TIME for a place of worship.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) parking lot landscaping; 2) modified driveway design standards; and 3) full off-site improvements.
DESIGN REVIEW for a proposed place of worship on 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the south side of Pebble Road and the west side of Edmond Street within Enterprise. JJ/nai/syp (For possible action)

RELATED INFORMATION:

APN:
176-24-501-008; 176-24-501-009

WAIVERS OF DEVELOPMENT STANDARDS:

1. Waive parking lot landscaping for a proposed parking lot where parking lot landscaping is required per Figure 30.64-14.
2. Reduce throat depth to 55 feet where a minimum of 100 feet is required per Uniform Standard Drawing 222.1 (a 45% reduction).
3. Waive full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights) along Pebble Road where full off-site improvements are required per Section 30.52.050.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.5
- Project Type: Place of worship
- Building Height (feet): 35
- Square Feet: 7,200
- Parking Required/Provided: 72/78 (total build-out)

Site Plans

The approved plans depict a 1 story place of worship which will consist of 2 buildings for a total of 9,000 square feet for the first phase of construction. Future phases will include additions to the proposed buildings, including classrooms and multi-purpose rooms that will bring the total square footage to 13,960 square feet. The proposed place of worship will be centrally located within the project site, approximately 85 feet from Pebble Road. To the east of the place of worship is the proposed classroom building, located approximately 85 feet from Pebble Road and approximately 63 feet from Edmond Street. The buildings are connected by walls and doors to create a courtyard. A 24 foot wide drive aisle for both internal traffic and emergency vehicle access encircles the proposed building. Access to the site is from Pebble Road via a 32 foot wide driveway in the northwest portion of the parcel. A proposed trash enclosure will be in the southwest corner of the parcel.

The applicant submitted revised site plans on August 25, 2021. The revised plans depict a single story place of worship with only 1 building that has a total of 7,200 square feet. The previously approved courtyard and the second building towards the east is now removed.

Landscaping

The approved plans depict street landscaping consisting of 15 foot wide landscape area along Pebble Road and an 8 foot wide landscape area along Edmond Street, along with perimeter landscaping proposed along the western and southern property lines consisting of both 24 inch box trees spaced every 20 feet on center and 15 gallon box trees spaced 20 feet on center. No landscape island fingers are provided between parking spaces within rows to break-up the longer rows of parking and is the subject of a waiver request for parking lot landscaping.

The revised plan depicts large Evergreen trees planted on street landscaping and along the west and south property lines. The trees will be 24 inch boxes and will have scattered 5 gallon drought tolerant shrubs with red gravel groundcover. This revised plan also shows that landscape island fingers are provided per Code. Drought tolerant shrubs and trees will be planted in landscape island fingers as well.

Elevations

The approved plans depict a 30 foot high building with a flat roofline and parapet walls.

The revised elevation plans depict a 35 foot high building with standing seam mansard and gable roofs and tan painted stucco walls. The building has metal fascia detail, a horizontal stucco band, and floor to ceiling windows on the north and east sides.

Floor Plans

The approved plans depict an auditorium for 320 seats and a separate building with 3 classrooms and a serving kitchen with an exterior courtyard with areas for barbeques and tables. The total internal space is 13,960 square feet when total build-out is completed with proposed future additions.

The revised floor plan depicts a 1 story building with the main entrance facing east. The buildings consist of a lobby, breakroom, a separate men's and woman's restroom, 2 offices, and

2 meeting rooms. A corridor leads into the second half of the building designed for multi-purpose use.

Previous Conditions of Approval

Listed below are the approved conditions for ET-21-400139 (UC-19-0465):

Current Planning

- Until August 21, 2023 to commence;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for UC-19-0465:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Right-of-way dedication to include 30 feet to back of curb for Edmond Street and 50 feet to back of curb for Pebble Road and associated spandrel;
- Execute a Restrictive Covenant Agreement (deed restrictions).

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 #0308-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

Per the applicant's justification letter, the decision was made to pause construction due to the need to restrict personal interactions during pandemic. The applicant has partnered with a new contracting company, H&H Development, to aid with construction as of April 2021. Although construction has not commenced due to financial issues, the applicant has made progress with the Public Works Department and is requesting a second extension of time.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-21-400139 (UC-19-0465)	First extension of time for place of worship, parking lot landscaping, and modified driveway design standards	Approved by BCC	November 2021
UC-19-0465	Place of worship and waivers for trash enclosure, parking lot landscaping, and modified driveway design standards	Approved by BCC	August 2019
ZC-1026-05	Reclassified 3,800 parcels of land from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005
UC-0480-99	Installation of 138/12 kV overhead electrical power transmission line with 110 foot high transmission line poles and equipment	Approved by PC	May 1999

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

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
South, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

Staff finds that the applicant has an approved minor deviation and right-of-way dedication (PW23-15087), an approved drainage study (PW22-11008), and a tentative map application in review by the Public Works - Mapping Team (TM23-600006). Also, the applicant has an active off-site permit (PW22-18791) in review by the Public Works Department. Although the applicant has experienced delays to commence the project, staff can support the second extension of time due to approved and active applications with the Public Works Department. However, staff may not be able to support any future extensions of time requests if no construction activities have been done to commence the project.

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Until August 21, 2025 to commence;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

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

**APPLICANT: CHRISTINE REED
CONTACT: CHRISTINE REED, THE ROCK, A CHRISTIAN CHURCH, 9181 BRANFORD
HILLS STREET, LAS VEGAS, NV 89123**

DRAFT



The Rock A Christian Church

9181 Branford Hills Street, Las Vegas, NV 89123

July 24, 2023

Re: Justification Letter for extension of time on Use Permit UC19-0465

To whom it may concern:

We are hereby requesting an extension of time on Use Permit No. UC19-0465.

In April of 2020, due to the need to restrict personal interactions due to the pandemic, we suspended activity on our plan to build a new church facility.

On April 19, 2021, we signed a contract with H&H Development to design and ultimately build our new facility on our site at Pebble Road and Edmond Street. Following are the actions that have occurred on the project or are in process:

- Geological report dated March 30, 2020, was prepared by Geotek, Inc.
- Boundary and topographical surveys were performed by L.R. Nelson Civil Engineers on May 25, 2021.
- Application for preliminary map review to combine parcel Nos. APN: 176-24-501-008 and 009 into one parcel was filed by L.R. Nelson Civil Engineers on June 21, 2021. Record No. 21-600071.
- Preliminary design review meeting was conducted by SSA Architects with Steven De Merritt on July 7, 2021.

We had put a temporary hold on construction due to increase in costs but will resume in the near future. Please allow us to extend our SUP in order to resume the project.

Thank you for your consideration in this request.

Sincerely,

Christopher Tong
Lead Pastor
(702) 340-9202

10/04/23 BCC AGENDA SHEET

RIGHT-OF-WAY
(TITLE 30)

VALLEY VIEW BLVD/ELDORADO LN

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-23-0546-DBAC, LLC:

VACATE AND ABANDON a portion of right-of-way being Valley View Boulevard located between Warm Springs Road and Eldorado Lane and a portion of right-of-way being Eldorado Lane located between Valley View Boulevard and Procyon Street (alignment) within Enterprise (description on file). MN/bb/syp (For possible action)

RELATED INFORMATION:

APN:
177-08-101-002

LAND USE PLAN:
ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:
Project Description
The applicant is requesting to vacate 5 feet of right-of-way along Valley View Boulevard and Eldorado Lane to accommodate detached sidewalks and to meet Code.

Prior Land Use Requests

Application Number	Request	Action	Date
EP-20-400113 (WS-18-0658)	Extension of time for subdivision design with waiver for wall height and design review for finished grade	Approved by BCC	November 2020
TM-18-500151	14 single family residential lots	Approved by BCC	October 2018
WS-18-0658	Waived off-sites, wall height, street design, and finished grade - expired	Approved by BCC	October 2018
ZC-0656-09	Reclassified the property from R-E to M-D zoning with waivers for alternative landscape buffer for an office warehouse facility	Denied by BCC	January 2010
UC-0718-06	Place of worship and modified development standards and a design review for a place of worship - expired	Approved by PC	June 2006
TM-0393-05	16 lot single family residential subdivision - expired	Approved by BCC	August 2005

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0886-05	Reduced lot sizes for a single family residential subdivision - expired	Approved by PC	July 2005
ZC-1026-05	Reclassified properties within Enterprise Land Use Plan to establish the RNP-I Overlay	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Rural Neighborhood Preservation	R-E (RNP-I)	Single family residential
South	Rural Neighborhood Preservation	R-E (RNP-I)	Undeveloped
East	Business Employment	M-D	Office/warehouse

Related Applications

Application Number	Request
WS-23-0543	A waiver of development standards for a single family residential development, finished grade, hammerhead design, and wall height is a companion item on this agenda.
TM-23-500115	A tentative map for a 12 lot residential subdivision is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Staff has no objection to the vacation of right-of-way for detached sidewalks.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a

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

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: BLUE HERON DEVELOPMENT, LLC

CONTACT: TANEY ENGINEERING, 6030 S. JONES BOULEVARD, LAS VEGAS, NV 98118



VACATION APPLICATION 9A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	DEPARTMENT USE	APP. NUMBER: <u>VS-23-0546</u> DATE FILED: <u>8-9-2023</u> PLANNER ASSIGNED: <u>BKB</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>9-13-2023</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>10-4-2023</u> FEE: <u>\$875</u>
---	----------------	--

PROPERTY OWNER	NAME: <u>DBAC, LLC.</u> ADDRESS: <u>4465 West Hacienda Ave. Suite 103</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-882-0914</u> CELL: <u>n/a</u> E-MAIL: <u>steve@jewelhomes.com</u>
----------------	---

APPLICANT	NAME: <u>Blue Heron Development, LLC.</u> ADDRESS: <u>7900 W. Sunset Rd. #501</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-749-4051</u> CELL: <u>n/a</u> E-MAIL: <u>DEmery@blueheron.com</u> REF CONTACT ID #: _____
-----------	---

CORRESPONDENT	NAME: <u>Taney Engineering Attn: Emily Sidebottom</u> ADDRESS: <u>6030 S. Jones Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: <u>n/a</u> E-MAIL: <u>emilys@taneycorp.com</u> REF CONTACT ID #: _____
---------------	---

ASSESSOR'S PARCEL NUMBER(S): 177-08-101-002

PROPERTY ADDRESS and/or CROSS STREETS: Eldorado & Valley View NEC

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

 Property Owner (Signature)* STATE OF NEVADA COUNTY OF <u>Clark</u> SUBSCRIBED AND SWORN BEFORE ME ON <u>June 13, 2023</u> (DATE) By <u>Stephen Goodwin</u> NOTARY PUBLIC: <u>Emily Sidebottom</u>	 Property Owner (Print) <u>STEPHEN GOODWIN</u> EMILY SIDEBOTTOM NOTARY PUBLIC STATE OF NEVADA My Commission Expires: 12-28-26 Certificate No: 23-2388-01
--	---

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



TANEY ENGINEERING

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

June 21, 2023

Clark County
Department of Public Works
500 South Grand Central Parkway
Las Vegas, NV 89155

VS-23-0546

Re: Eldorado & Valley View - NEC
APR-23-100805
APN: 177-08-101-002
Justification Letter

To whom it may concern:

On behalf of our client, Osprey Real Estate Capital, Taney Engineering is respectfully submitting justification for a right-of-way vacation.

Patent Easement Vacation:

This request is to vacate 5-foot portions of Eldorado Lane and Valley View Boulevard, public right-of-ways conveyed to Clark County, so that detached sidewalks may be constructed.

A legal description, exhibit, and supporting documents for the vacation have been provided with this application for review.

If you have any questions or require additional information, please contact us at (702) 362-8844.

Sincerely,

Jeremiah Delci-Johnson
Land Planner

PLANNER
COPY

10/04/23 BCC AGENDA SHEET

SINGLE FAMILY SUBDIVISION
(TITLE 30)

VALLEY VIEW BLVD/ELDORADO LN

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-23-0543-DBAC, LLC:

WAIVER OF DEVELOPMENT STANDARDS to increase wall height.

DESIGN REVIEWS for the following: 1) single family residential subdivision; 2) finished grade; and 3) hammerhead design cul-de-sacs on 7.1 acres in an R-E (Rural Estates Residential) (RNP-1) (AE-60) Zone.

Generally located on the east side of Valley View Boulevard and the north side of Eldorado Lane within Enterprise. MN/bb/syp (For possible action)

RELATED INFORMATION:

APN:
177-08-101-002

WAIVER OF DEVELOPMENT STANDARDS:

Increase the combined retaining and screen wall height to 12 feet (6 foot retaining wall and 6 foot screen wall) where a maximum of 9 feet (3 foot retaining wall and 6 foot screen wall) is permitted per Figure 30.64.050 (a 33% increase).

DESIGN REVIEWS:

1. Single family residential subdivision.
2. Increase finish grade height to 72 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 100% increase).
3. Allow streets terminating in hammerhead design where a radius cul-de-sac per Uniform Standard Drawing is preferred per Section 30.56.080.

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 7.1
- Number of Lots/Units: 12
- Density (du/ac): 1.7
- Gross Minimum/Maximum Lot Size Square Feet: 21,183/32,476

- Net Minimum/Maximum Lot Size Square Feet: 18,315/24,309
- Project Type: Single family residential subdivision
- Number of Stories: 2
- Building Height (feet): 26
- Square Feet: 3,803 to 6,384 (including garages)

Site Plan

This property was proposed for reclassification to M-D (Designed Manufacturing), with ZC-0656-09 being denied in 2010. This property was previously approved for a 14 lot subdivision in October 2018 (expired). The plans depict a proposed gated single family residential development consisting of 12 lots on 7.1 acres. The density of the residential development is 1.7 dwelling units per gross acre with a minimum net lot size of 18,315 square feet and a maximum net lot area of 24,309 square feet. The gross lot areas range from 21,183 square feet to 32,476 square feet. Access to the property is from Eldorado Lane through gates in a 60 foot wide private street that branches into 2 north south private streets dead-ending at hammerhead turn. Proposed lots will be served by two, 39 foot wide private streets with R-type curb. The internal private street intersection includes a fork design off the 60 foot wide primary entrance road with a median for the gated entrance. There are no internal sidewalks. Individual driveways and multi-car garages will accommodate several vehicle parking spaces per lot.

Landscaping

The plans show 24 inch box trees and shrubbery on the exterior of lots along Valley View Boulevard and Eldorado Lane with a screen wall behind the landscaping. The location of the increased retaining wall height is along the north and east property lines. The north property line retaining walls consist of a 6-foot high maximum retaining wall with a 6 foot screen wall. The east property line retaining walls consist of a 6 foot high maximum retaining wall adjacent to the existing 6 foot wall with retaining wall along the property line. Detached sidewalks with 5 feet of landscaping on both sides will be located along Eldorado Lane and Valley View Boulevard.

Elevations

The plans show 3 models of 2-story and 1 story contemporary model homes with multiple elevations for each plan. The buildings have parapet walls with varying rooflines and heights of up to 26 feet. All buildings have architectural elements such as light stucco, dark stucco, and stone veneer options.

Floor Plans

The proposed model homes range in size from 3,803 square feet to 6,384 square feet including garages. The 3 proposed models show 4 and 5 bedrooms, dining, living and kitchen areas, loft, storage, a laundry room, and bathrooms. All models have a 4 car garage.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed 12 lot single family residential development is consistent with the surrounding properties zoned R-E. The property was 8.2 gross acres prior to

road dedication with a gross density of 1.4 lots per acre, and a net density is 1.6 lots per acre. The additional fill on the site is needed to meet drainage criteria. There are existing retaining walls along the adjacent east and north property lines with existing mature landscaping. The previous request for WS-18-0658 expired in 2022, and the current requests are adjusted for the changes made to this development.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-20-400113 (WS-18-0658)	Extension of time for subdivision design with waiver for wall height and design review for finished grade	Approved by BCC	November 2020
TM-18-500151	14 single family residential lots	Approved by BCC	October 2018
WS-18-0658	Waived off-sites, wall height, street design, and finished grade - expired	Approved by BCC	October 2018
ZC-0656-09	Reclassified the property from R-E to M-D zoning with waivers for alternative landscape buffer for an office warehouse facility	Denied by BCC	January 2010
UC-0718-06	Place of worship and modified development standards and a design review for a place of worship - expired	Approved by PC	June 2006
TM-0393-05	16 lot single family residential subdivision - expired	Approved by BCC	August 2005
WS-0886-05	Waiver to reduce lot sizes for a single family residential subdivision - expired	Approved by PC	July 2005
ZC-1026-05	Reclassified properties within Enterprise Land Use Plan to establish the RNP-I Overlay	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Rural Neighborhood Preservation	R-E (RNP-I)	Single family residential
South	Rural Neighborhood Preservation	R-E (RNP-I)	Undeveloped
East	Business Employment	M-D	Office/warehouse

Related Applications

Application Number	Request
TM-23-500115	A tentative map for a 12 lot residential subdivision a companion item on this agenda.
VS-23-0546	A request to vacate a right-of-way for a detached sidewalk 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

Comprehensive Planning

Waiver of Development Standards

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

Staff typically does not support excessive increases in retaining wall heights, this site has had prior land use approvals along with approved improvement plans that appear to have allowed the site to be graded in 2006 (based on aerial evidence) which may have contributed to the previous design challenges. The off-set retaining wall on the east side of Lot 2 will assist in providing for drainage standards. Retaining walls on the north side of Lots 4, 5, 8, and 9 should be a maximum of 3 feet and staggered with setbacks for any additional walls required to meet drainage standards. This will greatly lessen the impact to the residential property north of this site. Therefore, staff cannot support this request.

Design Reviews #1 & #3

The purpose of the RNP Overlay District is to ensure that the character of the rural area is preserved. All proposed lots meet the net area per Code, which is 18,000 square feet, with the smallest net lot size being 18,315 square feet. The Code allows for an additional 10% reduction for lots that are adjacent to a collector or arterial street, and the lot sizes were increased since the approval of the previous tentative map. The existing RNP-I homes located immediately adjacent and north of this property, and on the west side of Valley View Boulevard, are between 3,164 square feet and 4,608 square feet, including garage space. The proposed homes with garages range from 3,803 square feet to 6,384 square feet. Therefore, the proposed project is consistent with the adjacent R-E zoned properties and complies with the purpose of the RNP-I Overlay District and Master Plan Policy 1.5.1 supporting the protection of existing Rural Neighborhood Preservation (RNP) areas. The hammerhead turnaround areas at the end of each street will only provide direct access to 2 lots each. The large lot size will allow for plenty of off-street parking with no impact to the hammerhead design or intended use for emergency services. Therefore, staff can support these requests.

Public Works - Development Review

Design Review #2

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

Department of Aviation

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

A portion of the property lies within the AE-60 (60 - 65 DNL) noise contour for 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 Harry Reid International facilities to meet future air traffic demand.

Staff Recommendation

Approval of the design reviews; denial of waiver of development standards.

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:

Comprehensive Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 4 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- For that portion in the AE-60, applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion in the AE-60, applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion in the AE-60, applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- For that portion in the AE-60, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the FAA will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: BLUE HERON DEVELOPMENT, LLC

CONTACT: TANEY ENGINEERING, 6030 S. JONES BOULEVARD, LAS VEGAS, NV
98118

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING 10A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WS/DR-23-0543</u> DATE FILED: <u>8-9-2023</u> PLANNER ASSIGNED: <u>BBB</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>9-13-2023</u> PC MEETING DATE: <u>—</u> BCC MEETING DATE: <u>10-4-2023</u> FEE: <u>\$1,150</u>
	PROPERTY OWNER NAME: <u>DBAC, LLC.</u> ADDRESS: <u>4465 West Hacienda Ave. Suite 103</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-882-0914</u> CELL: <u>n/a</u> E-MAIL: <u>steve@jewelhomes.com</u>
	APPLICANT NAME: <u>Blue Heron Development, LLC.</u> ADDRESS: <u>7900 W. Sunset Rd. #501</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: <u>702-749-4051</u> CELL: <u>n/a</u> E-MAIL: <u>DEmery@blueheron.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Taney Engineering Altn: Emily Sidebottom</u> ADDRESS: <u>6030 S. Jones Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-362-8844</u> CELL: <u>n/a</u> E-MAIL: <u>emilys@taneycorp.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-08-101-002

PROPERTY ADDRESS and/or CROSS STREETS: Eldorado & Valley View NEC

PROJECT DESCRIPTION: 1.2-lot single family residential subdivision.

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

[Signature]
Property Owner (Signature)*

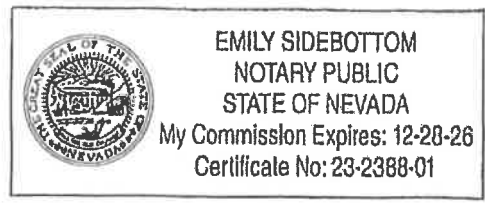
Stephen Goodwin
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON June 13, 2023 (DATE)

By Stephen Goodwin

NOTARY PUBLIC: Emily Sidebottom



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

Page 1 of 3
APR-23-100805



TANEY ENGINEERING

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

June 21, 2023

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

**Re: Eldorado & Valley View - NEC
APR-23-100805
APN: 177-08-101-002
Justification Letter**

To whom it may concern:

Taney Engineering, on behalf of Osprey Real Estate Capital, is respectfully submitting justification for a Tentative Map, Waiver of Development Standards, and Design Reviews for a proposed single-family residential subdivision.

Tentative Map:

This project is an 8.21 gross-acre, 12 lot single-family residential subdivision with 1.46 lots per acre located east of Eldorado Lane and north of Valley View Boulevard. The site is currently zoned R-E (Rural Estates Residential), with a planned land use of BE (Business Employment), within an RNP-1 (Rural Neighborhood Preservation) Overlay District. We are not requesting any modifications to the current zoning or planned land use.

Eldorado Lane and Valley View Boulevard will receive full off-site improvements that include curb, gutter, detached sidewalks, and streetlights. A 15-foot perimeter landscape buffer with a detached 5-foot sidewalk will be constructed on both Eldorado Lane and Valley View Boulevard in accordance with Figure 30.64-17.

All lots will be accessed from Eldorado Lane via a 60-foot private gated entry street that tapers to two 39-foot private streets with a 30' wide modified roll curb and gutter, that terminate in hammerheads.

The project site is adjacent to properties with the following zoning categories and planned land use:

- North, South, and West: R-E (Rural Estates Residential), RN (Ranch Estate Neighborhood), developed and undeveloped
- East: M-D (Designed Manufacturing), BE (Business Employment), developed

Waiver of Development Standards – Wall Height

This request is to waive Section 30.64-50 (a)(4) to allow for a total 12-foot-high combination 6-foot screen wall and 6-foot maximum retaining wall along the east property line, on lots 2 and 4. The increase in height is requested in conjunction with the design review for excess fill. This is necessary so that the entrance street matches the existing grade of the Eldorado Lane to the south, while allowing the site to maintain adequate drainage. We expect the impact on the adjacent property to be negligible.



Design Review – Excess Fill

This request is for a design review to allow for a maximum excess fill of 6 feet where a 3-foot maximum is allowed per Section 30.32.040-9. The excess fill is needed along the east property line, on lots 2 and 4, so that the entrance street matches the existing grade of the Eldorado Lane to the south, while allowing the site to maintain adequate drainage. We expect the impact on the adjacent properties to be negligible.

Design Review – Hammerhead Street Design

This request is for a design review to allow for a hammerhead cul-de-sac design where not allowed per Section 30.56.080. To best utilize the available acreage, the two internal private streets terminate in a hammerhead cul-de-sac. We do not believe that this street design will create an adverse impact on future residents or the adjacent properties as each of the homes will include a full-length driveway and four-car garage. Additionally, the width of the lots not located on the hammerhead allows for adequate on-street parking, should the need arise.

Design Review – Architecture

This request is for a design review of three floor plans and nine elevations. The proposed single-story and two-story homes vary in size from 3,803 square feet to 6,384 square feet. A full-length driveway and four-car garage will be provided for each home. The exterior elevations reflect modern finishes in neutral colors.

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

Sincerely,

Jeremiah Delci-Johnson
Land Planner

10/04/23 BCC AGENDA SHEET

ELDORADO & VALLEY VIEW
(TITLE 30)

VALLEY VIEW BLVD/ELDORADO LN

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

TM-23-500115-DBAC, LLC:

TENTATIVE MAP consisting of 12 residential lots on 7.1 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone.

Generally located on the east side of Valley View Boulevard and the north side of Eldorado Lane within Enterprise. MN/bb/syp (For possible action)

RELATED INFORMATION:

APN:

177-08-101-002

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 7.1
- Number of Lots/Units: 12
- Density (du/ac): 1.7
- Gross Minimum/Maximum Lot Size Square Feet: 21,183/32,476
- Net Minimum/Maximum Lot Size Square Feet: 18,315/24,309
- Project Type: Single family residential subdivision

The plans depict a proposed gated single family residential development consisting of 12 lots on 7.1 acres. The density of the residential development is 1.7 dwelling units per gross acre with a minimum net lot size of 18,315 square feet and a maximum net lot area of 24,309 square feet. The gross lot areas range from 21,183 square feet to 32,476 square feet. Access to the property is from Eldorado Lane through gates in a 60 foot wide private street that branches into 2 north south private streets dead ending at hammerhead turn. Proposed lots will be served by two, 39 foot wide private streets with R-type curb. The internal private street intersection includes a fork design off the 60 foot wide primary entrance road with a median for the gated entrance. There are no internal sidewalks. Individual driveways and multi-car garages will accommodate several vehicle parking spaces per lot.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-20-400113 (WS-18-0658)	Extension of time for subdivision design with waiver for wall height and design review for finished grade	Approved by BCC	November 2020
TM-18-500151	14 single family residential lots	Approved by BCC	October 2018
WS-18-0658	Waived off-sites, wall height, street design, and finished grade - expired	Approved by BCC	October 2018
ZC-0656-09	Reclassified the property from R-E to M-D zoning with waivers for alternative landscape buffer for an office warehouse facility	Denied by BCC	January 2010
UC-0718-06	Place of worship and modified development standards and a design review for a place of worship - expired	Approved by PC	June 2006
TM-0393-05	16 lot single family residential subdivision - expired	Approved by BCC	August 2005
WS-0886-05	Waiver to reduce lot sizes for a single family residential subdivision - expired	Approved by PC	July 2005
ZC-1026-05	Reclassified properties within Enterprise Land Use Plan to establish the RNP-I Overlay	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Rural Neighborhood Preservation	R-E (RNP-I)	Single family residential
South	Rural Neighborhood Preservation	R-E (RNP-I)	Undeveloped
East	Business Employment	M-D	Office/warehouse

Related Applications

Application Number	Request
WS-23-0543	A waiver of development standards for a single family residential development, finished grade, hammerhead design, and wall height is a companion item on this agenda.
VS-23-0546	A request to vacate a right-of-way for a detached sidewalk 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

Comprehensive Planning

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

Department of Aviation

A portion of the property lies within the AE-60 (60 - 65 DNL) noise contour for 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 Harry Reid International facilities to meet future air traffic demand.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Department of Aviation

- For that portion in the AE-60, applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion in the AE-60, applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;

- For that portion in the AE-60, applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- For that portion in the AE-60, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that 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

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0292-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: BLUE HERON DEVELOPMENT, LLC
CONTACT: TANEY ENGINEERING, 6030 S. JONES BOULEVARD, LAS VEGAS, NV
98118**



TENTATIVE MAP APPLICATION 11A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-23-50015</u>	DATE FILED: <u>8-9-2023</u>
		PLANNER ASSIGNED: <u>BSB</u>	TAB/CAC DATE: <u>9-13-2023</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: <u>-</u>	
		BCC MEETING DATE: <u>10-4-2023</u>	
		FEE: <u>\$750</u>	

PROPERTY OWNER	NAME: <u>DBAC, LLC.</u>
	ADDRESS: <u>4465 West Hacienda Ave. Suite 103</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-882-0914</u> CELL: <u>n/a</u>
	E-MAIL: <u>steve@jewelhomes.com</u>

APPLICANT	NAME: <u>Blue Heron Development, LLC.</u>
	ADDRESS: <u>7900 W. Sunset Rd. #501</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u>
	TELEPHONE: <u>702-749-4051</u> CELL: <u>n/a</u>
	E-MAIL: <u>DEmery@blueheron.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Taney Engineering Attn: Emily Sidebottom</u>
	ADDRESS: <u>6030 S. Jones Blvd.</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-362-8844</u> CELL: <u>n/a</u>
	E-MAIL: <u>emilys@taneycorp.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-08-101-002

PROPERTY ADDRESS and/or CROSS STREETS: Eldorado & Valley View NEC

TENTATIVE MAP NAME: Eldorado & Valley View NEC

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)*

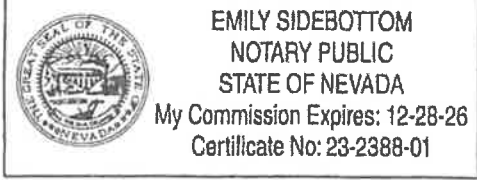
Stephen Goodwin
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON June 13, 2023 (DATE)

By Stephen Goodwin

NOTARY PUBLIC: Emily Sidebottom



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



TANEY ENGINEERING

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

June 21, 2023

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

Re: Eldorado & Valley View - NEC
APR-23-100805
APN: 177-08-101-002
Justification Letter

PLANNED
COPY

To whom it may concern:

Taney Engineering, on behalf of Osprey Real Estate Capital, is respectfully submitting justification for a Tentative Map, Waiver of Development Standards, and Design Reviews for a proposed single-family residential subdivision.

Tentative Map:

This project is an 8.21 gross-acre, 12 lot single-family residential subdivision with 1.46 lots per acre located east of Eldorado Lane and north of Valley View Boulevard. The site is currently zoned R-E (Rural Estates Residential), with a planned land use of BE (Business Employment), within an RNP-1 (Rural Neighborhood Preservation) Overlay District. We are not requesting any modifications to the current zoning or planned land use.

Eldorado Lane and Valley View Boulevard will receive full off-site improvements that include curb, gutter, detached sidewalks, and streetlights. A 15-foot perimeter landscape buffer with a detached 5-foot sidewalk will be constructed on both Eldorado Lane and Valley View Boulevard in accordance with Figure 30.64-17.

All lots will be accessed from Eldorado Lane via a 60-foot private gated entry street that tapers to two 39-foot private streets with a 30' wide modified roll curb and gutter, that terminate in hammerheads.

The project site is adjacent to properties with the following zoning categories and planned land use:

- North, South, and West: R-E (Rural Estates Residential), RN (Ranch Estate Neighborhood), developed and undeveloped
- East: M-D (Designed Manufacturing), BE (Business Employment), developed

Waiver of Development Standards – Wall Height

This request is to waive Section 30.64-50 (a)(4) to allow for a total 12-foot-high combination 6-foot screen wall and 6-foot maximum retaining wall along the east property line, on lots 2 and 4. The increase in height is requested in conjunction with the design review for excess fill. This is necessary so that the entrance street matches the existing grade of the Eldorado Lane to the south, while allowing the site to maintain adequate drainage. We expect the impact on the adjacent property to be negligible.



Design Review – Excess Fill

This request is for a design review to allow for a maximum excess fill of 6 feet where a 3-foot maximum is allowed per Section 30.32.040-9. The excess fill is needed along the east property line, on lots 2 and 4, so that the entrance street matches the existing grade of the Eldorado Lane to the south, while allowing the site to maintain adequate drainage. We expect the impact on the adjacent properties to be negligible.

Design Review – Hammerhead Street Design

This request is for a design review to allow for a hammerhead cul-de-sac design where not allowed per Section 30.56.080. To best utilize the available acreage, the two internal private streets terminate in a hammerhead cul-de-sac. We do not believe that this street design will create an adverse impact on future residents or the adjacent properties as each of the homes will include a full-length driveway and four-car garage. Additionally, the width of the lots not located on the hammerhead allows for adequate on-street parking, should the need arise.

Design Review – Architecture

This request is for a design review of three floor plans and nine elevations. The proposed single-story and two-story homes vary in size from 3,803 square feet to 6,384 square feet. A full-length driveway and four-car garage will be provided for each home. The exterior elevations reflect modern finishes in neutral colors.

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

Sincerely,

Jeremiah Delci-Johnson
Land Planner

PLANNER
COPY

10/04/23 BCC AGENDA SHEET

EASEMENTS/RIGHTS-OF-WAY
(TITLE 30)

BLUE DIAMOND RD/TENAYA WY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0555-NAMAZ, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Blue Diamond Road and Meranto Avenue, and between Tenaya Way and Montessouri Street and a portion of right-of-way being Tenaya Way located between Blue Diamond Road and Meranto Avenue and a portion of right-of-way being Belcastro Street located between Blue Diamond Road and Meranto Avenue within Enterprise (description on file). JJ/jor/syp (For possible action)

RELATED INFORMATION:

APN:

176-22-701-003; 176-22-601-031; 176-22-601-033; 176-22-601-034; 176-22-701-030

LAND USE PLAN:

ENTERPRISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

The site plan depicts the eastern 10 foot portion of right-of-way being Tenaya Way to be vacated. In addition, Belcastro Street to the west will also be vacated. The applicant is also requesting to vacate a 15 foot wide Bureau of Land Management (BLM) Grant N-75199 along the west property line of APN 176-22-601-033. Furthermore, a 40 foot wide BLM Grant N-75199 along the south property of APNs 176-22-601-033 and 176-22-601-034 will also be vacated. Lastly, a 40 foot wide BLM Grant N-75199 will also be vacated along the north property line of APN 176-22-701-030. These easements and portions of rights-of-way do not coincide with the development of this site.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-18-400205 (UC-0318-11)	Third extension of time for a commercial retail development - expired	Approved by PC	November 2018
UC-0318-11 (ET-0074-15)	Second extension of time for a commercial retail development - expired	Approved by PC	October 2015
UC-0318-11 (ET-0085-13)	First extension of time for commercial retail development - expired	Approved by PC	November 2013

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0318-11	Allowed a commercial retail development which included a convenience store, gasoline station, alcohol sales (liquor, beer, and wine), and a service bar, waiver for alternative street and parking lot landscaping with a design review for the site - expired	Approved by PC	September 2011
ZC-1313-02	Reclassified the property to C-P zoning - expired	Approved by BCC	December 2002

*Additional land use applications have been approved on this site.

Surrounding Land Use

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

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

Related Applications

Application Number	Request
UC-23-0554	A use permit for retail and restaurant uses, with waivers for landscaping and driveway throat depth, a design review for the site and for increase finished grade in conjunction with a proposed shopping center is a companion item on the agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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:

Comprehensive Planning

- Satisfy utility companies' requirements.

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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 spandrel at Tenaya Way and Blue Diamond Road if required by Public Works - Development Review or Nevada Department of Transportation (NDOT);
- 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: PEYMAN MASACHI

CONTACT: PEYMAN MASACHI, 74 HUNT VALLEY TRAIL, HENDERSON, NV 89052



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

12A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> LEASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>VS-23-0555</u>	DATE FILED: <u>8/9/23</u>
		PLANNER ASSIGNED: <u>JOR</u>	TAB/CAC DATE: <u>9/13/23</u>
		TAB/CAC: <u>ENTERPRISE</u>	
		PC MEETING DATE: _____	
		BCC MEETING DATE: <u>10/7/23</u>	
		FEE: <u>\$875</u>	

PROPERTY OWNER	NAME: <u>NAMAZ LLC</u>		
	ADDRESS: <u>74 Hunt Valley Trail</u>		
	CITY: <u>Henderson</u>	STATE: <u>Nevada</u>	ZIP: <u>89052</u>
	TELEPHONE: _____	CELL: <u>702-461-9711</u>	
	E-MAIL: <u>Onyxnv@gmail.com</u>		

APPLICANT	NAME: <u>Peyman Masachi</u>		
	ADDRESS: <u>74 Hunt Valley Trail</u>		
	CITY: <u>Henderson</u>	STATE: <u>Nevada</u>	ZIP: <u>89052</u>
	TELEPHONE: _____	CELL: <u>702-461-9711</u>	
	E-MAIL: <u>Onyxnv@gmail.com</u>	REF CONTACT ID #: _____	

CORRESPONDENT	NAME: <u>James Grindstaff</u>		
	ADDRESS: <u>2608 mountain rail</u>		
	CITY: <u>North Las Vegas</u>	STATE: <u>Nevada</u>	ZIP: <u>89084</u>
	TELEPHONE: <u>702-275-2322</u>	CELL: <u>702-275-2322</u>	
	E-MAIL: <u>onyxnv.james@gmail.com</u>	REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 176-22-601-033, 176-22-601-034

PROPERTY ADDRESS and/or CROSS STREETS: SEC of Blue Diamond and Tenaya

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

[Signature]
 Property Owner (Signature)*

PEYMAN MASACHI, MANAGER
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON APRIL 10, 2023 (DATE)
 By PEYMAN MASACHI
 NOTARY PUBLIC: [Signature]



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

Baughman & Turner, Inc.
Consulting Engineers & Land Surveyors

1210 Hinson Street
Las Vegas, Nevada 89102-1604

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

August 9, 2023

Clark County Department of
Comprehensive Planning
500 S. Grand Central Parkway
Las Vegas, Nevada 89155-1744

VS-23-0555

Re: APN: 176-22-601-033, 176-22-601-034, 176-22-601-031, 176-22-701-030, 176-22-701-003

To Whom It May Concern,

Please let this letter serve as justification for a Vacation and Abandonment of rights-of-way for the above referenced Assessor's Parcel Numbers.

We are requesting a vacation of the Easterly 10.00' of Tenaya Way adjacent to APN: 176-22-601-033, a 15' wide Bureau of Land Management (BLM) grant also adjacent to that parcel on the west side, those portions of Belcastro Avenue (60.00' wide) from Blue Diamond Road to Meranto Avenue, and a 40.00' wide BLM Right-of-Way Grant on the South portion of APN's 176-22-601-033 and 176-22-601-034.

Tenaya Way, currently a 80.00' right-of-way, will be reduced to 60.00'. The Belcastro alignment is no longer needed in this area. The 40.00' BLM Right-of-Way Grant was originally granted for the future Serene Avenue alignment. Serene Avenue would be dead-end into Blue Diamond Road at an odd angle, and is no longer necessary at this location.

The approval of this request will not have a negative effect on the area or the environment.

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

Sincerely,
Baughman & Turner, Inc.



David S. Turner
President

DST/ms

10/04/23 BCC AGENDA SHEET

SHOPPING CENTER
(TITLE 30)

BLUE DIAMOND RD/TENAYA WAY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0554-NAMAZ, LLC:

USE PERMITS for the following: 1) allow retail sales and service; and 2) allow restaurants.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate sidewalk and allow reduced street landscaping; and 2) reduce the driveway throat depth.

DESIGN REVIEWS for the following: 1) a shopping center; and 2) finished grade on 3.7 acres in an H-2 (General Highway Frontage) Zone in the Mountain's Edge Master Planned Community.

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

RELATED INFORMATION:

APN:

176-22-601-033; 176-22-601-034

USE PERMITS:

1. Allow retail sales and services per Table 30.44-1.
2. Allow restaurants per Table 30.44-1.

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Eliminate the requirement for detached sidewalks and permit alternative landscaping adjacent to Blue Diamond Road where detached sidewalks and landscaping are required per Figure 30.64-17 and Section 30.64.030.
b. Reduce the landscaping width adjacent to Blue Diamond Road to 10 feet where 15 feet is required per Chapter 30.64 (a 33% reduction).
2. Reduce the driveway throat depth to 38 feet 7 inches where 100 feet is required per Uniform Standard Drawing 222.1 (a 61% reduction).

DESIGN REVIEWS:

1. A shopping center with restaurant pad sites and drive-thru lanes.
2. Increase finished grade to 66 inches where a maximum of 36 inches is the standard per Section 30.32.040 (an 83% increase).

LAND USE PLAN:

ENTERPRISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 3.7
- Project Type: Proposed shopping center
- Number of Stories: 1
- Building Height: 30 feet, 6 inches (maximum)
- Square Feet: 31,180
- Parking Required/Provided: 156/156

History, Site Plan, & Request

UC-0318-11 was previously approved for a commercial center and there were 3 extensions of time approved for the site, all of which have expired.

Today, the site plan shows a proposed shopping center located on the south side of Blue Diamond Road, and the east side of Tenaya Way. The applicant is proposing access to the site via driveways along the north property line, and on the southwest corner of the site. There are 4 pad sites on the northern half of the shopping center, and 3 buildings along the south property line. The plans show that loading zones, trash enclosures, cross access, and pedestrian walkways were incorporated into the site design. Pad A and Pad B include drive-thru lines and the east side of the pad site.

The buildings on the southern half of the site are set back 10 feet from the south property line, and the buildings on the northern half are set back a minimum of 33 feet from the north property line (adjacent to Blue Diamond Road).

The applicant is requesting use permits to allow retail sales and services and restaurant uses. In addition, there is a request for a waiver of development standards to reduce the driveway throat depth along Tenaya Way. The applicant is also requesting a waiver to reduce the landscape strip adjacent to Blue Diamond Road to 10 feet where 15 feet is required per Chapter 30.64. Lastly, there is a design review for the proposed shopping center and for increase finished grade to 66 inches where 36 inches is the maximum allowed. The request for increase finished grade is located beneath the parking lot north of Building 2, in between Pad C and Pad D. There are 156 parking spaces provided where 156 parking spaces are required.

Landscaping

The plan shows that over 90 trees will be planted throughout the site with associated shrubs and groundcover. Detached sidewalks are provided along Tenaya Way. Future off-site improvements will be determined along Blue Diamond Road by the Nevada Division of Transportation (NDOT). Furthermore, landscape finger islands are also provided throughout the site.

Elevations

The plans show that the maximum building height is 30 feet, 6 inches. Also, proposed paint colors include white, grey, and blue. Furthermore, black and tan metal panels will be installed for

architectural interest. Attached awnings and aluminum storefront and window systems are also a part of the exterior design.

Floor Plan

Each building has the flexibility to be customized by each tenant. The overall area for each pad site and/or building is as follows:

Northern portion of the site:

- Pad A (with drive-thru lane) - 2,185 square feet
- Pad B (with drive-thru lane) - 5,380 square feet
- Pad C - 4,230 square feet
- Pad D - 2,185 square feet

Southern portion of the site:

- Building 1 - 5,500 square feet
- Building 2 - 8,220 square feet
- Building 3 - 3,480 square feet

Signage

Signage is not a part of this request.

Applicant's Justification

The shopping center is comprised of 7 buildings and 2 proposed drive-thru lanes. The applicant is requesting use permits for retail and restaurant uses. Both parcels are currently zoned H-2. The maximum proposed height of the buildings is 30 feet 6 inches under the maximum allowed height of 35 feet. The parking analysis is calculated at 5 spaced per every 1,000 square feet since this is a shopping center. They are providing 156 parking spaces where 156 parking spaces are required. The project meets all minimum setbacks as required by Title 30.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-18-400205 (UC-0318-11)	Third extension of time for a commercial retail development - expired	Approved by PC	November 2018
UC-0318-11 (ET-0074-15)	Second extension of time for a commercial retail development - expired	Approved by PC	October 2015
UC-0318-11 (ET-0085-13)	First extension of time for commercial retail development - expired	Approved by PC	November 2013
UC-0318-11	Allowed a commercial retail development which included a convenience store, gasoline station, alcohol sales (liquor, beer, and wine), and a service bar, and waiver for alternative street and parking lot landscaping with a design review for the site - expired	Approved by PC	September 2011

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1313-02	Reclassified the property to C-P zoning - expired	Approved by BCC	December 2002

*Additional land use applications have been approved on this site.

Surrounding Land Use

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

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

Related Applications

Application Number	Request
VS-23-0555	A vacation and abandonment for easements and rights-of-way is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive 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.

Staff determines that retail and restaurant uses are commonly found within shopping centers that usually front collector and arterial streets. The plan shows that the site design accommodates a variety of commercial uses on the site, and sufficient parking and separation distances from any potential residential uses is was properly addressed. Therefore, staff supports these requests.

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

Currently, there are no off-site improvements along the north property line of the site (adjacent to Blue Diamond Road). Staff finds that Blue Diamond Road is an NDOT right-of-way, and historically attached sidewalks are installed, similar to what is existing to the east and west. The applicant is proposing 10 feet of landscaping where 15 feet of landscaping is required per Chapter 30.64, if there was an existing attached sidewalk. Code also requires detached sidewalks for streets that are 60 feet or more in width. The plans show detached sidewalks along Tenaya Way only. Staff does not oppose the applicant's request since a significant amount of trees will be planted along the north property line providing a sufficient visual and physical buffer from Blue Diamond Road. Reducing the landscaping and eliminating detached sidewalks strip does not negatively affect the surrounding area or the streetscape, therefore, staff can support this request.

Design Review #1

Staff finds that the site design includes a cluster of buildings within the 3.7 acre shopping center which are harmonious in design to the shopping centers to west of Buffalo Drive and east of Montessori Street. Staff's only concern is the loading zone on the southeast corner of the site. Staff recommends that the southeast corner loading zone is relocated to ensure maneuverability. Since planning and public works staff supports the additional land use requests, staff can also support this design review.

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to the reduction in the throat depth for the Tenaya Way commercial driveway. The applicant provided landscape buffers adjacent to the driveway and oriented the car wash exit to prevent vehicles from stacking in the drive aisle, avoiding immediate conflicts with vehicles exiting the right-of-way.

Design Review #2

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Relocate southeast loading zone to ensure vehicular maneuverability;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that if APN: 176-22-701-030 is developed as a commercial use, applicant to provide cross access; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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; the installation and use of cooling systems that consumptively use water will be prohibited; 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 spandrel at Tenaya Way and Blue Diamond Road if required by Public Works - Development Review or Nevada Department of Transportation (NDOT).
- 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 #0293-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: PEYMAN MASACHI

CONTACT: PEYMAN MASACHI, 74 HUNT VALLEY TRAIL, HENDERSON, NV 89052

DRAFT



LAND USE APPLICATION

13A

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 (ZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input checked="" type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>UC-23-0554</u> DATE FILED: <u>8/9/23</u> PLANNER ASSIGNED: <u>JOR</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>9/13/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>10/4/23</u> FEE: <u>\$1,825</u>
	PROPERTY OWNER NAME: <u>NAMAZ L.L.C</u> ADDRESS: <u>74 Hunt Valley Trail</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: <u>702-461-9711</u> CELL: <u>702-461-9711</u> E-MAIL: <u>onyxnv@gmail.com</u>
	APPLICANT NAME: <u>Peyman Masachi</u> ADDRESS: <u>74 Hunt Valley Trail</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: _____ CELL: <u>702-461-9711</u> E-MAIL: <u>onyxnv@gmail.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Peyman Masachi</u> ADDRESS: <u>74 Hunt Valley Trail</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: _____ CELL: <u>702-461-9711</u> E-MAIL: <u>onyxnv@gmail.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-22-601-033 and 176-22-601-034
 PROPERTY ADDRESS and/or CROSS STREETS: SEC OF Blue Diamond and Tenaya
 PROJECT DESCRIPTION: +/- 32000 SF Retail center

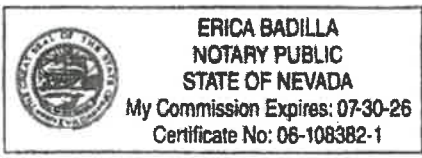
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Property Owner (Signature)* [Signature] Peyman Masachi
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON December 22, 2022 (DATE)

By Peyman Masachi
 NOTARY PUBLIC: Erica Badilla



*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.

NAMAZ ,LLC

April 13, 2023

Comprehensive Planning
500 Grand Central Parkway
Las Vegas Nevada 89101

VC-23-0554

RE: Justification Letter for Retail Center

The Center

Please accept this as the required justification letter for a Design Review for a retail development location on the Southeast corner of Blue Diamond Road and Tenaya Way on approximately 3.89 acres with a total building area of 31,180 sf.

The center is comprised of seven buildings of various sizes with three of the seven building containing drive-thru's, for which we are asking for a special use permit. The two parcels are both currently zoned H-2.

The Maximum height of any building is 30'-6" under the maximum allowed height of 35' Parking The center square footage falls below 50,000 sf but above 25,000 sf and thus the parking is calculated at 5 space per every 1,000 sf of building. We are providing 156 spaces where 156 are required. The projects meet all minimum setbacks as required by Title 30.

Site / Landscaping Plan The site plan / landscaping plan conforms to all Title 30 requirements. We are not asking for any waivers of development standards or variances to the code.

Planning Staff made several request for revisions and clarifications to the application all of which were addressed including the vacation (addressed in separate justification letter by engineer.) and the site visibility.

We are applying for the following land use applications:

1. Use Permit to allow retail and restaurant uses in an H-2 zoning district. The Blue Diamond corridor has matured in the recent year to become a major retail and restaurant area (including the Target anchored shopping center). Starting with the Target center at South Valley View, west all the way to Buffalo Drive, has over 30 restaurant pads. Allowing retail and restaurant in the center will continue the established trend.
2. Design Review for a shopping center. This project, in both uses and architectural style and colors, are in conformance to the already constructed retail and restaurant projects along the Blue Diamond Corridor.

NAMAZ ,LLC

- 3. Design Review for increased finished grade to 66 inches where 36 inches is the maximum. The adjacent parcel to the south is zoned Corridor Mixed use, (not a single family detached zoning) and can be property buffered with landscaping and the single story design of our commercial center.**
- 4. Waiver of Development standards to allow a throat depth on the north sides of the Tenaya driveway to allow 38'-7" where a minimum of 100' is required. We have created an "S" shaped drive to mitigate the issues of cross traffic for as great a distance as feasible.**

Thank you

Patrick Masachi

10/04/23 BCC AGENDA SHEET

FINISHED GRADE/RETAINING WALL
(TITLE 30)

TEE PEE LN/BIG PARK AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0532-AMH NV 15 DEVELOPMENT, LLC:

WAIVER OF DEVELOPMENT STANDARDS to increase retaining wall height.
DESIGN REVIEW for finished grade in conjunction with a previously approved single family residential development on 5.0 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the southeast corner of Big Park Avenue and Tee Pee Lane within Enterprise. JJ/jud/syp (For possible action)

RELATED INFORMATION:

APN:

176-19-701-013; 176-19-801-003

WAIVER OF DEVELOPMENT STANDARDS:

Increase the combined retaining and screening wall to 13 feet (7 foot retaining and 6 foot screening) where 9 feet (3 foot retaining and 6 foot screening) is the maximum per Section 30.64.050 (a 45% increase).

DESIGN REVIEW:

Increase finished grade to 7 feet 6 inches where 4 feet 2 inches was previously approved and where a maximum of 3 feet is allowed (an 80% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5
- Number of Lots/Units: 39
- Project Type: Increase finished grade and retaining wall height.

History, Site Plan, & Request

The previously approved development consists of a 39 lot detached single family development on 5 acres. The original submittal was approved with a design review to increase the fill for the

site up to 50 inches (4.2 feet) where 36 inches (3 feet) was allowed. Presently, there is an approved Technical Drainage Study (TDS) (PW22-16692) for the site. However, during the approval of the TDS, the grading of the site had to be changed to comply with an approved overall drainage study that altered the historical path of the water which cut through the southeast corner of the site. Along with this change the Clark County Water Reclamation District (CCWRD) changed the sewer point of connection to a sewer line that is not as deep as was originally planned for during the entitlements, thus requiring the north half of the site to be raised to meet this new criterion.

This application includes a request to further increase the finished grade from the previously approved land use entitlements (ZC-22-0052). The increase in finished grade is 7 feet 6 inches. Additionally, the applicant is requesting an increase in retaining wall height to 7 feet of retaining. The overall height of the wall is 13 feet, 6 feet of screen wall over 7 feet if the retaining wall along the north side of the development. From the interior of the project site, the overall wall height on the north will be 6 feet after the increase finished grade. The proposed wall is decorative with a combination of rough and smooth brown colored block.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the overall site from west to east has about 7 feet of elevation change and about 8 feet of elevation change from north to south. Adding to this requirement from Clark County Public Works (CCPW), CCWRD required the site to connect to a different sewer line that is closer to the site but also shallower. Therefore, requiring the increased fill and retaining wall height along the north side of the development to meet acceptable sewer minimums acceptable by CCWRD. The original design for the site would have worked with the original request for the increased fill and retaining wall height; however, based on the new sewer requirements from CCWRD and drainage requirements from CCPW, the overall design requirements for this parcel changed. Hence, the request to increase the fill to 90 inches (7.5 feet) and the increase in retaining wall height for the site.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-22-0052	Reclassified 5 acres from R-E to R-2 zoning for a single family development	Approved by BCC	April 2022
VS-22-0053	Vacated and abandoned government patent easements	Approved by BCC	April 2022
TM-22-500023	Single family residential subdivision	Approved by BCC	April 2022

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-E	Undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South & East	Open Lands	R-E	Undeveloped

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

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Waiver of Development Standards

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

Staff finds the request for the retaining wall height increase to be agreeable given the fact that a large portion of the 13 foot wall will not be visible from the subject site, the proposed increase is only along the north side of the property boundary, and its aesthetics are similar to others in the surrounding area. The property to the north of the site is undeveloped; since there is no street running along the north of the site, there will not be any canyon effect created by the proposed wall height. Additionally, the increase in the wall height is necessary due to a technical drainage and sewer study per CCWRD; 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.

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:

Comprehensive Planning

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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

- Comply with approved drainage study PW22-16692;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: AMH DEVELOPMENT, LLC

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



LAND USE APPLICATION DEPARTMENT OF COMPREHENSIVE PLANNING

PLANNER COPY 14A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

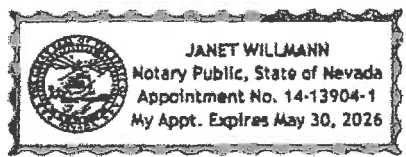
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WS-23-0532</u> DATE FILED: <u>8/8/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>9/13/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>10/4/23</u> FEE: <u>\$1,150</u>
	PROPERTY OWNER NAME: <u>AMH NV 15 Development, LLC</u> ADDRESS: <u>280 Pilot Road, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702.703.5295</u> CELL: _____ E-MAIL: <u>rflaxa@ah4r.com</u>
	APPLICANT NAME: <u>AMH Development, LLC</u> ADDRESS: <u>280 Pilot Road, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702.703.5295</u> CELL: _____ E-MAIL: <u>rflaxa@ah4r.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>The WLB Group, Inc.</u> ADDRESS: <u>3663 E. Sunset Road, Suite 204</u> CITY: <u>Las Vegas</u> STATE: <u>Nevada</u> ZIP: <u>89120</u> TELEPHONE: <u>702-458-2551</u> CELL: _____ E-MAIL: <u>mbangan@wlbgroup.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 176-19-701-013 & 176-19-801-003
 PROPERTY ADDRESS and/or CROSS STREETS: Big Park Avenue and S Tee Pee Lane
 PROJECT DESCRIPTION: Increased Fill/Increased Retaining Wall Height

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

Robert Flaxa
 Robert Flaxa
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON January 10, 2023 (DATE)
 By Robert Flaxa
 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.



August 3, 2023

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

WS-23-0532

**RE: Design Review
Justification Letter for Tee Pee Big Park – Increased Fill/Increased
Retaining Wall Height
(APN's: 176-19-701-013 & 176-19-801-003)**

Clark County Planning Staff,

On behalf of AMH Development, The WLB Group is respectfully submitting the attached Design Review for increased fill for the above referenced parcel number at the Southeast Corner of Tee Pee Lane and Big Park Avenue.

Project Description

The proposed overall development consists of a 39-lot detached single-family development being constructed on 5.10 acres. Which was approved under a Conforming Zone Change (ZC-22-0052), Vacation (VS-22-0053) and Tentative Map (TM-22-500023). The original submittal was approved with a Design Review to increase the fill for the site up to 50" (4.2 feet) where 36" (3 feet) was allowed. We now have an approved Technical Drainage Study (PW22-16692) for the site, however during the approval of the TDS the grading of the site had to be changed to meet an approved overall Drainage Study that altered the historical path of the water which cut through the southeast corner of the site. Along with this change the CCWRD changed our sewer point of connection to a sewer line that is not as deep as was originally planned for during our entitlements thus requiring the north half of the site to be raised to meet this new criterion.

Design Review – Increased Fill

To further increase the finished grade for a single-family residential development up to 90 inches (7.5 feet) where 50 (4.2 feet) inches was already approved with ZC-22-0052 and 36 inches (3 feet) is the standard per section 30.32.040.

This additional request is to address comments received from CCPW regarding the grading for the site that occurred during the approval of the technical drainage study. (PW22-16692) The overall site from west to east has about 7 feet of elevation change and about 8 feet of elevation change from north to south. Adding to this requirement from CCPW, CCWRD required the site to connect to a different sewer line that is closer to the site but also shallower, therefore requiring the increased fill and retaining wall height along the north side of the development to meet acceptable sewer minimums acceptable by CCWRD. The original design for the site would have worked with the original request for the increased fill and retaining wall height however, based on the new sewer requirements from CCWRD and drainage requirements from CCPW the overall design requirements for this parcel changed from what we had initially assumed. Therefore, we are requesting to increase the fill to 90 inches (7.5 feet) for the site.

Waiver of Development Standards – Increased Retaining Wall height

To increase the retaining wall height to 7.0 feet where 3 feet is allowed per section 30.64.050.

As stated above on the increased fill request the southeast corner of the site is being elevated to change the direction of the historical flows pursuant to direction by CCPW. Thus, the overall height of the wall will be 13 feet, 6 feet of screen wall over 7 feet of retaining wall along the north side of the development, the wall will be decorative with a combination of rough and smooth brown colored block. This additional wall height is adjacent to an undeveloped parcel and is being governed by the CCPW department by approval of the drainage study and civil improvement plans and therefore is not being used to artificially increase the grade of the land by the developer for views.

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

Sincerely,



Mark Bangan
Director of Planning Services

10/04/23 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

HINSON ST/MAULE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0534-DBAC, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate sidewalks and allow reduced street landscaping; 2) allow access to a collector street; and 3) waive full off-site improvements.

DESIGN REVIEWS for the following: 1) single family residential subdivision; and 2) finished grade on 1.9 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the southeast corner of Hinson Street and Maule Avenue within Enterprise. MN/mh/syp (For possible action)

RELATED INFORMATION:

APN:

177-06-703-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Eliminate the detached sidewalks and allow alternative landscaping along Hinson Street where a minimum 15 foot wide landscape area and a detached sidewalk is required per Figure 30.64-17.
- b. Eliminate the detached sidewalks and landscaping along Maule Avenue where a minimum 15 foot wide landscape area and a detached sidewalk is required per Figure 30.64-17.
2. Allow 2 proposed single family residential lots to have access to a collector street (Maule Avenue) where not permitted per Section 30.56.080.
3. Waive full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights) along Maule Avenue where required per Section 30.52.040.

DESIGN REVIEWS:

1. Single family residential subdivision.
2. Increase finished grade to 42 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 17% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 4147 W. Maule Avenue
- Site Acreage: 1.9
- Number of Lots/Units: 3
- Density (du/ac): 1.51
- Minimum/Maximum Gross Lot Size (square feet): 22,930/42,080
- Minimum/Maximum Net Lot Size (square feet): 22,139/42,080
- Project Type: Single family residential subdivision

Site Plan

The plan depicts a 3 lot residential subdivision, with Lot 3 having frontage along Hinson Street to the west and Lots 1 and 2 having frontage along Maule Avenue to the north. The lots range in size from 22,139 square feet to 42,080 square feet. Maule Avenue is a collector street, and a waiver of development standards is required to allow access to this street. Additionally, Maule Avenue will be constructed to non-urban street standards with 32 feet of pavement instead of the full pavement, and without curb, gutter, sidewalk, and streetlights normally required for a collector street. The plan also shows a finished grade of 42 inches on Lot 2 of the proposed subdivision, where Code permits up to 36 inches. The single family residences are proposed to be custom homes; therefore, there are no elevations or floor plans submitted with this request.

Landscaping

The plan depicts a 6 foot wall that has been set back 6 feet for the street landscaping on the west side of Lot 2 along Hinson Street. The landscaping consists of 5, 24 inch box trees that are 20 feet apart, and shrubs located between the trees and on the northwest corner of Lot 2. There is no proposed landscaping along Maule Avenue or to the west of Lot 3 along Hinson Street. The proposed retaining walls meet the requirements of Code.

Applicant's Justification

The applicant indicates that the reduced landscaping will maintain the existing rural character of the area, while the front yards will comply with the landscaping standards listed in Table 30.64-1. Rural street standards without detached sidewalks are consistent with the surrounding area and what has previously been approved. The applicant also states that access to a collector street is necessary since it is infeasible for the site to be designed around a cul-de-sac. Accessing Lots 1 and 2 from Maule Avenue will also provide better drainage for both lots, and the request will not have an adverse effect on traffic or public safety. Lastly, the applicant notes that waiving off-site improvements will maintain the rural character of the neighborhood and match existing developments.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1026-05	Reclassified 3,800 parcels of land from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

Surrounding Land Use

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

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Waivers of Development Standards

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

Waiver of Development Standards #1

Code requires detached sidewalks with a landscape buffer to be provided along streets in residential areas to ensure safety and aesthetic standards in neighborhoods. The proposed landscaping along Hinson Street is consistent with existing landscape areas on abutting properties in this area and provides a harmonious streetscape. However, the request to eliminate required landscaping and detached sidewalks along Maule Avenue is inconsistent with the surrounding development in the area as other properties along Maule Avenue to the east feature landscaping. Staff finds that the elimination of detached sidewalks and street landscaping along Maule Avenue will have adverse impacts on the proposed subdivision and the adjacent properties. Therefore, staff cannot support this request.

Waiver of Development Standards #2 & Design Review #1

Staff has concerns with the development of a walled subdivision that does not provide aesthetic improvements along the collector street frontage, especially when the sole access to 2 of the lots will be from a collector street. The access from a collector street is inconsistent with the surrounding neighborhood, which features cul-de-sacs and properties with access from local streets. Staff finds that as the surrounding area develops, traffic will increase, possibly requiring Maule Avenue to be developed to its full width. With an increased volume of traffic, safety issues may arise with vehicles entering and exiting the residential lots. Staff finds that the requested waiver of development standards and design review may create public safety and traffic issues, and that the proposed request is a self-imposed hardship due to the overall configuration of the subdivision. Therefore, staff is unable to support these requests.

Public Works - Development Review

Waiver of Development Standards #3

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public

streets provide safer pathways for pedestrians and for children to walk to school. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

Design Review #2

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

Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the 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:

Comprehensive Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that access to Maule Avenue shall include a circular driveway design or on-site turnarounds to preclude the backing of vehicles onto the street; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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;
- Execute a Restrictive Covenant Agreement (deed restrictions).

- 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 at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- No comment.

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

APPLICANT: DBAC, LLC

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



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

PLANNING
15A

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE (ZC)</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-23-0534</u> DATE FILED: <u>8/8/23</u></p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>9/13/23</u></p> <p>PC MEETING DATE: <u>N/A</u></p> <p>BCC MEETING DATE: <u>10/4/23</u></p> <p>FEE: <u>11,150</u></p>
	PROPERTY OWNER	<p>NAME: <u>DBAC, LLC.</u></p> <p>ADDRESS: <u>4465 West Hacienda Avenue, Suite 103</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u></p> <p>TELEPHONE: <u>702-822-0914</u> CELL: <u>n/a</u></p> <p>E-MAIL: <u>steve@jewelhomes.com</u></p>
	APPLICANT	<p>NAME: <u>DBAC, LLC.</u></p> <p>ADDRESS: <u>4465 West Hacienda Avenue, Suite 103</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u></p> <p>TELEPHONE: <u>702-822-0914</u> CELL: <u>n/a</u></p> <p>E-MAIL: <u>steve@jewelhomes.com</u> REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>Taney Engineering Attn: Emily Sidebottom</u></p> <p>ADDRESS: <u>6030 S. Jones Blvd.</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u></p> <p>TELEPHONE: <u>702-362-8844</u> CELL: <u>n/a</u></p> <p>E-MAIL: <u>emilys@taneycorp.com</u> REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 177-06-703-001

PROPERTY ADDRESS and/or CROSS STREETS: W. Maule Ave. & Hinson St.

PROJECT DESCRIPTION: 3-lot single family residential subdivision.

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

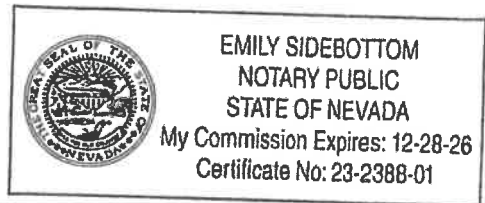
Property Owner (Signature)*

Stephen Goodwin
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON April 6, 2023 (DATE)
By Stephen Goodwin

NOTARY PUBLIC: Emily Sidebottom



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



TANEY ENGINEERING

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

August 3, 2023

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

Re: Hinson & Maule SEC
APR-23-100550
APN: 177-06-703-001
Justification Letter (Revised)

To whom it may concern:

On behalf of our client, DBAC, LLC, Taney Engineering is respectfully submitting justification for Waivers of Development Standards and a Design Review for a proposed single-family residential subdivision.

Project Description:

This project is a 1.99 gross-acre, 3 lot single-family residential subdivision with 1.51 lots per acre located south of Maule Avenue and east of Hinson Street. The site is currently zoned R-E (Rural Estates Residential District), with a planned land use of RN (Ranch Estates Neighborhood), within an RNP-I (Rural Neighborhood Preservation) Overlay District. The homes will be custom-built and have not yet been designed. Therefore, there will be no floor plans or elevations provided with this submittal.

The project site is adjacent to properties with the following zoning categories and planned land use:

- North, East, South, and West: R-E (Rural Estates Residential District); RN (Ranch Estate Neighborhood)

Waiver of Development Standards – Wall Height

This request is to waive Section 30.64-50 (a)(4) to allow for a 4-foot maximum retaining wall between lot 1 and lot 2 where a 3-foot maximum is allowed per code. The increase in height is necessary so that lot 2 matches the existing grade of Hinson Street while lot 1 maintains a comparable grade to the adjacent property. As the wall is internal and only affects the proposed lots, we expect the impact on adjacent properties to be negligible.

Waiver of Development Standards – Off-Site Improvements

This request is to waive Section 30.52.040 requiring full off-site improvements along Maule Avenue. The proposed development is within an RNP-I (Rural Neighborhood Preservation) Overlay District where rural street standards have been previously accepted. To maintain the character of the neighborhood and match the existing development, we are proposing no curb, gutter, sidewalks, streetlights, and a minimum paved roadway of 32-feet.



Waiver of Development Standards – Alternative Landscaping

This request is to waive Section 30.64.030 and Table 30.64-1 to allow for alternative landscaping along Hinson Street. To maintain the existing rural character of the area, we are proposing a 6-foot landscape buffer, with no sidewalks, along the Maule Avenue frontage. 24” box trees will be planted every 20 feet on-center. The front yards of all lots will comply with landscaping standards outlined in Table 30.64-1.

Waiver of Development Standards – Detached Sidewalk

This request is to waive Section 30.64.030 (I)(3) and Figure 30.64-17 requiring detached sidewalks along Maule Avenue and Hinson Street. The proposed development is within an RNP-I (Rural Neighborhood Preservation) Overlay District where rural street standards have been previously accepted. Except for a short section of sidewalk on the north side of Maule Avenue, no other sidewalks currently exist adjacent to the subject parcel.

Waiver of Development Standards – Sole Access to a Collector Street

This request is to waive Section 30.56.080 (f) prohibiting single-family residential lots from having sole access to a collector street. Lots 1 and 2 are proposed to have sole access from Maule Avenue, an 80-foot collector street. To meet the desired density and comply with R-E (Rural Estate Residential) standards, it is not feasible to design the site around an internal street and cul-de-sac. Accessing lots 1 and 2 from Maule Avenue will also provide better drainage for the two lots. Similar requests have been previously approved, and it is not believed that this waiver will have an adverse effect on traffic or public safety.

Design Review – Excess Fill

This request is for a design review to allow for an excess fill of 3.5 feet where a 3-foot maximum is allowed per Section 30.32.040-9. The excess fill is needed for lot 2 to ensure adequate drainage of the site while matching the existing grade of Hinson Street. As the fill is only needed for a single lot, we expect the impact on adjacent properties to be negligible.

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

Sincerely,

Jeremiah Delci-Johnson
Land Planner

10/04/23 BCC AGENDA SHEET

SCHOOL
(TITLE 30)

STARR AVE/LA CIENEGA ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ZC-23-0519-USA:

ZONE CHANGE to reclassify 19.7 acres from an R-E (Rural Estates Residential) Zone to a P-F (Public Facility) Zone.

WAIVER OF DEVELOPMENT STANDARDS to allow modified driveway standards.

DESIGN REVIEWS for the following: 1) school; and 2) finished grade.

Generally located on the south side of Starr Avenue and the west side of La Cienega Street within Enterprise (description on file). MN/lm/syp (For possible action)

RELATED INFORMATION:

APN:
191-04-501-001

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce throat depth to zero feet for a driveway along Gillespie Street where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).
- b. Reduce throat depth to zero feet for a driveway along Starr Avenue where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).
- c. Reduce throat depth to zero feet for a driveway along La Cienega Street where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).
- d. Reduce driveway departure distance to 119 feet where 190 feet is required (Starr Avenue) per Uniform Standard Drawing 222.1 (a 37% reduction).
- e. Reduce driveway departure distance to 26 feet where 190 feet is required (Neal Avenue) per Uniform Standard Drawing 222.1 (an 86% reduction).
- f. Reduce driveway approach distance to 116 feet where 150 feet is required (Starr Avenue) per Uniform Standard Drawing 222.1 (a 23% reduction).

DESIGN REVIEWS:

1. School.
2. Increase finished grade to 7.2 feet where a maximum of 3 feet is the standard per Section 30.32.040 (a 140% increase).

**LAND USE PLAN:
ENTERPRISE - OPEN LANDS**

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 19.7
- Project Type: Public high school
- Number of Stories: 3
- Building Height (feet): 60
- Square Feet: 238,800
- Parking Provided: 505

Site Plan

The proposed career and technical high school is located on 19.7 acres at the southwest corner of Starr Avenue and La Cienega Street. The main entry and driveways to the school are located on Starr Avenue, along with the employee, student, and visitor parking areas. Bus parking and site access is located on La Cienega Street and Neal Avenue, with a drop-off on Gilespe Street. The school building is centrally located on the site, with the main entrance facing north. Courtyards are located on the east and west sides of the building with facilities for career and technical learning, which include an advanced manufacturing and energy technical yard (south) and a kindergarten playground (northwest). Traditional exterior school facilities include a ball field, basketball courts, tennis courts, a shade canopy, and a location for future portable buildings located south of the main instructional building.

Landscaping

The plan depicts street landscaping consisting of varying widths from 15 feet wide to 25 feet wide. In all locations there is a 5 foot wide landscape strip with a 10 foot wide detached sidewalk. Landscaping consists of a mixture of shrubbery adjacent to the curb and trees located interior to the detached sidewalk. Drought tolerant materials are used around the building and within the parking areas. The main portion of the campus is enclosed by 8 foot high chain-link fencing and gates.

Elevations

The plan depicts a 3 story building with a height of 60 feet. The building has varying rooflines and consists of painted CMU and EIFS finish, metal decorative materials, and storefront window and door systems.

Floor Plans

While floor plans are not provided per NRS 393.045, the plans indicate there are 68 classrooms with administrative offices, and gymnasium. The main buildings first floor consists of 114,000 square feet, the second floor consists of 62,000 square feet, and the third floor consists of 57,200 square feet. The central plant consists of 5,000 square feet.

Signage

The plans depict 2 monument signs at the northeast and northwest corners of the site along with 2 wall signs located on the north exterior elevation and student entry portal.

Applicant's Justification

The applicant indicates that the property has been granted a Public Purpose Lease on the site from the Bureau of Land Management, established in 2008. The proposed Career Technical Academy high school is projected to begin construction in fall 2024 and to open in fall 2026 to meet the educational needs of community children. The school will be developed to accommodate 1,800 students and staff for grades 9 through 12. There will be a small kindergarten playground to support the educational programming offered at the school. The applicant also indicates that the site was redesigned to incorporate detached sidewalks which reduces the available area for parking while maintaining required program and capacity metrics. It is anticipated that most students will be bussed or dropped-off where the proposed reduced parking will not have an adverse effect on the operation of the school. Lastly, the applicant indicates that there is approximately 22 feet of fall across the site and that leveling some portions of the site is needed to develop the site.

Prior Land Use Requests

Application Number	Request	Action	Date
MP-0575-00	Major project concept plan - expired	Approved by BCC	May 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Low-intensity Suburban Neighborhood (up to 5 du/ac)	R-E (RNP-1) & R-D	Single family residential & daycare facility
South	Low-intensity Suburban Neighborhood (up to 5 du/ac)	R-E & R-2	Single family residential
East	Low-intensity Suburban Neighborhood (up to 5 du/ac)	R-E	Single family residential & undeveloped
West	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	R-E & R-2	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis
Comprehensive Planning
Zone Change

This site is designated Open Lands in the Master Plan, and the request is a conforming zone boundary amendment. Part of the request is to reclassify the site into a zoning district that is more appropriate for the proposed use on the site. Staff finds the proposed zoning is compatible with the existing and approved land uses in the area. Staff can support the zone change request.

Waiver of Development Standards

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

Design Review #1

Staff finds the design and heights of the proposed buildings are appropriate for the area. Specifically, the design of the building elevations, include varied architectural elements, transitions between differing building scales, and intensities. Adequate setbacks have been provided for the buildings and landscaping is provided along the perimeter of the school. Furthermore, the pick-up and drop-off area is located on both sides of the building and should allow on-site queuing and circulation of vehicles which may not impede traffic on the public streets. Therefore, staff can support this request.

Public Works - Development Review

Waiver of Development Standards #1a, #1b, & #1c

Staff has no objection to the reduction in throat depth for the driveways on Starr Avenue, La Cienega Street, and Giles pie Street. Although the driveways do not meet minimum standards, staff finds that the driveways will see equal use, helping to mitigate potential conflicts normally caused by reduced throat depth.

Waiver of Development Standards #1d, #1e, & #1f

Staff has no objection to the reduction in approach and departure distance for the Starr Avenue and Neal Avenue driveways. Although the departure and approach distances do not comply with the minimum standards, staff finds the driveway locations allows for vehicles to safely access the site.

Design Review #2

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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 waiver of development standards and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division for the Starr Avenue improvement project.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0266-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: CLARK COUNTY SCHOOL DISTRICT
CONTACT: CLARK COUNTY SCHOOL DISTRICT - FACILITIES SERVICES, 1180
MILITARY TRIBUTE PLACE, HENDERSON, NV 89074**



LAND USE APPLICATION

16A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE (ZC) USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>20-23-05A</u> DATE FILED: <u>8/7/2023</u> PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>9/13/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>10/4/23</u> FEE: <u>WAIVED</u>		
		PROPERTY OWNER NAME: <u>USA</u> ADDRESS: _____ CITY: <u>Washington DC</u> STATE: _____ ZIP: <u>20260</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____	
	APPLICANT NAME: <u>Mark Campbell, Clark County School District - Facilities Services</u> ADDRESS: <u>1180 Military Tribute Place</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____		
		CORRESPONDENT NAME: <u>Paulette Marshall, Clark County School District - Real Property Mgmt.</u> ADDRESS: <u>1180 Military Tribute Place</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u> TELEPHONE: <u>(702) 799-5214 ext 5414</u> CELL: <u>(725) 265-0763</u> E-MAIL: <u>marshp1@nv.ccsd.net</u> REF CONTACT ID #: _____	

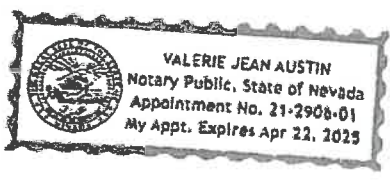
ASSESSOR'S PARCEL NUMBER(S): 191-04-501-001
 PROPERTY ADDRESS and/or CROSS STREETS: SEC Starr Avenue & Gilespe Street
 PROJECT DESCRIPTION: Construction of New School

(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] Mark Campbell
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON March 26, 2023 (DATE)
 By Mark Campbell

NOTARY PUBLIC: Valerie Jean Austin



*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.



Evelyn Garcia Morales, President
Lola Brooks, Vice President
Irene Bustamante Adams, Clerk
Linda P. Cavazos, Member
Lisa Cruzman, Member
Katie Williams, Member
Brenda Zamora, Member

Jesus E. Jara, Ed.D., Superintendent

August 2, 2023

VIA UPLOAD

2C-23-0519

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

Re: Zone Change, Design Review and Waiver of Development Standards for Construction of a New Career Technical Academy School
Revised Justification Letter

Pursuant to Title 30 of the Clark County Code, the Clark County School District (District) respectfully request approval of a Zone Change (ZC), Design Review (DR) and Waiver of Development Standards (WS) for the construction of a new South Career Technical Academy (School). The School will be located at the southeast corner of Starr Avenue and Gilespie Street; Assessor's Parcel Number 191-04-501-001. The School site is currently zoned R-E (Rural Estates Residential) and the District is requesting P-F (Public Facility) zoning at this time. The District is also requesting a design review for a high school (Career Technical Academy) and increased fill as well as waivers to allow alternative driveway entrances, approach and departure distance reductions and throat depth reductions. The School site is on an approximate 19.65 acre property.

The Bureau of Land Management has granted the District a Recreation or Public Purposes Lease on the site. The parcel has a zoning designation of Rural Estates Residential (R-E) and a land use designation of Open Lands (OL). The parcel consists of 19.65 acres and the District requests this parcel be rezoned to Public Facility (P-F) as it is the most appropriate zoning designation for a high school. The District anticipates construction to begin Fall of 2024, substantial completion to be in the Spring of 2026 with an anticipated opening in August 2026.

The new School will consist of one (1) three-story building with multiple wings and one (1) single-story building for the central plant. The gross building square footage for the main building and central plant building is approximately 238,300 square feet (sq. ft.). The main building's first floor consists of 114,000 sq. ft., the second floor consists of 62,000 sq. ft. and the third floor consists of 57,200 sq. ft. The central plant building consists of 5,600 sq. ft. The main building will accommodate 68 classrooms, administrative offices, a gymnasium, three courtyards and an Advanced Manufacturing & Energy Technical Yard to serve the operation of the School. The main building will have a maximum height of 60'-0" and will be setback 520'-7" from the adjacent properties to the north (E. Starr Avenue), 108'-9" from the adjacent properties to the east (La Cienega Street) and 147'-9" from the adjacent properties to the west (Gilespie Street). The central plant building will have a maximum height of 18'-0" and will be setback approximately 304'-10" from the south. The buildings are designed with CMU walls, EIFS, prefinished and perforated metal panels and interlocking metal panels. The building elevations are a combination of standing seam metal roofs and flat roofs with parapets.

The School will be developed to accommodate 1,800 students and staff. Although the School will be for grades 9-12, there will be a small Kindergarten playground constructed on-site to support educational programming being offered at the School.

The School will have an on-site parking lot located on the north portion of the site, with one driveway on Gilespie Street on the west side of the site and two driveways on E. Starr Avenue on the north side of the site. The driveway on Gilespie Street has an approach distance of 305'-2" where 150' is required and a throat depth of 0'-0" where 25' is required. A WS for throat depth is requested. The Gilespie Street driveway will be ingress and egress lanes. The westerly driveway on E. Starr Avenue will be ingress and egress lanes with a departure distance of 119'-2" where 190' is required and a throat depth of 0'-0" where 150' is required. A WS for departure distance and throat depth are requested. The easterly driveway on E. Starr Avenue will be ingress and egress lanes with an approach distance of 116'-7" where 150' is required and a throat depth of 0'-0" where 150' is required. A WS for approach distance and throat depth is requested. The new on-site parking lot will have 505 parking spaces (where 519 parking spaces are required), including the 11 Mobility-Impaired spaces required and provided. The site re-design to include a 10' detached sidewalk per County standards around the entire site reduced the available area for parking while maintaining required program and capacity metrics. Additionally, as this project is intended to be a Career Technical Academy, the majority of students will be bussed or dropped off (and/or picked up) by parents; therefore, the District feels this small reduction of 14 parking spaces will not have an adverse effect on the operation of the School.

A new driveway passenger drop-off/pick-up lane will be located off Gilespie Street south of the parking lot driveway on the west side of the site. The passenger lane will be one-way with the entrance to the passenger lane located approximately 305'-0" north from E. Neal Avenue with a throat depth of 0'-0" where 25' is required. A WS for throat depth is requested.

A new one-way bus drop-off/pick-up lane will be located on La Cienega Street and exiting south onto E. Neal Avenue. There will be 17 bus parking stalls. The bus lane entrance driveway has an approach distance of 415'-10" where 150'-0" is required with a throat depth of 0'-0" where 25' is required. A WS for throat depth is requested. La Cienega Street tees at E. Neal Avenue.

New landscaping will be installed throughout the project as well as a 10' detached sidewalk constructed along E. Starr Avenue, La Cienega Street, E. Neal Avenue and Gilespie Street. For School security, trees will not be planted within 20' of the building nor within the interior of the parking lot. The outdoor amenities will consist of three courtyards, a new Kindergarten play area under a new shade structure, new basketball courts with a new shade structure, a new ball field and tennis courts. The site plan includes a potential area for use of portables in the event they are needed at a future time.

The School design includes surface mounted aluminum signs on the north exterior elevation and student entry portal as well as two (2) 3'-8" ground-mounted signs at the northwest corner and northeast corner of the site. The northeast ground-mounted sign is setback approximately 15' from the north and east property lines and is more than 140' from the residential properties on the north side of E. Starr Avenue. The signage will face the intersection of E. Starr Avenue and La Cienega Street, two corners of which are currently undeveloped land with the third corner being the rear of 3 residential homes. The northwest ground-mounted sign is setback approximately 15' from the north and west property lines and is more than 80' from the residential properties on the west side of Gilespie Street. The signage will face the intersection of E. Starr Avenue and Gilespie Street, two corners of which are the rear or side yards of residential with the third corner being the Goddard School.

The project is constrained in certain areas of the site. We will be requesting a DR for increased finished grade over the maximum 36 inches, for a maximum fill of 7.16', due to the topography of the site. There is an

approximate 22' of fall across the site. To achieve similar building finished floor heights and adhere to ADA standards, an increase in fill is necessary.

Additionally, floor plans will not be disclosed for School security reasons. Please refer to NRS 393.045.

The District believes the design and construction of the School will enhance the District's ability to accommodate the educational needs of the children in the area. Based on the above information, the District respectfully requests approval of these applications. If you have any questions or would like more information, please do not hesitate to contact me at (702) 799-5214 extension 5414 or via email at Marshpl@nv.ccsd.net.

Sincerely,



Paulette Marshall, Coordinator II
Real Property Management
Clark County School District

Cc: Alan Imperial, CCSD Construction Management
Tawny Cano, CCSD Construction Management
Sara Rind, Simpson Coulter Studio
File

/pm

10/04/23 BCC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL
(TITLE 30)

LAS VEGAS BLVD S/BARBARA LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0548-LV BARBARA, LLC:

ZONE CHANGE to reclassify 9.0 acres from an H-2 (General Highway Frontage) Zone and an R-E (Rural Estates Residential) Zone to an H-1 (Limited Resort and Apartment) Zone.

USE PERMIT for a multiple family residential development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) to allow non-standard improvements (landscaping) within a right-of-way.

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

Generally located on the northwest corner of Las Vegas Boulevard South and Barbara Lane (alignment) within Enterprise (description on file). MN/al/syp (For possible action)

RELATED INFORMATION:

APN:

191-05-601-020

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the rear (north) setback to 10 feet where a minimum of 20 feet is required per Table 30.40-7 and Table 30.40-3 (a 50% reduction).
2. Allow non-standard improvements (landscaping) within the Las Vegas Boulevard South right-of-way where off-site improvements per Section 30.52.050 are required.

DESIGN REVIEWS:

1. A multiple family residential development.
2. Allow alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.
3. Increase finished grade by 75 inches where a maximum of 36 inches is standard per Section 30.32.040 (a 108.3% increase).

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 9
- Number of Units: 188
- Density (du/ac): 20.9
- Project Type: Multiple family residential development
- Number of Stories: 3
- Building Height (feet): 47
- Square Feet: 282,298
- Open Space Required/Provided: 18,800/36,316
- Parking Required/Provided: 337/337

Site Plan

The plan depicts a multiple family residential development consisting of 188 units with a density of 20.9 dwelling units per acre. The 188 units will be divided between 9 buildings located along the perimeter of the site. The site has frontage along Las Vegas Boulevard South (east side), Barbara Lane (south side), and Parvin Street (west side) with access to the site from Barbara Lane which is the front of the development. The plan shows the buildings being set back a minimum of 10 feet from the rear (north) property line. Parking is evenly distributed throughout the site. A clubhouse is centrally located within the development and open space adjacent to the clubhouse will include a pool, picnic, and BBQ areas. The plan depicts an existing 6 foot high decorative block wall located along the north property line. The plans show a 6 foot high decorative fence located along the 3 public streets, setback for landscaping.

Landscaping

Adjacent to each of the public streets the plan depicts minimum 15 foot wide landscape areas with detached sidewalks, 2 off-set rows of trees, shrubs, and groundcover. Additional landscaping is depicted along the entrance to the development and within the parking areas. The development is required to have a minimum of 18,800 square feet of open spaces and the plans depict 36,316 square feet of useable open space for recreational areas. The plans indicate that the right-of-way for Las Vegas Boulevard South will not be developed to the full width of the dedicated roadway. The plans show landscaping to be added in the right-of-way between the curb line and the property line.

Elevations

The plans show that 8 of the buildings for the residential units are 3 stories and the remaining residential building is 2 stories. The 3 story buildings are up to 47 feet in height and the 2 story building has a height of 26 feet. The clubhouse building is 2 stories with a maximum height of 28 feet. All the buildings have flat roofs behind parapet walls. The buildings have architectural enhancements which include variations in roof height to break-up the roofline, pop-outs and recesses to break-up the sides of the buildings, and variations in color and materials.

Floor Plan

The clubhouse has an area of 12,291 square feet which includes a gym, theater, restrooms, business center, offices, seating areas, multi-purpose space, and storage space. The 9 buildings for the 188 residential units have a total area of 270,007 square feet. The plans depict 68, one bedroom units, 108, two bedroom units, and 12, three bedroom units. The dwelling units will be between 700 square feet and 1,256 square feet in area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed zone change is in conformance with the Master Plan. The proposed multiple family residential development is consistent and compatible with other developments in the area. Similar waivers of development standards have been approved for other developments along Las Vegas Boulevard South. The approval of this application will be a continuation of an existing trend for multiple family residential development in this area.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Multiple family residential
South	Entertainment Mixed-Use	H-2 & R-E	Undeveloped
East	Entertainment Mixed-Use	R-3	Multiple family residential
West	Entertainment Mixed-Use	R-E	Undeveloped

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

Related Applications

Application Number	Request
ZC-23-0550	A request to reclassify the parcels to the south to an H-1 zone for a multiple family residential development is a related item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Zone Change

The proposed reclassification of this site to an H-1 zone is in conformance with the Master Plan. A portion of this site is zoned H-2 which is an outdated zoning district that the County is trying to eliminate. Reclassifying this site from H-2 zone to an H-1 zone will further the County's goal to eliminate the H-2 zoning district. The adjacent property to the north is being developed as a multiple family residential development in an H-1 zone; therefore, the proposed use of this site as a multiple family residential development is consistent and compatible with the area. For these reasons staff can support the zone change.

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.

The site is located between I-15 to the west and Las Vegas Boulevard South to the east. This area has seen a trend with multiple family residential developments. There is currently a similar project under development on the adjacent property to the north. Therefore, staff finds the proposed use is appropriate for this location and can support the use permit.

Waivers of Development Standards

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

Waiver of Development Standards #1

The site has frontage along 3 streets with the east side of the development adjacent to Las Vegas Boulevard South, which in many cases would typically be the front of the developments in this area. However, access to the development will be from Barbara Lane, making this the front of the development and the northern property line the rear. The development is designed so that the buildings will all be a minimum of 20 feet from the public streets. Since this multiple family residential project is in an H-1 zone it is required to meet the development standards of the R-5 zoning district, which requires a 20 foot rear setback. The reduced setback will not have a negative impact on the adjacent development to the north which is another multiple family residential development. Therefore, staff can support this waiver.

Design Reviews #1 & #2

The project has useable open space which include a swimming pool, a clubhouse building, and smaller areas that can be used for recreation. The buildings are oriented at different directions to avoid a monotonous linear pattern and the location on Las Vegas Boulevard South includes access to transit options and a large road network to handle the additional density. The parking lot landscaping is not in compliance with the standards of Figure 30.64-14; however, the required number of trees are provided and are distributed evenly throughout the development. Therefore, staff can support these design reviews.

Public Works - Development Review

Waiver of Development Standards #2

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any landscaping and sidewalks placed in the right-of-way. Staff can support the waiver of development standards #2 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

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.

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:

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permit, waivers of development standards, and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Barbara Lane, 25 feet to the back of curb for Parvin Street, and associated spandrels;
- Right-of-way dedication for Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Fire Prevention Bureau

- Access to all points of buildings within 250 feet.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

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 #0294-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

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



LAND USE APPLICATION 17A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input checked="" type="checkbox"/> ZONE CHANGE</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> CONFORMING (ZC) <u>1050</u></p> <p style="margin-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input checked="" type="checkbox"/> USE PERMIT (UC) <u>675</u></p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <u>475</u></p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR) <u>675</u></p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (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>ZC-23-0548</u> DATE FILED: <u>8-9-23</u></p> <p>PLANNER ASSIGNED: <u>AB</u></p> <p>TAB/CAC: <u>Ente price</u> TAB/CAC DATE: <u>9-13-23</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>10-4-23</u></p> <p>FEE: <u>\$ 2,875.00</u></p>
	PROPERTY OWNER	<p>NAME: <u>LV Barbara, LLC</u></p> <p>ADDRESS: <u>6655 Eastern Avenue, Suite 250</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u></p> <p>TELEPHONE: _____ CELL: _____</p> <p>E-MAIL: _____</p>
	APPLICANT	<p>NAME: <u>Nevada West Partners V, LLC</u></p> <p>ADDRESS: <u>6655 S. Eastern Avenue, Suite 200</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u></p> <p>TELEPHONE: _____ CELL: _____</p> <p>E-MAIL: _____ REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>Chris Kaempfer - Kaempfer Crowell</u></p> <p>ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u></p> <p>TELEPHONE: <u>702-792-7000</u> CELL: _____</p> <p>E-MAIL: <u>clk@kcnvlaw.com</u> REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 191-05-601-020

PROPERTY ADDRESS and/or CROSS STREETS: Las Vegas Blvd/Barbara

PROJECT DESCRIPTION: ZC, DR for multi-family development

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

Martin Egbert
Property Owner (Signature)*

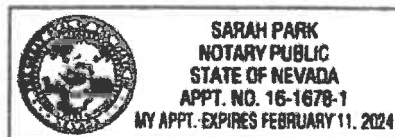
Martin Egbert, Manager
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 9/7/2022 (DATE)

By Martin Egbert

NOTARY PUBLIC: Sarah Park



*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. 22. 100196

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

KAEMPFER

CROWELL

ANTHONY J. CELESTE
aceleste@kcnvlaw.com
D: 702.693.4215

April 13, 2023

VIA UPLOAD

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

20-23-0548

**Re: [REVISED] Nevada West Partners 5, LLC
Justification Letter – Conforming Zone Change to H-1; Design Reviews for (1)
Multi-Family Development, (2) Alternative Parking Lot Landscaping, & (3)
Increase Grade; Special Use Permit to Allow Multi-Family Development in an H-1
Zoned District; and Waiver of Development Standards to Allow Non-Standard
Improvement in the ROW
APN: 191-05-601-020**

To Whom It May Concern:

Please be advised our office along with Mr. Chip Maxfield represent Nevada West Partners 5, LLC (the "Applicant") in the above-referenced matter. The proposed project is located on approximately 8.99 acres located at the northwest corner of Las Vegas Boulevard and Barbara Lane in Clark County, Nevada. The property is more particularly described as APN: 191-05-601-020 (the "Site"). The Applicant is requesting a conforming zone change to H-1 with a special use to develop an apartment complex.

Conforming Zone Change Request

The Site is currently zoned H-2 and R-E. The Applicant is requesting a zone change to H-1. A zone change to H-1 is harmonious and compatible to the surrounding area for the following reasons:

- The zone change request to H-1 conforms to the master plan. The Site is master planned Entertainment Mixed-Use (EM). An EM master plan designation contemplates an H-1 zoning district.
- The Site is located between I-15 and Las Vegas Boulevard.
- The Site is accessed from Las Vegas Boulevard via Barbara Lane.
- The properties immediately to the north are zoned H-1 with use permit for multi-family.

- The arrangement of the parking is dispersed throughout the entire project and avoids creating long corridors of parking area.

2. Alternative Parking Lot Landscaping

In lieu of providing parking lot islands every six parking spaces in front of each building, the Applicant is requesting to provide parking lot diamonds. The design of the parking lot diamonds will allow the Site to comply with the parking requirements without completely sacrificing landscaping. However, the parking areas not adjacent to the buildings are providing the required parking lot landscape islands.

3. Increase Grade

The Applicant is requesting to increase the grade by about 6.2-feet where up to 36-inches are allowed. The increase in grade is to balance the Site and accommodate drainage. The increase in grade will not adversely affect neighboring properties.

Waiver of Development Standards

1. Allow Non-Standard Improvements in the ROW

This portion of Las Vegas Blvd ROW width is 200-feet. Currently, the build out of Las Vegas Blvd in front of the Site is 55-feet to the existing back of curb. As required, a 5-foot wide detached sidewalk will be constructed along Las Vegas Boulevard. The 6.2-foot wide area between the back of curb on Las Vegas Boulevard and the right-of-way property line is unimproved. To accommodate Title 30 required from landscaping along Las Vegas Boulevard, the Applicant is proposing to landscape the entire 45-foot wide (excepting the 5-foot wide sidewalk area) right-of-way. This proposed request will exceed Title 30 requirements.

We thank you in advance for your time and consideration of this matter. Should you have any questions or concerns, please feel free to contact me.

Should you have any questions or concerns, please feel free to contact the undersigned.

Sincerely,

KAEMPFER CROWELL



Anthony J. Celeste

AJC/jmd

Design Reviews and Special Use Permit

1. Design Review and Special Use Permit to Allow a Multi-Family Development

Subject to a special use permit approval, a multi-family project is an appropriate use in an H-1 zoned district with conformance to the R-5 development standards. Clark County Planning Staff and the Board of County Commissioners have traditionally been supportive of the use permit requests for properties zoned H-1 and master planned EM as demonstrated by the approvals of UC-0900-16, UC-19-0668, and ZC-21-0118.

Here, the Applicant is proposing to develop a 188-unit luxury multi-family project on the Site. The proposed density is approximately 20.9 dwelling units per acre. The Applicant is proposing to build nine (9) multi-family buildings plus a two-story clubhouse building. The proposed multi-family buildings will be 3-stories and approximately 42-feet to a maximum of 47-feet in height. The buildings architectural features show varying rooflines and the elevations show various pop-outs and building colors to break up the massing of the building. The clubhouse building will be located in the middle of the Site with the multi-family building located along the perimeter of the Site. The bedroom mix is as follows: 68 large and small one-bedroom units, 108 large and small two-bedroom units, and 12 three-bedroom units. Main access to the Site is from Barbara Lane with an emergency crash gate entrance located also on Barbara Lane west of the main entrance. The main's entrance's throat depth to the call box is 128-feet where 100-feet is required. There will be two (2) separate on-site gates for residents with one gate located to the west of the main entry and the second gate located east of the main entrance. The Site is exceeding parking by providing 340 spaces where 337 are required. The Site also complies with all landscaping, open space, and setback requirements. The development will provide at a minimum the following amenities:

- Picnic and BBQ areas
- Pool/Cabana/Recreational Deck area
- Business Center
- Clubhouse featuring full cardio and strength training facility

Additionally, the Site incorporates and/or adheres to traditional planning policies, including, but not limited to the following:

- The multi-family developments is located near transit stops and road networks that can accommodate higher residential densities.
- The proposed layout of the buildings are oriented in various directions to avoid the monotone linear pattern. Additionally, the design review shows varied elevations.
- The multi-family development will provide several amenities including usable open space, swimming pools, barbeque pits, and community centers.

10/04/23 BCC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL
(TITLE 30)

LAS VEGAS BLVD S/BARBARA LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0550-LV BARBARA, LLC:

ZONE CHANGE to reclassify 9.3 acres from an H-2 (General Highway Frontage) Zone and an R-E (Rural Estates Residential) Zone to an H-1 (Limited Resort and Apartment) Zone.

USE PERMIT for a multiple family residential development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) to allow non-standard improvements (landscaping) within a right-of-way.

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

Generally located on the southwest corner of Las Vegas Boulevard South and Barbara Lane (alignment) within Enterprise (description on file). MN/al/syp (For possible action)

RELATED INFORMATION:

APN:

191-05-701-002 through 191-05-701-004

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the rear (south) setback to 10 feet where a minimum of 20 feet is required per Table 30.40-7 and Table 30.40-3 (a 50% reduction).
2. Allow non-standard improvements (landscaping) within the Las Vegas Boulevard South right-of-way where off-site improvements per Section 30.52.050 are required.

DESIGN REVIEWS:

1. A multiple family residential development.
2. Allow alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.
3. Increase finished grade by 60 inches where a maximum of 36 inches is standard per Section 30.32.040 (a 66.7% increase).

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 9.3
- Number of Units: 182
- Density (du/ac): 19.7
- Project Type: Multiple family residential development
- Number of Stories: 3
- Building Height (feet): 47
- Square Feet: 231,035
- Open Space Required/Provided: 18,200/20,668
- Parking Required/Provided: 329/329

Site Plan

The plan depicts a multiple family residential development consisting of 182 units with a density of 19.7 dwelling units per acre. The 182 units will be divided between 9 buildings located along the perimeter of the site. The site has frontage along Las Vegas Boulevard South (east side), Barbara Lane (north side), and Parvin Street (west side) with access to the site from Barbara Lane which is the front of the development. The plan shows the buildings being set back a minimum of 10 feet from the rear (south) property line. Parking is evenly distributed throughout the site. A gym building is centrally located within the development and open space adjacent to the clubhouse will include a pool, picnic, and BBQ areas. The plan depicts a 6 foot high decorative block wall located along the south property line. The plans show a 6 foot high decorative fence located along the 3 public streets, setback for landscaping.

Landscaping

Adjacent to each of the public streets the plan depicts minimum 15 foot wide landscape areas with detached sidewalks, 2 off-set rows of trees, shrubs, and groundcover. Additional landscaping is depicted along the entrance to the development and within the parking areas. The development is required to have a minimum of 18,200 square feet of open space and the plans depict 20,668 square feet of useable open space for recreational areas. The plans indicate that the right-of-way for Las Vegas Boulevard South will not be developed to the full width of the dedicated roadway. The plans show landscaping to be added in the right-of-way between the curb line and the property line.

Elevations

The plans show that 8 of the buildings for the residential units are 3 stories and the remaining residential building is 2 stories. The 3 story buildings are up to 47 feet in height and the 2 story building has a height of 26 feet. The gym building is 1 story with a maximum height of 17 feet. All the buildings have flat roofs behind parapet walls. The buildings have architectural enhancements which include variations in roof height to break-up the roofline, pop-outs and recesses to break-up the sides of the buildings, and variations in color and materials.

Floor Plans

The gym has an area of 1,381 square feet. The 9 buildings for the 182 residential units have a total area of 229,654 square feet. The plans depict 62, one bedroom units, 108, two bedroom units, and 12, three bedroom units. The dwelling units will be between 700 square feet and 1,256 square feet in area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed zone change is in conformance with the Master Plan. The proposed multiple family residential development is consistent and compatible with other developments in the area. Similar waivers of development standards have been approved for other developments along Las Vegas Boulevard South. The approval of this application will be a continuation of an existing trend for multiple family residential developments in this area.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Undeveloped
South	Entertainment Mixed-Use	H-2 & R-E	Undeveloped
East	Entertainment Mixed-Use	R-3	Multiple family residential
West	Entertainment Mixed-Use	R-E	Undeveloped

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

Related Applications

Application Number	Request
ZC-23-0548	A request to reclassify the parcel to the north to an H-1 zone for a multiple family residential development is a related item on this agenda.
VS-23-0551	A vacation and abandonment of easements and rights-of-way is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis
Comprehensive Planning
Zone Change

The proposed reclassification of this site to an H-1 zone is in conformance with the Master Plan. A portion of this site is zoned H-2 which is an outdated zoning district that the County is trying to eliminate. Reclassifying this site from an H-2 zone to an H-1 zone will further the County's goal to eliminate the H-2 zoning district. A similar request has been submitted for the adjacent property to the north to be developed as a multiple family residential development in an H-1 zone and farther north is a multiple family residential development that is currently under

development; therefore, the proposed use of this site as a multiple family residential development is consistent and compatible with the area. For these reasons, staff can support the zone change.

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.

The site is located between I-15 to the west and Las Vegas Boulevard South to the east. This area has seen a trend with multiple family residential developments. There is currently a similar project under development on the adjacent property to the north. Therefore, staff finds the proposed use is appropriate for this location and can support the use permit.

Waivers of Development Standards

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

Waiver of Development Standards #1

The site has frontage along 3 streets with the east side of the development adjacent to Las Vegas Boulevard South, which in many cases would typically be the front of the developments in this area. However, access to the development will be from Barbara Lane, making this the front of the development and the southern property line the rear. The development is designed so that the buildings will all be a minimum of 20 feet from the public streets. Since this multiple family residential project is in an II-1 zone it is required to meet the development standards of the R-5 zoning district, which requires a 20 foot rear setback. The reduced setback will not have a negative impact on adjacent properties; therefore, staff can support this waiver.

Design Reviews #1 & #2

The project has useable open space which includes a swimming pool, a clubhouse building and smaller areas that can be used for recreation. The buildings are oriented at different directions to avoid a monotonous linear pattern and the location on Las Vegas Boulevard South includes access to transit options and a large road network to handle the additional density. The parking lot landscaping is not in compliance with the standards of Figure 30.64-14; however, the required number of trees are provided and are distributed evenly throughout the development. Therefore, staff can support these design reviews.

Public Works - Development Review

Waiver of Development Standards #2

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any landscaping and sidewalks placed in the right-of-way. Staff can

support waiver of development standards #2 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

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.

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:

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permit, waivers of development standards, and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Barbara Lane, 25 feet to the back of curb for Parvin Street, and associated spandrels;
- Right-of-way dedication Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Fire Prevention Bureau

- Access to all points of buildings within 250 feet.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

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 #0295-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

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



LAND USE APPLICATION 18A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input checked="" type="checkbox"/> ZONE CHANGE</p> <p><input checked="" type="checkbox"/> CONFORMING (ZC) <u>1050</u> NONCONFORMING (NZC)</p> <p><input checked="" type="checkbox"/> USE PERMIT (UC) <u>675</u></p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <u>475</u></p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR) <u>675</u></p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>(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>ZC-23-0550</u> DATE FILED: <u>8-9-23</u></p> <p>PLANNER ASSIGNED: <u>AI</u></p> <p>TAB/CAC: <u>Entrepreneur</u> TAB/CAC DATE: <u>9-13-23</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>10-4-23</u></p> <p>FEE: <u>\$2,875⁰⁰</u></p>
	PROPERTY OWNER	<p>NAME: <u>LV Barbara, LLC</u></p> <p>ADDRESS: <u>6655 Eastern Avenue, Suite 250</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u></p> <p>TELEPHONE: _____ CELL: _____</p> <p>E-MAIL: _____</p>
	APPLICANT	<p>NAME: <u>Nevada West Partners V, LLC</u></p> <p>ADDRESS: <u>6655 S. Eastern Avenue, Suite 200</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u></p> <p>TELEPHONE: _____ CELL: _____</p> <p>E-MAIL: _____ REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>Chris Kaempfer - Kaempfer Crowell</u></p> <p>ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u></p> <p>TELEPHONE: <u>702-792-7000</u> CELL: _____</p> <p>E-MAIL: <u>clk@kcnvlaw.com</u> REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 191-05-601-020

PROPERTY ADDRESS and/or CROSS STREETS: Las Vegas Blvd/Barbara

PROJECT DESCRIPTION: ZC, DR for multi-family development

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

Martin Egbert
Property Owner (Signature)*

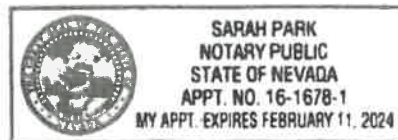
Martin Egbert, Manager
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 9/7/2022 (DATE)

By Martin Egbert

NOTARY PUBLIC: Sarah Park



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

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

KAEMPFER

CROWELL

ANTHONY J. CELESTE
aceleste@kcnvlaw.com
D: 702.693.4215

April 13, 2023

VIA UPLOAD

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

**Re: [REVISED] Nevada West Partners 5, LLC
Justification Letter – Conforming Zone Change to H-1; Design Reviews for (1)
Multi-Family Development, (2) Alternative Parking Lot Landscaping, & (3)
Increase Grade; Special Use Permit to Allow Multi-Family Development in an H-1
Zoned District; and Waiver of Development Standards to Allow Non-Standard
Improvement in the ROW
APN: 191-05-601-020**

To Whom It May Concern:

Please be advised our office along with Mr. Chip Maxfield represent Nevada West Partners 5, LLC (the "Applicant") in the above-referenced matter. The proposed project is located on approximately 8.99 acres located at the northwest corner of Las Vegas Boulevard and Barbara Lane in Clark County, Nevada. The property is more particularly described as APN: 191-05-601-020 (the "Site"). The Applicant is requesting a conforming zone change to H-1 with a special use to develop an apartment complex.

Conforming Zone Change Request

The Site is currently zoned H-2 and R-E. The Applicant is requesting a zone change to H-1. A zone change to H-1 is harmonious and compatible to the surrounding area for the following reasons:

- The zone change request to H-1 conforms to the master plan. The Site is master planned Entertainment Mixed-Use (EM). An EM master plan designation contemplates an H-1 zoning district.
- The Site is located between I-15 and Las Vegas Boulevard.
- The Site is accessed from Las Vegas Boulevard via Barbara Lane.
- The properties immediately to the north are zoned H-1 with use permit for multi-family.

Design Reviews and Special Use Permit

1. Design Review and Special Use Permit to Allow a Multi-Family Development

Subject to a special use permit approval, a multi-family project is an appropriate use in an H-1 zoned district with conformance to the R-5 development standards. Clark County Planning Staff and the Board of County Commissioners have traditionally been supportive of the use permit requests for properties zoned H-1 and master planned EM as demonstrated by the approvals of UC-0900-16, UC-19-0668, and ZC-21-0118.

Here, the Applicant is proposing to develop a 188-unit luxury multi-family project on the Site. The proposed density is approximately 20.9 dwelling units per acre. The Applicant is proposing to build nine (9) multi-family buildings plus a two-story clubhouse building. The proposed multi-family buildings will be 3-stories and approximately 42-feet to a maximum of 47-feet in height. The buildings architectural features show varying rooflines and the elevations show various pop-outs and building colors to break up the massing of the building. The clubhouse building will be located in the middle of the Site with the multi-family building located along the perimeter of the Site. The bedroom mix is as follows: 68 large and small one-bedroom units, 108 large and small two-bedroom units, and 12 three-bedroom units. Main access to the Site is from Barbara Lane with an emergency crash gate entrance located also on Barbara Lane west of the main entrance. The main's entrance's throat depth to the call box is 128-feet where 100-feet is required. There will be two (2) separate on-site gates for residents with one gate located to the west of the main entry and the second gate located east of the main entrance. The Site is exceeding parking by providing 340 spaces where 337 are required. The Site also complies with all landscaping, open space, and setback requirements. The development will provide at a minimum the following amenities:

- Picnic and BBQ areas
- Pool/Cabana/Recreational Deck area
- Business Center
- Clubhouse featuring full cardio and strength training facility

Additionally, the Site incorporates and/or adheres to traditional planning policies, including, but not limited to the following:

- The multi-family developments is located near transit stops and road networks that can accommodate higher residential densities.
- The proposed layout of the buildings are oriented in various directions to avoid the monotone linear pattern. Additionally, the design review shows varied elevations.
- The multi-family development will provide several amenities including usable open space, swimming pools, barbeque pits, and community centers.

- The arrangement of the parking is dispersed throughout the entire project and avoids creating long corridors of parking area.

2. Alternative Parking Lot Landscaping

In lieu of providing parking lot islands every six parking spaces in front of each building, the Applicant is requesting to provide parking lot diamonds. The design of the parking lot diamonds will allow the Site to comply with the parking requirements without completely sacrificing landscaping. However, the parking areas not adjacent to the buildings are providing the required parking lot landscape islands.

3. Increase Grade

The Applicant is requesting to increase the grade by about 6.2-feet where up to 36-inches are allowed. The increase in grade is to balance the Site and accommodate drainage. The increase in grade will not adversely affect neighboring properties.

Waiver of Development Standards

1. Allow Non-Standard Improvements in the ROW

This portion of Las Vegas Blvd ROW width is 200-feet. Currently, the build out of Las Vegas Blvd in front of the Site is 55-feet to the existing back of curb. As required, a 5-foot wide detached sidewalk will be constructed along Las Vegas Boulevard. The 6.2-foot wide area between the back of curb on Las Vegas Boulevard and the right-of-way property line is unimproved. To accommodate Title 30 required from landscaping along Las Vegas Boulevard, the Applicant is proposing to landscape the entire 45-foot wide (excepting the 5-foot wide sidewalk area) right-of-way. This proposed request will exceed Title 30 requirements.

We thank you in advance for your time and consideration of this matter. Should you have any questions or concerns, please feel free to contact me.

Should you have any questions or concerns, please feel free to contact the undersigned.

Sincerely,

KAEMPFER CROWELL



Anthony J. Celeste

AJC/jmd

10/04/23 BCC AGENDA SHEET

EASEMENTS/RIGHTS-OF-WAY
(TITLE 30)

LAS VEGAS BLVD S/BARBARA LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0551-LV BARBARA, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Barbara Lane (alignment) and Desert Palm Drive (alignment), and between Parvin Street (alignment) and Las Vegas Boulevard South; and portions of rights-of-way being Barbara Lane located between Las Vegas Boulevard South and Parvin Street (alignment), and Gabriel Street located between Barbara Lane (alignment) and Desert Palm Drive (alignment) within Enterprise (description on file). MN/al/syp (For possible action)

RELATED INFORMATION:

APN:

191-05-701-002 through 191-05-701-004

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

The applicant is proposing to reclassify the site to an H-1 zone and develop the property as a multiple family residential development. The request is to vacate government patent easements and portions of rights-of-way for Gabriel Street and Barbara Lane that the applicant states are not needed for development in this area. All required rights-of-way and utility easements will be provided with the recording of a future subdivision map.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Undeveloped
South	Entertainment Mixed-Use	H-2 & R-E	Undeveloped
East	Entertainment Mixed-Use	R-3	Multiple family residential
West	Entertainment Mixed-Use	R-E	Undeveloped

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

Related Applications

Application Number	Request
ZC-23-0550	A request to reclassify the parcel to an H-1 zone for a multiple family residential development is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Barbara Lane, 25 feet to the back of curb for Parvin Street, and associated spandrels;
- Right-of-way dedication Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

- Access to all points of buildings within 250 feet.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD has existing or proposed assets within the area proposed to be vacated per VS-23-0551; CCWRD has no objection to the request for

vacation as presented; however, CCWRD requests all existing rights granted to us within the rights-of-way are reserved; it is understood that this vacation shall not reduce our rights to operate and maintain our facilities; CCWRD also requests that drivable access be able to handle H-20 loading and is maintained by fee owner; and that the CCWRD requests no gates or fences are allowed to be installed across the subject parcel as a condition of the rights granted to the CCWRD.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: NEVADA WEST PARTNERS

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

DRAFT



VACATION APPLICATION 19A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>VS 23-0551</u>	DATE FILED: <u>8-9-23</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: <u>AI</u>	TAB/CAC DATE: <u>9-13-23</u>
		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: _____	
		BCC MEETING DATE: <u>10-4-23</u>	
		FEE: <u>87500</u>	

PROPERTY OWNER	NAME: <u>LV Barbara, LLC</u>
	ADDRESS: <u>6655 S. Eastern Avenue, Suite 250</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Nevada West Partners V, LLC</u>
	ADDRESS: <u>6655 S. Eastern Avenue, Suite 200</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____ REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Chris Kaempfer - Kaempfer Crowell</u>
	ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702-792-7000</u> CELL: _____
	E-MAIL: <u>clk@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 191-05-701-002, 003 and 004

PROPERTY ADDRESS and/or CROSS STREETS: Barbara and Las Vegas

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.

Martin Egleart
 Property Owner (Signature)

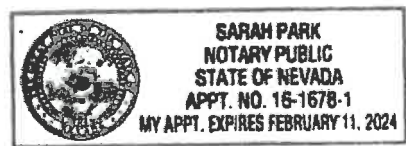
Martin Egleart, Manager
 Property Owner (Print)

STATE OF NEVADA COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 9/7/2022 (DATE)

By Martin Egleart

NOTARY PUBLIC: Sarah Paulk



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

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

KAEMPFER

CROWELL

ANTHONY J. CELESTE
aceleste@kcnvlaw.com
D: 702.693.4215

April 13, 2023

VIA UPLOAD

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

**Re: *[REVISED] Nevada West Partners 5, LLC
Justification Letter – Vacation and Abandonment of Patent Easements and
Right-of-Way
APNs: 191-05-701-002, 003, & 004***

To Whom It May Concern:

Please be advised our office along with Mr. Chip Maxfield represent Nevada West Partners 5, LL (the “Applicant”) in the above-referenced matter. The Applicant is proposing to vacate and abandon patent easements located between Las Vegas Boulevard and Parvin Street located more specifically on APNs: 191-05-701-002, 003, & 004 (collectively the “Site”). The patent easements range from 33-feet wide along the southern portion of the Site and the Gabriel Street alignment and 8-feet wide along the west and north portions of the Site. The patent easements are no longer needed and therefore should be vacated and abandoned.

Additionally, the Applicant is requesting to vacate the east half of Gabriel Street south of Barbara Lane. The west half of Gabriel Street is not dedicated and immediately south is not dedicated. Therefore, this portion of Gabriel Street is not needed and the vacation and abandonment of the right-of-way is appropriate.

With respect to Barbara Lane, as previously discussed between Chip Maxfield and Denis Cederburg on July 12, 2022 (see attached), the Applicant is requesting to vacate a portion of Barbara Lane from an existing 40-foot wide right-of-way to a 25-foot wide right-of-way adjacent to APN: 191-05-701-003. As noted in the July 12, 2022 communication, public works agrees with the reduction from a planned 80-foot wide right-of-way to a 60-foot wide right-of-way. The additional 5-foot of right-of-way vacation will provide for the requirement to allow detached sidewalks along the Barbara Lane frontage. Please note that a companion application (APR-22-100196) for APN: 191-05-601-020 which is immediately north of the Site is owned by the Applicant. The companion site will be dedicating 25-feet for Barbara Lane, which will also have a 5-foot wide detached sidewalk. Therefore, Barbara Lane will be fully dedicated to a 50-foot wide right-of-way from Las Vegas Boulevard South to Parvin Street.

We thank you in advance for your time and consideration of this matter. Should you have any questions or concerns, please feel free to contact me.

Sincerely,

KAEMPFER CROWELL



Anthony J. Celeste

AJC/jmd

