



ENTERPRISE TOWN ADVISORY BOARD

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

October 26, 2022
6:00pm

AGENDA

Note:

- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Carmen Hayes at (702)371-7991 or chayes70@yahoo.com.
 - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
 - Supporting material is/will be available on the County's website at <https://clarkcountynv.gov/EnterpriseTAB>.

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

Barris Kaiser – Vice Chair
Joseph Throneberry

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

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

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

- II. Public Comment- This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board/Council about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

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

- III. Approval of Minutes for October 12, 2022. (For possible action)
- IV. Approval of the Agenda for October 26, 2022 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
 - 1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
 - Applications are available until November 15, 2022 for appointments by the Clark County Board of County Commissioners to serve on the Enterprise Town Advisory Board for a two-year (2-year) term beginning January 2023.

VI. Planning and Zoning

- 1. **NZC-22-0254-VAN 86 HOLDINGS TRUST:**
AMENDED HOLDOVER ZONE CHANGE to reclassify 2.4 acres from an R-E (Rural Estates Residential) Zone to an R-1 (Single Family Residential) Zone and to reclassify 9.4 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone (previously notified as 19.4 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone).
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; and 2) reduce street intersection off-set.
DESIGN REVIEWS for the following: 1) a single family residential development; and 2) finished grade. Generally located on the northeast corner of Richmar Avenue and Hinson Street (alignment) within Enterprise (description on file). JJ/al/jo (For possible action) 11/01/22 PC
- 2. **VS-22-0255-VAN 86 HOLDINGS TRUST:**
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Hinson Street (alignment) and Valley View Boulevard, and between Richmar Avenue and Meranto Avenue (alignment) within Enterprise (description on file). JJ/al/jo (For possible action) 11/01/22 PC
- 3. **TM-22-500087-VAN 86 HOLDINGS TRUST:**
AMENDED HOLDOVER TENTATIVE MAP consisting of 87 single family residential lots and common lots on 11.8 acres in an R-1 (Single Family Residential) Zone and R-2 (Medium Density Residential) Zone (previously 155 single family residential lots and common lots on 19.4 acres in an R-2 (Medium Density Residential) Zone). Generally located on the northeast corner of Richmar Avenue and Hinson Street (alignment) within Enterprise. JJ/al/jo (For possible action) 11/01/22 PC
- 4. **UC-22-0544-LV CORONADO, LLC:**
USE PERMIT to operate an on-premises consumption of alcohol use (service bar) in conjunction with a restaurant on a 0.8 acre portion of 3.7 acres in a C-1 (Local Business) Zone. Generally located on the west side of Rainbow Boulevard and the south side of Maulding Avenue within Enterprise. MN/sd/syp (For possible action) 11/15/22 PC

5. **UC-22-0549-BELTWAY BUSINESS PARK LLC & BELTWAY BUSINESS PARK WAREHOUSE NO 8 LLC (LEASE):**
USE PERMITS for the following: 1) a 230kV electric substation; and 2) increased height.
DESIGN REVIEWS for the following: 1) a proposed 230kV substation with associated equipment; and 2) proposed utility structures (200kV to 230kV transmission lines) on an 8.6 acre portion of 38.0 acres in an M-D (Designed Manufacturing) Zone in the CMA Design Overlay District. Generally located on the north side of Badura Avenue and the east side of Jones Boulevard within Enterprise. MN/sd/syp (For possible action) 11/15/22 PC

6. **UC-22-0550-DYNAMIC WARM SPRINGS INVESTMENTS, LLC:**
USE PERMITS for the following: 1) on-premises consumption of alcohol (supper club); and 2) outside dining and drinking.
DESIGN REVIEW for an outdoor dining and drinking area in conjunction with a proposed restaurant within an existing shopping center on a portion of 9.0 acres in a C-1 (Local Business) Zone. Generally located on the southwest corner of Rainbow Boulevard and Warm Springs Road within Enterprise. MN/sd/syp (For possible action) 11/15/22 PC

7. **VC-22-0532-ASO NEVADA, LLC:**
VARIANCE to increase the height of a proposed accessory structure (shade structure) in conjunction with an existing private school on 4.4 acres in an R-3 (Multiple Family Residential) P-C (Planned Community Overlay District) Zone in the Southern Highlands Master Planned Community. Generally located on the northeast side of Southern Highlands Parkway and 625 feet north of Dean Martin Drive within Enterprise. JJ/md/syp (For possible action) 11/15/22 PC

8. **WS-22-0510-MOSTASHARI MOE:**
WAIVER OF DEVELOPMENT STANDARDS to increase wall height in conjunction with a single family residence on 0.7 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located 480 feet south of Great Gable Drive and 845 feet east of Giles pie Street within Enterprise. MN/bb/syp (For possible action) 11/15/22 PC

9. **WS-22-0523-BLUE DIAMOND M-E, LLC & ALBERTSON'S, LLC LEASE:**
WAIVER OF DEVELOPMENT STANDARDS to allow a roof sign.
DESIGN REVIEW for a proposed roof sign in conjunction with an existing business within a shopping center on 13.9 acres in a C-2 (General Commercial) Zone. Generally located on the on the south side of Blue Diamond Road between Cimarron Road and Buffalo Drive within Enterprise. JJ/rk/syp (For possible action) 11/15/22 PC

10. **WS-22-0531-AMH NV6 DEVELOPMENT, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks for an existing single family residential development on 1.1 acres in an R-2 (Medium Density Residential) Zone. Generally located on the east side of Bishops Cap Street and south side of Dwarf Chin Avenue within Enterprise. JJ/gc/syp (For possible action) 11/15/22 PC

11. **WS-22-0541-CHEN, BILL CHE-CHANG & INGRID SHIH-YUN:**
WAIVER OF DEVELOPMENT STANDARDS for reduced setbacks for an addition to an existing single family residence on 0.3 acres in an R-D (Suburban Estates Residential) Zone. Generally located on the south side of Lailah Skye Avenue, 507 feet east of Arville Street within Enterprise. JJ/jgh/syp (For possible action) 11/15/22 PC

12. **ET-22-400108 (UC-20-0288)-WTML WARM SPRINGS, LLC:**
USE PERMIT FIRST EXTENSION OF TIME for a cannabis establishment (retail cannabis store).
DESIGN REVIEW for a retail building for a cannabis establishment on a portion of 1.0 acre in a C-1 (Local Business) (AE-60) Zone. Generally located on the south side of Warm Springs Road and the east side of Haven Street within Enterprise. MN/dd/syp (For possible action) 11/16/22 BCC

13. **VS-22-0529-LV RAINBOW, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Raven Avenue and Blue Diamond Road, and between Montessori Street (alignment) and Rainbow Boulevard; and a portion of right-of-way being Raven Avenue located between Montessori Street and Rainbow Boulevard within Enterprise (description on file). JJ/gc/syp (For possible action) 11/16/22 BCC

14. **UC-22-0528-LV RAINBOW, LLC:**
USE PERMITS for the following: 1) mixed-use development; 2) establish density; and 3) establish height.
WAIVER OF DEVELOPMENT STANDARDS to waive cross access requirements.
DESIGN REVIEWS for the following: 1) mixed-use development; 2) alternative parking lot landscaping; and 3) finished grade on 19.8 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Blue Diamond Road, 300 feet west of Rainbow Boulevard within Enterprise. JJ/gc/syp (For possible action) 11/16/22 BCC

15. **TM-22-500179-LV RAINBOW, LLC:**
TENTATIVE MAP for a mixed use project consisting of 2 commercial lots and 1 residential lot on 19.8 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Blue Diamond Road, 300 feet west of Rainbow Boulevard within Enterprise. JJ/gc/syp (For possible action) 11/16/22 BCC

16. **WS-22-0547-JONES BOULEVARD PARTNERS, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modified landscaping and screening; 2) reduce approach and departure distances; and 3) driveway geometrics.
DESIGN REVIEWS for the following: 1) expansion of an existing distribution facility; and 2) finished grade on 26.6 acres in an M-D (Designed Manufacturing) Zone and an M-1 (Light Manufacturing) Zone. Generally located on the east side of Jones Boulevard and the north side of Wigwam Avenue within Enterprise. JJ/al/syp (For possible action) 11/16/22 BCC

VII. General Business

1. None.

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

IX. Next Meeting Date: November 9, 2022.

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>



Enterprise Town Advisory Board

October 12, 2022

MINUTES

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

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

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

None, 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 September 28, 2022 (For possible action)

Motion by David Chestnut

Action: **APPROVE** Minutes as published for September 28, 2022.

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

IV. Approval of Agenda for October 12, 2022 and Hold, Combine or Delete Any Items (For possible action)

Motion by David Chestnut

Action: **APPROVE** as amended.

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

Related applications to be heard together:

5. UC-22-0504-46.8 ACRE INVESTORS LLC
6. VS-22-0506-46.8 ACRE INVESTORS LLC

V. Informational Items

1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
 - Applications are available until November 15, 2022 for appointments by the Clark County Board of County Commissioners to serve on the Enterprise Town Advisory Board for a two-year (2-year) term beginning January 2023.
2. NDOT I-15 SOUTH FROM SLOAN ROAD TO NORTH OF WARM SPRINGS ROAD PROJECT

This meeting is designed for the community to learn about planned improvements along Interstate 15 (I-15) South from Sloan Road to north of Warm Springs Road in Southern Nevada. This project will aid in improving travel-time reliability, serve proposed growth in the area by increasing local mobility and access, and enhance I-15's operational efficiency.

How to Participate:

- The virtual meeting will be available through November 10, 2022, at 5 p.m. i15southproject.com
- **In-person public meeting** on November 2, 2022, from 4 p.m. to 7 p.m. with a formal presentation at 5:30 p.m.

Meeting Location

Hyatt Place Las Vegas at Silverton Village
8380 Dean Martin Drive, Las Vegas, NV 89139

- NDOT to discuss Blue Diamond Road long-term needs and vision for State Routes 160 and 159 (SR 160 and SR 159) in Southern Nevada. The study can be viewed at www.ndotsr160.com

NDOT PRESENTATION:

- NDOT is taking public comments as part of a study for future development of SRs 159 and 160.
- The intersection of Rainbow Blvd and Blue Diamond Rd is currently being studied for improvements in 2 places.
 - The first area is roadway expansion to 8 lanes from Rainbow Blvd to Fort Apache Rd.
 - The second is I-15 to Decatur Blvd.

VI. Planning & Zoning

1. **DR-22-0505-BLUE DIAMOND DECATUR PLAZA, LLC:**
DESIGN REVIEW for a proposed restaurant with drive-thru on a 1.0 acre portion of a 13.0 acre site in a C-2 (General Commercial) Zone. Generally located on the south side of Blue Diamond Road, 175 feet west of Decatur Boulevard within Enterprise. JJ/sd/syp (For possible action) 11/01/22 PC

Motion by David Chestnut

Action: **APPROVE**

ADD Current Planning Conditions:

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

Per staff conditions

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

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

2. **UC-22-0515-7680 SOUTH LAS VEGAS BLVD, LLC:**
USE PERMIT for proposed secondhand sales within an existing shopping center on a portion of 5.1 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the north side of Robindale Road and the east side of Las Vegas Boulevard South within Enterprise. MN/sd/syp (For possible action) **11/01/22 PC**

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

3. **DR-22-0514-PINGREE 2000 REAL ESTATE HOLDINGS, LLC:**
DESIGN REVIEWS for the following: **1)** comprehensive sign plan; and **2)** lighting plan in conjunction with a vehicle rental facility on 2.7 acres in a C-2 (General Commercial) (AE-60) Zone. Generally located on the south side of Warm Springs Road and the east side of Haven Street within Enterprise. MN/jgh/syp (For possible action) **11/02/22 BCC**

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

4. **ET-22-400107 (WS-19-0682)-SRMF TOWN SQUARE OWNER, LLC:**
WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME to encroach into air space.
DESIGN REVIEW for a hotel in conjunction with an existing shopping center (Town Square) on a portion of 94.5 acres in an H-1 (Limited Resort and Apartment) (AE-65 & AE-70) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Sunset Road within Enterprise. MN/dd/syp (For possible action) **11/02/22 BCC**

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

5. **UC-22-0504-46.8 ACRE INVESTORS LLC:**
USE PERMIT for a multiple family residential development.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** landscaping; and **2)** reduce setback.
DESIGN REVIEWS for the following: **1)** multiple family residential development; **2)** modify parking requirements; **3)** alternative parking lot landscaping and **4)** finished grade on 19.5 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the south side of Erie Avenue, 575 feet west of Las Vegas Boulevard South within Enterprise. MN/md/syp (For possible action) **11/02/22 BCC**

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

- Design review as a public hearing for lighting and signage;
 - Enclosed parking spaces to be used for parking only.

Per staff conditions
Motion **PASSED** (3-1) / Kaiser-Nay

6. **VS-22-0506-46.8 ACRE INVESTORS LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Erie Avenue and Chartan Avenue (alignment), and between Las Vegas Boulevard South and I-15 within Enterprise (description on file). MN/md/syp (For possible action) **11/02/22 BCC**

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

VII. General Business:

1. Discuss TAB Member's availability for the December 28, 2022, meeting and determine if there is a need to cancel or reschedule. (For possible action)
The TAB members were polled and at least 4 members are available for the December 28, 2022, meeting. The December 28 meeting will remain on the TAB schedule.
2. Take public input and finalize request for the next fiscal year budget. (For possible action)

Motion by David Chestnut
Action: **APPROVE**: The chair to edit the TAB 2023-2024 Budget Request and coordinate those changes with the TAB liaison.

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

Several changes to the TAB 2023-2024 Budget Request were made and will be incorporated into the final document.

- Enterprise Need updated to reflect current population data.
- Updates to Major Facilities' requests based upon County staff input.
- Park/RPM moved to after Major Facilities
- Establish Advance Planning page for trail requests.
- Public Works pages
- Update from staff input.
- Delete two requests.
- Add three new requests.

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 October 26, 2022 at 6:00 p.m. at the Windmill Library.

X. Adjournment:

Motion by David Chestnut
Action: **ADJOURN** meeting at 8:02 p.m.
Motion **PASSED** (4-0) /Unanimous

DRAFT ENTERPRISE BUDGET REQUESTS 2022-2023

UPDATES AS OF 10/12/2022

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.*

DRAFT ENTERPRISE BUDGET REQUESTS 2022-2023

UPDATES AS OF 10/12/2022

Budget Requests by Category

The requested priority is listed within each category

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.
- 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.
- The Mountain's Edge Recreational Center and aquatic facility should be moved up on the priority list and funded.
- ~~Continue planning, development, and funding of parklands at Valley View and Robindale and Windmill and Duneville.~~

- **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 and Robindale and Windmill and Duneville.
 - 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.
- Continue planning, development, and funding of parklands at Valley View and Robindale and Windmill and Duneville.
- Add aquatic facilities to funding list.
- Aquatic facilities are needed in Enterprise eastern and western locations.
- 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 a second aquatic facility east of I-15.
- Drive time is too long from east of I-15 for a western aquatic facility.

DRAFT ENTERPRISE BUDGET REQUESTS 2022-2023

UPDATES AS OF 10/12/2022

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 an alternate route(s) to Blue Diamond Rd for east/west traffic flow.

- **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.

- **Priority #3: Widen Warm Springs Rd from Dean Martin Dr to Decatur Blvd.**
 - The project design is done. ~~Estimated completion spring 2023.~~
 - This project will go out to bid mid 2023
 - Build according to completed plan including signalize house crossing at Arville St.
 - No 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.
 - ~~Finish Western Trails Park by constructing a signalized horse crossing at Arville on Warm Springs Rd.~~

- **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.
 - Dean Martin Dr was downgraded to collector road status.
 - Dean Martin Dr is developed to rural standards south of the Silverton to Silverado Ranch Blvd.
 - The RNP-1 residents would like to see the Silverton traffic directed back to Blue Diamond Rd.
 - Valley View Blvd will serve as the area's arterial road.
 - 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.

- **Priority #5: 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.

DRAFT ENTERPRISE BUDGET REQUESTS 2022-2023
UPDATES AS OF 10/12/2022

- 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.

- **Priority #6: 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.

- **Priority #7: 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.
 - As the Silverton Casino grows, the traffic into the RNP-1 has increased.

- **Priority #8 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.
 - West of Valley View Blvd is several large R-2 housing developments.
 - Dean Martin Dr was downgraded to collector road status.
 - Valley View Blvd either cuts through or is adjacent to Ranch Estates.

- **Priority #9 Plan and Design Robindale Road as an east/west route from Las Vegas Blvd to Durango Drive.**
 - South of CC 215, there are only three roads that could provide arterial east/west travel routes.
 - The continued development in Enterprise will overwhelm the arterials south of CC215.
 - Additional east/west routes will be needed to help relieve traffic congestion south of CC215.
 - When the disposal boundary is expanded additional east/west routes will be needed.

DRAFT ENTERPRISE BUDGET REQUESTS 2022-2023
UPDATES AS OF 10/12/2022

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 need 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

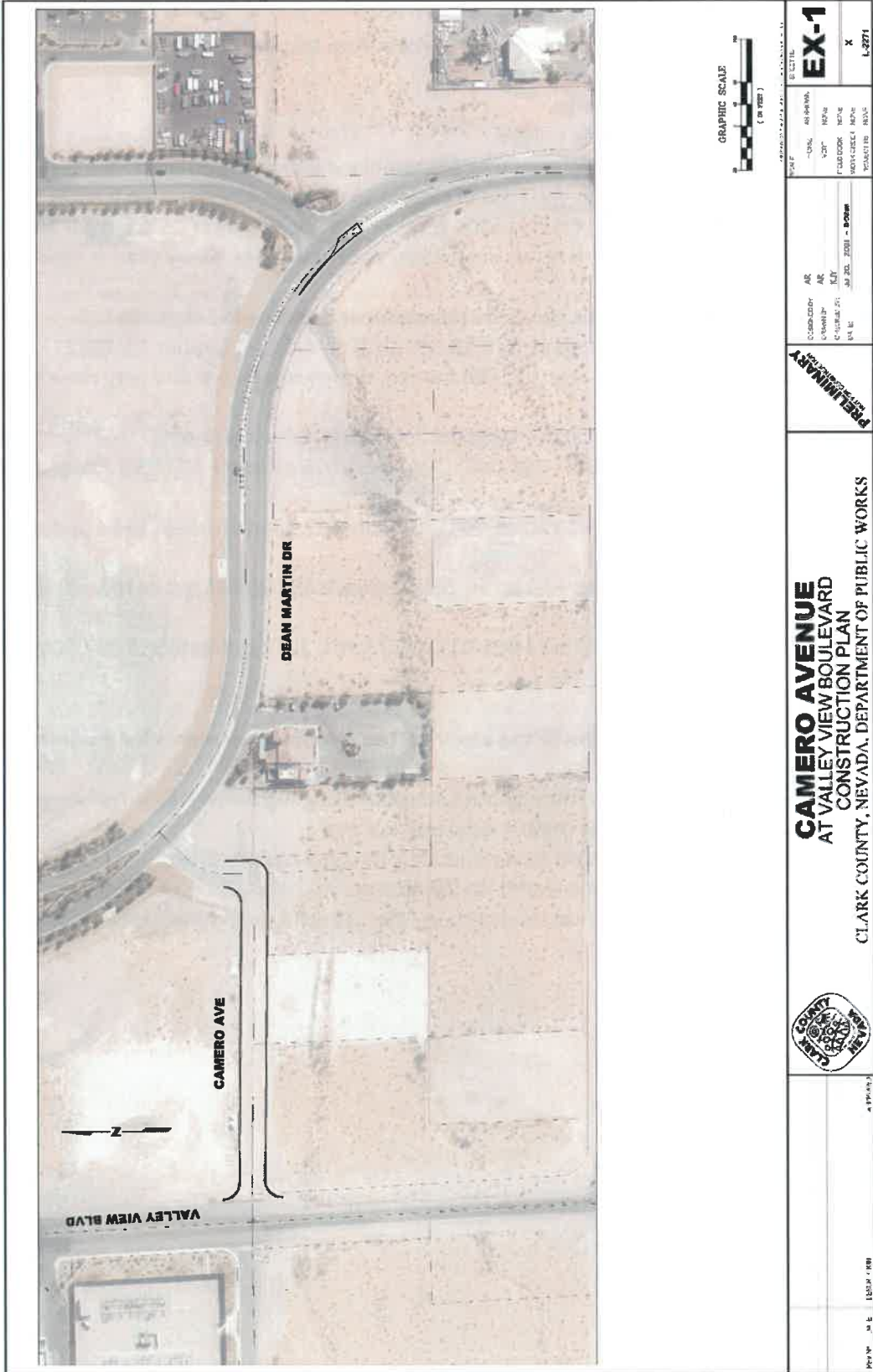
- **Priority #2: Study and develop a plan to use electrical transmission easements for multi-modal trail system throughout Enterprise.**
 - Design multi-modal trail system throughout Enterprise using Highlands Ranch Trail Agreement example.
 - Identify funding sources for the multi-modal trail system.
 - 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.

DRAFT ENTERPRISE BUDGET REQUESTS 2022-2023

UPDATES AS OF 10/12/2022

IMPROVEMENT PLANS FOR CAMERO AVENUE AT VALLEY VIEW BOULEVARD

ISSUE FOR CONSTRUCTION



SINGLE FAMILY RESIDENTIAL
(TITLE 30)

RICHMAR AVE/HINSON STREET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-22-0254-VAN 86 HOLDINGS TRUST:

AMENDED HOLDOVER ZONE CHANGE to reclassify 2.4 acres from an R-E (Rural Estates Residential) Zone to an R-1 (Single Family Residential) Zone and to reclassify 9.4 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone (previously notified as 19.4 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; and 2) reduce street intersection off-set.

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

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

RELATED INFORMATION:

APN:

177-19-703-006; 177-19-704-001 through 177-19-704-003; 177-19-704-005 (177-19-703-007 through 177-19-703-012 no longer needed)

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase wall height to 11 feet (6 foot screen wall with a 5 foot retaining wall) where a maximum wall height of 9 feet (6 foot screen wall with a 3 foot retaining wall) is permitted per Section 30.64.050 (a 22.2% increase).
2. Reduce the street intersection off-set to a minimum of 120 feet where a minimum of 125 feet is required per Section 30.52.052 (a 4% reduction) (previously notified as a minimum of 101 feet for a 19.2% reduction).

DESIGN REVIEWS:

1. A detached single family residential development.
2. Increase finished grade to 62 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 72.2% increase).

LAND USE PLAN:

ENTERPRISE - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC)
ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: R-1 2.4/R-2 9.4/total 11.8 (previously 19.4 R-2)
- Number of Lots: R-1 12/R2 75/total 87 (previously 155 R-2)
- Density (du/ac): R-1 5.0/ R-2 8.0/ total 7.3 (previously R-2 8.0)
- Minimum/Maximum Lot Size (square feet): 3,500/9,971 (previously 3,325/5,070)
- Project Type: Single family residential
- Number of Stories: 2
- Building Height (feet): 26
- Square Feet: 2,052 to 2,300
- Open Space Required/Provided (square feet): 0/40,301 (previously 0/44,090)

Revisions

The applicant has submitted revised plans and legal descriptions for the project. The project site has been reduced in area and the applicant is now requesting that portions of the site be reclassified to the R-1 and R-2 zoning districts. With the revised plans and legal descriptions, the project now conforms to the Master Plan.

Neighborhood Meeting Summary

The original application was a request for a nonconforming zone change to reclassify approximately 19.4 acres from an R-E zone to an R-2 zone for a single family residential development. The applicant conducted a neighborhood meeting at the Enterprise Library on February 28, 2022, as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site and 11 neighbors attended the meeting. Concerns raised at the meeting included project density, lot sizes, crime, and buffering from the adjacent community across Valley View Boulevard.

Site Plan

The western 9.4 acres of the site is designated as Mid-Intensity Suburban Neighborhood (up to 8 du/ac) and the northeastern 2.4 acres is designated Low-Intensity Suburban Neighborhood (up to 5 du/ac). The request to reclassify the site to the R-1 and R-2 zoning districts in conformance with the Master Plan. The plan depicts a single family residential development consisting of 87 lots on approximately 11.8 acres with an overall density of 7.3 dwelling units per acre; however, the lot size and density comply with the regulations for the respective zoning district. The site has frontage along Richmar Avenue to the south, Meranto Avenue along the north and Hinson Street along the west, which are all local streets. The plan shows that 12 lots will take access from Hinson Street and 14 lots from Meranto Avenue. The remainder of the lots will take access from 48 foot wide public streets within the proposed development. Each of the interior streets will have a 5 foot wide sidewalk on both sides of the street. The plan depicts 3 entrances to the development, 2 from Meranto Avenue and the third from Hinson Street. The plan depicts common element lots with a total area of 40,301 square feet, which includes common elements along the perimeter streets,

and a private neighborhood park in the central portion of the site. The plans show that the greatest increase in finished grade is within the central portion of the site and the increase in retaining wall height is for areas along the eastern boundary of the site. The reduction in street intersection off-set is to reduce the entrance into the subdivision from Hinson Street from Richmar Avenue to 120 feet.

Landscaping

The plans are depicting a total of 40,301 square feet of open space where no open space is required. The open space is divided into 9 common elements. The plans show that 7 of these common elements are 6 foot wide landscape areas along the side streets of the corner lots consisting of trees, shrubs, and groundcover. There is a 7,466 square foot common element along the eastern boundary of the site that will be used for drainage. The largest common element has an area of 21,877 square feet for a private neighborhood park with amenities to be determined.

Elevations

The plans depict 3 home models that are all 2 stories with a maximum building height of approximately 26 feet. All of the homes have pitched roofs with concrete tile roofing materials. The exterior of the homes will consist of combinations of a stucco finish painted in earth tone colors, stone veneer, various window treatments, and architectural enhancements.

Floor Plans

The proposed homes will be between 2,052 square feet to 2,300 square feet in area. Each home will have 3 to 4 bedrooms and a 2 car garage.

Applicant's Justification

The applicant indicates that the proposed development is consistent and compatible with existing developments in the area. The increase in finished grade and retaining wall heights are necessary due to the natural topography of the site to balance out the site and provide property drainage; the increase in finished grade is not to improve views. The reduction in the street intersection off-sets are to an entrance for the development and will require full stop traffic movements; therefore, there will be minimal effect to the traffic movements and would not impact public safety.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E & C-P	Undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E	Undeveloped & single family residential
East	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E	Undeveloped parcels

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
West	Business Employment	R-E	Undeveloped

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

Related Applications

Application Number	Request
VS-22-0255	A request to vacate and abandon easements is a companion item on this agenda.
TM-22-500087	Tentative map for a single family residential subdivision with 155 residential and common lots on 19.4 acres is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

The original request was for a nonconforming zone change on 19.4 acres to an R-2 zone. The applicant has submitted revised plans and legal descriptions which have reduced the area of the project site to 11.8 acres. The revised request is in conformance to the Master plan and is consistent with the planned land uses for this area. The proposed development does comply with Goal 1.1 of the Master Plan to provide opportunities for diverse housing options to meet the needs of residents of all ages, income levels and abilities. The project complies with Policy 1.3.2 of the Master Plan which encourages a mix of housing options, product types, and unit sizes. Therefore, staff can now 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 applicant indicates that the increase in wall height is needed to balance the site and allow for proper drainage. The topography of the site can be a special and/or unique circumstance to allow a waiver to increase wall height; therefore, staff can support the waiver of development standards.

Design Review #1

The design of the proposed homes are consistent with other residential developments in the Enterprise Planning Area. The proposed lots within the development exceed the minimum standards of Title 30; therefore, staff can support the 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.

Public Works - Development Review

Waiver of Development Standards #2

Staff cannot support the reductions in the street intersection off-set since they are a self-imposed hardship that can be eliminated with a site redesign. Meranto Avenue and Hinson Street will serve as local collector streets for this and future developments in the area. With increased traffic it is important to provide as much distance as possible between intersections.

Design Review #2

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

Staff Recommendation

Approval of the zone change, waiver of development standards #1, and design reviews; denial of waiver of development standards #2. This item has been forwarded to the Board of County Commissioners for final action.

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.

STAFF CONDITIONS:

Current Planning

If approved:

- No resolution of intent and staff to prepare an ordinance to adopt the zoning;
- No short-term rentals;
- Provide notice to County 90 days prior to intent to change business model or sell project;
- Administrative review to be submitted to the Department of Comprehensive Planning that details lease terms, average number of units leased, and specific contact for neighbor complaints 1 year after the first unit is rented or within 2 years, whichever comes first;

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time or 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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Meranto Avenue, 30 feet for Hinson Street, 30 feet for Richmar Avenue, 45 feet to the back of curb for Valley View Boulevard and associated spandrels.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

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

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0411-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - denial.

APPROVALS:

PROTESTS: 16 cards, 36 letters

PLANNING COMMISSION ACTION: June 21, 2022 – HELD – To 07/19/22 – per the applicant.

PLANNING COMMISSION ACTION: July 19, 2022 – DENIED – Vote: Aye: Stone, Kirk, Kilarski, Nguyen, Frasier, Lee Nay: Castello

COUNTY COMMISSION ACTION: August 17, 2022 – HELD – To 09/07/22 – per the applicant.

COUNTY COMMISSION ACTION: September 7, 2022 – HELD – To 09/21/22 – per the applicant.

COUNTY COMMISSION ACTION: September 21, 2022 – HELD – 11/01/22 – per the applicant to rewrite/re-notify.

APPLICANT: AMH DEVELOPMENT, LLC

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

August 19, 2022

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

CHALMERS
ENGINEERING

**RE: Zone Change/Design Review/Waiver of Dev. Stds.
Justification Letter for Richmar Valley View
(APN: 177-19-704-001, 002, 003, 005 & 177-19-703-006)**

Clark County Planning Staff,

On behalf of AMH Development, LLC, The WLB Group is respectfully submitting the attached Non-Conforming Zone Change/Design Review/Waiver of Development Standards Applications for the above referenced parcel numbers located at the northwest corner of Richmar Avenue and Valley View Boulevard.

Project Description

The proposed development consists of an 87-lot single family detached development on 17.77 acres with a gross density of 7.39 units per acre. This development offers 2-story homes ranging in size from 2,052 square feet up to 2,300 square feet. These homes will offer three distinct elevation options per plan and will feature tile roofs, attractive desert colors, some elevations will feature partial stone exteriors. The buildings will be a maximum of 25'-9" in height. Each house will include a two-car garage and a full two-car driveway.

Zone Change

We are respectfully requesting to rezone the parcel listed above from R-E to R-2. To allow for the construction of an 87-lot detached single-family development on approximately 11.77 acres. The current masterplan designation for the west half of the site is MN (Mid-Intensity Suburban Neighborhood) which allows up to 8 units per acre & the east half of the site is master planned LN (Low-Intensity Suburban Neighborhood) which allows up to 5 units per acre, the proposed R-2 zoning is a conforming use on the westerly half of the site and a non-conforming use on the easterly half of the site.

Design Review

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

- 1. A Design Review for a proposed detached single-family development

This proposed development includes interior public streets that are 48' wide which includes 5' sidewalks on both sides of the street and allows for parking on both sides of the street as well. This development has three entrances, one from Hinson Avenue and the other two from Meranto Avenue.

REVISED
8/22/22

NZC-22-0254

2. To increase the finished grade for a single-family residential development up to 62 inches (5.1 feet) where 36 inches (3 feet) is the allowed standard per section 30.32.040.

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

Waiver of Development Standards

The proposed development will require the approval of two (2) waivers of development standards which are listed below;

1. To reduce the required offset for roadway intersections from 125' to 120' to allow the proposed development to be constructed with a 120' entry street. (Hinson Avenue)

This request is to allow a reduction in the required street intersection offset regarding a cross street that bisects two parallel public roads. The proposed 120' distance is to an entry road to the development and the entry road will require full stop traffic movements. Therefore, we feel this request would present a minimal effect to the traffic movements and would not impact public safety and could be supported by the County.

2. To increase the allowable retaining/screen wall height from 9'-0" (3-foot retaining wall with a 6-foot screen wall) to 10'-6" (6-foot screen wall plus a 4.5-foot retaining wall) per section 30.64.050 to allow for drainage and grading of the site.

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

Parking Analysis

Each house will provide the parking required by Title 30 with a two-car garage, a two-car driveway as well as additional parking being provided on the adjacent public streets, which allows parking on both sides of the street. The required parking for an R-2 subdivision is 2.5 parking spaces per house, this development exceeds this requirement by providing a 2-car garage and a 2-car driveway as well as on street parking.

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

Sincerely,



Mark Bangan
Planning Department Manager



August 19, 2022

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

**RE: NCZC/Design Review/Waiver – Project Description and
Compelling Justification Letter for Richmar Valley View
(APN: 177-19-704-001, 002, 003, 005 & 177-19-703-006)**

Clark County Planning Staff,

On behalf of AMH Development, LLC, The WLB Group is respectfully submitting the attached Non-Conforming Zone Change/Design Review/Waiver of Development Standards Application for the above referenced parcel numbers at the northwest corner of Richmar Avenue and Valley View Boulevard.

Project Description

The proposed development consists of an 87-lots on 11.77 acres with a gross density of 7.39 units per acre. The community will consist of 2-story homes for a detached single-family development.

Compelling Justification

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

Within Chapter 2 – Issues and Opportunities of the Enterprise Land Use Plan, it states “the entire Las Vegas Valley and Enterprise has seen a large demand for housing”, and “is one of the fastest growing Planning Area’s in unincorporated Clark County”. Since the Enterprise master plan was adopted in April of 2014 there have been substantial changes that have taken place in this area that could not be foreseen with the adoption of the master plan. The BLM and the Department of Aviation have in the past 4 years sold some major parcels in the area which have been slowly converting this area to more of an urban feel. In the past three years this area has seen more than half a dozen applications requesting to change the zoning from R-E or other zones to R-2 for the development of housing tracts. These changes could not have been foreseen when the master plan was adopted.

Remed 8/22/22

NZC 22-0254

Handwritten signature/initials

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

This proposed development is currently master planned for MN on the west half and LN on the east half. Since the RNP I area is located on the east side of Valley View (a 100' wide roadway), we feel that this creates an acceptable buffer area to the proposed development and based on the Enterprise Land Use Plan which states on page 31 "Uses adjacent to RNP area" "The Enterprise Land Use Plan should incorporate more dense residential development (possible multi-family) or more intense commercial uses to act as buffers. Whereas this development is a "more dense residential development" and would achieve the requirement of the master plan.

Item #3 – there will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire, as a result of the uses allowed by the nonconforming zoning; and

According to page 24 of the Enterprise Land Use Plan under "Sustainability", "participation in sustainable practices by everyone in Clark County will make things better for the community" the proposed development will provide a greater opportunity for a positive impact on sustainable practices while decreasing adverse effects on public facilities and services. Based on the supplied RISE report, the services in the area are sufficient to support this development. Technical studies will be reviewed and approved by Clark County in regard to drainage, traffic and utilities

Item #4 – The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies; and

In the Enterprise land use plan it states on page 31 "Uses adjacent to RNP area" "The Enterprise Land Use Plan should incorporate more dense residential development (possible multi-family) or more intense commercial uses to act as buffers" while this is not a multi-family site, it is a single-family development we feel this proposed development addresses this challenge for buffers in Enterprise.

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

Sincerely,



Mark Bangan
Planning Department Manager

EASEMENTS
(TITLE 30)

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-22-0255-VAN 86 HOLDINGS TRUST:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Hinson Street (alignment) and Valley View Boulevard, and between Richmar Avenue and Meranto Avenue (alignment) within Enterprise (description on file). JJ/al/jo (For possible action)

RELATED INFORMATION:

APN:
177-19-703-006 through 177-19-703-012; 177-19-704-001 through 177-19-704-003; 177-19-704-005

LAND USE PLAN:
ENTERPRISE - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC)
ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

The applicant is proposing to develop the site as a single family residential development. The request is to vacate easements that the applicant indicates are not necessary for the development of the area. Any required rights-of-way, utility, and drainage easements will be dedicated with the recording of future subdivision maps.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E & C-P	Undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E	Undeveloped & single family residential
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
West	Business Employment	R-E	Undeveloped

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

Related Applications

Application Number	Request
NZC-22-0254	Zone change to reclassify the site to an R-1 and R-2 zone for a single family residential development is a companion item on this agenda.
TM-22-500087	Tentative map for a single family residential subdivision with 155 residential and common lots on 19.4 acres is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval. This item has been forwarded to the Board of County Commissioners for final action.

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.

STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 4 years of the approval date or the application will expire.

Public Works - Development Review

- Right-of-way dedication to include 30 feet for Meranto Avenue, 30 feet for Hinson Street, 30 feet for Richmar Avenue, 45 feet to the back of curb for Valley View Boulevard, and associated spandrels;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Enterprise - denial.

APPROVALS:

PROTESTS: 7 cards, 36 letters

PLANNING COMMISSION ACTION: June 21, 2022 – HELD – To 07/19/22 – per the applicant.

PLANNING COMMISSION ACTION: July 19, 2022 – DENIED – Vote: Aye: Stone, Kirk, Kilarski, Nguyen, Frasier, Lee Nay: Castello

COUNTY COMMISSION ACTION: August 17, 2022 – HELD – To 09/07/22 – per the applicant.

COUNTY COMMISSION ACTION: September 7, 2022 – HELD – To 09/21/22 – per the applicant.

COUNTY COMMISSION ACTION: September 21, 2022 – HELD – To 11/01/22 – per the applicant to rewrite/re-notify.

APPLICANT: AMH DEVELOPMENT, LLC

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

RICHMAR - VALLEY VIEW
(TITLE 30)

UPDATE
RICHMAR AVE/HINSON STREET

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-22-500087-VAN 86 HOLDINGS TRUST:

AMENDED HOLDOVER TENTATIVE MAP consisting of 87 single family residential lots and common lots on 11.8 acres in an R-1 (Single Family Residential) Zone and R-2 (Medium Density Residential) Zone (previously 155 single family residential lots and common lots on 19.4 acres in an R-2 (Medium Density Residential) Zone).

Generally located on the northeast corner of Richmar Avenue and Hinson Street (alignment) within Enterprise. JJ/al/jo (For possible action)

RELATED INFORMATION:

APN:

177-19-703-006; 177-19-704-001 through 177-19-704-003; 177-19-704-005 (177-19-703-007 through 177-19-703-012 no longer needed)

LAND USE PLAN:

ENTERPRISE - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC)
ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description
General Summary

- Site Address: N/A
- Site Acreage: R-1 2.4/R-2 9.4/total 11.8 (previously 19.4 R-2)
- Number of Lots: R-1 12/R-2 75/total 87 (previously 155 R-2)
- Density (du/ac): R-1 5.0/ R-2 8.0/ total 7.3 (previously R-2 8.0)
- Minimum/Maximum Lot Size (square feet): 3,500/9,971 (previously 3,325/5,070)
- Project Type: Single family residential

The western 9.4 acres of the site is designated as Mid-Intensity Suburban Neighborhood (up to 8 du/ac) and the northeastern 2.4 acres is designated Low-Intensity Suburban Neighborhood (up to 5 du/ac). The request to develop the site to the R-1 and R-2 zoning districts in conformance with the Master Plan. The plan depicts a single family residential development consisting of 87 lots on approximately 11.8 acres with an overall density of 7.3 dwelling units per acre; however, the lot size and density comply with the regulations for the respective zoning district. The site has frontage along Richmar Avenue to the south, Meranto Avenue along the north and Hinson Street along the west, which are all local streets. The plan shows that 12 lots will take access from Hinson Street and 14 lots from Meranto Avenue. The remainder of the lots will take access from 48 foot wide public streets

within the proposed development. Each of the interior streets will have a 5 foot wide sidewalk on both sides of the street. The plan depicts 3 entrances to the development, 2 from Meranto Avenue and the third from Hinson Street. The plan depicts common element lots with a total area of 40,301 square feet, which includes common elements along the perimeter streets, and a private neighborhood park in the central portion of the site.

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E & C-P	Undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E	Undeveloped & single family residential
East	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E	Undeveloped
West	Business Employment	R-E	Undeveloped

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

Related Applications

Application Number	Request
NZC-22-0254	Zone change to reclassify the site to an R-1 and R-2 zone for a single family residential development is a companion item on this agenda.
VS-22-0255	A request to vacate and abandon easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Department of Aviation

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

Staff Recommendation

Approval. This item has been forwarded to the Board of County Commissioners for final action.

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.

STAFF CONDITIONS:

Current Planning

If approved:

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Meranto Avenue, 30 feet for Hinson Street, 30 feet for Richmar Avenue, 45 feet to the back of curb for Valley View Boulevard, and associated spandrels.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Current Planning Division - Addressing

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

Department of Aviation

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

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0411-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - denial.

APPROVALS:

PROTESTS: 36 letters

PLANNING COMMISSION ACTION: June 21, 2022 – HELD – To 07/19/22 – per the applicant.

PLANNING COMMISSION ACTION: July 19, 2022 – DENIED – Vote: Aye: Stone, Kirk, Kilarski, Nguyen, Frasier, Lee Nay: Castello

COUNTY COMMISSION ACTION: August 17, 2022 – HELD – To 09/07/22 – per the applicant.

COUNTY COMMISSION ACTION: September 7, 2022 – HELD – To 09/21/22 – per the applicant.

COUNTY COMMISSION ACTION: September 21, 2022 – HELD – To 11/01/22 – per the applicant to rewrite/re-notify.

APPLICANT: AMH DEVELOPMENT, LLC

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

11/15/22 PC AGENDA SHEET

SERVICE BAR
(TITLE 30)

RAINBOW BLVD/MAULDING AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0544-LV CORONADO, LLC:

USE PERMIT to operate an on-premises consumption of alcohol use (service bar) in conjunction with a restaurant on a 0.8 acre portion of 3.7 acres in a C-1 (Local Business) Zone.

Generally located on the west side of Rainbow Boulevard, and the south side of Maulding Avenue within Enterprise. MN/sd/syp (For possible action).

RELATED INFORMATION:

APN:

176-10-614-003; 176-10-614-005 through 176-10-614-006 ptn

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 7625, S. Rainbow Boulevard, Suite 102
- Site Acreage: 0.8 (portion)/3.7 (site)
- Project Type: Service bar
- Number of Stories: 1
- Square Feet: 1,380
- Parking Required/Provided: 93/93 (shopping center)

Site Plan

The plans depict a proposed restaurant with a service bar within a neighborhood shopping center development. The proposed service bar will be located in Suite 101, which is currently a licensed and restaurant and is a permitted use in the C-1 zone. Access to the shopping center is from Rainbow Boulevard and Maulding Avenue. Cross access is shown on the plans for the entire complex with a total of 93 parking spaces.

Landscaping

Landscaping is not a part of this application.

Elevations

The architecture of the buildings within the shopping center are comprised of stone and stucco exterior materials and glazed storefront windows with a flat a pitched roofline and is of desert colors.

Floor Plans

The plans depict a dining room, restrooms, kitchen, boiler room, and storage.

Signage

Signage is not a part of this request.

Applicant's Justification

The Salt and Spoon is located in the largest of 3 buildings in a commercial center facing Rainbow Boulevard. The development is zoned C-1 Local Business. Other tenants on the property include home improvement and furnishing stores, and other restaurants. The restaurant opened a little over a year ago, with capacity for up to 50 guests, and it has had modest success. However, it loses customers who want to enjoy beer and/or wine with their meal, and that lost revenue is putting the business in jeopardy.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1498-05	Dry cleaners	Approved by PC	November 2005
UC-1455-05	Service bar	Approved by PC	October 2005
UC-0095-05	Check cashing and separation	Approved by PC	March 2005
DR-1842-03	Shopping center	Approved by BCC	January 2004
ZC-0786-01	Reclassified to C-2 zoning	Approved by BCC	September 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-2	Commercial shopping center
South & West	Neighborhood Commercial	C-1	Commercial retail & mini-warehouse
East	Compact Neighborhood (up to 18 du/ac)	R-3	Multiple family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the 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 the proposed use for a service bar will have little to no impacts to the immediate area. The restaurant is already in operation and is now requesting to add beer and wine services to their menu and will require patrons to order food with any alcoholic drinks. In addition, while there are residential developments across Robindale Road and Rainbow Boulevard, these developments are over 200 feet from the proposed restaurant. Staff does not believe this use will have a negative impact on the surrounding community. Therefore, staff can support this request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: ANDREW YE
CONTACT: GE CONSULTING, 1442 WHITE DR., LAS VEGAS, NV 89119

DRAFT



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 type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input checked="" type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>UC-22-0544</u> DATE FILED: <u>9/26/22</u></p> <p>PLANNER ASSIGNED: <u>SWD</u></p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>10/26/22</u></p> <p>PC MEETING DATE: <u>11/15/22</u></p> <p>BCC MEETING DATE: _____</p> <p>FEE: <u>\$675</u></p>
	PROPERTY OWNER	<p>NAME: <u>LV Coronado, LLC</u></p> <p>ADDRESS: <u>6140 Brent Thurman Way #140</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89140</u></p> <p>TELEPHONE: <u>(702) 968-7325</u> CELL: <u>(702) 234-0700</u></p> <p>E-MAIL: <u>Jillynm@sunpm.net</u></p>
	APPLICANT	<p>NAME: <u>Andrew Ye</u></p> <p>ADDRESS: <u>7625 S. Rainbow Blvd #102</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u></p> <p>TELEPHONE: <u>702-444-7922</u> CELL: <u>213-948-3726</u></p> <p>E-MAIL: <u>Andrew@HesallHandspan.com</u> REF CONTACT ID #: <u>2005295.110-142</u></p>
	CORRESPONDENT	<p>NAME: <u>Greg Esposito</u></p> <p>ADDRESS: <u>1442 White Dr</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u></p> <p>TELEPHONE: <u>702-378-4957</u> CELL: _____</p> <p>E-MAIL: <u>Gesposito@cox.net</u> REF CONTACT ID #: <u>2005295.110-142</u></p>

ASSESSOR'S PARCEL NUMBER(S): 170-106-14-005

PROPERTY ADDRESS and/or CROSS STREETS: 7625 S. Rainbow # 102, 89139, Rainbow & Rainbow Dr

PROJECT DESCRIPTION: On-site consumption of alcohol

(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.

Jillyn Mathiesen
 Sr. Property Manager or
 Authorized Agent for LV Coronado, LLC
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON June 27, 2022 (DATE)
 By Blaze Katz or Jillyn Mathiesen

NOTARY PUBLIC: Blaze Katz

BLAZE KATZ
 Notary Public, State of Nevada
 No. 21-7256-01
 My Appt. Exp. Nov. 18, 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 3rd, 2022

Comprehensive Planning
500 Grand Central Parkway
Las Vegas, NV. 89155

UC 22 0544

Re: Justification letter for a special use permit to allow on premise consumption of alcohol at an existing, operating restaurant.

The Salt and Spoon
7625 S. Rainbow Blvd #102
APN 176-106-14-005

On behalf of our client, we are respectfully submitting this special use permit application to allow on premise consumption of alcohol at an existing, operating restaurant. The Salt and Spoon is located in the largest of three buildings in a commercial center facing Rainbow Boulevard. The development is zoned C-1 Local Business. Other tenants on the property include home improvement and furnishing stores, and other restaurants.

The restaurant opened a little over a year ago, with capacity for up to 50 guests, and it has had modest success. However, it loses customers who want to enjoy beer and/or wine with their meal, and that lost revenue is putting the business in jeopardy.

The Salt and Spoon is a casual gourmet experience featuring local, fresh ingredients. They work with small farmers in California that supply the best meats and seasonal produce. It is truly a unique dining experience, unlike any other restaurant in the area. Many of the dishes they offer taste better paired with wine or beer. Having those beverages available will help the overall dining experience.

The craft beer and boutique wine they plan on offering will be uniquely paired with the meals. The beverages will come in single serving bottles and cans, served straight from the refrigerator to the table. They do not plan on having taps or a service bar at this time

The existing shopping center provides 83 parking spaces where 7 are required. There will be no physical changes to the interior or exterior of the building, the surrounding property, or to the existing landscaping. Therefore, we are asking to waive the need to submit grading plans, cross sections, or any other requirements typically associated with physical changes associated with an application.

We appreciate your review of our submittal and look forward to your comments so we can proceed with the application process for the project. Please contact me if you have any questions or need additional information. Sincerely,
Greg Esposito

11/15/22 PC AGENDA SHEET

ELECTRIC GENERATING STATION
(TITLE 30)

BADURA AVE/JONES BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-22-0549-BELTWAY BUSINESS PARK LLC & BELTWAY BUSINESS PARK
WAREHOUSE NO 8 LLC (LEASE):**

USE PERMITS for the following: 1) a 230kV electric substation; and 2) increased height. **DESIGN REVIEWS** for the following: 1) a proposed 230kV substation with associated equipment; and 2) proposed utility structures (200kV to 230kV transmission lines) on an 8.6 acre portion of 38.0 acres in an M-D (Designed Manufacturing) Zone in the CMA Design Overlay District.

Generally located on the north side of Badura Avenue and the east side of Jones Boulevard within Enterprise. MN/sd/syp (For possible action)

RELATED INFORMATION:

APN:

176-01-201-020 ptn

USE PERMIT:

1. A 230kV substation with associated equipment in an M-D Zone per Table 30.44-1.
2. Increase the height for public utility structures (utility pole) to 115 feet where 50 feet is permitted per Table 30-40-5 (a 130% increase).

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 5660 W. Badura Avenue
- Site Acreage: 8.6 (portion)
- Project Type: Electric substation
- Height (feet): 115 (utility pole); 47 (shade structure); 18(control house)
- Square footage: Substation (62,480)/control house (2,316)/shade structure (7,768)

Site Plans

The plans depict an electrical substation site with associated equipment located on the north side of Maule Avenue and Badura Avenue, south of CC-215 and on the east side of Jones Boulevard, within the Switch Data Center complex. Access to the substation is via the Switch Complex.

Three driveways will provide access to the complex, which include driveways from Badura Avenue, Lindell Road, and a redesigned driveway for emergency access from Maule Avenue. The scope of work is construction of a new electric substation (Switch Station #3) which will include accessory structures (shade structure and control house) and to connect to the grid by way of a 230kV transmission line to a utility pole on the north portion of the site.

Landscaping

The street landscaping consists of a 27 foot wide landscape area with a detached sidewalk along Badura Avenue, a 9.5 foot wide landscape area along the northern parcel line, and an attached sidewalk with 24 feet of landscaping along Maule Avenue. The entire property will be enclosed by a 12 foot high, decorative CMU wall.

Elevations

The plans depict a proposed shade structure that will provide cover to the substation and will be up to 47 feet in height with metal fascia, steel columns, metal roofing and is open on all sides. The proposed control house will be up to 18 feet with standing seam metal roofing, metal door frames, exterior metal siding with dark grey colors. The proposed gated emergency access driveway from Maule Avenue will have 21 foot wide and 12 foot high metal rolling gates. The utility pole is 115 feet high.

Floor Plans

The plans depict the control room with battery rooms, power room, and control room.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the proposed project construction of a new Electric Substation (Switch Substation #3) and will include connection to the grid by way of 230kV transmission line. The substation will include ancillary facilities. Regarding the elimination of the required trash enclosure the applicant has stated that there will be no permanent staff assigned to this location and will be screened by a block wall. The proposed increase in pole height to 115 feet where 50 feet is the maximum are a result from NV Energy requesting this height for service to and from the site.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0459	Electric substation west of Redwood Street with transmission line to this site	Approved by BCC	October 2022
WS-20-0318	Waivers for increase signage, reduce landscaping, reduce approach distance and reduced throat depth; design review for signage and landscaping	Approved by BCC	September 2020
ZC-19-0571	Reclassified 50 acres from R-E and C-2 zoning to M-D zoning for a data center with waivers and a communication tower	Approved by BCC	September 2019

Prior Land Use Requests

Application Number	Request	Action	Date
VS-19-0572	Vacated and abandoned easements and rights-of-way	Approved by BCC	September 2019
WS-0906-07	Signage for a business park on 263.3 acres; expunged design review portion of ZC-0089-06 - expired	Approved by BCC	September 2007
ZC-0089-06	Reclassified 71.06 acres to M-D zoning and a design review for signs on 263.3 acres	Approved by BCC	May 2006
ZC-0851-04	Reclassified 32.7 acres to M-D zoning for an industrial/retail center	Approved by BCC	August 2004
UC-0639-02	Off-premises sign	Approved by PC	June 2002
UC-0638-02	Off-premises sign	Approved by PC	June 2002
ZC-0193-02	Reclassified 2.5 acres to C-2 zoning for an office building	Approved by BCC	March 2002
ZC-1661-01	Reclassified 2.5 acres to C-2 zoning for an office building	Approved by BCC	February 2002
ZC-1214-01	Reclassified 53.4 acres to M-D zoning for a distribution center	Approved by BCC	November 2001
ZC-0514-99	Reclassified 2.5 acres to C-2 zoning for a retail store	Approved by BCC	May 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D & C-2	Roy Horn Way and CC 215; office/warehouse & undeveloped
South & East	Business Employment	M-D	Office/warehouse & undeveloped
West	Business Employment	M-D & C-2	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

Current Planning

Use Permits

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

Due to the growing energy demands of Clark County and the need to expand or add additional facilities, staff finds the proposed joint project with NV Energy and Switch Data Center operation is compatible with adjacent uses in terms of scale and operating characteristics. The existing and planned land use adjacent to the site (north, east, and west) is comprised of existing and planned office/warehouse and commercial uses. No employees will be permanently stationed at this location with the occasionally employees that visit periodically for maintenance and scheduled inspections. Additionally, no impacts to existing public safety or utility services are perceived because of this project; therefore, staff can support the use permits waiving required regulations as presented by the application for this project request.

Design Reviews

The proposed accessory structures (shade structure and control house) meet the requirements for height, setbacks, and design. These structures will be partially screened from the right-of-way by a 12 foot high decorative block wall. The proposed pole and increased height of the proposed overhead lines and transmission poles will not generate traffic, noise, or odor impacts. Staff can support this request.

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.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Comply with approved drainage study PW20-14034.

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

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: STEPHAN ATKIN

CONTACT: STEPHAN ATKIN, SWITCH, 7135 S. DECATUR BLVD, LAS VEGAS, NV 89118



LAND USE APPLICATION 5A

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 type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input checked="" type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input 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 checked="" type="checkbox"/> APPLICATION REVIEW (AR) ZC-19-0571 (ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>UC-22-0549</u> DATE FILED: <u>9/27/22</u></p> <p>PLANNER ASSIGNED: <u>SWD</u></p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>10/25/22</u></p> <p>PC MEETING DATE: <u>11/15/22</u></p> <p>BCC MEETING DATE: _____</p> <p>FEE: <u>\$4,350</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>702-896-5564</u> CELL: _____</p> <p>E-MAIL: <u>RMartin@majesticrealty.com</u></p>
	APPLICANT	<p>NAME: <u>Switch LTD c/o Joshua Ewing</u></p> <p>ADDRESS: <u>7135 S. Decatur Blvd.</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u></p> <p>TELEPHONE: <u>702-522-5426</u> CELL: _____</p> <p>E-MAIL: <u>joshua@switch.com</u> REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>Michael Andersen</u></p> <p>ADDRESS: <u>2714 Timber Crossing Ct.</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u></p> <p>TELEPHONE: <u>702-219-4787</u> CELL: _____</p> <p>E-MAIL: <u>mike@michaelsandersen.com</u> REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 176-01-201-020

PROPERTY ADDRESS and/or CROSS STREETS: Jones and Badura, North East corner

PROJECT DESCRIPTION: Electrical Substation. Use shown on ZC-19-0571 application.

(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.

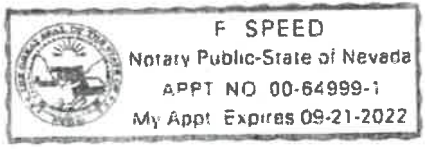
SEE ATTACHED SIGNATURE PAGE

See attached _____
Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON March 10, 2022 (DATE)
By Thomas A. Thomas, Manager of Thomas & Mack Beltway, LLC

NOTARY PUBLIC: F Speed



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

Signature Page for Land Use Application #ZC-19-0571

**Beltway Business Park, L.L.C., a
Nevada limited liability company**

BY: **Majestic Beltway, LLC, a Nevada limited
liability company, its manager**



BY: **Majestic Realty Co., a California corporation,
its manager**

BY: A handwritten signature in black ink, appearing to be 'Edward P. Roski, Jr.', written over a horizontal line.

ITS: **EDWARD P. ROSKI, JR.
President and Chairman of the Board**

BY: _____

ITS: _____

BY: **Thomas & Mack Beltway, L.L.C.,
a Nevada limited liability company, its manager and member**

BY: A handwritten signature in blue ink, appearing to be 'Thomas A. Thomas', written over a horizontal line.

ITS: **Thomas A. Thomas
Manager**

March 14, 2022

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

UC - 22 - 0549

**RE: Switch Substation 33
Justification Letter for Application Review for parcel 176-01-201-020**

To whom it may concern:

Michael Andersen AIA Architect, on behalf of our client, Switch LTD., respectfully submits this justification letter and application for Application Review approval.

Project Description: The project site associated with the subject is approximately 8.66± gross acres within APN 176-01-201-020. The proposed project is to construct a new Electric Substation (Switch Substation #3) and will include connection to the grid by way of 230kV transmission line. The substation will include ancillary facilities as shown on the attached site plan and elevation drawings.

A substation and surrounding wall was approved under ZC-19-0571.

Conditional Use

Per Title 30, Table 30.44-1, Electric Substation developments shall be considered Public Utility Structures (SLUCM Code 4800) and requires a Special and Conditional Use Permit for the current M-D zoning. The entire perimeter of the substation shall be screened by a 12'-0" high decorative concrete or grey split face CMU wall as allowed under subsection 2 of the aforementioned code. Landscaping was approved for the perimeter side of the wall.

The proposed use complies with all applicable provisions of the development code. The use is compatible with the adjacent uses in terms of scale, site design, operating characteristics, and hours of operation. The proposed use will be in operation 24 hours a day, 365 days a year and requires no employees at the site. There will be no traffic generation, lighting, noise, odor, dust, or other adverse impacts from the project excepting the temporary construction of the project which are anticipated to be minimal. No public services are required resulting in no adverse impacts on public service levels. Scheduled inspections are required by regulation and performed on a regular basis (typically once a month), maintenance is performed when required to maintain safe and efficient operation. No significant adverse impacts on the natural environment are anticipated.

Use Permit

The project is being processed as a Power Substation in accordance with Title 30. This request is to define waivers of Title 30 and CCUSD for the project needed to develop the site and anticipated product.

1. Table 30.44.1 – Trash Enclosures

Use Permit: Per Table 30.44.1, SLUCM Code 4800, Public Utility Structures, including 34.5 kV or greater transmission lines (not including communication towers and antennas), item 1, a, "Landscaping, trash enclosure and wall requirements shall not apply unless the facility exceeds 40,000 square feet.

Request: To delete the Trash Enclosure requirement for this development.

Justification: Per Table 30.44-1, Public Utility Structures, Special Use, item 1, a, "Landscaping, trash enclosure and wall requirements shall not apply unless the facility exceeds 40,000 square feet. Then screening and landscaping shall be required." No staff shall be assigned to this facility and the entire perimeter is surrounded by a 14' high wall and landscaping.

2. Table 30.44.1 – Transmission Pole Height

Use Permit: Per Table 30.40-5, allowable height for the M-D zoning is 50'-0".

Request: To increase the allowable height for transmission poles to 115'-0" for STR. 20 as required for this development.

Justification: NV Energy has requested the transmission line pole heights for service to and from the proposed Switch Substation #3 site per the attached plan.

Design Review

1. On Site Structures

Design Review: Allow for inside the perimeter wall Shade Structure and Control House.

Request: Allow for construction of the Shade Structure and Control House.

Justification: Both structures complement the existing site buildings and contain or protect required substation gear.

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

Sincerely,



Michael Andersen AIA

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

11/15/22 PC AGENDA SHEET

SUPPER CLUB
(TITLE 30)

RAINBOW BLVD/WARM SPRINGS RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0550-DYNAMIC WARM SPRINGS INVESTMENTS, LLC:

USE PERMITS for the following: 1) on-premises consumption of alcohol (supper club); and 2) outside dining and drinking.

DESIGN REVIEW for an outdoor dining and drinking area in conjunction with a proposed restaurant within an existing shopping center on a portion of 9.0 acres in a C-1 (Local Business) Zone.

Generally located on the southwest corner of Rainbow Boulevard and Warm Springs Road within Enterprise. MN/sd/syp (For possible action)

RELATED INFORMATION:

APN:

176-10-514-002 ptn

USE PERMIT:

Eliminate the 48 inch pedestrian access around the perimeter of the outside dining area where required per Table 30.44-1.

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 7377 S. Rainbow Boulevard, Suite 101 & Suite 102
- Site Acreage: 9 (portion)
- Project Type: Supper club and outdoor dining and drinking
- Number of Stories: 1
- Square Feet: 6,180 (lease area)
- Parking Required/Provided: 62 (supper club)/474 (shopping center)

Site Plans

The plans show a proposed supper club with an outdoor dining and drinking area in conjunction with a restaurant within an existing shopping center. An in-line commercial building is located on the west side of the site, 2 pad sites are located on the east side adjacent to Rainbow Boulevard, and parking is located in between and throughout the shopping center. Access to the

site is from Warm Springs Road, Mardon Avenue, and Rainbow Boulevard via cross access with the adjacent property to the northeast. The plans also depict an outdoor dining and drinking area at the northeast corner of the commercial building on the west side of the property. The area is located within an existing concrete area outside of the supper club, with landscaping along the east side of the area. Although protective barriers are provided along the perimeter of the outdoor area for customer safety; the outside dining abuts the landscape area without the required 48 inch pedestrian access. The business was approved for a service bar and is proposing to expand the restaurant to an additional suite and add a supper club.

Landscaping

No changes are proposed or required to the existing landscaping.

Elevations

The photos depict a 1 story building consisting of stucco, decorative metal siding, masonry block, metal awnings, and aluminum storefront systems. The roof is flat with parapet walls. The plans also depict a 48 inch protective barrier along the perimeter of the outdoor dining area.

Floor Plans

The plans show a 6,180 square foot lease area consisting of a dining area, kitchen, and restrooms and an outdoor patio for drinking and eating.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the proposed use will not negatively impact the surrounding area. The proposed supper club and outdoor dining and drinking area will provide for a more enjoyable customer experience.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0423	Service bar in conjunction with a restaurant	Approved by PC	September 2022
UC-21-0661	Service bar in conjunction with a restaurant	Approved by PC	January 2022
UC-21-0601	Service bar in conjunction with a restaurant	Approved by PC	December 2021
TM-0097-17	Commercial subdivision	Approved by PC	July 2017
ZC-0923-16	Reclassified 2.1 acres from R-E to C-1 zoning for the southeast portion of the site and a design review for a shopping center on the overall site	Approved by BCC	March 2017
ZC-1458-07	Reclassified 5 acres from R-E to C-1 zoning for the center portion of the site	Approved by BCC	February 2008

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1180-01	Reclassified 5 acres from R-E to C-1 zoning for the western portion of the site	Approved by BCC	October 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D	Warehouses
South	Neighborhood Commercial & Open Lands	C-1 & P-F	Undeveloped & public park
East	Neighborhood Commercial & Corridor Mixed-Use	C-1 & C-2	Commercial centers
West	Neighborhood Commercial	C-1	Undeveloped

The subject site and surrounding area are 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

Current Planning

Use Permits

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

Staff finds that the proposed use will not adversely impact the surrounding area. Service bars have been approved and operated within the same shopping center without any issues or complaints filed with the Clark County Public Response Office. Staff does not anticipate any negative impacts to the surrounding area since the primary function of the suites will still be a restaurant. Furthermore, there are no residential uses adjacent to the site. Although the pedestrian access is not provided on the east side of the outside dining area, a sidewalk is provided to the north and south, and the landscape area protects the patrons of the outside dining area and should prevent pedestrians from walking on the east side of the area. Therefore, staff can support the proposed request.

Design Review

Staff finds this request is compliant with the goals and policies of the Master Plan. Furthermore, the uses requested, and the design of the project are compatible with the existing shopping center and with the immediate area. The proposed uses and outdoor dining and drinking area should not pose a negative impact to the surrounding establishments; therefore, staff does not object to the applicant's requests.

Staff Recommendation
Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: THONGUTHAI LLC

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



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

6A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input checked="" type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>UC-22-0550</u> DATE FILED: <u>9/27/22</u></p> <p>PLANNER ASSIGNED: <u>SWD</u></p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>10/26/22</u></p> <p>PC MEETING DATE: <u>11/15/22</u></p> <p>BCC MEETING DATE: _____</p> <p>FEE: <u>\$1,350</u></p>
	PROPERTY OWNER	<p>NAME: <u>Dynamic Warm Springs Investments, LLC c/o Damon Porter</u></p> <p>ADDRESS: <u>30700 Russell Ranch Rd., #250</u></p> <p>CITY: <u>Thousand Oaks</u> STATE: <u>CA</u> ZIP: <u>91362</u></p> <p>TELEPHONE: <u>(310) 315-5411</u> CELL: <u>n/a</u></p> <p>E-MAIL: <u>n/a</u></p>
	APPLICANT	<p>NAME: <u>Thonguthai LLC c/o Prachetouch Thonguthaisiri</u></p> <p>ADDRESS: <u>7337 S. Rainbow Blvd. Ste. 101</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u></p> <p>TELEPHONE: <u>(702) 771-8994</u> CELL: <u>(702) 771-8994</u></p> <p>E-MAIL: <u>aeisamy@gmail.com</u> REF CONTACT ID #: _____</p>
	CONSULTANT	<p>NAME: <u>Argentum Law c/o Jeff Donato</u></p> <p>ADDRESS: <u>6037 S. Fort Apache Rd., Ste. 130</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u></p> <p>TELEPHONE: <u>(702) 897-0063</u> CELL: <u>(702) 810-8482</u></p> <p>E-MAIL: <u>jeff@argentumnv.com</u> REF CONTACT ID #: <u>172158</u></p>

ASSESSOR'S PARCEL NUMBER(S): ptn of 176-10-514-002

PROPERTY ADDRESS and/or CROSS STREETS: 7337 S. Rainbow Blvd., Ste. 101, Las Vegas, NV 89139

PROJECT DESCRIPTION: SUP for on-premises consumption of alcohol (supper club)

(I, We) the undersigned owner 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 execute 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 drawings 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 designees, to enter the premises and to install any required signs on and adjacent to the property for the purpose of notifying the public of the proposed application.

Property Owner (Signature) _____ Damon Porter, its Manager
 Property Owner (Print)

STATE OF California
 COUNTY OF Los Angeles

SUBSCRIBED AND SWORN before me on May 3 2022 (DATE)
 by Damon Porter

NOTARY PUBLIC _____



*NOTE: Corporate declaration of authority for 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.

ARGENTUM LAW

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

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

July 8, 2022

UC-22 0550

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

Re: Justification Letter for Alcohol, On-Premises Consumption (Supper Club) Use, and Design Review for Outside Dining and Drinking Use

To Whom It May Concern:

This law firm represents Thonguthai LLC, a Nevada limited liability company (the “**Company**”), with regard to its request for a Special Use Permit (“**SUP**”) to allow alcohol, on-premises consumption (supper club) use (the “**Proposed Use**”), and a Design Review for an outside dining and drinking use to be conducted upon that certain real property located at 7337 S. Rainbow Blvd., Ste. 101 and 102, Las Vegas, Nevada and more particularly described as a portion of APN 176-10-514-002 (the “**Property**”). The Property is approximately 8.97 acres in a C-1 (Commercial Neighborhood) zoning district.

BACKGROUND

On December 7, 2021, the Clark County Planning Commission at their regular meeting approved the Company’s SUP application to allow alcohol, on-premises consumption (service bar) use to be conducted on a portion of the Property and in conjunction with the Company’s restaurant known as “Weera Thai”. See UC-21-0601. The service bar use was approved for Suite 101. Subsequent to the approval of the SUP for the service bar use in Suite 101, the Company decided to expand its operations and amended the lease to include Suite 102. In doing so, the total square footage of the restaurant is or will be approximately 6,180, which is comprised of approximately 2,990 square feet for Suite 101, approximately 2,725 square feet for Suite 102, and approximately 465 square feet for the outside patio area. With the addition of Suite 102 and the outside patio area, the Company now desires to offer the on-premises consumption of alcohol (supper club) with the meals prepared for and served to its customers.

SPECIAL USE PERMIT NO. 1

Pursuant to Title 30 (the “Code”), an alcohol, on-premises consumption (supper club) use is permitted on the Property with the approval of a Special Use Permit, subject to having a minimum separation of 200 feet from any residential use, unless separated by a collector or arterial street or buffered from the residential use by a building. The zoning districts surrounding and adjacent to the Property are: Designed Manufacturing (M-D) to the north; Local Business (C-1) to the south, General Commercial (C-2) to the east, and Local Business (C-1) to the west. As a result, the Property satisfies the condition of being 200 feet from any residential use. Other than the addition of the outside dining and drinking area, there are no proposed changes to the exterior of the building and no proposed changes to the landscaping. The Property is located within an existing commercial shopping center. As shown on the site plan submitted herewith, the commercial shopping center has 474 parking spaces where 313 parking spaces are required by Title 30. Of the 474 parking spaces, 457 spaces are standard stalls, 16 spaces are ADA stalls, and 1 space is an ADA van stall. Accordingly, the Property is adequately parked for the uses being conducted thereon, including the Proposed Use. Furthermore, there is no signage being proposed for this application.

DESIGN REVIEW

In conjunction with the supper club use, the Company is requesting a Design Review for its proposed outside dining and drinking area as shown on the plans submitted herewith. The outside dining and drinking area would be approximately 465 square feet. Pursuant to the Code, an Outside Dining and Drinking use is a conditional use in a C-1 zoning district, subject to: (1) must have a minimum separation of 200 feet from any residential use, unless separated by a collector or arterial street or buffered from the residential use by a building; (2) a protective barrier shall be constructed between the outside dining area and any sidewalk and parking areas; (3) a minimum 48 inch wide pedestrian access shall be maintained around the perimeter of the outside dining area; (4) must be in conjunction with a supper club, tourist club, mixed use development, or restaurant; and (5) on-premises consumption of alcohol (outside) shall require primary means of access through the interior of the supper club, tourist club, mixed use development, or restaurant (secondary gate access is permitted). The proposed outside dining and drinking area complies with all conditions. To serve as the protective barrier, the Company will install a three foot two inch high wrought iron fence around the entire perimeter of the outside dining and drinking area. In addition, a minimum 48 inch wide pedestrian access will be maintained around the perimeter of the outside dining and drinking area. Since there will be on-premises consumption of alcohol (outside), the primary means of access to the outside dining and drinking area will be through the interior of the restaurant/supper club as shown on the plans submitted herewith.

Based upon the foregoing, the Proposed Use can be conducted in a harmonious manner with surrounding land uses and will not compromise the public health, safety and welfare. Therefore, the Company hereby respectfully requests the approval of its SUP to allow the

ARGENTUM  LAW

Clark County Comprehensive Planning

July 8, 2022

Page 3

Proposed Use to be conducted upon the Property and approval of the Design Review for the proposed outside dining and drinking area.

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

Sincerely,

ARGENTUM LAW



Jeff Donato

JDON/jjd

Enclosures

11/15/22 PC AGENDA SHEET

SHADE STRUCTURE
(TITLE 29)

SOUTHERN HIGHLANDS PKWY/DEAN MARTIN DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VC-22-0532-ASO NEVADA, LLC:

VARIANCE to increase the height of a proposed accessory structure (shade structure) in conjunction with an existing private school on 4.4 acres in an R-3 (Multiple Family Residential) P-C (Planned Community Overlay District) Zone in the Southern Highlands Master Planned Community.

Generally located on the northeast side of Southern Highlands Parkway and 625 feet north of Dean Martin Drive within Enterprise. JJ/md/syp (For possible action)

RELATED INFORMATION:

APN:

191-05-201-013

VARIANCE:

Increase accessory structure height to 17 feet where a maximum height of 14 feet is permitted per Section 29.15.270 and Table 29.15-1 (a 21.4% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 11500 Southern Highlands Parkway
- Site Acreage: 4.4
- Project Type: Shade structure
- Number of Stories: 1
- Building Height (feet): 17
- Square Feet: 960
- Parking Required/Provided: 116/125

Site Plans

The plans depict an existing private elementary and middle school approved via UC-1099-02 by the Planning Commission in September 2002. The purpose of this application is to add a third shade structure to the site, located immediately to the northeast of the existing outdoor basketball

court within the rear yard of the school. The shade structure is set back a minimum of 10 feet from the rear (north) property line, adjacent to the existing single family residential development. All other building separations and setbacks have been met per Code requirements. Two existing shade structures are located to the west and southwest of the proposed structure. Access to the project site is granted from Southern Highlands Parkway.

Landscaping

All street and site landscaping exists, and no changes are required or proposed to the street and site landscaping.

Elevations

The plans depict a single story shade structure measuring up to 17 feet in height. The canopy of the shade structure consists of fabric and is supported by 4 poles.

Floor Plans

The shade structure covers an area measuring approximately 960 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that due to extremely high temperatures in Las Vegas, they are requesting consideration of the shade structure for the health and safety of the students. Having this shade would protect the children from harmful ultraviolet sun rays, hot equipment that can cause severe burns, and will give peace of mind to the parents that the students are provided a safe environment for their well-being. Commercial playground shades offer great protection, even more than if you were to wear a hat. Children can also play longer without overheating, allowing them to have more fun while staying active. The shade also protects the play equipment, which can fade and crack over time and create hazards for children at play. There are countless reasons why adding a shade over the playground would be beneficial for the students. The play structure, covered by the proposed shade structure, was placed in this location because it is in the playground area near the other 2 structures. Two additional shade structures over 2 existing play structures are located within the school site. There are also other buildings in that area that are well above the 16 feet height requirement for this zone.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-0628-16	2 classroom buildings located at the northeast corner of the site (replaced manager's quarters)	Approved by PC	October 2016
DR-0137-04	Second phase of a private school including a manager's quarters located in the northeast corner of the site	Approved by PC	March 2004
UC-1099-02	Private elementary and middle school	Approved by PC	September 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, East, & West	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	R-3	Single family residential
South	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 29.

Analysis

Current Planning

Staff cannot support the variance since the proposed request is a self-imposed hardship. The findings for a variance state that the proposed variance is appropriate for its proposed location by finding that there are special circumstances or conditions peculiar to the property or building by reason of exceptional narrowness, shallowness, shape, or topographic condition or an extraordinary or exceptional situation, that strict application of the Zoning Code would result in peculiar or exceptional difficulties to the development of the property. This is triangularly shaped lot with no unique or special characteristics. Furthermore, the height of the proposed shade structure can be reduced to meet the established Code standards. Staff finds that the applicant has not provided evidence that a variance should be approved in this situation.

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 29, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

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

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CALLIE MOUL

CONTACT: CALLIE MOUL, SPRING EDUCATION GROUP, 1999 S. BASCOM AVE
#400, CAMPBELL, CA 95008

DRAFT



LAND USE APPLICATION

7A

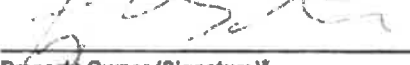
DEPARTMENT OF COMPREHENSIVE PLANNING

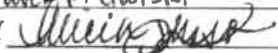
APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

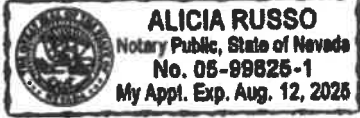
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input checked="" type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>VC-22-0532</u> DATE FILED: <u>9/21/22</u> PLANNER ASSIGNED: <u>MND</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>10/26/22</u> PC MEETING DATE: <u>11/15/22</u> <u>R-3/5H</u> BCC MEETING DATE: <u>-</u> FEE: <u>\$475.00</u>
	PROPERTY OWNER NAME: <u>ASO Nevada LLC.</u> ADDRESS: <u>2140 S Dupont Highway</u> CITY: <u>Camden</u> STATE: <u>DE</u> ZIP: <u>19934</u> TELEPHONE: <u>+81-80-4175-2692</u> CELL: _____ E-MAIL: <u>nsawamura@egwam.com</u>
	APPLICANT NAME: <u>SEG, Inc.</u> ADDRESS: <u>1615 West Chester Pike, Suite 200</u> CITY: <u>West Chester</u> STATE: <u>PA</u> ZIP: <u>19382</u> TELEPHONE: <u>484-947-203</u> CELL: _____ E-MAIL: <u>n/a</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Calle Moul</u> ADDRESS: <u>1999 S Bascom Ave</u> CITY: <u>Campbell</u> STATE: <u>CA</u> ZIP: <u>95008</u> TELEPHONE: <u>(408)-332-0139</u> CELL: _____ E-MAIL: <u>cmoul@springedugroup.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 191-05-201-013
 PROPERTY ADDRESS and/or CROSS STREETS: 11500 Southern Highlands Pkwy, Las Vegas Nevada 89141
 PROJECT DESCRIPTION: Playground Shade Installation

(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)* FRANK P GATSKI
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON September 19, 2022 (DATE)
 By Frank P. Gatski
 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.

June 20, 2022

Spring Education Group
1999 S Bascom Ave suite 400
Campbell CA 95008

VC-22-0532

To whom it may concern:

We are writing this letter in support of adding a shade over a newly added playground in our school, Southern Highlands Prep, located at 11500 Southern Highlands Pkwy, Las Vegas NV 89141.

We are requesting a variance to increase the height of an accessory structure (shade cover) to 17 feet where a maximum height of 14 feet is permitted with in the R-3 zoning district. As you are aware of the extremely high temperatures in our city and state, we are urgently requesting that this shade permit is approved for the health and safety of our students. Having this shade would protect our children from harmful ultraviolet sun rays, hot equipment that can cause severe burns, and will give peace of mind to our parents that we are providing a safe environment for their well-being. Commercial playground shades offer great protection, even more than if you were to wear a hat. Children can also play longer without overheating, allowing them to have more fun while staying active. The shade also protects our play equipment, which can fade and crack over time and create hazards for children at play. There are countless reasons why adding a shade over our playground would be beneficial for our students.

We placed the play structure in this location because it is in the playground area near the other two structures. We meet the zoning requirements setback because this is a commercial building, however it is unfortunately zoned incorrectly. We have 2 additional shade structures over two existing play structures that were approved by the county, so there should already be a variance that is approved. There are also other buildings in that area that are well above the 16 feet height requirement for this zone.

Please review our permit application to install this shade over our playground structure for the safety of the children in our school community. If you have any questions, please contact me.

Thank you for your time and consideration,

Ana Field
Real Estate Project Coordinator
Spring Education Group
afield@springedugroup.com

PLANNER
COPY

WALL HEIGHT
(TITLE 30)

CACTUS AVE/GILESPIE ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-22-0510-MOSTASHARI MOE:

WAIVER OF DEVELOPMENT STANDARDS to increase wall height in conjunction with a single family residence on 0.7 acres in an R-E (Rural Estates Residential) (RNP-D) Zone.

Generally located 480 feet south of Great Gable Drive and 845 feet east of GilesPie Street within Enterprise. MN/bb/syp (For possible action)

RELATED INFORMATION:

APN:
177-33-610-003

WAIVER OF DEVELOPMENT STANDARDS:
Increase height of a block wall to 8 feet where 6 feet is permitted per Section 30.64.020 (a 33% increase).

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

BACKGROUND:
Project Description
General Summary

- Site Address: 10792 Hawes End Court
- Site Acreage: 0.7
- Project Type: Wall height

Site Plan

The site plan depicts a single family home at the end of a private street cul-de-sac (Hawes End Court). The triangle shaped lot has side walls behind the front of the home and a wall along the rear property lines. The property was built with a 6 foot block wall and the current owner has added 2 feet to the existing wall for a total of 8 foot height at all sections of the wall. The additional 2 feet of block wall was added without a permit leading to a code enforcement violation CE20-12909. Homes to the south and east appear to be at a higher elevation than the backyard of this property.

Landscaping

There is existing landscaping adjacent to the wall along the back property line and side property lines. No new landscaping is proposed with this waiver request.

Elevations

The elevations depict the existing 6 foot wall with a new 2 foot wall addition on all sections of the wall. Minor ground height variations exist along the base of the existing wall. There are no known retaining wall areas on the property.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is proposing to keep the additional 2 feet of block wall added to the existing 6 foot block wall along the side and rear segments of the wall. The wall was increased to create additional privacy in the backyard.

Surrounding Land Use

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

Clark County Public Response Office (CCPRO)

CE20-12908 building without a permit.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative. A 6 foot block wall is the Code standard for single family residential properties in an R-E zone district. The applicant has not provided any mitigation or alternative to reduce the impact to the neighbors. Staff recommends denial of the application.

Staff Recommendation
Denial.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that 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: MOSTASHARI MQE

**CONTACT: EDGAR MONTALVO, 2209 TOSCA STREET, SUITE 8-101, LAS VEGAS,
NV 89128**



LAND USE APPLICATION 8A

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 type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) BD20-47698 (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>WS-22-0510</u> DATE FILED: <u>9/6/2022</u></p> <p>PLANNER ASSIGNED: <u>ZBB</u></p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>10-26-2022</u></p> <p>PC MEETING DATE: <u>11-15-2022</u></p> <p>BCC MEETING DATE: _____</p> <p>FEE: <u># 775</u> <u>Doubled Waiver Fee</u> <u>CE</u></p>
	PROPERTY OWNER	<p>NAME: <u>MOSTASHARI MOE</u></p> <p>ADDRESS: <u>10792 HAWES END CT</u></p> <p>CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89183</u></p> <p>TELEPHONE: <u>(702) 479-8664</u> CELL: _____</p> <p>E-MAIL: _____</p>
	APPLICANT	<p>NAME: <u>MOSTASHARI MOE</u></p> <p>ADDRESS: <u>10792 HAWES END CT</u></p> <p>CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89183</u></p> <p>TELEPHONE: <u>(702) 479-8664</u> CELL: _____</p> <p>E-MAIL: _____ REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>EDGAR MONTALVO</u></p> <p>ADDRESS: <u>2209 TOSCA ST 8-101</u></p> <p>CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89128</u></p> <p>TELEPHONE: _____ CELL: <u>(702)479-8664</u></p> <p>E-MAIL: _____ REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 177-33-610-003

PROPERTY ADDRESS and/or CROSS STREETS: 10792 HAWES END CT

PROJECT DESCRIPTION: Request a Waiver for development standards to increase the fence wall height to 8'

(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)

Mostashari Moe
Property Owner (Print)

STATE OF _____
COUNTY OF _____

SUBSCRIBED AND SWORN BEFORE ME ON _____ (DATE)

By _____
NOTARY PUBLIC: _____

see attached certificate

***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 - 100498

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], not Notary)

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
 County of Los Angeles

Subscribed and sworn to (or affirmed) before me
 on this 16th day of August, 2022
 by _____
Date Month Year

(1) Moe Mostashari

 (and (2) _____),
Name(s) of Signer(s)



proved to me on the basis of satisfactory evidence
 to be the person(s) who appeared before me.

Signature Lori Hayashi

Signature of Notary Public

Seal
 Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

April 25, 2022

Clark County Department of Comprehensive Planning

PROJECT JUSTIFICATION LETTER

WS-22-0510

Application 22-100498
10792 HAWES END CT, LAS VEGAS NV 89183

To whom it may concern.

The reason of this letter is to request the approval of a Waiver of development standard located at the 10792 HAWES END CT, LAS VEGAS, NV 89183. A.P.N. 177-33-610-003.

This application consists in the increase of the maximum height of fence allowed, when 6' is the maximum permitted and 8' is provided on the rear side of the parcel. Site plan and landscape don't will be modified in this case.

We strongly believe that this project will contribute to improve the zone image and will be a great contribution to the neighborhood.

We have the certainty than you will help us to achieve our goal on making this project reality.

Sincerely



Edgar D. Montalvo

PLANNER
COPY

ROOF SIGN
(TITLE 30)

BLUE DIAMOND RD/ BUFFALO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0523-BLUE DIAMOND M-E, LLC & ALBERTSON'S, LLC LEASE:

WAIVER OF DEVELOPMENT STANDARDS to allow a roof sign.

DESIGN REVIEW for a proposed roof sign in conjunction with an existing business within a shopping center on 13.9 acres in a C-2 (General Commercial) Zone.

Generally located on the on the south side of Blue Diamond Road between Cimarron Road and Buffalo Drive within Enterprise. JJ/rk/syp (For possible action)

RELATED INFORMATION:

APN:

176-21-717-013

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 7875 Blue Diamond Road
- Site Acreage: 13.9
- Project Type: Roof sign
- Number of Stories: 1
- Square Feet: Approximately 78 (signage)

Site Plan

The roof sign is for a health and wellness business and is located within a large commercial center. The shopping center contains an anchor store, retail shops, and various smaller in-line shops and pad site buildings. The wellness center is in 1 of the in-line retail buildings located in the back half of the property.

Signage

The roof sign is located on the entry canopy/trellis and will be internally illuminated with channel letters. The sign is approximately 10 feet wide and sits upon an aluminum mounting plate with a total area of 78 square feet.

Applicant's Justification

Based on the configuration of this storefront and having the trellis structure take up the entire storefront, it is most naturally the area in which a sign should be mounted to advertise the business. The applicant also provided 5 examples of existing roof signs in the general area.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0910	Reduced the setback from an outside dining and drinking establishment to a residential use (Shop 8B) and the required setback from an on-premises consumption of alcohol establishment (supper club) to a residential use	Approved by PC	January 2019
UC-0678-16	Reduced the setback from an outside dining and drinking establishment to a residential use (Shop 8B), reduced the separation from a convenience store to a residential use, reduced the separation from a vehicle wash facility to a residential use, allowed a vehicle repair facility in a C-2 zone, and reduced the separation from a vehicle repair facility to a residential use	Approved by BCC	November 2016
WS-0501-16	Waived the separation between monument type signage, and a design review for an overall sign plan for the commercial development	Approved by BCC	September 2016
ZC-0043-16	Reclassified a portion of this site (2.5 acres) to C-2 zoning for a supper club in conjunction with a restaurant, a convenience store with gasoline sales, and vehicle car wash, and a use permit for the reduction in the separation from a supper club to a residential use (at another location)	Approved by BCC	March 2016
UC-1433-06	Redesign of a mixed-use development	Approved by BCC	December 2006
ZC-1004-05	Reclassified portions of the property to C-2 zoning for a mixed-use development	Approved by BCC	August 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	C-2	Remaining areas of the shopping center & mixed-use development
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-3	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waiver of Development Standards

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 & Design Review

Staff finds that the proposed roof sign does not pose a negative impact to the existing commercial building or overall shopping center. The design is architecturally compatible to existing signs along Blue Diamond Road and the sign does not face any residences to the south. Likewise, the roof sign is part of the canopy/trellis and will not extend above the roofline of the building; therefore, staff supports these requests.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: DHS SIGN SERVICE, LTD
CONTACT: DHS SIGN SERVICE LTD, 3350 W. ALI BABA LANE, SUITE A, LAS VEGAS, NV 89118

DRAFT



LAND USE APPLICATION 9A

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF	DATE FILED: <u>9-12-22</u> PLANNER ASSIGNED: <u>RK</u> ACCEPTED BY: _____ FEE: <u>\$1,150.00</u> CHECK #: _____ COMMISSIONER: <u>JJ</u> OVERLAY(S)? <u>-</u> PUBLIC HEARING? <u>Y/N</u> TRAILS? <u>Y/N</u> PFNA? <u>Y/N</u> APPROVAL/DENIAL BY: _____	APP. NUMBER: <u>WS-22-0523</u> TAB/CAC: <u>Enterprise</u> TAB/CAC MTG DATE: <u>10.26.22</u> TIME: _____ PC MEETING DATE: <u>11.15.22</u> BCC MEETING DATE: _____ ZONE / AE / RNP: <u>C-2</u> PLANNED LAND USE: <u>Med-Intensity Neigh.</u> NOTIFICATION RADIUS: <u>500</u> SIGN? <u>Y/N</u> LETTER DUE DATE: _____ COMMENCE/COMPLETE: _____
	PROPERTY OWNER	NAME: <u>M-F RETAIL LLC</u> ADDRESS: <u>5920 S. Rainbow Blvd #11</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702.222.1420</u> CELL: _____ E-MAIL: <u>tom@remingtonnevada.com</u>	
	APPLICANT	NAME: <u>Natural Blue Diamond LLC</u> ADDRESS: <u>7875 Blue Diamond Rd. Ste 110</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89178</u> TELEPHONE: <u>702-239-3246</u> CELL: <u>702.239.3246</u> E-MAIL: _____ REF CONTACT ID #: _____	
	CORRESPONDENT	NAME: <u>SAME (ABOVE)</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 176-21-717-013
 PROPERTY ADDRESS and/or CROSS STREETS: 7875 Blue Diamond Rd. Ste 110
 PROJECT DESCRIPTION: Install LED illuminated sign on awning

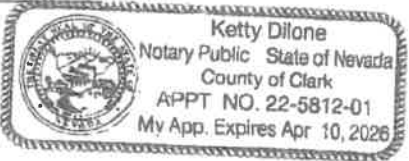
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

[Signature]
 Property Owner (Signature)*

William Van Den Ouden
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON June 28, 2022 (DATE)
 By William Van Den Ouden
 NOTARY PUBLIC: Ketty Dilone



*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.



Ph# (702) 798-9995

3350 W. Ali Baba Lane Ste. A
Las Vegas, NV. 89118
NV Contractor's License #0082304
Bid Limit: \$100,000

Fax: (702) 798-9993

June 13, 2022

Clark County Department of Planning
500 S. Grand Central Pkwy.
Las Vegas, NV 89103

Re: Natural Blum Blue Diamond – AP-22-100528
7875 Blue Diamond Rd. Ste. 110
Las Vegas, NV 89178

Justification Letter-Waiver of Standards/Design Review

Dear Staff:

A request for a Waiver of standards/designer review is hereby presented to the Planning Department staff on behalf of our client, Natural Blum Blue Diamond, a new retail establishment located in the Blue Diamond Marketplace.

The request for approval of a waiver is extremely important to the tenant who has a long term lease commitment at this shopping center (10 years).

Based on the configuration of this particular storefront and having the awning structure predominately taking up the entire storefront, it is most naturally the area in which a sign should be mounted in order to advertise the business due to the obstructions created by the awning itself along with blockage by other buildings (ie Planet Fitness) and trees to main road.

A denial of this request on behalf of our client it would create a severe hardship for them as the area of advertising is limited and would likely drive them out of business.

The Title 30.72-1 for a C-2 Zone does state allowance of awning signage. A list of local businesses that already have signage mounted to awnings is as follows, to name a few:

Bonano's-5660 S. Hualapai LV NV
Mazzoa Donuts-5180 Blue Diamond Rd. Ste 110 LV
The Chicken Shack-5180 Blue Diamond Rd. Ste 115 LV
Omings-5180 Blue Diamond Rd. Ste. 120 LV
ER @ Blue Diamond 9217 S. Cimarron Rd. LV

We respectfully ask that our client be granted an approval so that this tenant may enjoy the 10 year lease he has committed to in the Mountain's Edge Community.

Respectfully,

A handwritten signature in black ink, appearing to read 'Maria Van Den Ouden', is written over a light blue horizontal line.

Maria Van Den Ouden-Contractor
DHS Sign Service, Ltd.

11/15/22 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

BISHOPS CAP ST/DWARF CHIN AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0531-AMH NV6 DEVELOPMENT, LLC:

WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks for an existing single family residential development on 1.1 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the east side of Bishops Cap Street and south side of Dwarf Chin Avenue within Enterprise. JJ/gc/syp (For possible action)

RELATED INFORMATION:

APN:

176-29-816-001 through 176-29-816-010

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce the rear setback to 11 feet where 15 feet is required per Table 30.40-2 (a 26.7% reduction).
- b. Reduce the side street (corner) setback to 4 feet where 10 feet is required per Table 30.40-2 (a 60% reduction).

LAND USE PLAN:

ENTERPRISE - OPEN LANDS

BACKGROUND:

Project Description

General Summary

- Site Address: 10318, 10326, 10334, 10342, 10350, 10358, 10366, 10374, 10382, and 10390 Bishops Cap Street
- Site Acreage: 1.1
- Project Type: Single family residential
- Number of Stories: 1
- Building Height (feet): Up to 20
- Square Feet: 1,759

Site Plans

The plans show 10 lots along the eastern boundary of an existing single family residential subdivision. The applicant is requesting to reduce the rear setback for those lots to 11 feet where 15 feet is required. Furthermore, the applicant is requesting to reduce the side street (corner) setback for the northernmost lot of the 10 lots to 4.9 feet where 10 feet is required.

Landscaping

No landscaping is required or shown on the plans.

Elevations

The plans depict an up to 20 foot high, single story model with 4 different elevation types. Building materials consist of stucco, stone veneer, decorative trim, and tile roofing.

Floor Plans

The plans show a 1,759 square foot single family home with 3 bedrooms and 2 baths. A covered patio is shown on the rear corner of the house, which does not extend beyond the remainder of the façade.

Applicant's Justification

The applicant states that during a neighborhood meeting while the subdivision was being approved, the developer's representative agreed to place single story homes along the east boundary of the subdivision. In order for the single story home to be comparable in size with the rest of the subdivision, a larger footprint is needed. The applicant states that the reduction in rear setback is mitigated since the reduction in rear setback is not for the entire rear elevation since the patio cover is inset within the façade. Furthermore, the reduction in side street (corner) setback is only along a stub street with 2 homes facing the subject site.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-19-1009	Reclassified the site from R-E to R-2 zoning and included waivers for increased wall height and reduced street intersection off-set, and design reviews for a single family residential development and increased finished grade	Approved by BCC	June 2020
TM-19-500269	253 single family residential lots	Approved by BCC	June 2020
VS-20-0035	Vacated and abandoned BLM right-of-way grants	Approved by BCC	June 2020

Surrounding Land Use

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

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

Current Planning

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

Staff finds this request is a self-imposed hardship since the setback reduction is only necessary due to the design and size of the proposed home model. The applicant has not provided any information to show unique issues on the lots such as easements or topographic features that would justify the setback reduction. The home model as designed is too large to fit on the lots within code requirements. Furthermore, the applicant has not proposed any mitigation for the reduced setbacks. Although the applicant states the patio cover insets provide relief, the majority of the rear elevation still intrudes into the rear setback. Therefore, staff cannot support this request.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

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

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: AMH NV6 DEVELOPMENT, LLC
CONTACT: JANNA FELIPE, TANEY ENGINEERING, 6030 S. JONES BOULEVARD,
LAS VEGAS, NV 89118

DRAFT



LAND USE APPLICATION

10A


DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WS-22-0531</u> DATE FILED: <u>9-19-22</u> PLANNER ASSIGNED: <u>GRC</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>10-26-22</u> PC MEETING DATE: <u>11-15-22</u> BCC MEETING DATE: <u>—</u> FEE: <u>\$ 475</u>
	PROPERTY OWNER NAME: <u>AMH NV6 Development, LLC / Janet Willmann</u> ADDRESS: <u>280 Pilot Road, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-847-7800</u> CELL: _____ E-MAIL: <u>jwillmann@ah4r.com</u>
	APPLICANT NAME: <u>AMH Development West GC, LLC / Janet Willmann</u> ADDRESS: <u>280 Pilot Road, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-847-7800</u> CELL: _____ E-MAIL: <u>jwillmann@ah4r.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Taney Engineering / Janna Felipe</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: _____ E-MAIL: <u>jannaf@taneycorp.com</u> REF CONTACT ID #: <u>132565</u>


ASSESSOR'S PARCEL NUMBER(S): 176-29-816-001 thru 010
 PROPERTY ADDRESS and/or CROSS STREETS: W. Caclus Ave and S. El Capitan Way
 PROJECT DESCRIPTION: Waiver of setbacks

(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)* Robert Flaxa
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON July 28, 2022 (DATE)
 By Robert Flaxa

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.



TANEY ENGINEERING

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

September 14, 2022

Greg Cerven, Principal Planner
Clark County Comprehensive Planning
500 S. Grand Central Pkwy
Las Vegas, NV 89155

**Re: Cactus & El Capitan Phase II (APN: 176-29-816-001 through 010)
Justification Letter for a Waiver of Development Standards**

Dear Mr. Cerven:

On behalf of our client, AMH Development West GC, LLC, Taney Engineering is respectfully submitting a justification letter for a Waiver of Development Standards on our Cactus & El Capitan Phase II project. (Related Applications: NZC-19-1009, TM-19-500269 and VS-20-0035.)

Waiver of Standards – Setbacks

On behalf of our client, we would like to request a waiver of rear yard setbacks for Lots 9 through 18 to reduce the back yards from 15 feet to approximately 11 feet. Lot 18 would also include a side corner setback reduction from 10 feet to 4.95 feet.

At the June 17, 2020 Clark County BCC meeting (58 minutes, 50 second mark), Bob Gronauer with KCNV Law, explained what our client agreed to per a January 2020 neighborhood meeting. The neighbors along the east boundary of our project, who have single story homes, asked us for single story homes and we agreed we would place single-story homes along this east boundary (lots 9-18).

To be comparable in size to the rest of the homes within the subdivision, a larger footprint is needed for the single story. On lot 18, we feel the corner side setback reduction is justified as the roadway adjacent is a stub street serving only two homes a drainage easement. On lots 9-18, we feel the rear reduction is justified as only 28" of each footprint will need the reduction since the patios are inset.

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

Respectfully,

Brian Myers, PE
Project Manager

11/15/22 PC AGENDA SHEET

SETBACKS
(TITLE 30)

ARVILLE ST/LAILAH SKYE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0541-CHEN, BILL CHE-CHANG & INGRID SHIH-YUN:

WAIVER OF DEVELOPMENT STANDARDS for reduced setbacks for an addition to an existing single family residence on 0.3 acres in an R-D (Suburban Estates Residential) Zone.

Generally located on the south side of Lailah Skye Avenue, 507 feet east of Arville Street within Enterprise. JJ/jgh/syp (For possible action)

RELATED INFORMATION:

APN:

177-30-611-077

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce the rear yard setback for a room addition to 18 feet where 25 feet is required per Table 30.40-1 (a 28% decrease).
- b. Reduce the side yard setback for a patio cover to 5 feet from the leading edge of the patio cover where 10 feet is required per Table 30.40-1 (a 29% decrease).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 4289 Lailah Skye Avenue
- Site Acreage: 0.3
- Project Type: Setbacks
- Number of Stories: 1
- Building Height (feet): 10

Site Plans

The plans depict a proposed room addition (sunroom) that will be attached to the rear of the single family residence. The plans also depict a patio cover that will be attached to the side of the existing residence. The proposed room addition will be set back 18 feet from the rear property line. The proposed patio cover will be set back 5 feet from the side property line on the west side of the residence. A 10 foot wide landscape buffer is provided on the west of the site, along Open Crest Street, an internal private street.

Elevations

The plans depict a 1 story (10 foot tall) room addition with a stucco building exterior painted to match the rest of the existing residence.

Floor Plans

The plans depict the proposed room addition will be adding 480 square feet to the existing home, making the overall square footage 4,959.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that this request is needed because the applicant would like to reduce heat and light that is coming into the house from the west.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-20-0270	Reduced setbacks for various single family residential lots within the subdivision	Approved by BCC	August 2020
WS-18-0464	Increased the length of a dead-end street (cul-de-sac)	Approved by BCC	September 2018
ZC-18-0232	Reclassified from R-E to R-D zoning	Approved by BCC	May 2018
VS-18-0233	Easements of interest to Clark County located between Arville Street and Pyle Avenue within Enterprise	Approved by BCC	May 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-D	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Setbacks and separations help to preserve the appeal and integrity of an area and to moderate visual impacts and possible safety issues. The applicants need to extend both the room addition and patio cover into the required setback is a self-imposed hardship, without mitigation to reduce the impact to neighbors. Therefore, staff cannot support this request.

Staff Recommendation
Denial.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

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

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAE:

APPROVALS:

PROTESTS:

APPLICANT: MATTHEW LANE

**CONTACT: MATTHEW LANE, PROFICIENT PATIOS, 3310 S. VALLEY VIEW BLVD.,
LAS VEGAS, NV 89102**



Justification Letter

WS-22-0541

To whom it may concern,

We are applying for a wavier of developmental standards for the residence 4289 Lailah Skye Ave. The reason for this wavier of standards is to build a patio enclosure that encroaches the minimum setback of 25'. We are asking for a reduction from 25' to 18' to build this enclosure. The reason for this enclosure is to help reduce heat and light from the sun from the west. We are also asking for a wavier of standards to build a patio that encroaches the minimum setback of 10'. We are asking for a reduction from 10' to 5' to build this cover. The reason for this cover is to help shade the west windows of the house, and to reduce the heat and light of the sun from the west. Please note that both the sunroom and patio cover will match the house.

Thank You,


Jordan Danskin,

**PLANNER
COPY**

11/16/22 BCC AGENDA SHEET

RETAIL CANNABIS
(TITLE 30)

WARM SPRINGS RD/HAVEN ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-22-400108 (UC-20-0288)-WTML WARM SPRINGS, LLC:

USE PERMIT FIRST EXTENSION OF TIME for a cannabis establishment (retail cannabis store).

DESIGN REVIEW for a retail building for a cannabis establishment on a portion of 1.0 acre in a C-1 (Local Business) (AE-60) Zone.

Generally located on the south side of Warm Springs Road and the east side of Haven Street within Enterprise. MN/dd/syp (For possible action)

RELATED INFORMATION:

APN:

177-09-115-002 ptn

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD-COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Acreage: 1 (portion)
- Project Type: Cannabis establishment (retail cannabis store)
- Number of Stories: 1
- Building Height (feet): 24
- Square Feet: 4,920
- Parking Required/Provided: 17/36

Site Plans

The original plans show a proposed 4,050 square foot 1 story retail building on the eastern portion of the site. Subsequently, ADR-20-900506 was approved to allow for an expansion to 4,920 square feet with a drive-thru. The building is set back 17 feet 8 inches from the east property line, 33 feet south of Warm Springs Road, and 124 feet from the south property line. Parking is located on the west, south, and southwest sides of the proposed building. Bicycle spaces are located to the south of the building. The loading space is directly south of the building. The required trash enclosure is located south of the building and 62 feet north of the south property line. Future cross access is located on the west side of the project area. Access to the site will be from Warm Springs Road via a commercial driveway.

Landscaping

The original plans depict a 15 foot to 28 foot wide landscape area with an attached sidewalk on the north side of property along Warm Springs Road. The original staff report included a waiver for an attached sidewalk, but it was later determined it was no longer needed. A landscape area ranging between 6 feet wide, and 22 feet 8 inches wide extends along the eastern property line. Landscaping along the southern property line is 11 foot wide with evergreen trees planted 20 feet apart. The western portion of the parking area has 2 landscape islands and is comprised mainly of parking area and future cross access. Landscaping within the parking area and throughout the site complies with Title 30 requirements.

Elevations

The original plans show a 1 story building with a light grey stucco exterior with decorative metal panels and steel roof elements.

Floor Plans

The original plans depict the 4,050 square foot building with a reception/waiting area, product sales area, internal pick-up window, delivery area, restroom, break area, storage and prep room, office, IT room, and janitor closet. An administrative design review approved an expansion to 4,920 square feet with a drive-thru.

Previous Conditions of Approval

Listed below are the approved conditions for UC-20-0288:

Current Planning

- Design review as a public hearing for signage;
- Expunge ADR-19-900698;
- A valid Clark County Business License must be issued for this establishment within 2 years of approval or the application will expire;
- To prevent odor nuisances, an odor control plan must be submitted to the Clark County Business License Department.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; approval of this application does not constitute or imply approval of any other County issued permit, license or approval; 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

- Traffic study and compliance.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;

- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

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@clearwaterteam.com and reference POC Tracking #0265-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that since their approval they have been finalizing plans for the business and they have been working on and are close to obtaining a grading permit. The applicant is requesting a 2 extension of time for a retail cannabis establishment.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-20-900506	Drive-thru in conjunction with a retail cannabis establishment	Approved by ZA	December 2020
UC-20-0288	Retail cannabis establishment and design review for new construction	Approved by BCC	August 2020
ADR-19-900698	Retail building on the same portion of the parcel as the subject application	Approved by ZA	October 2019
TM-19-500171	Commercial subdivision	Approved by PC	October 2019
ZC-0176-08	Reclassified from R-E to C-1 zoning for a shopping center	Approved by BCC	March 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Use	P-F	Harry Reid car rental facility
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Neighborhood Commercial	C-1	Office building
West	Neighborhood Commercial	C-1	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval. The final map has been recorded for the site, and the revised plans and building permits have been submitted and are in progress. With these factors, staff can recommend approval of the 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:

Current Planning

- Until August 19, 2024 to commence.
- Applicant is advised that ADR-20-900506 will expire December 02, 2022; that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: CLEAR RIVER, LLC

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

DRAFT



LAND USE APPLICATION

12A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE


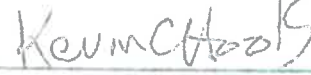
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) UC-20-0288 (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>ET-22-400108</u> DATE FILED: <u>09/12/2022</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>10/26/2022</u> PC MEETING DATE: <u>NA</u> BCC MEETING DATE: <u>11/16/2022</u> FEE: <u>\$ 2675</u>
	PROPERTY OWNER NAME: <u>WTML Warm Springs, LLC</u> ADDRESS: <u>11639 Stardust Dr.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u>
	APPLICANT NAME: <u>Clear River, LLC</u> ADDRESS: <u>10777 Twain Avenue</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>000-000-0000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>
	CORRESPONDENT NAME: <u>Kaempfer Crowell - Bob Gronauer</u> ADDRESS: <u>1980 Festival Plaza Dr. #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>702-792-7048</u> E-MAIL: <u>apierce@kcnvlaw.com</u> REF CONTACT ID #: <u>164674</u>

ASSESSOR'S PARCEL NUMBER(S): 177-09-115-002

PROPERTY ADDRESS and/or CROSS STREETS: Warm Springs and Haven

PROJECT DESCRIPTION: extension of time for a retail cannabis establishment


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



 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF _____

SUBSCRIBED AND SWORN BEFORE ME ON 11/16/2022 (DATE)
 By Monika Limingan

NOTARY PUBLIC: Monika Limingan



MONIKA LIMINGAN
 Notary Public, State of Nevada
 Appointment No. 22-1462-01
 My Appt. Expires Feb 18, 2026

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

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ELISABETH E. OLSON

eeo@kcrlaw.com
702 792 7000

August 2, 2022

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 650
Las Vegas, NV 89135
Tel: 702 792 7000
Fax: 702 796 7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775 852 3900
Fax: 775 327 2011

CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel: 775 884 8300
Fax: 775 882 0257

VIA UPLOAD

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

*Re: Clear River, LLC
Justification Letter – Extension of Time*

To Whom It May Concern:

Please be advised our office represents Clear River, LLC (the "Applicant") in the above-referenced matter. By way of background, the BCC at their August 19, 2020 hearing approved UC-20-0288 for a marijuana establishment (retail marijuana store). Since the approval, the Applicant has been finalizing plans and is close to obtaining a grading permit. The Applicant intends to submit for building permits in the very near future. Therefore, we are respectfully requesting a two year extension of time.

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 Ann Pierce me.

Sincerely,

KAEMPFER CROWELL



Elisabeth E. Olson

ET-22-400108

PLANNER
COPY

11/16/22 BCC AGENDA SHEET

EASEMENTS/RIGHT-OF-WAY
(TITLE 30)

BLUE DIAMOND RD/RAINBOW BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0529-LV RAINBOW, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Raven Avenue and Blue Diamond Road, and between Montessori Street (alignment) and Rainbow Boulevard; and a portion of right-of-way being Raven Avenue located between Montessori Street and Rainbow Boulevard within Enterprise (description on file). JJ/gc/syp (For possible action)

RELATED INFORMATION:

APN:

176-22-501-012, 013, 016 & 017; 176-22-601-035

LAND USE PLAN:

ENTERPRISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of a 5 foot to 30 foot wide road easement along Montessori Street that includes a portion of the knuckle with Agate Avenue. The plans also depict the vacation and abandonment of a 5 foot wide portion of right-of-way being Raven Avenue along the north property line to allow for detached sidewalks. The applicant states that there will still be a continuation of the network of existing roads providing access to the surrounding properties if this vacation and abandonment request is approved.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-20-400094 (VS-17-0049)	First extension of time to vacate and abandon government patent easements and rights-of-way being Rosanna Street and Agate Avenue, subject until December 5, 2022 to record	Approved by BCC	October 2020
ZC-18-0853	Reclassified the site from R-E & H-2 to C-2 zoning (use permit, waivers of development standards, and design review for a mixed-use development were withdrawn)	Approved by BCC	December 2018
VS-17-0049	Vacated and abandoned easements and rights-of-way being Rosanna Street and Agate Avenue	Approved by BCC	December 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	P-F & R-2	Fire station & single family residential
South	Corridor Mixed-Use	C-2	Commercial building (Walmart)
East	Corridor Mixed-Use	C-2	Convenience store with gas pumps & undeveloped
West	Public Use & Neighborhood Commercial	R-2 & C-1	Single family residential & undeveloped

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

Related Applications

Application Number	Request
UC-22-0528	Use permits for a mixed use development, establish density, and establish height; waiver of development standards to waive cross access requirements; and design reviews for a mixed use development, alternative parking lot landscaping, and finished grade is a companion item on this agenda.
TM-22-500179	Tentative map for a mixed use development consisting of 2 commercial lots and 1 residential lot is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

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

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Montessouri Street, an elbow for Agate Avenue and Montessouri Street, and associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way or the dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: NEVADA WEST PARTNERS V, LLC

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

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

APPLICATION NUMBER/OWNER
VS-22-0529/L V RAINBOW L L C

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

Analysis

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

Recommendation:
Approval.

Applied by: Sarah Mabry-Padovese
Date entered: 10/11/2022

Preliminary Conditions

- Right-of-way dedication to include 25 feet to the back of curb for Montessouri Street, an elbow for Agate Avenue and Montessouri Street, and associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording;
- If required by the Regional Transportation Commission (RTC), and if permitted by Nevada Department of Transportation (NDOT), extend the proposed deceleration/right turn lane on Blue Diamond Road into this property such that it begins at the easternmost limit of the parcel, and provide a 10 foot by 50 foot bus shelter pad behind the sidewalk beginning approximately 100 feet west of the property line in accordance with RTC standards.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way or the dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control. /syp

Applied by: Sarah Mabry-Padovese
Date entered: 10/19/2022

APN(s):
176-22-501-012 through 176-22-501-013; 176-22-501-016 through 176-22-501-017; 176-22-601-035



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

13A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>VS-22-0529</u>	DATE FILED: <u>9-19-22</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>GRC</u>	TAB/CAC DATE: <u>10-26-22</u>
		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: <u>-</u>	
		BCC MEETING DATE: <u>11-16-22</u>	
		FEE: <u>3875</u>	

PROPERTY OWNER	NAME: <u>LV Rainbow, LLC</u>
	ADDRESS: <u>6655 S. Eastern Avenue, Suite 200</u>
	CITY: <u>Las Vegas, NV</u> STATE: <u>NV</u> ZIP: <u>89119</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: <u>meqbert@nvwest.com</u>

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: <u>meqbert@nvwest.com</u> 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): 176-22-501-012, 013, 017, 176-22-601-035 and 176-22-501-016

PROPERTY ADDRESS and/or CROSS STREETS: Blue Diamond and Rainbow

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.

<p><u>Martin Egbert</u> Property Owner (Signature)*</p> <p>STATE OF NEVADA COUNTY OF <u>Clark</u></p> <p>SUBSCRIBED AND SWORN BEFORE ME ON <u>2/22/22</u> (DATE) By <u>Martin Egbert</u></p> <p>NOTARY PUBLIC: <u>Sarah Park</u></p>	<p><u>Martin Egbert</u> Property Owner (Print)</p> <div style="border: 1px solid black; padding: 5px; text-align: center;"> <p>SARAH PARK NOTARY PUBLIC STATE OF NEVADA APPT. NO. 16-1678-1 MY APPT EXPIRES FEBRUARY 11, 2024</p> </div>
---	---

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

**KAEMPFER
CROWELL**

ATTORNEYS AT LAW

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CARSON CITY OFFICE
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Carson City, NV 89703
Tel: 775 884 8300
Fax: 775 882 0257

June 27, 2022

VIA UPLOAD

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

VS-22-0529

Re: Nevada West Partners 5, LLC
REVISED Justification Letter – Vacation and Abandonment of Road Easements and Rights-of-Ways
APNs: 176-22-601-035 and 176-22-501-012, 013, 016, & 017

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 Applicant is proposing to vacate and abandon road easements and rights-of-way located between Blue Diamond Road and Raven Avenue and between Rainbow Boulevard and Montessouri Street more specifically on APNs: 176-22-601-035 and 176-22-501-012, 013, 016, & 017 (collectively the "Site").

A previous request (VS-17-0049) approved by the Board of County Commissioners (the "BCC") on December 5, 2018, along with an extension of time approved by the BCC on October 7, 2022, will remain in effect and expires on December 5, 2022, unless it is recorded or an additional extension of time is requested and approved. VS-17-0049 vacated most of the patent easements, road easements and rights-of-way and is conditioned to re-dedicate Montessouri Street. This request will vacate the patent and road easement and rights-of-way no longer required generally along the alignments of Agate Avenue, Montessouri Street, and Raven Avenue.

The road easement is a remnant of the previous vacation (VS-17-0049) and will provide for a knuckle at the Agate Avenue/Montessouri Street intersection and is 30-feet and 60-feet wide, located on APN: 176-22-601-035; the request for a 5-foot reduction of the 30-foot rights-of-way of Raven Avenue and Montessouri Street is for a 5-foot wide detached sidewalk located on APNs: 176-22-501-012 and 013. With these vacations there will be a continuation of the network of existing roads providing access to the surrounding properties.

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

Revised

14R

11/16/22 BCC AGENDA SHEET

MIXED-USE DEVELOPMENT
(TITLE 30)

BLUE DIAMOND RD/RAINBOW BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0528-LV RAINBOW, LLC:

USE PERMITS for the following: 1) mixed-use development; 2) establish density; and 3) establish height.

WAIVER OF DEVELOPMENT STANDARDS to waive cross access requirements.

DESIGN REVIEWS for the following: 1) mixed-use development; 2) alternative parking lot landscaping; and 3) finished grade on 19.8 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Blue Diamond Road, 300 feet west of Rainbow Boulevard within Enterprise. JJ/gc/syp (For possible action)

RELATED INFORMATION:

APN:

176-22-501-012, 013, 016 & 017; 176-22-601-035

USE PERMITS:

1. Allow a mixed-use development.
2. Establish a maximum density of 17.4 du/ac.
3. Establish a maximum building height of 47 feet.

WAIVER OF DEVELOPMENT STANDARDS:

Waive cross access with the adjacent parcels to the east where required per Table 30.56-2.

DESIGN REVIEWS:

1. A mixed-use development.
2. Allow alternative parking lot landscaping where Figure 30.64-14 is required.
3. Increase finished grade to 9.2 feet where a maximum of 3 feet is the standard per Section 30.32.040 (a 206.7% increase).

LAND USE PLAN:

ENTERPRISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 9057 Rosanna Street; 7031 & 7051 Raven Avenue
- Site Acreage: 19.8

- Number of Units: 342
- Density (du/ac): 17.4
- Project Type: Mixed-use development
- Number of Stories: Up to 3
- Building Height (feet): Up to 47
- Square Feet: 38,700 (commercial)
- Open Space Provided: 66,414 square feet
- Parking Required/Provided: 677/837

Site Plans

The plans show a horizontal mixed-use development consisting of 5 commercial buildings along the frontage of Blue Diamond Road, and a 342 unit multiple family residential component within 16 buildings located behind the commercial buildings. The residential component consists of 120, one bedroom units; 198, two bedroom units; and 24, three bedroom units for an overall density of 17.4 dwelling units per acre. The residential component is gated and enclosed by a combination 6 foot high split-face CMU and wrought iron fence along the north, west, and south boundaries of the residential component; and a 6 foot high decorative block wall along the eastern boundary. The commercial component can be accessed by the residential component by 4 pedestrian gates spaced out along the south boundary. Access to the overall site is from a driveway off Blue Diamond Road. An emergency access gate is provided off Raven Avenue. A clubhouse is centrally located on the site with outdoor open space that includes a pool, spa, cabanas, bbq area, fire pit, pavilion, and pickleball court. Another large open space area is located on the eastern portion of the site that includes a pool, cabanas, a tot lot, and synthetic turf. A total of 66,414 square feet of usable open space is provided on the site.

Out of the 5 commercial buildings along Blue Diamond Road, 2 of the buildings include drive-thru lanes and are located west of the main access driveway. The other 3 buildings are located east of the main access driveway with the parking located behind the buildings. Outside dining areas are also located along the south side of all 5 buildings. Two outdoor plaza areas are located on the commercial component side of the fence, but accessible to all, that include picnic tables, ping pong tables, shade structures, and bicycle racks. A total of 837 surface and covered parking spaces are provided for the overall mixed-use site where a minimum of 677 spaces are required.

Landscaping

A 15 foot wide pedestrian realm with detached sidewalk is provided along Raven Avenue, Montessouri Street, and Blue Diamond Road with benches and trash receptacles provided. The detached sidewalk within the pedestrian realm along Blue Diamond Road is meandering, however, an attached sidewalk exists within the Blue Diamond Road right-of-way. Landscape materials consists of Foothill Palo Verde, Cedar Elm, Mediterranean Fan Palm, and Strawberry trees with various shrubs and groundcover. The applicant is requesting alternative parking lot landscaping in order to utilize half-diamond landscape planters within the parking area of the residential component.

Elevations

The plans show 15 of the 16 residential buildings as 3 story and range from 42 feet to 47 feet in height. The other residential building is 2 story and 26 feet in height. The clubhouse is 1 story and approximately 25 feet in height. Building materials for the residential component consist of painted stucco, wrought iron balcony railings, and stucco pop-outs. The roof is flat with parapet walls at varying heights.

The commercial buildings are 1 story and range from 26 feet to 30 feet in height. Building materials consist of painted stucco, decorative metal siding, faux wood composite siding, and walnut stained wooden beams. The roof is flat with parapet walls at varying heights.

Floor Plans

The one bedroom units range from 700 to 775 square feet, the two bedroom units range from 994 to 1,071 square feet, and the three bedroom units are 1,256 square feet in size. However, the units within the 2 story residential building are 933 square feet in size. The 2 story residential building also includes 4 garages on the ground floor. The clubhouse is 6,171 square feet and includes a lounge, business center, mail station, gym, pool equipment room, multi-purpose room, and office area. The 5 commercial buildings total 38,700 square feet. Building A is 10,400 square feet, Building B is 4,800 square feet, Building C is 7,000 square feet, Building D is 9,000 square feet, and Building E is 7,500 square feet with each building depicted as a shell building.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the mixed-use development is appropriate at this location since it is located near a busy intersection where a state highway and an arterial street is located. Furthermore, the applicant states that the horizontal mixed-use design is consistent with development in the area by keeping the commercial component along Blue Diamond Road and having the residential component near other residential. The increase in finished grade is necessary to balance the site and fill in existing washes on the site to provide for a centralized flood control facility along Blue Diamond Road. The applicant also states that having cross access with the convenience store with gas pumps to the east is not compatible with the overall use of the subject site, and therefore, is waiving the requirement. Providing half-diamond landscape islands on the site maximizes parking while not forgoing the required landscape trees in the parking lot.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-20-400094 (VS-17-0049)	First extension of time to vacate and abandon government patent easements and rights-of-way being Rosanna Street and Agate Avenue, subject until December 5, 2022 to record	Approved by BCC	October 2020

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-18-0853	Reclassified the site from R-E & H-2 to C-2 zoning (associated use permit, waivers of development standards, and design review for a mixed-use development were withdrawn)	Approved by BCC	December 2018
VS-17-0049	Vacated and abandoned easements and rights-of-way being Rosanna Street and Agate Avenue	Approved by BCC	December 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	P-F & R-2	Fire station & single family residential
South	Corridor Mixed-Use	C-2	Commercial building (Walmart)
East	Corridor Mixed-Use	C-2	Convenience store with gas pumps & undeveloped
West	Public Use & Neighborhood Commercial	R-2 & C-1	Single family residential & undeveloped

The subject site and the surrounding properties are within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
TM-22-500179	Tentative map for a mixed use development consisting of 2 commercial lots and 1 residential lot is a companion item on this agenda.
VS-22-0529	Vacation and abandonment of a 5 foot wide portion of right-of-way being Raven Avenue and a road easement is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

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

Staff finds the proposed mixed-use development to be consistent and compatible with the surrounding area. The project fits the general development pattern established in the area of

commercial and/or more intensive uses along Blue Diamond Road transitioning to residential uses farther away from Blue Diamond Road. Furthermore, the proposed density of the residential portion of the project of 17.4 dwelling units per acre would be similar to an R-3 zoning density; and therefore, would provide a logical transition from the commercial portion of the project along Blue Diamond Road to the R-2 zoned single family residential development across the street to the north and northwest. The proposed maximum height of 47 feet for the project is consistent and below the maximum height of 50 feet allowed with the current C-2 zoning on the site. Furthermore, Raven Avenue and Montessori Street and associated street landscaping will provide a separation and buffer between the project and the residential to the north and northwest.

The integration of the residential and commercial components on the site will comply with Policy 3.6.2 of the Master Plan which encourages mixed-use development in locations that will lessen reliance on automobiles as the primary means of access to necessary services and encourage reduction in vehicle miles traveled. Furthermore, the project is consistent with the Corridor Mixed-Use land use category in the Master Plan which states that the primary land uses should be a mix of retail, restaurants, offices, service commercial, and entertainment uses with supporting land uses being moderate density multi-family residential dwellings at a density of less than 18 dwelling units per acre.

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 can support the request to waive cross access with the C-2 zoned properties to the east. There is an existing block wall on the north half of the shared property line with the convenience store/gasoline station to the east that would prevent the proposed parking area of the commercial portion of the site to access the convenience store site. Additionally, staff finds it a greater benefit and more aesthetically pleasing to the streetscape to have the commercial buildings immediately along Blue Diamond Road with the parking in the rear then to provide the cross access. Cross access with the convenience store site may also increase traffic on the subject site that could make it more difficult for pedestrians from the residential component of the site to access the commercial component of the site. As far as cross access with the vacant C-2 parcel to the east, north of the convenience store site; providing cross access would not make much sense since the residential component of the project is adjacent to that site, and would therefore, not be considered similar or complementary with consistent levels of intensity or similar parking.

Design Reviews #1 & #2

The project incorporates a balanced level of horizontal integration that includes a cohesive overall site design. Pedestrian gates and corridors are spaced out evenly along the boundary between the residential and commercial components of the project to allow for easy access for pedestrians to utilize the commercial services on the site. Not only is there a large open space

area centrally located in the residential component of the site with a number of amenities, smaller open space plazas are provided within the commercial component that are also available to residents of the site. The commercial buildings have provided architectural elements on all 4 sides of the buildings which will be more aesthetically pleasing for the residents of the buildings that face the commercial component of the site. All of the buildings, both residential and commercial, contain substantial amount of articulation through the use of symmetry, variations in color, texture, and materials. Furthermore, the mass of the buildings is minimized through varied elevations, surface planes, and roof heights. The project complies with Policy 6.2.1 that encourages the design and intensity of new development to be compatible with established neighborhoods and uses in terms of height, scale, and overall mix of uses. Staff can also support the design review request for alternative parking lot landscaping. The use of half-diamond planters combined with the use of trees between the residential buildings and the parking area will provide adequate number of trees adjacent to the parking area. The trees provided combined with the use of covered parking structures will also provide substantial amount of shade to the parking area.

Public Works - Development Review

Design Review #3

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 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;
- Commercial component to be developed concurrently with the first phase;
- Design review as a public hearing for lighting and signage;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of

time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 4 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Montessouri Street, an elbow for Agate Avenue and Montessouri Street; and associated spandrel.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way or the dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; that 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 Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0387-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: NEVADA WEST PARTNERS V, LLC

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

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

APPLICATION NUMBER/OWNER
UC-22-0528/L V RAINBOW L L C

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

Analysis

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.

Recommendation:

Approval of Design Review #3.

Applied by: Sarah Mabry-Padovese

Date entered: 10/11/2022

Preliminary Conditions

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Montessouri Street, an elbow for Agate Avenue and Montessouri Street, and associated spandrel;
- If required by the Regional Transportation Commission (RTC), and if permitted by Nevada Department of Transportation (NDOT), extend the proposed deceleration/right turn lane on Blue Diamond Road into this property such that it begins at the easternmost limit of the parcel, and provide a 10 foot by 50 foot bus shelter pad behind the sidewalk beginning approximately 100 feet west of the property line in accordance with RTC standards.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way or the dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that Nevada Department of Transportation (NDOT) permits may be required. /syp

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

Applied by: Sarah Mabry-Padovese
Date entered: 10/19/2022

APN(s):
176-22-501-012 through 176-22-501-013; 176-22-501-016 through 176-22-501-017; 176-22-601-035



LAND USE APPLICATION

14A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>UC-22-0528</u> DATE FILED: <u>9-19-22</u> PLANNER ASSIGNED: <u>GRC</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>10-26-22</u> PC MEETING DATE: <u>-</u> BCC MEETING DATE: <u>11-16-22</u> FEE: <u>\$3700</u>
	PROPERTY OWNER NAME: <u>LV Rainbow, 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: <u>megbert@nvwest.com</u>
	APPLICANT NAME: <u>Nevada West Partners V, 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: <u>megbert@nvwesl.com</u> 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): 176-22-501-012, 013, 017, 176-22-601-035 and 176-22-501-016

PROPERTY ADDRESS and/or CROSS STREETS: Blue Diamond and Rainbow

PROJECT DESCRIPTION: Multi-family Development

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

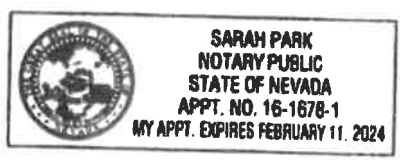
Martin Egbert
Property Owner (Signature)*

Martin Egbert
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 2/22/22 (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.

KRAMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

JENNIFER LAZOVICH

jlazovich@kcnvlaw.com
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Fax: 775.327.2011

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

September 6, 2022

VIA UPLOAD

UC - 22 - 0528

CLARK COUNTY COMPREHENSIVE PLANNING
500 S. Grand Central Parkway
First Floor
Las Vegas, NV 89155

Re: *Justification Letter – Special Use Permit to Allow a Mixed-Use Development in a C-2 zoned district; Design Reviews for (1) Mixed Use Project, (2) Outside Dining, (3) Alternative Parking Lot Landscaping, and (4) Increase Grade; Waiver of Development Standards to (1) Waive Cross-Access; and Tentative Map APNs: 176-22-601-035 and 176-22-501-012, 013, 016, & 017*

To Whom It May Concern:

Please be advised this firm along with Mr. Chip Maxfield represents Nevada West Partners 5, LLC (the "Applicant"). The Applicant is proposing a mixed-use development consisting of multi-family and commercial/retail uses on property generally located on the northwest corner of Blue Diamond Road and Rainbow Boulevard, more particularly described as APNs: 176-22-601-035 and 176-22-501-012, 013, 016, & 017 (collectively the "Site"). The Site is approximately 19.75 acres in size. In addition to the special use permit and design review for the proposed mixed-use development, the Applicant is also seeking related waivers of development standards.

SPECIAL USE PERMIT TO ALLOW A MIXED-USE DEVELOPMENT

The Site is zoned C-2 and, with a special use permit, a mixed-use development is allowed. A special use permit for a mixed-use development is appropriate for the following reasons:

- The Site is located at busy intersection with a state highway and 100-foot ROW where intense uses should be located.
- The commercial component will be adjacent to Blue Diamond Road consistent with other commercial development along the Blue Diamond Road corridor.
- The residential component will be interior adjacent to other residential uses.
- The Site is master planned Corridor Mixed-Use (CM). The primary land uses in a CM district include a mixture of retail and restaurants along with moderate density

multi-family developments. As described below, the proposed development on the Site will comprise of retail and restaurants uses along with a moderately dense (17.3 units/acre) multi-family use. The uses are connected by pedestrian and vehicular corridors. Therefore, in addition to the compatibility of the project, the project also meets the goals and policies of the CM master planned district.

Therefore, based on compliance with Title 30 and compatibility to the area, a special use permit to allow a mixed-use development is appropriate.

DESIGN REVIEWS

- **Mixed-Use Development**

The Applicant is proposing to develop 5 retail/commercial buildings with a total of 38,700 square feet of retail/commercial space along with a 342-unit multi-family development with a density of approximately 17.3 dwelling units per acre. With respect to the retail/commercial component, it will be accessed from Blue Diamond Road with a drive-aisle bisecting the retail/commercial component. There will 2 buildings located to the west of the drive aisle with buildings proposed for drive-thru uses and 3 buildings located to the east of the drive aisle. The retail/commercial buildings will be 1 story and approximately 30-feet in height. Fifteen (15) foot wide pedestrian realms are provided adjacent to all public rights-of-way (Blue Diamond Road, Raven Avenue and Montessouri Street) consisting of a 5-foot amenity zone, 5-foot pedestrian access area (detached sidewalk) and a 5-foot landscaped area.

With respect to the multi-family development, the multi-family development will too be accessed by the same drive aisle from Blue Diamond Road. The multi-family development will be located north of the proposed retail/commercial area with the drive aisle terminating at the multi-family development. The Applicant is proposing 16 multi-family buildings along with a clubhouse/leasing building. The multi-family buildings will be equally distributed on the Site with the clubhouse located in the middle of the Site. 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 buildings. The buildings are comprised of the following mixture of units: 120 one-bedroom units, 198 two-bedroom units, and 24 three-bedroom units. The Site will provide outdoor amenities such as 2 pool areas, usable and programmable open space including a sports court located near the main pool area and indoor amenities will include: a fitness center and social areas in a 6,171 square feet clubhouse and pool buildings. The multi-family buildings are set back approximately 30-feet from the Raven Avenue and Montessouri Street rights-of-way.

The overall intent of the site design is to provide a safe, convenient integrated development that caters to pedestrians. The site is well connected and integrated, with parking areas and pedestrian zones that mutually complement each other. The scale and intensity of the development, at this location, is appropriate and compatible with existing and planned land uses in the area. The project is well designed and functionally and aesthetically integrated with the

surrounding development and land uses through the site design, landscape and buffer elements, including pedestrian connectivity. The site plan incorporates a balanced level of horizontal integration with well-connected pedestrian corridors that encourage pedestrian movement and are scaled to the needs of the pedestrian while providing for site balance, unification, and continuity. Parking for this mixed-use project provides 837 spaces where 677 spaces are required.

- **Outside Dining/Drinking**

In addition, the Applicant is seeking a design review for the retail/commercial component, the Applicant is seeking outside dining/drinking patios in conjunction with the proposed retail/commercial uses. The patio will use concrete planters, trellis & 36" walls as our barriers. The Applicant believes this use will complement the proposed uses.

- **Alternative Parking Lot Landscaping**

The Applicant is providing diamond landscaping in lieu of the landscape islands. The Applicant is seeking to maximize parking but without forgoing landscaping.

- **Increase Grade**

The Applicant is requesting a design review to increase the grade by approximately 9.11-feet, which is about 6-feet above the 36-inch maximum allowed. The increase in grade is to balance the Site and fill the existing washes within the Site to provide for a centralized flood control facility along Blue Diamond Road. While the increase of grade will occur in various places on the Site, the biggest increase is along Blue Diamond Road where the commercial pads will be located. Even with the increase in grade, the Site will be approximately at the same grade as the neighboring commercial use. Therefore, the increase in grade will be consistent with other finished grades in the area.

WAIVER OF DEVELOPMENT STANDARD

- **Cross Access**

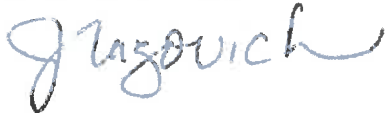
The Applicant is requesting to waive the cross-access requirement with the commercial development to the east. The development to the east is an existing convenience store with gas pumps. Not only is the proposed uses not compatible with the convenience store use, the neighboring site is developed without providing the ability to have cross-access.



TENTATIVE MAP

The Applicant's proposed tentative map will match the proposed design review. The proposed tentative map shows two (2) commercial lots and one (1) residential lot for the multi-family component.

Thank you for your consideration of this request.

Sincerely,
KAEMPFER CROWELL

Jennifer Lazovich

JL/lak

Revised

15R

11/16/22 BCC AGENDA SHEET

RAINBOW AND BLUE DIAMOND
MIXED-USE
(TITLE 30)

BLUE DIAMOND RD/RAINBOW BLVD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-22-500179-LV RAINBOW, LLC:

TENTATIVE MAP for a mixed use project consisting of 2 commercial lots and 1 residential lot on 19.8 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Blue Diamond Road, 300 feet west of Rainbow Boulevard within Enterprise. JJ/gc/syp (For possible action)

RELATED INFORMATION:

APN:

176-22-501-012, 013, 016 & 017; 176-22-601-035

LAND USE PLAN:

ENTERPRISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 9057 Rosanna Street; 7031 & 7051 Raven Avenue
- Site Acreage: 19.8
- Number of Lots: 2 commercial/1 residential
- Project Type: Mixed use development

The plans depict a mixed use development consisting of 2 commercial lots and 1 residential lot on an approximate 19.8 acre site. The 2 commercial lots are 2.5 and 2.8 acres in size and the residential lot is 14.2 acres in size. Access to the site is from Blue Diamond Road with an emergency access gate off of Raven Avenue. The site is proposed for a 342 unit multiple family residential component within 16 buildings on the residential lot at a density of 17.4 dwelling units per acre, 2 commercial buildings on commercial Lot 1, and 3 commercial buildings on commercial Lot 2. The overall 5 commercial buildings total 38,700 square feet.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-20-400094 (VS-17-0049)	First extension of time to vacate and abandon government patent easements and rights-of-way being Rosanna Street and Agate Avenue, subject until December 5, 2022 to record	Approved by BCC	October 2020

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-18-0853	Reclassified the site from R-E & H-2 to C-2 zoning (associated use permit, waivers of development standards, and design review for a mixed-use development were withdrawn)	Approved by BCC	December 2018
VS-17-0049	Vacated and abandoned easements and rights-of-way being Rosanna Street and Agate Avenue	Approved by BCC	December 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	P-F & R-2	Fire station & single family residential
South	Corridor Mixed-Use	C-2	Commercial building (Walmart)
East	Corridor Mixed-Use	C-2	Convenience store with gas pumps & undeveloped
West	Public Use & Neighborhood Commercial	R-2 & C-1	Single family residential & undeveloped

The subject site and the surrounding properties are within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
UC-22-0528	Use permits for a mixed use development, establish density, and establish height; waiver of development standards to waive cross access requirements; and design reviews for a mixed use development, alternative parking lot landscaping, and finished grade is a companion item on this agenda.
VS-22-0529	Vacation and abandonment of a 5 foot wide portion of right-of-way being Raven Avenue and a road easement is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Staff Recommendation

Approval is contingent upon approval of companion items UC-22-0528 and VS-22-0529.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Montessouri Street, an elbow for Agate Avenue and Montessouri Street, and associated spandrel.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way or the dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; that 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 Nevada Department of Transportation (NDOT) permits may be required.

Current Planning Division - Addressing

- Multi-family unit numbers shall be approved by Addressing during the building permit process.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0387-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

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



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

APPLICATION NUMBER/OWNER
TM-22-500179/L V RAINBOW L L C

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

Preliminary Conditions

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Montessouri Street, an elbow for Agate Avenue and Montessouri Street, and associated spandrel;
- If required by the Regional Transportation Commission (RTC), and if permitted by Nevada Department of Transportation (NDOT), extend the proposed deceleration/right turn lane on Blue Diamond Road into this property such that it begins at the easternmost limit of the parcel, and provide a 10 foot by 50 foot bus shelter pad behind the sidewalk beginning approximately 100 feet west of the property line in accordance with RTC standards.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way or the dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that Nevada Department of Transportation (NDOT) permits may be required. /syp

Applied by: Sarah Mabry-Padovese
Date entered: 10/19/2022

APN(s):
176-22-501-012 through 176-22-501-013; 176-22-501-016 through 176-22-501-017; 176-22-601-035



TENTATIVE MAP APPLICATION 15A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-22-500179</u>	DATE FILED: <u>9-19-22</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>GRC</u>	TAB/CAC DATE: <u>10-26-22</u>
		TAB/CAC: <u>Enterprise</u>	
		PC MEETING DATE: <u>-</u>	
		BCC MEETING DATE: <u>11-16-22</u>	
		FEE: <u>\$ 750</u>	

PROPERTY OWNER	NAME: <u>LV Rainbow, 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: <u>megbert@nvwest.com</u>

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: <u>megbert@nvwest.com</u> 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): 176-22-501-012, 013, 017, 176-22-601-035 and 176-22-501-016

PROPERTY ADDRESS and/or CROSS STREETS: Blue Diamond and Rainbow

TENTATIVE MAP NAME: Rainbow and Blue Diamond Mixed-Use

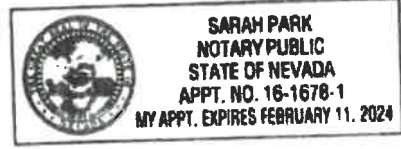
I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Megbert Property Owner (Signature)* Martin Egbert Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 7/2/22 (DATE)

By [Signature]
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.

11/16/22 BCC AGENDA SHEET

WAREHOUSE EXPANSION
(TITLE 30)

JONES BLVD/WIGWAM AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0547-JONES BOULEVARD PARTNERS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modified landscaping and screening; 2) reduce approach and departure distances; and 3) driveway geometrics.

DESIGN REVIEWS for the following: 1) expansion of an existing distribution facility; and 2) finished grade on 26.6 acres in an M-D (Designed Manufacturing) Zone and an M-1 (Light Manufacturing) Zone.

Generally located on the east side of Jones Boulevard and the north side of Wigwam Avenue within Enterprise. JJ/al/syp (For possible action)

RELATED INFORMATION:

APN:

176-13-201-001; 176-13-201-005; 176-13-201-027; 176-13-201-029

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow a 6 foot landscape area with an attached sidewalk along Wigwam Avenue where landscaping with a detached sidewalk is required per Figure 30.64-17.
2.
 - a. Reduce the intersection approach distance on Wigwam Avenue to a minimum of 102 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 32% reduction).
 - b. Reduce driveway departure distance on Shelbourne Avenue to a minimum of 163 feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1 (a 14.2% reduction).
3.
 - a. Reduce driveway throat depth on Wigwam Avenue (western driveway) to a minimum of zero feet where a minimum of 75 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).
 - b. Reduce driveway throat depth on Jones Boulevard to a minimum of 21 feet where a minimum of 75 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).
 - c. Allow an alternative driveway design for the western Wigwam Avenue driveway where a commercial curb return driveway with ADA compliant ramp, curb and gutter are required per Uniform Standard Drawing 222.1.

DESIGN REVIEWS:

1. Expansion of an existing distribution facility.
2. Increased finished grade to 96 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 166.7% increase).

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 8400 S. Jones Boulevard
- Site Acreage: 26.6
- Project Type: Expansion of an existing distribution center
- Number of Stories: 1
- Building Height (feet): 50
- Square Feet: 345,743 existing building/272,104 addition/617,847 total
- Parking Required/Provided: 311/363

Site Plans

The plans depict an addition to an existing distribution facility. The southern one-third of the site is undeveloped at this time. The existing facility is located on the northern portion of the site with access provided from existing driveways via Shelbourne Avenue and Jones Boulevard. Parking for the existing facility is located to the north, west, and south of the existing building with loading docks and truck staging areas located to the east of the building. The parking to the south of the building will be removed to allow for the proposed building addition; however, the remaining parking to the north and west of the existing building will exceed parking requirements for the facility with the proposed addition. The plan shows that a 1 way access drive is being provided along the south side of the building addition to allow trucks to access the loading area at the rear (east side) of the building from the western side of the site. The plan shows that driveways will be added to the site along Wigwam Avenue at the southeastern and southwestern corners of the site. The driveway located on the southwestern corner of the site is for exit only and would only be used during an emergency or unique situation. Since the southwestern driveway is not intended for ingress or regular egress, the applicant has submitted waivers to allow for an alternative driveway design for this driveway. The loading docks for the proposed addition will be located on the east side of the building as a continuation of the existing loading docks.

Landscaping

There are existing landscape areas located along the eastern property line, along Shelbourne Avenue and Jones Boulevard, within the parking areas, and adjacent to the existing building. No changes are proposed or required to these landscape areas. The plan shows that additional landscaping will be added along the eastern boundary line of the southeastern portion of the site consisting of trees to continue the landscaping along the eastern property line to the southern boundary of the site. A minimum 6 foot wide landscape area with an attached sidewalk is being provided along Wigwam Avenue along the southern boundary of the site consisting of trees

shrubs, and groundcover. The applicant is requesting a waiver of development standards to allow an alternative landscape design along the street.

Elevations

The addition is 1 story and 50 feet in height. The building has a flat roof behind parapet walls. The building is constructed of concrete tilt-up panels that will be painted to match the existing building. The loading dock is located on the east site of the building with 21 inch roll-up doors.

Floor Plans

The existing building has an area of 345,743 square feet which includes 30,260 square feet of office space and 315,483 square feet of warehouse area. The proposed addition will have an area of 272,104 square feet which will all be warehouse area, increasing the total building area to 617,847 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the existing facility is in need of expansion for the continued success of the business. The increase in finished grade is necessary to match the grade of the existing facility to balance the site. The proposed throat depth reductions will not cause on-site circulation issues and will not cause vehicle stacking into the rights-of-way. Wigwam Avenue terminates just east of the site at the railroad tracks, and therefore the street will have limited traffic. The proposed approach distance along Wigwam Avenue will not have a negative impact on traffic safety. The proposed western driveway on Wigwam Avenue is not intended for ingress and with limited use for egress onto a street with limited traffic so the proposed driveway design will have limited impacts on traffic safety. The proposed alternative landscaping along Wigwam Avenue is intended to be consistent with other improvements in the area.

Prior Land Use Requests

Application Number	Request	Action	Date
WT-0950-08	Reduced driveway throat depth in conjunction with a distribution facility	Approved by PC	November 2008
UC-0931-08	Increased building height with a design review for an addition to an existing distribution facility	Approved by PC	November 2008
ZC-1523-99	Reclassified a portion of the site to the M-D and M-1 zoning and included a design review for a distribution facility	Approved by BCC	November 1999

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	Corridor Mixed-Use & Business Employment	C-2 & M-1	Mini-warehouse facility & office/warehouse complex

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Business Employment	M-1	Automobile paint & body shop, office/warehouse complex & undeveloped
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential

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

Current Planning

Waivers of Development Standards

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

Waiver of Development Standards #1

Attached sidewalks have been provided for the fully developed portions of the rights-of-way for Wigwam Avenue and Jones Boulevard in the area. The proposed attached sidewalk along Wigwam Avenue adjacent to the proposed development is consistent and compatible with the existing off-site improvements in the area. There are other developments along Wigwam Avenue that have provided wider landscape areas adjacent to the street. Staff can support not increasing the width of these landscape areas along Wigwam Avenue since this site is currently in an area that has limited heat vulnerability.

Design Review #1

The proposed building addition is consistent and compatible with the existing distribution facility. The project is an expansion of an existing development that is continues to be consistent and compatible with other developments in this area. Therefore, staff supports the design review for the building addition.

Public Works - Development Review

Waivers of Development Standards #2a, #3a, & #3c

Staff cannot support the western driveway on Wigwam Avenue. The applicant states that trucks exiting the driveway will proceed east on Wigwam Avenue to a temporary cul-de-sac where the trucks can turn around to head west on Wigwam Avenue to turn onto Jones Boulevard. The proximity of the driveway to Jones Boulevard together with the pan driveway design will result in conflicts with trucks exiting the site while trucks and other vehicles turn onto Wigwam Avenue to proceed to the eastern driveway. Additionally, when Wigwam Avenue is improved in

the future at the UPRR, there will be significant additional traffic, adding to the potential for collisions.

Waiver of Development Standards #2b

Staff cannot support the request for the westernmost existing driveway on Shelbourne Avenue. With the current design, the parking spaces on the west side of the site adjacent to Jones Boulevard can be accessed by either the Jones Boulevard driveway or the Shelbourne Avenue driveway. With the proposed changes to the site, access to the parking spaces will no longer be possible from the Jones Boulevard driveway, which will result in more vehicles using the western Shelbourne Avenue driveway, increasing the potential for collisions.

Waiver of Development Standards #3b

Staff cannot support the reduction in the throat depth for the Jones Boulevard driveway. Trucks entering the site from the Jones Boulevard will not have adequate room on site to make the forced right turn. Trucks will have to either make a wide turn using two lanes in the right-of-way or backup in the right-of-way in order to make the turn.

Design Review #2

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

Staff Recommendation

Approval of waivers of development standards #1 and design review #2; denial of waivers of development standards #2 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:

Current Planning

If approved:

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Jones Boulevard 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; that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones; and that Wigwam Avenue may extend past the UPRR in the future, which will require the removal of the temporary cul-de-sac and the reconstruction of the eastern Wigwam Avenue driveway.

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 to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions; and that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

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

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



LAND USE APPLICATION 16A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE

TEXT AMENDMENT (TA)

ZONE CHANGE

CONFORMING (ZC)

NONCONFORMING (NZC)

USE PERMIT (UC)

VARIANCE (VC)

WAIVER OF DEVELOPMENT STANDARDS (WS) 475

DESIGN REVIEW (DR) 676

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: <u>WS-22-0547</u> DATE FILED: <u>9-27-22</u> PLANNER ASSIGNED: <u>AI</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>10/26</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11/16</u> FEE: <u>\$1150.00</u>
PROPERTY OWNER	NAME: <u>Jones Boulevard Partners, LLC</u> ADDRESS: <u>1600 NW 163 Street</u> CITY: <u>Miami</u> STATE: <u>FL</u> ZIP: <u>33169</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
APPLICANT	NAME: <u>Kristian Coles - ARCO National Construction, LLC</u> ADDRESS: <u>4849 Greenville Avenue, Suite 1460</u> CITY: <u>Dallas</u> STATE: <u>TX</u> ZIP: <u>75206</u> TELEPHONE: _____ CELL: <u>214-755-7229</u> E-MAIL: <u>kcoles@arcomurray.com</u> REF CONTACT ID #: _____
CORRESPONDENT	NAME: <u>Liz Olson- Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: _____ E-MAIL: <u>eolson@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-13-201-001, 005, 027 029

PROPERTY ADDRESS and/or CROSS STREETS: 8400 S. Jones Blvd. Las Vegas, NV 89139

PROJECT DESCRIPTION: Design review for warehouse expansion

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

Wayne E. Chaplin Wayne E. Chaplin
 Property Owner (Signature)* Property Owner (Print)

STATE OF Florida
 COUNTY OF Miami Dade
 SUBSCRIBED AND SWORN BEFORE ME ON January 18, 2022 (DATE)
 By Wayne E. Chaplin
 NOTARY PUBLIC: Patricia M. Tully



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



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____ 2-52
	PROPERTY OWNER NAME: <u>Wigwam Property Partners, LLC</u> ADDRESS: <u>1600 NW 163 Street</u> CITY: <u>Miami</u> STATE: <u>FL</u> ZIP: <u>33169</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____
	APPLICANT NAME: <u>Kristian Coles - ARCO National Construction, LLC</u> ADDRESS: <u>4849 Greenville Avenue, Suite 1460</u> CITY: <u>Dallas</u> STATE: <u>TX</u> ZIP: <u>75206</u> TELEPHONE: _____ CELL: <u>214-755-7229</u> E-MAIL: <u>kcoles@arcomurray.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Liz Olson- Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: _____ E-MAIL: <u>eolson@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-13-201-029

PROPERTY ADDRESS and/or CROSS STREETS: 8400 S. Jones Blvd. Las Vegas, NV 89139

PROJECT DESCRIPTION: Design review for warehouse expansion

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

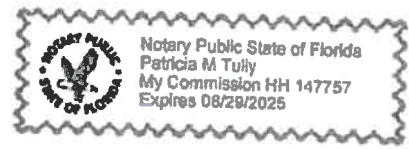
Wayne E. Chaplin
Property Owner (Signature)*

Wayne E. Chaplin
Property Owner (Print)

STATE OF Florida
COUNTY OF Broward

SUBSCRIBED AND SWORN BEFORE ME ON January 18, 2022 (DATE)
By Wayne E. Chaplin

NOTARY PUBLIC: Patricia M. Tully



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

**KAEMPFER
CROWELL**

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Fax: 775.882.0257

September 12, 2022

VIA UPLOAD

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

Re: *Justification Letter – Design Reviews for (1) Addition to Existing Distribution Center/Warehouse and (2) Increase Grade and Waiver of Development Standards to (1) Reduce Approach Distance to Wigwam/Jones Intersection, (2) Reduce Throat Depths at Jones Boulevard Driveway and west driveway at Wigwam Avenue, (3) Allow Attached Sidewalk, (4) Reduce Departure Distance from Jones/Shelbourne Intersection, and (5) Deviate from Uniform Standard Drawing 222.1 to Not Install Curb Return Driveway*
APN: 176-13-201-005, 027 & 029

To Whom It May Concern:

Please be advised our office represents the Applicant in the above-referenced matter. There is currently an existing 345,743 square foot distribution center building located on property located at the southwest corner of Jones Boulevard and Shelbourne Avenue, more particularly described as APNs: 176-13-201-005, 027, & 029 (collectively the "Site"). The Applicant is now seeking a design review to develop a 272,104 square foot addition to the existing distribution facility building as well as a design review to increase grade.

Design Reviews

• **Addition to Distribution Center**

The Site is zoned M-1 and M-D. A distribution center is an allowed use within an M-1 and M-D zoning district as evident by the existing distribution facility. The Applicant is seeking to add 272,104 square feet to the existing distribution facility increasing the entire distribution facility to approximately 617,847 square feet. The height of the building addition will be approximately 50-feet and the elevations will match the existing building elevation.

In addition to the building expansion, the Applicant is also expanding the parking area east of the proposed expansion. The Site is still accessible from the existing driveway locations on Shelbourne Avenue and Jones Boulevard with an exit only gate on the west driveway on Wigwam Avenue and an additional gated entry farther east on Wigwam Avenue. South of the Jones Boulevard driveway, the Applicant is proposing an on-site controlled access gate with a

guard house. Even with the proposed expansion to the distribution facility, the Site still exceeds parking requirements by providing 480 parking spaces where 311 parking spaces are required.

- **Increase Grade**

The Applicant is requesting a design review to increase the grade by approximately 8-feet where a maximum of 36-inches is allowed without an additional design review. The increase in grade is to balance the Site and match the existing grade of the existing building. Therefore, the increase in grade will be consistent with existing building.

WAIVER OF DEVELOPMENT STANDARDS

- **Reduce Approach Distance to Wigwam/Jones Intersection**

The west driveway on Wigwam Avenue is approximately 102-feet from the Wigwam/Jones intersection where 150-feet is required. Even though the Applicant is requesting to reduce the offset, the request will not cause any adverse effects to safety as Wigwam terminates just east of the Site at the railroad tracks and the driveway is exit only. Therefore, since minimal traffic is generated along this area of Wigwam Avenue and with the exit only turning movement, the reduced approach distance to the intersection is mitigated.

- **Reduced Throat Depth at Jones Boulevard Driveway**

The driveway throat depth at Jones Boulevard is approximately 21-feet where 75-feet is the minimum. However, the drive aisle south of the entrance will serve as a truck staging area with the ability to stack a total of six (6) trucks, and therefore, will not cause stacking in the right-of-way or conflict on-site turning movements.

- **Reduced Throat Depth at Wigwam Avenue (West Driveway)**

The driveway throat depth at Wigwam Avenue (west driveway) is 0-feet where 75-feet is the minimum. The Wigwam Avenue west driveway is exit only and is accommodating the one-way on-site truck traffic from the Jones Boulevard driveway which is capable of stacking six (6) trucks. Therefore, the throat depth reduction does not impact on-site circulation and it will not cause any stacking issues into the right-of-way.

- **No Commercial Curb Return for Wigwam Avenue**

To not install a curb return driveway per Uniform Standard Drawing 222.1 at Wigwam Avenue (west driveway). The Applicant is requesting a waiver to install an emergency only driveway in accordance with Uniform Standard Drawing 224. The Wigwam Avenue west driveway is exit only and is accommodating the one way on-site truck traffic from the Jones Boulevard driveway which is capable of stacking six (6) trucks.

- **Allow Attached Sidewalk**

Even though Wigwam Avenue terminate just east of the Site, since Wigwam Avenue is an 80-foot right-of-way, detached sidewalks are required. The Site, though, is constrained and therefore, the Applicant is requesting to all for a 5-foot wide attached sidewalk with a 6-foot landscape area adjacent to a 3-foot tall wall. The attached sidewalk with landscaping and low wall will match the improvements along Jones Boulevard.

- **Reduce Departure Distance from Jones/Shelbourne Intersection**

There is an existing driveway on Shelbourne Avenue entering into the existing distribution facility. The Applicant is not make any changes or modifications to the existing driveway. Even though the driveway exists, the Applicant is requesting to reduce the departure distance from 190-feet to 163-feet from the Jones/Shelbourne intersection to the existing Shelbourne Avenue driveway location.

- **Deviate from Uniform Standard Drawing 222.1 to Not Install Curb Return Driveway**

The Applicant's driveway design for the western Wigwam driveway shows a sidewalk going through the driveway with an ADA compliant curb and getter in lieu of Standard Drawing 222.1 which requires a curb return with an ADA compliant ramp, valley, and gutter. The Applicant's proposed design is allowable and compliant with all standards including ADA requirements.

We thank you in advance for your time and consideration. Please feel free to contact me with any questions.

Sincerely,

KAEMPFER CROWELL



Anthony J. Celeste

AJC/

