



# Enterprise Town Advisory Board

Clark County Commission Chambers

500 South Grand Central Pkwy

Las Vegas, NV 89155

October 28, 2020

6:00pm

## AGENDA

### Note:

- Social distancing will be practiced during this meeting. You will be asked to keep appropriate spacing (six (6) feet) away from other meeting attendees.
- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Carmen Hayes at 702-371-7991 or [chayes70@yahoo.com](mailto:chayes70@yahoo.com) and is/will be available on the County's website at [www.clarkcountynv.gov](http://www.clarkcountynv.gov).
- Live streaming of the Enterprise Town Board Meeting is available on [https://www.youtube.com/channel/UChZ81VswMevHVX2aJT\\_LFTQ](https://www.youtube.com/channel/UChZ81VswMevHVX2aJT_LFTQ)

Board/Council Members: Jenna Waltho – Chair  
David Chestnut

Barris Kaiser – Vice Chair  
Kendal Weisenmiller

Secretary Carmen Hayes, 702-371-7991 [chayes70@yahoo.com](mailto:chayes70@yahoo.com)

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

- I. Call to Order, Pledge of Allegiance, Roll Call, and County Staff Introductions
- 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.
- III. Approval of Minutes for October 14, 2020. (For possible action)

**BOARD OF COUNTY COMMISSIONERS**  
MARILYN KIRKPATRICK, Chair • LAWRENCE WEEKLY, Vice Chair  
LARRY BROWN • JAMES B. GIBSON • JUSTIN C. JONES • MICHAEL NAFT • TICK SEGERBLOM  
YOLANDA T. KING, County Manager

IV. Approval of the Agenda for October 28, 2020 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)
  - Applications are available until November 15, 2020 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 2021.

VI. Planning and Zoning

1. **VS-20-0401-THOMSON MANAGEMENT GROUP NV LP:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Rainbow Boulevard and Redwood Street, and between Pebble Road and Torino Avenue within Enterprise (description on file). JJ/md/jd (For possible action) 11/03/20 PC
2. **VS-20-0399-LH VENTURES, LLC:**  
**VACATE AND ABANDON** a portion of a right-of-way being Tomsik Street located between Camero Avenue and Wigwam Avenue within Enterprise (description on file). JJ/al/xx (For possible action) 11/04/20 BCC
3. **WS-20-0398-LH VENTURES, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced lot area; 2) increased wall height; 3) off-site improvements (curbs, gutters, streetlights, sidewalks, and reduced width paving); and 4) street intersection off-set.  
**DESIGN REVIEWS** for the following: 1) single family residential development; and 2) increased finished grade for lots within a proposed single family residential development on 4.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southwest corner of Camero Avenue and Tomsik Street within Enterprise. JJ/al/xx (For possible action) 11/04/20 BCC
4. **TM-20-500138-LH VENTURES, LLC:**  
**TENTATIVE MAP** consisting of 10 single family residential lots and common lots on 4.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southwest corner of Camero Avenue and Tomsik Street within Enterprise. JJ/al/xx (For possible action)
5. **UC-20-0432-LATOUR CORPORATION:**  
**USE PERMITS** for the following: 1) to allow an accessory structure not architecturally compatible with the principal building; 2) allow an accessory building to exceed one half the footprint of the principal dwelling; and 3) waive design standards on 0.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the northwest corner of Warm Springs Road and Cameron Street within Enterprise. MN/sd/jd (For possible action) 11/17/20 PC

6. **VC-20-0434-SPRINGER, RONALD D. & LINDA M. FAMILY TRUST & SPRINGER, RONALD D. & LINDA M. TRS:**  
**VARIANCE** to reduce the rear setback on 0.1 acres in an R-2 (Medium Density Residential) Zone P-C (Planned Community Overlay District) Zone within the Southern Highlands Master Planned Community. Generally located on the west side of Pinetina Street, the east side of Armani Avenue, and 270 feet south of Robert Trent Jones Lane within Enterprise. JJ/bb/jd (For possible action) 11/17/20 PC
7. **ET-20-400110 (UC-0790-16) -KULAR GURDEV SINGH:**  
**USE PERMIT SECOND EXTENSION OF TIME** to complete the following: 1) reduce the separation for a proposed convenience store to a residential use; 2) reduce the separation for a proposed gasoline service station to a residential use; 3) reduce the separation for a proposed vehicle wash to a residential use; and 4) reduce the separation for a proposed vehicle maintenance building (smog check) to a residential use.  
**WAIVERS OF DEVELOPMENT STANDARDS** to reduce the driveway separation.  
**WAIVER OF CONDITIONS** of a zone change (NZC-0339-04 (WC-0042-06)) requiring per revised plans on file dated February 3, 2006.  
**DESIGN REVIEWS** for the following: 1) a proposed convenience store and retail building; 2) proposed gasoline service station; 3) proposed vehicle wash; and 4) proposed vehicle maintenance building (smog check) on a 1.4 acre portion of a 4.0 acre site in a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone. Generally located on the northeast corner of Gomer Road and Fort Apache Road within Enterprise. JJ/jgh/jd (For possible action) 11/18/20 BCC
8. **ET-20-400113 (WS-18-0658) -DBAC, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** to commence the following: 1) increase retaining wall/screen wall height; and 2) allow non-standard street sections in conjunction with a proposed single family residential development.  
**DESIGN REVIEWS** for the following: 1) single family residential subdivision; and 2) increase finished grade on 7.2 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone. Generally located on the east side of Valley View Boulevard and the north side of Eldorado Lane within Enterprise. MN/jgh/jd (For possible action) 11/18/20 BCC
9. **ET-20-400115 (UC-0061-17)-ABC PARADISE, LLC:**  
**USE PERMITS SECOND EXTENSION OF TIME** for the following: 1) permit a proposed multiple family residential development; and 2) increase building height.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce front setback; 2) reduce side (corner) setback; 3) reduce height/setback ratio adjacent to single family residential uses; 4) allow balconies to overlook single family residential uses; and 5) reduce height/setback ratio from an arterial street (Windmill Lane).  
**DESIGN REVIEW** for a proposed multiple family residential development on 5.1 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the northeast corner of Windmill Lane and Giles Street within Enterprise. MN/jgh/jd (For possible action) 11/18/20 BCC

10. **WC-20-400116 (UC-0789-16)-MFE, INC:**  
**WAIVER OF CONDITIONS** of a use permit requiring a 14 foot intense landscape buffer on the west property line with Mondale Pines in conjunction with a previously approved commercial center on a 1.5 acre portion of 3.8 acres in a C-1 (Local Business) Zone. Generally located on the west side of Jones Boulevard and the south side of Cactus Avenue within Enterprise. JJ/jor/jd (For possible action) **11/18/20 BCC**
  
11. **DR-20-0445-MFE, INC:**  
**DESIGN REVIEWS** for the following: **1)** parking lot landscaping; and **2)** site design changes to a previously approved commercial center on a 1.5 acre portion of 3.8 acres in a C-1 (Local Business) Zone. Generally located on the west side of Jones Boulevard and the south side of Cactus Avenue within Enterprise. JJ/jor/jd (For possible action) **11/18/20 BCC**

VII. General Business

1. Receive and make recommendations regarding the Enterprise TAB Rural Low Residential Policy Recommendations Draft for submission to Transition Clark County. (for possible action)
  
2. Make recommendations regarding discussion topics for future meeting with Clark County Public Works. (for possible action)

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: Tuesday, November 10, 2020 at 6:00 p.m.

X. Adjournment.

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

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



- TAB meeting.
13. VS-20-0399-LH VENTURES, LLC: The applicant requested a **HOLD** to the October 28, 2020 Enterprise TAB meeting.
  14. WS-20-0398-LH VENTURES, LLC: The applicant requested a **HOLD** to the October 28, 2020 Enterprise TAB meeting.
  15. TM-20-500138-LH VENTURES, LLC: The applicant requested a **HOLD** to the October 28, 2020 Enterprise TAB meeting.

Related applications:

10. DR-20-0416-LH VENTURES, LLC:
11. TM-20-500142-LH VENTURES, LLC:

V. Informational Items

1. Receive an update from Brightline West, the high-speed passenger rail service connecting Southern California and Southern Nevada (for discussion).

**BRIGHTLINE WEST**, a Brightline affiliated company, is a high-speed passenger rail system that is redefining train travel in America. Connecting Los Angeles to Las Vegas through multiple intercity projects, Brightline West is designed to take cars off the road and offer millions of travelers a green way to travel between one of the country's largest cities and the entertainment capital of the world.

**TOO LONG TO DRIVE+ TOO SHORT TO FLY= TRAIN TRAVEL**

- 50 million one-way trips made annually between these two destinations
- High-speed rail is optimally suited in travel corridors between 200 and 300 miles.
- These systems offer faster travel times with greater reliability & comfort than other available modes of travel.
- Brightline West's 260 mile system has an addressable market of 50 million one-way trips per year.

**TIMELINE:**

- Break-ground in Nevada 2<sup>nd</sup> half 2020.
- Complete construction and commerce service 1<sup>st</sup> 2024.

**DETAILS:**

- Will start construction in Primm and work toward Las Vegas.
- In the I-15 right-of way.
  - In Nevada most of the track will be on the east side of I-15.
  - A six-mile segment near Jean will be on the centerline of I-15.
  - Will construct an overhead turn around for emergency vehicle.
  - Single track except for 35 miles of dual track.
- Working closely with NDOT to reconfigure part of I-15.
  - In two locations, I-15 travel lanes will be moved.
  - No at grade crossings.
  - Four I-15 interchanges will be modified.
  - St. Rose Pkwy, Cactus Blvd., Silverado ranch Blvd., Blue Diamond Rd.
  - Will work on two interchanges at once.
  - Will not work on adjacent interchanges at the same time.

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

- Applications are available until November 15, 2020 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 2021.

## VI. Planning & Zoning

### 1. ZC-20-0284-LH VENTURES, LLC:

**HOLDOVER ZONE CHANGE** to reclassify a 14.6 acre portion of a 37.5 acre site from an R-E (Rural Estates Residential) Zone to a P-F (Public Facility) Zone.

**WAIVER OF DEVELOPMENT STANDARDS** for full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along public streets.

**DESIGN REVIEWS** for the following: 1) a proposed charter school site; and 2) increase finished grade. Generally located on the east side of Tenaya Way and the north side of Agate Avenue within Enterprise (description on file). JJ/rk/jd (For possible action) 10/20/20 PC

The applicant requested a **HOLD** to the November 10, 2020 Enterprise TAB meeting.

### 2. VS-20-0285-LH VENTURES, LLC:

**HOLDOVER VACATE AND ABANDON** easements of interest to Clark County located between Tenaya Way and Montessori Street (alignment), and between Agate Avenue and Raven Avenue within Enterprise (description on file). JJ/rk/jd (For possible action) 10/20/20 PC

The applicant requested a **HOLD** to the November 10, 2020 Enterprise TAB meeting.

### 3. AG-20-900314: The Enterprise Town Advisory Board conduct a public hearing on a proposed amendment to the North Blue Diamond RNP equestrian trail alignments as part of the Clark County Trails Map-Las Vegas Valley; and after considering the request, forward a recommendation to the Planning Commission. (For possible action) 10/20/20 PC

The County Staff requested a **HOLD** to the November 10, 2020 Enterprise TAB meeting.

### 4. WS-20-0359-HCE DECATUR, LLC:

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce landscaping; 2) allow attached sidewalk; and 3) reduce driveway geometrics.

**DESIGN REVIEW** for an office building on 1.0 acre in a C-P (Office and Professional) Zone. Generally located on the southwest corner of Shelbourne Avenue and Decatur Boulevard within Enterprise. JJ/sd/jd (For possible action) 10/20/20 PC

Motion by David Chestnut

Action: **APPROVE** Waivers of Development Standards 1 and 3

**WITHDRAWN** by applicant Waiver of Development Standards 2

**APPROVE** Design Review per revised plans submitted to Planning

**ADD** Current Planning conditions:

- Design Review as a public hearing for significant changes to plans.
- Design Review as a public hearing for lighting and signage.
- Provide cross access to APN 176-13-601-010 if compatible uses are developed.

Per staff if approved conditions.

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

5. **UC-20-0408-STRA HOLDING, LLC:**  
**USE PERMIT** to allow outside dining and drinking in conjunction with a restaurant on 0.7 acres in a C-2 (General Commercial) Zone. Generally located on the north side of St. Rose Parkway, approximately 1,391 feet south of Amigo Street within Enterprise. MN/jor/jd (For possible action) 11/03/20 PC

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

6. **UC-20-0410-DAY JUNE ELLEN:**  
**USE PERMITS** for the following: 1) allow a proposed metal accessory building (storage/barn) not architecturally compatible with the principal building; and 2) alternative design standards. **WAIVER OF DEVELOPMENT STANDARDS** to reduce setbacks for an accessory building (storage/barn) in conjunction with a single family residence on 0.5 acres in the R-E (Rural Estates Residential) Zone. Generally located on the south side of Maulding Avenue and the west side of Bermuda Road within Enterprise. MN/bb/jd (For possible action) 11/03/20 PC

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

7. **VS-20-0401-THOMSON MANAGEMENT GROUP NV LP:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Rainbow Boulevard and Redwood Street, and between Pebble Road and Torino Avenue within Enterprise (description on file). JJ/md/xx (For possible action) 11/03/20 PC

Motion by Jenna Waltho  
Action: **HOLD** to Enterprise Town Board Meeting on October 28, 2020 due to applicant no show.  
Motion **PASSED** (4-0) /Unanimous

8. **WS-20-0371-WELPMAN SELF STORAGE, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** for a roof sign.  
**DESIGN REVIEW** for signage in conjunction with a previously approved mini-warehouse facility and vehicle storage facility on 4.4 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Welpman Way and the west side of Parvin Street (alignment) within Enterprise. MN/nr/xx (For possible action) 11/03/20 PC

Motion by Jenna Waltho  
Action: **APPROVE** per Current Planning conditions.  
Motion **PASSED** (4-0) /Unanimous



9. **WS-20-0402-WARM SPRINGS OWNER, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow a security fence; 2) increased fence height; 3) waive design standards for a fence; and 4) reduce parking.  
**DESIGN REVIEW** for a security fence in conjunction with an existing office building on 3.7 acres in a C-P (Office and Professional) Zone. Generally located on the west side of Bermuda Road, approximately 250 feet south of Warm Springs Road within Enterprise. MN/nr/jd (For possible action) 11/03/20 PC

Motion by Barris Kaiser

Action:

**APPROVE:** Waiver of Development Standards # 1, limited to 8 feet, remove barbed wire security features

**DENY:** Waiver of Development Standards 2

**APPROVE:** Waiver of Development Standards # 3,

**APPROVE:** Waiver of Development Standards # 4, for Nevada state agency use only.

**APPROVE:** Design Review.

**DELETE:** Current Planning Condition bullet #1

Per staff if approved conditions.

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

Motion by Jenna Waltho

Action: To **RECONSIDER** WS-20-0402.

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

Motion by Barris Kaiser

Action:

**DENY:** Waiver of Development Standards # 1.

**APPROVE:** Waiver of Development Standards #s 2, 3, 4;

**APPROVE:** Design Review.

**DELETE:** Current Planning condition # 1.

**ADD Current Planning conditions:**

- Limit fence height to 8 ft;
- Removed current security measures/barbed wire;
- Remove fence if no longer needed by a Nevada state agency;
- Reduced parking allowed for Nevada State agency only.

Per staff if approved conditions.

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

10. **DR-20-0416-LH VENTURES, LLC:**

**DESIGN REVIEWS** for the following: 1) increased finished grade; and 2) proposed single family residential development on 5.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the west side of Jones Boulevard and the north side of Robindale Road within Enterprise. MN/lm/jd (For possible action) 11/04/20 BCC

Motion by David Chestnut

Action: **APPROVE** per staff conditions.

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

11. **TM-20-500142-LH VENTURES, LLC:**  
**TENTATIVE MAP** consisting of 33 lots on 5.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the west side of Jones Boulevard and the north side of Robindale Road within Enterprise. MN/lm/jd (For possible action) **11/04/20 BCC**

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

12. **ET-20-400107 (NZC-0312-17) -TRAJAN HOLDINGS, LLC:**  
**ZONE CHANGE FIRST EXTENSION OF TIME** to reclassify 6.5 acres from R-E (Rural Estates Residential) Zone to M-1 (Light Manufacturing) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) waive screening and buffering requirements; 2) reduce setbacks for a proposed structure (security fence); 3) reduce setbacks from rights-of-way for a proposed structure (security fence); and 4) waive full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights).  
**DESIGN REVIEW** for a semi-truck and trailer parking facility with employee parking lot. Generally located on the west side of Redwood Street and the north side of Richmar Avenue within Enterprise (description on file). JJ/jgh/jd (For possible action) **11/04/20 BCC**

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

13. **VS-20-0399-LH VENTURES, LLC:**  
**VACATE AND ABANDON** a portion of a right-of-way being Tomsik Street located between Camero Avenue and Wigwam Avenue within Enterprise (description on file). JJ/al/xx (For possible action) **11/04/20 BCC**

Applicant requested a **HOLD** to the October 28, 2020 Enterprise TAB meeting.

14. **WS-20-0398-LH VENTURES, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced lot area; 2) increased wall height; 3) off-site improvements (curbs, gutters, streetlights, sidewalks, and reduced width paving); and 4) street intersection off-set.  
**DESIGN REVIEWS** for the following: 1) single family residential development; and 2) increased finished grade for lots within a proposed single family residential development on 4.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southwest corner of Camero Avenue and Tomsik Street within Enterprise. JJ/al/xx (For possible action) **11/04/20 BCC**

Applicant requested a **HOLD** to the October 28, 2020 Enterprise TAB meeting.

15. **TM-20-500138-LH VENTURES, LLC:**  
**TENTATIVE MAP** consisting of 10 single family residential lots and common lots on 4.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the southwest corner of Camero Avenue and Tomsik Street within Enterprise. JJ/al/xx (For possible action) **11/04/20 BCC**

Applicant requested a **HOLD** to the October 28, 2020 Enterprise TAB meeting.

16. **WS-20-0407-CHETAK DEVELOPMENT:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase wall sign area; **2)** increase wall sign logo size; and **3)** increase the wall sign letter height.  
**DESIGN REVIEW** for significant changes for proposed signage in conjunction with a previously approved commercial center on 2.2 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Cactus Avenue, approximately 240 feet east of Valley View Boulevard within Enterprise. JJ/jor/jd (For possible action) **11/04/20 BCC**

Motion by David Chestnut  
Action: **DENY**.  
Motion **PASSED** (4-0) /Unanimous

VII. General Business:

1. Nominate a Representative and Alternate for the 2020/2021 (CDAC) Community Development Advisory Committee (for possible action).

Motion by Jenna Waltho  
Action: **APPOINT**: Enterprise TAB Community Development Advisory Committee representatives for 2020/2021.

- Peter Sarles - **primary** representative;
- Steve Makar - **alternate** representative:

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

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.

Comments by Dave Chestnut:

- Cougar Creek park at 6701 W. Wigwam Ave was opened today by Justin Jones.
- County records for 30 Oct 2019 ETAB meeting are missing the TAB recommendations and/or additional comments.
- Reminder about Transform Clark County

IX. Next Meeting Date

The next regular meeting will be October 28, 2020 at 6:00 p.m.

X. Adjournment:

Motion by Jenna Waltho  
**ADJOURN** meeting at 7:51 p.m.  
Motion **PASSED** (4-0) /Unanimous



EASEMENTS  
(TITLE 30)

RAINBOW BLVD/PEBBLE RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
VS-20-0401-THOMSON MANAGEMENT GROUP NV LP:

VACATE AND ABANDON easements of interest to Clark County located between Rainbow Boulevard and Redwood Street, and between Pebble Road and Torino Avenue within Enterprise (description on file). JJ/md/jd (For possible action)

RELATED INFORMATION:

APN:  
176-14-401-012

LAND USE PLAN:  
ENTERPRISE - COMMERCIAL NEIGHBORHOOD

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

This application is a request to vacate and abandon the following: 1) patent easements; 2) resolution relative to acquisition of rights-of-way; and 3) BLM right-of-way grants. The plans depict the vacation and abandonment of 5 foot wide patent easements along Rainbow Boulevard (northwest property line) and Pebble Road (south property line). A vacation of a 30 foot wide patent easement along the east property line of the project site is also requested. The second part of this request is to vacate a 5 foot wide easement along Pebble Road and a 30 foot wide easement along the east property line, as acquired by Clark County in a resolution relative to acquisition of rights-of-way by document number 611:570936. The third part of this request is to vacate a 5 foot wide BLM right-of-way grant along Rainbow Boulevard and a 20 foot to 30 foot wide right-of-way grant along Pebble Road recorded via document 2002918:00510. The applicant indicates the vacation of the easements, resolution relative to the acquisition of right-of-way, and the right-of-way grant are needed to develop the property.

**Prior Land Use Requests**

| Application Number | Request  | Action          | Date         |
|--------------------|--|-----------------|--------------|
| UC-19-0794         | Convenience store and gasoline station with waivers to reduce separation to a residential use, allowed an attached sidewalk, and alternative driveway geometrics | Approved by BCC | January 2020 |

**Prior Land Use Requests**

| Application Number | Request  | Action          | Date     |
|--------------------|--|-----------------|----------|
| NZC-18-0006        | Reclassified the site to C-1 zoning for a mini-warehouse with alternative driveway geometrics on Rainbow Boulevard | Approved by BCC | May 2018 |

**Surrounding Land Use**

|       | Planned Land Use Category   | Zoning District | Existing Land Use                       |
|-------|---|-----------------|---|
| North | Office Professional & Rural Neighborhood Preservation (up to 2 du/ac) | R-E             | Undeveloped & single family residential |
| South | Commercial General  | C-2 & R-2       | Undeveloped & single family subdivision |
| East  | Rural Neighborhood Preservation (up to 2 du/ac)                       | R-E             | Undeveloped                             |
| West  | Commercial General  | C-2             | Undeveloped                             |

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

- Right-of-way dedication to include 55 feet to the back of curb for Rainbow Boulevard, 45 feet to 50 feet to the back of curb Pebble Road, and associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Building Department - Fire Prevention**

- No comment.

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

- No objection.

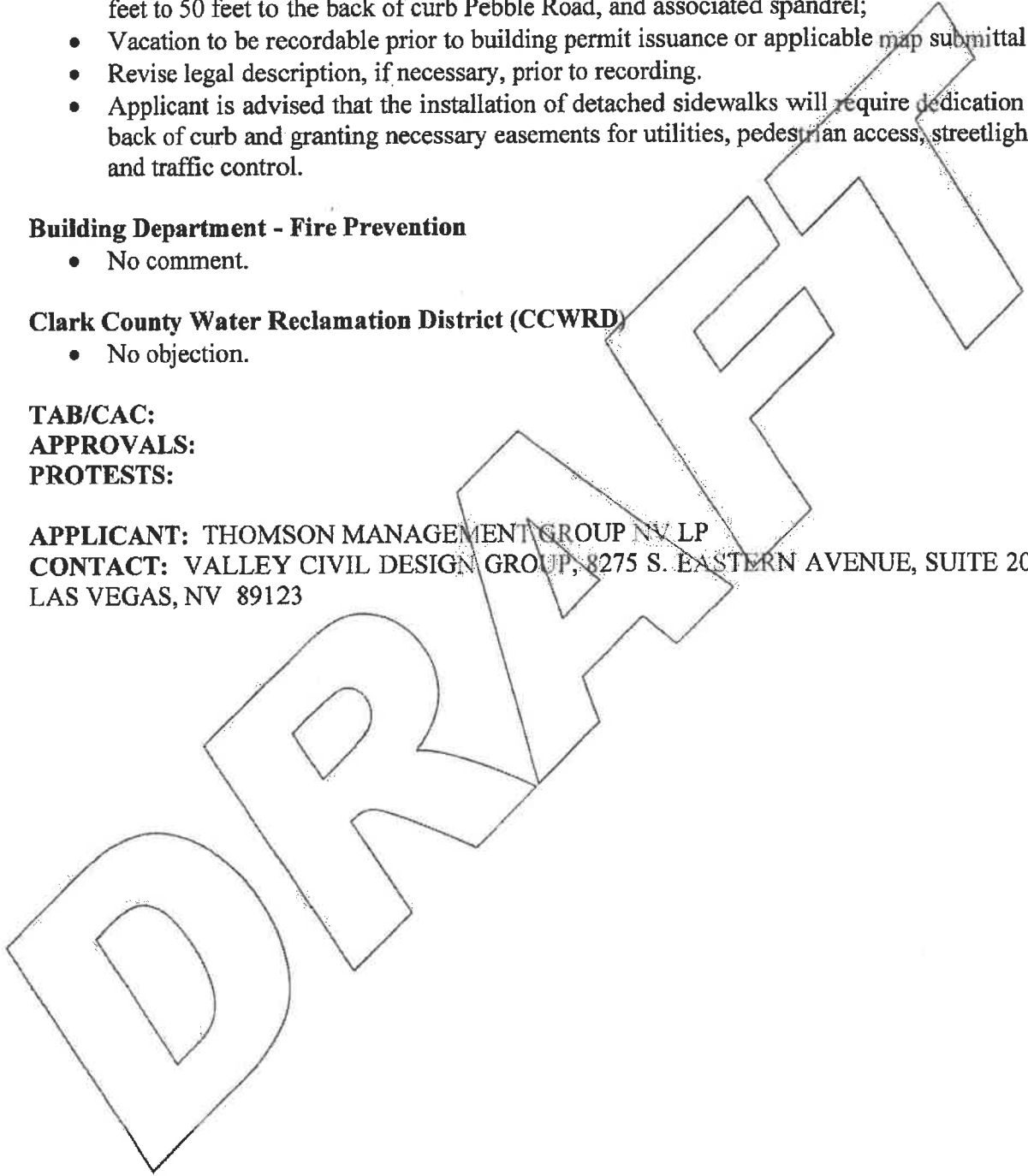
**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** THOMSON MANAGEMENT GROUP NV LP

**CONTACT:** VALLEY CIVIL DESIGN GROUP, 8275 S. EASTERN AVENUE, SUITE 200,  
LAS VEGAS, NV 89123









# VACATION APPLICATION

# 1A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

|   |                       |   |                               |
|---|-----------------------|---|-------------------------------|
| <b>APPLICATION TYPE</b>   | <b>DEPARTMENT USE</b> | APP. NUMBER: <u>VS-20-0401</u>            | DATE FILED: <u>9/10/20</u>    |
|   |                       | PLANNER ASSIGNED: <u>MND</u>              | TAB/CAC DATE: <u>10/14/20</u> |
| <input checked="" type="checkbox"/> <b>VACATION &amp; ABANDONMENT (vs)</b>          |                       | TAB/CAC: <u>ENTERPRISE</u>                | <u>6:00 P.M.</u>              |
| <input checked="" type="checkbox"/> <b>EASEMENT(S)</b>                              |                       | PC MEETING DATE: <u>11/3/20 7:00 P.M.</u> |                               |
| <input type="checkbox"/> <b>RIGHT(S)-OF-WAY</b>                                     |                       | BCC MEETING DATE: <u>-</u>                |                               |
| <input type="checkbox"/> <b>EXTENSION OF TIME (ET)</b><br>(ORIGINAL APPLICATION #): |                       | FEE: <u>\$ 875.<sup>00</sup></u>          |                               |

|                       |  |
|-----------------------|--|
| <b>PROPERTY OWNER</b> | NAME: <u>Thomson Management Group NV LP</u>            |
|                       | ADDRESS: <u>17671 Cowan, Suite 125</u>                 |
|                       | CITY: <u>Irvine</u> STATE: <u>CA</u> ZIP: <u>92614</u> |
|                       | TELEPHONE: <u>949.783.5355</u> CELL: _____             |
|                       | E-MAIL: <u>jackt@dollarselfstorage.com</u>             |


|                  |  |
|------------------|--|
| <b>APPLICANT</b> | NAME: <u>Thomson Management Group NV LP</u>                        |
|                  | ADDRESS: <u>17671 Cowan, Suite 125</u>                             |
|                  | CITY: <u>Irvine</u> STATE: <u>CA</u> ZIP: <u>92614</u>             |
|                  | TELEPHONE: <u>949.783.5355</u> CELL: _____                         |
|                  | E-MAIL: <u>jackt@dollarselfstorage.com</u> REF CONTACT ID #: _____ |

|                      |   |
|----------------------|---|
| <b>CORRESPONDENT</b> | NAME: <u>Matt Loser</u>   |
|                      | ADDRESS: <u>8275 S. Eastern Ave, Suite 200</u>                        |
|                      | CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89123</u>             |
|                      | TELEPHONE: <u>702.551.2005</u> CELL: <u>512.954.8883</u>              |
|                      | E-MAIL: <u>matthew.w.loser@valley-cdg.com</u> REF CONTACT ID #: _____ |

ASSESSOR'S PARCEL NUMBER(S): 176-14-401-012

PROPERTY ADDRESS and/or CROSS STREETS: NEC Rainbow Blvd and Pebble Rd.

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

  
 \_\_\_\_\_  
 Property Owner (Signature)  
 STATE OF NEVADA  
 COUNTY OF \_\_\_\_\_  
 SUBSCRIBED AND SWORN BEFORE ME ON \_\_\_\_\_ (DATE)  
 By \_\_\_\_\_  
 NOTARY PUBLIC: See Attached

John C. Thomson, Manager  
 \_\_\_\_\_  
 Property Owner (Print)  
 See signature block  
 to the attached  
 Exhibit "A"

\*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.

**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)

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

5 \_\_\_\_\_

6 \_\_\_\_\_

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 Orange

Subscribed and sworn to (or affirmed) before me

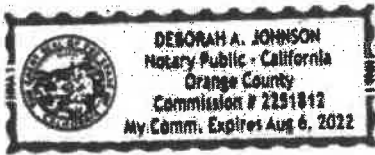
on this 9 day of August, 2020  
by Date Month Year

(1) John C. Thomson

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

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

Signature: [Handwritten Signature]  
Signature of Notary Public



Place Notary Seal and/or Stamp Above

**OPTIONAL**

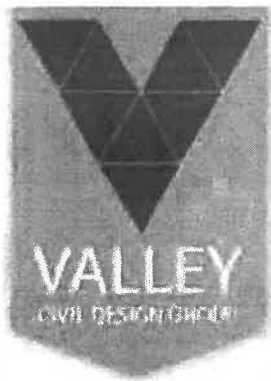
Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_



August 13, 2020

**PLANNER  
COPY**

Department of Comprehensive Planning  
500 S. Grand Central Pkwy.  
Box 551741  
Las Vegas, NV 89155-1741  
702.455.4314

RE: 176-14-401-012 | Vacation of Right of Way and BLM Grants

To whom it may concern,

Pursuant to NZC-18-0006, my client is requesting to vacate a portion of the existing Patent Easements, BLM Right of Way Grants, and Resolution Relative to Acquisition of Rights of way associated with the parcel number referenced above. Specifically, we have portions of Rainbow Blvd. (labeled as VAC-01 on the Site Plan), Pebble Road (labeled as VAC-03 on the site plan) and all of Santa Margarita St (labeled as VAC-02 on the site plan). The vacation of the easements, right-of-way grants, and resolution relative to the acquisition of rights-of-way are necessary for the development of this site.

A parcel map is being processed and will dedicate the Right of way for Rainbow Blvd and Pebble Road.

We appreciate your time and request your sign off on the project.

Sincerely,  
Valley Civil Design Group

Matt Loser  
Digitally signed by  
Matt Loser  
Date: 2020.08.18  
18:30:52 -07'00'

Matt Loser, PE, LEED AP  
Managing Member  
512.954.8883  
[Matthew.w.loser@valley-cdg.com](mailto:Matthew.w.loser@valley-cdg.com)



11/04/20 BCC AGENDA SHEET

RIGHT-OF-WAY  
(TITLE 30)

CAMERO AVE/TOMSIK ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-20-0399-LH VENTURES, LLC:**

**VACATE AND ABANDON** a portion of a right-of-way being Tomsik Street located between Camero Avenue and Wigwam Avenue within Enterprise (description on file). IJ/al/xx (For possible action)

RELATED INFORMATION:

APN:  
176-16-201-030 & 031

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

**BACKGROUND:**

**Project Description**

The applicant is proposing to develop the property on the west side of Tomsik Street between Camero Avenue and Wigwam Avenue as a single family residential development. The applicant is requesting to vacate Tomsik Street and incorporate the west 30 feet of the street dedication into the area of the proposed development. The applicant indicates that this portion of Tomsik Street is not needed for development in this area.

**Prior Land Use Requests**

| Application Number | Request   | Action          | Date         |
|--------------------|---|-----------------|--------------|
| ZC-1026-05         | Established an RNP-I Overlay District for portions of the Enterprise Planning Area, which included this site and the surrounding area | Approved by BCC | October 2005 |

**Surrounding Land Use**

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

### Related Applications

| Application Number | Request  |
|--------------------|--|
| WS-20-0398         | A waiver of development standards for wall height, lot size, and off-site improvements for a single family residential development is a companion item on this agenda. |
| TM-20-500138       | A tentative map for a single family residential subdivision is a companion item on this agenda.  |

### STANDARDS FOR APPROVAL:

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

### Analysis

PW/DR

### Staff Recommendation

Approval.

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

### PRELIMINARY STAFF CONDITIONS:

#### Current Planning

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

#### Building Department - Fire Prevention

- The current proposal is for a 498 foot dead-end to cul-de-sac, if this street exceeds 500 feet in final submittal a proper bulb of 118 feet will be required.
- Applicant is advised that dead-end streets/cul-de-sacs in excess of 500 feet must have an approved Fire Department turn-around provided.

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

- No objection.

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

**APPLICANT:** PINNACLE HOMES

**CONTACT:** ELISHA SCROGUM, TANEY ENGINEERING, 6030 S. JONES BLYD, SUITE  
100, LAS VEGAS, NV 89118

DRAFT







# VACATION APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

2  
13A

|   |       |  |  |
|---|-------|--|--|
| <b>APPLICATION TYPE</b><br><br><input checked="" type="checkbox"/> VACATION & ABANDONMENT (VS)<br><input type="checkbox"/> EASEMENT(S)<br><input checked="" type="checkbox"/> RIGHT(S)-OF-WAY<br><input type="checkbox"/> EXTENSION OF TIME (ET)<br>(ORIGINAL APPLICATION #): | STAFF | DATE FILED: <u>9-10-2020</u><br>PLANNER ASSIGNED: <u>AI</u><br>ACCEPTED BY: <u>AI</u><br>FEE: <u>875</u> CHECK #: _____<br>COMMISSIONER: <u>JT</u><br>OVERLAY(S)? <u>N/A</u><br>TRAILS? <u>YES</u> PFNA? <u>NO</u> | APP. NUMBER: <u>VS-20-0399</u><br>TAB/CAC: <u>Enterprise</u><br>TAB/CAC DATE: <u>10-4</u> TIME: <u>6P</u><br>PC MEETING DATE: _____<br>BCC MTG DATE: <u>11-4 - 9A</u><br>ZONE / AE / RNP: <u>RI- RNP-1</u><br>PLANNED LAND USE: <u>RNP</u> |
|---|-------|--|--|

|                |  |
|----------------|--|
| PROPERTY OWNER | NAME: <u>LH Ventures, LLC</u><br>ADDRESS: <u>250 Pilot Road, Suite 140</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u><br>TELEPHONE: _____ CELL: <u>(702) 278-4788</u><br>E-MAIL: <u>MDunford@americanwesthomes.com</u> |
|----------------|--|

|           |  |
|-----------|--|
| APPLICANT | NAME: <u>Pinnacle Homes, Attn: Frank Wyatt</u><br>ADDRESS: <u>9225 W. Flamingo Road, Suite 190</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89147</u><br>TELEPHONE: <u>702-228-0720</u> CELL: _____<br>E-MAIL: <u>frank@pinnaclelv.com</u> REF CONTACT ID #: _____ |
|-----------|--|

|               |  |
|---------------|--|
| CORRESPONDENT | NAME: <u>Taney Engineering, Attn: Elisha Scrogum</u><br>ADDRESS: <u>6030 S. Jones Blvd.</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u><br>TELEPHONE: <u>702-362-8844</u> CELL: _____<br>E-MAIL: <u>elishas@taneycorp.com</u> REF CONTACT ID #: <u>164937</u> |
|---------------|--|

ASSESSOR'S PARCEL NUMBER(S): 176-16-201-030

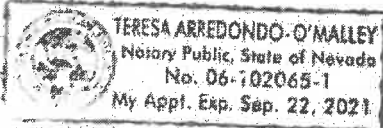
PROPERTY ADDRESS and/or CROSS STREETS: Tomsik and Wigwam

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.

|                                      |  |
|--------------------------------------|--|
| _____<br>Property Owner (Signature)* | Lawrence D. Canarelli<br>_____<br>Property Owner (Print) |
|--------------------------------------|--|

STATE OF NEVADA  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON March 11, 2020 (DATE)  
 By Lawrence D. Canarelli  
 NOTARY PUBLIC: Teresa Arredondo-O'Malley



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

12PR-20-160076



## TANEY ENGINEERING

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

August 04, 2020

Al Laird, Principal Planner  
Clark County Comprehensive Planning  
500 S. Grand Central Parkway  
Las Vegas, NV 89155

VS 20-0399

**RE: Tomsik and Wigwam: Right-of-Way Vacation APN 176-16-201-030**

Dear Mr. Laird,

On behalf of our client, Pinnacle Homes, Taney Engineering is respectfully submitting a project description letter for a BLM Right-of-Way Vacation & (2) Clark County right-of-way vacations, for Tomsik alignment. This request is submitted concurrently with a Tentative Map, Design Review, and a Waiver of Development Standards for a residential subdivision.

Below are the 3 recorded documents requested to be vacated:

BLM Right of way Vacation (Doc # 920520:1105):

The purpose is to vacate 30-ft BLM right of way grant N-55350 on the west half of Tomsik alignment. The portion of BLM right of way grant being requested to be vacated is the Tomsik alignment between Wigwam and Camero alignments.

Clark County Right of way Vacation (Doc #20140107:01576):

The purpose is to vacate 30-ft right of way on the west half of Tomsik alignment, between Wigwam and Camero.

Clark County Right of way Vacation (Doc #19950103:00685):

The purpose is to vacate 30-ft right of way on the east half of Tomsik alignment, between Wigwam and Camero.

As the parcels are being developed as a 10-lot residential subdivision, any required right of way will be dedicated to Clark County where necessary. The portion of Tomsik alignment between Wigwam and Camero are not needed for traffic circulation and Tomsik dead-ends permanently 600 ft north of Camero; it does not continue to the next collector or arterial street. There are no water, sewer, or other utility lines existing in the right of way proposed to be vacated. Both, Gagnier, and Cimarron alignments 660-ft west and east of Tomsik are constructed as through streets, there should be little to no impact on traffic circulation in the area.

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

If you have any questions or require additional information, please do not hesitate to call our office.

Sincerely,

Robert Cunningham, P.E.

11/04/20 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL  
(TITLE 30)

CAMERO AVE/TOMSIK ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-20-0398-LH VENTURES, LLC:

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced lot area; 2) increased wall height; 3) off-site improvements (curbs, gutters, streetlights, sidewalks, and reduced width paving); and 4) street intersection off-set.

**DESIGN REVIEWS** for the following: 1) single family residential development; and 2) increased finished grade for lots within a proposed single family residential development on 4.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone

Generally located on the southwest corner of Camero Avenue and Tomsik Street within Enterprise. JJ/al/xx (For possible action)

**RELATED INFORMATION:**

**APN:**

176-16-201-030

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce gross lot area to a minimum of 16,724 square feet where a minimum of 20,000 square feet is required per Table 30.40-1 (a 16.4 % reduction).
- b. Reduce net lot area to a minimum of 15,703 square feet where a minimum of 16,200 square feet is required for lots adjacent to a collector street (Wigwam Avenue) per Table 30.40-1 (a 3.1% reduction).
2. Increase wall height to 12 feet (6 foot screen wall with a 6 foot retaining wall) where a maximum of 9 feet (6 foot screen wall with a 3 foot retaining wall) is permitted per Section 30.64.050 (a 33.3% increase).
3. Reduce the street intersection off-set to 117 feet where a minimum of 125 feet is required per Section 30.52.052 (a 6.4% reduction).
4. Waive off-site improvements (curbs, gutters, streetlights, sidewalks and reduced width paving) where off-site improvements are required per Section 30.52.040.

**DESIGN REVIEWS:**

1. Single family residential development.
2. Increased finished grade for lots within a single family residential development to 78 inches (6.5 feet) where a maximum increase of 18 inches (1.5 feet) is permitted per Section 30.52.040 (a 333% increase).

## **LAND USE PLAN:**

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

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: N/A
- Site Acreage: 4.1 net/5.1 gross
- Number of Lots: 10
- Density (du/ac): 2
- Net Minimum/Maximum Lot Size (square feet): 15,703/18,371
- Gross Minimum/Maximum Lot Size (square feet): 16,724/21,002
- Project Type: Single family residential development
- Number of Stories: 1
- Building Height (feet): 20
- Square Feet: 3,638 to 4,260

#### Site Plans

The plans depict a single family residential development consisting of 10 lots on 5.1 gross acres with a density of 2 dwelling units per acre. The site has frontage along Camero Avenue, Tomsik Street, and Wigwam Avenue. The applicant has submitted a request to vacate Tomsik Street (VS-20-0399) adjacent to the site and incorporate the west 30 feet of the vacated right-of-way into the area of the subdivision. Access to the development is from Camero Avenue by a 37 foot wide private street that terminates in a radius cul-de-sac at the southern portion of the development. The request to reduce the street intersection off-set is between the private street for the subdivision and Tomsik Street to the north of Camero Avenue. The request to reduce the net and gross lot area is for 2 lots that are adjacent to Wigwam Avenue, the other 8 lots within the proposed development will comply with the lot area standards. The request to increase wall height is for the area along the east side of the property due to excess fill needed along the north, east, and south boundaries of the site.

#### Landscaping

The plans depict 6 foot wide landscape areas along Camero Avenue and Wigwam Avenue consisting of trees, shrubs, and groundcover. These landscape areas are not in common elements but are part of the residential lots that are adjacent to the streets. The justification letter indicates that the property owners will maintain the landscaping on their individual lots. The plan depicts a pedestrian access gate to allow the property owners access to the landscape area along Wigwam Avenue.

#### Elevations

Plans were submitted for 4 single family home models. All of the home models are 1 story with a maximum height of 20 feet. The homes have flat roofs with parapet walls. The exterior of the homes include options for combinations of a stucco finish painted in earth tone colors and stone veneer. Plans were also submitted for optional casitas and RV garages, which will also be 1 story and will be architecturally compatible to the homes.

**Floor Plans**

The 4 home models are between 3,638 square feet to 4,260 square feet in area. Each home model has garage space for a minimum of 3 cars and 3 to 4 bedrooms. The casitas have an area of approximately 600 square feet and consist of a living room with a wet bar, a bedroom, and a bathroom. The RV garages will be between 797 square feet and 917 square feet, with the larger unit having a powder room and additional storage space.

**Applicant's Justification**

The applicant indicates that the proposed development consists of high-end residential estates similar to other adjacent properties in the area. The property has approximately 7 feet of elevation change from west to east, and the proposed site plan is working with the slope of the land by utilizing the sloping and scarping in the rear and side yards where possible. The 6 foot high retaining walls will be located along the east side of the site. The excess fill and increased retaining wall heights are necessary to balance out the property due to the decrease in elevation from west to east. The reduced lot area is necessary due to the width of Wigwam Avenue, which is a collector street, and a 3 foot wide traffic control easement along Wigwam Avenue. The easement and the right-of-way dedication reduce the lot area for two lots adjacent to Wigwam Avenue. The developer is requesting the waiver for the off-site improvements along Wigwam Avenue in order to maintain the rural character.

**Prior Land Use Requests**

| Application Number | Request   | Action          | Date         |
|--------------------|---|-----------------|--------------|
| ZC-1026-05         | Establish an RNP-I Overlay District for portions of the Enterprise Planning Area, which included this site and the surrounding area | Approved by BCC | October 2005 |

**Surrounding Land Use**

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

**Related Applications**

| Application Number | Request   |
|--------------------|---|
| VS-20-0309         | A vacation and abandonment of portions of a right-of-way is a companion item on this agenda.    |
| TM-20-500138       | A tentative map for a single family residential subdivision is a companion item on this agenda. |

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Current Planning**

#### Waivers of Development Standards

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

#### Waivers of Development Standards #1a & #1b & Design Review #1

The plan depicts a single family residential development consisting of 10 lots on approximately 5 gross acres with a density of 2 dwelling units per acre, which complies with the maximum density allowed in the R-E zoning district. There are 4 lots abutting this site that have been developed with single family residences. These 4 lots are between 0.9 acres to 4.1 acres in area, and the smallest of these 4 lots is more than double the size of the smallest lot within the proposed development. Other subdivisions in this area have developed with a maximum of 8 lots on approximately 5 gross acres for a density of 1.6 dwelling units per acre with the lots within these developments exceeding 20,000 square feet; therefore, staff finds that the proposed development is not in character with existing development in this area and not appropriate for the location and recommends denial.

#### Waiver of Development Standards #2

The topography of the area could be a unique circumstance to justify a waiver of development standards to allow for an increase in the height of the retaining walls. However, staff does not support the request to reduce lot area for the proposed subdivision. If the number of lots within the proposed development were reduced, the development would be in character with other existing developments in this area. Having fewer lots within the development would increase the area of the lot within the development, which could allow for alternatives to increasing the height of the retaining walls. Since staff does not support the current design of the project and other subdivision layouts may allow for less fill and lower retaining walls, staff does not support this waiver.

#### Waiver of Development Standards #3 & #4

Public Works

#### Design Review #2

Public Works

### **Staff Recommendation**

Denial.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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.

**Building Department - Fire Prevention**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0105-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: PINNACLE HOMES**

**CONTACT: ELISHA SCROGUM, TANEY ENGINEERING, 6030 S. JONES BLVD, SUITE 100, LAS VEGAS, NV 89118**









## TANEY ENGINEERING

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

August 3, 2020

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

**Re: Tomsik and Wigwam – Justification Letter**  
**APN: 176-16-201-030**

To whom it may concern:

On behalf of our client, Pinnacle Homes, Taney Engineering is respectfully submitting a project description letter for a Tentative Map, Design Review, and Waiver of Standards for a proposed 5.0-acre, 10 lot residential subdivision.

### **Project Description:**

The project consists of a 5.08-acre, 10 lot residential subdivision with 1.96 lots per acre located north of Wigwam Avenue west of Tomsik Street. Currently the site is zoned R-E – Rural Estates Residential, with a planned land use RNP – Residential Neighborhood Preservation. We are requesting the site to remain zoned R-E.

Our project will consist of high-end residential estates, similar to other adjacent properties in the area. All public streets abutting the development will remain in the existing rural road conditions and the private cul-de-sac will have 24" R-Type curb. In addition to stylish exteriors, the homes will include full length 20' driveways with 3-car garages and options for larger garages.

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

- North, East, West, and South: R-E Rural Estates Residential (2 units/acre); RNP – Residential Neighborhood Preservation

The subdivision will have access from Camero Avenue on the north. There will be 3-car garages provided for each unit for a total of 30 parking spaces and additional parking in full length driveways. Perimeter landscaping is being provided in excess of code requirements by a 6-ft landscape area between the right of way limits and a decorative cmu wall adjacent to public right-of-ways on Camero and Wigwam, each lot owner will maintain the landscaping on their individual lots, rear yard access gates for maintenance have been provided on lots 5 and 6 to access the landscape area.

The houses will range in size from approximately 3,638 square feet to 4,260 square feet and will consist of one-story homes (height of one-story homes & RV Garages will not exceed 20') with three car garages.

### **Waiver of Standards – Wall Height**

On behalf of our client, we would like to request waiver of standards for retaining walls. It is requested retaining wall heights of up to 6-ft be allowed, in combination with a 6-ft high cmu wall, resulting in up to 12-ft high combination wall height where code allows 9-ft (a 33% increase). These over height walls would be located on portions of the east side of lot 6

Page 1 of 3



## TANEY ENGINEERING

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

through 10 and the north portion off lot 10 and south portion of lot 6. The site has approximately 7-ft of elevation change from west to east on this site, the proposed site plan is working with the slope of the land by utilizing sloping and scarping in rear and side yards where possible.

### Waiver of Standards – Lot Size

On behalf of our client, we would like to request waiver of gross and net lot size requirements for lots 5 and 6. The gross lot size requirement of 20,000-sf and net lot size of 16,200-sf are not being met on these 2 lots. The site is adjacent to Wigwam, an 80-ft right of way, code allows for the reduction in the net lot area to 10% (16,200-sf). There is requirement of 3-ft traffic control easement along Wigwam, this reduces the net lot size. All other lots meet the 18,000-sf min net area and 20,000-sf gross lot size requirements.

|             | Net Area (Sf) | % Net Area Reduced | Gross Area (Sf) | % Gross Area Reduced |
|-------------|---------------|--------------------|-----------------|----------------------|
| Lot 5       | 15,703        | 3.1%               | 16,724          | 16.4%                |
| Lot 6       | 15,766        | 2.7%               | 16,790          | 16.1%                |
| Requirement | 16,200        | 0.0%               | 20,000          | 0.0%                 |

### Waiver of Standards – Offsite Street Improvements (Wigwam)

On behalf of our client, we would like to request waiver of title 30 development standards requiring full offsite street improvements for Wigwam (80-ft) right-of-way. The proposed development is located in the RNP – Rural Neighborhood Preservation Area where typically rural standard street improvements exists. Rural street standards exist to the west and east of the site in Wigwam, we are requesting to keep the same standards, with no curb, gutter, sidewalk, street lights and a minimum paved roadway section of 32-ft in width.

### Waiver of Standards – Street Intersection Offset

On behalf of our client, we would like to request waiver of Title 30.52.052.a.1, street intersection offset requirement of 125-ft between private street (Waterstone Court) and Tomsik Street, along Camero. The required 125-ft separation is not met. There is 117.16-ft separation provided. This is a reduction of 6.2%. Due to low volume of traffic, this is not a safety issue.

### Design Review – Excess Fill

We would like to apply for a design review for the excess fill at our edge conditions along the east, north, and south boundaries. We believe that the difference in elevation between the proposed and existing grade will be up to 6.5-ft of fill above the existing elevations on the site. The greatest fill area is at the east portions of the site. The impact to the adjacent property to the east is lessened since there is an existing cmu wall located approximately 30-ft from the property line along with large pine trees over 20-ft in height. A portion of the adjacent property to the east is a lighted horse arena and the south portion of the site is undeveloped presently.



**TANEY ENGINEERING**

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

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

Respectfully,  
Taney Engineering

Robert Cunningham, P.E.

11/04/20 BCC AGENDA SHEET

TOMSIK & WIGWAM  
(TITLE 30)

CAMERO AVE/TOMSIK ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-20-500138-LH VENTURES, LLC:**

**TENTATIVE MAP** consisting of 10 single family residential lots and common lots on 4.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the southwest corner of Camero Avenue and Tomsik Street within Enterprise. JJ/al/xx (For possible action)

**RELATED INFORMATION:**

**APN:**  
176-16-201-030

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

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

**General Summary**

- Site Address: N/A
- Site Acreage: 4.1 net/5.1 gross
- Number of Lots: 10
- Density (du/ac): 2
- Net Minimum/Maximum Lot Size (square feet): 15,703/18,371
- Gross Minimum/Maximum Lot Size (square feet): 16,724/21,002
- Project Type: Single family residential development

**Site Plans**

The plans depict a single family residential development consisting of 10 lots on 5.1 gross acres with a density of 2 dwelling units per acre. The site has frontage along Camero Avenue, Tomsik Street, and Wigwam Avenue. The applicant has submitted a request to vacate Tomsik Street (VS-20-0399) adjacent to the site and incorporate the west 30 feet of the vacated right-of-way into the area of the subdivision. Access to the development is from Camero Avenue by a 37 foot wide private street that terminates in a radius cul-de-sac at the southern portion of the development.

**Prior Land Use Requests**

| Application Number | Request   | Action          | Date         |
|--------------------|---|-----------------|--------------|
| ZC-1026-05         | Establish an RNP-I Overlay District for portions of the Enterprise Planning Area, which included this site and the surrounding area | Approved by BCC | October 2005 |

**Surrounding Land Use**

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

**Related Applications**

| Application Number | Request  |
|--------------------|--|
| WS-20-0398         | A waiver of development standards for wall height, lot size, and off-site improvements for a single family residential development is a companion item on this agenda. |
| VS-20-0399         | A vacation and abandonment of portions of a right-of-way is a companion item on this agenda.   |

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

This request meets the tentative map requirements as outlined in Title 30. However, staff does not support WS-20-0398 for the waivers of development standards to reduce lot area or the design review for the proposed subdivision and 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 Comprehensive Master Plan, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that 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.

**Current Planning Division - Addressing**

- Approved street name list from the Combined Fire Communications Center shall be provided.

**Building Department - Fire Prevention**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0105-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** PINNACLE HOMES

**CONTACT:** ELISHA SCROGUM, TANEY ENGINEERING, 6030 S. JONES BLVD. SUITE 100, LAS VEGAS, NV 89118

**DRAFT**







# TENTATIVE MAP APPLICATION 4 15A

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

|   |       |  |  |
|---|-------|--|--|
| <b>APPLICATION TYPE</b><br><br><input checked="" type="checkbox"/> TENTATIVE MAP (TM) | STAFF | DATE FILED: <u>9-10-20</u><br>PLANNER ASSIGNED: <u>AI</u><br>ACCEPTED BY: <u>AI</u><br>FEE: <u>750<sup>00</sup></u><br>CHECK #:<br>COMMISSIONER: <u>JT</u><br>OVERLAY(S)? <u>N/A</u><br>TRAILS? Y/ <u>N</u> PFNA <u>ON</u> | APP. NUMBER: <u>TM-20-50013B</u><br>TAB/CAC: <u>Enterprise</u><br>TAB/CAC MTG DATE: <u>10-19</u> TIME: <u>6P</u><br>PC MEETING DATE:<br>BCC MEETING DATE: <u>11-4 9A</u><br>ZONE / AE / RNP: <u>RE RUP1</u><br>PLANNED LAND USE: <u>RNP</u><br>NOTES: <u>US-20-0312/US-20-0397</u> |
|---|-------|--|--|

|                |  |
|----------------|--|
| PROPERTY OWNER | NAME: <u>LH Ventures, LLC</u><br>ADDRESS: <u>250 Pilto Road, Suite 140</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u><br>TELEPHONE: CELL: <u>(702) 278-4788</u><br>E-MAIL: <u>MDunford@americanwesthomes.com</u> |
|----------------|--|

|           |  |
|-----------|--|
| APPLICANT | NAME: <u>Pinnacle Homes, Attn: Frank Wyatt</u><br>ADDRESS: <u>9225 W. Flamingo Road, Suite 190</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89147</u><br>TELEPHONE: <u>702-228-0720</u> CELL:<br>E-MAIL: <u>frank@pinnaclelv.com</u> REF CONTACT ID #: |
|-----------|--|

|               |  |
|---------------|--|
| CORRESPONDENT | NAME: <u>Taney Engineering, Attn: Elisha Scrogum</u><br>ADDRESS: <u>6030 S. Jones Blvd.</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u><br>TELEPHONE: <u>702-362-8844</u> CELL:<br>E-MAIL: <u>elishas@taneycorp.com</u> REF CONTACT ID #: <u>164937</u> |
|---------------|--|

ASSESSOR'S PARCEL NUMBER(S): 176-16-201-030

PROPERTY ADDRESS and/or CROSS STREETS: Tomsik and Wigwam

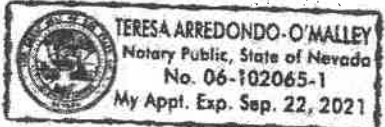
TENTATIVE MAP NAME: Tomsik and Wigwam

NUMBER OF LOTS: 10 GROSS/NET ACREAGE 5.06 gross / 4.54 net GROSS/NET DENSITY: 1.96 lots/acre gross

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.

Lawrence D. Canarelli  
 Property Owner (Signature) Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON March 11, 2020 (DATE)  
 by Lawrence D. Canarelli  
 NOTARY PUBLIC: Teresa Arredondo-O'Malley



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



11/17/20 PC AGENDA SHEET

ACCESSORY STRUCTURE  
(TITLE 30)

WARM SPRINGS RD/CAMERON ST

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-20-0432-LATOIR CORPORATION:**

**USE PERMITS** for the following: 1) to allow an accessory structure not architecturally compatible with the principal building; 2) allow an accessory building to exceed one half the footprint of the principal dwelling; and 3) waive design standards on 0.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the northwest corner of Warm Springs Road and Cameron Street within Enterprise. MN/sd/jd (For possible action)

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**RELATED INFORMATION:**

**APN:**

177-06-402-028

**USE PERMITS:**

1. Allow an accessory structure (metal building) not architecturally compatible with the principal building where required per Table 30.44-1.
2. Increase the area of a proposed accessory building (detached garage) to 1,950 square feet where an accessory building with a maximum area of 1,020 square feet (50% of the footprint of the principal dwelling) is permitted per Table 30.44-1 (a 91% increase).
3. Allow non-decorative vertical metal siding for an accessory structure (metal building) where not permitted per Table 30.56-2A.

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 4626 W. Warm Springs Road
- Site Acreage: 0.5
- Project Type: Accessory structure (detached garage)
- Number of Stories: 1
- Building Height (feet): up to 20
- Square Feet: 1,950

Site Plans

The plans depict an existing 2,040 square foot single family residence located on the northwest corner of Warm Springs Road and Cameron Street. Access to the property is from Warm Springs Road by a circular driveway. The existing principal residence is a 1 story structure and is located in the center portion of the parcel. The applicant is proposing to install a metal accessory structure in the northeast portion of the parcel.

Landscaping

Landscaping is not required or part of this application.

Elevations

The plans depict a single story accessory structure (detached garage) that is 16 feet in height and 65 feet in length and 30 feet in width. The total square footage is 1,950 square feet. The proposed accessory structure (detached garage) will be constructed of metal siding. Two roll-up garage doors located on the eastern exterior face the street with a pedestrian door on the south exterior of the structure.

Floor Plans

According to the applicant the accessory structure (detached garage) will have an open floor plan for storage of vehicles, motor home, and boat.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that this proposed accessory structure (detached garage) is needed to store several classic vehicles, boat and recreational vehicle. The proposed location was chosen because the west portion of the rear yard is the location for the septic tank leech field; and all setbacks are being met and will be painted to match the existing house.

Prior Land Use Requests

| Application Number | Request   | Action         | Date        |
|--------------------|---|----------------|-------------|
| WS-133-04          | Waiver of development standards for side yard and front yard setbacks | Approved by PC | August 2004 |

Surrounding Land Use

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

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Current Planning**

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

Staff reviews use permit requests to ensure compatibility with existing and planned development in the area. The design of the accessory structure incorporates proper building placement on the site with all required setbacks being met. The request complies with Urban Specific Policy 10 of the Comprehensive Master Plan which encourages site designs to be compatible with adjacent land uses. Staff can support this request with a condition to plant trees along the north property line, the length of the structure, to help buffer the detached garage from the neighboring property to the north.

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- Plant trees along the length of the accessory structure (detached garage) to buffer the structure from the adjacent property to the north.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

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

- No comment.

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

- No comment.

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

- Applicant is advised that the property appears to have an existing septic system; and to contact the Southern Nevada Health District with regard to modifying existing plumbing fixtures.

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

**APPLICANT:** PAUL LATOUR

**CONTACT:** PAUL LATOUR, LATOUR CORPORATION, 9018 MILLER RD 2,  
HOUSTON, TX 77049

DRAFT

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# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE


|  |                      |   |   |
|--|----------------------|---|---|
| <b>APPLICATION TYPE</b><br><br><input type="checkbox"/> TEXT AMENDMENT (TA)<br><input type="checkbox"/> ZONE CHANGE<br><input type="checkbox"/> CONFORMING (ZC)<br><input type="checkbox"/> NONCONFORMING (NZC)<br><input checked="" type="checkbox"/> USE PERMIT (UC)<br><input type="checkbox"/> VARIANCE (VC)<br><b>WAIVER OF DEVELOPMENT STANDARDS (WS)</b><br><input type="checkbox"/> DESIGN REVIEW (DR)<br><input type="checkbox"/> PUBLIC HEARING<br><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)<br><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)<br><input type="checkbox"/> WAIVER OF CONDITIONS (WC)<br>(ORIGINAL APPLICATION #)<br><br><input type="checkbox"/> ANNEXATION REQUEST (ANX)<br><input type="checkbox"/> EXTENSION OF TIME (ET)<br>(ORIGINAL APPLICATION #)<br><br><input type="checkbox"/> APPLICATION REVIEW (AR)<br>(ORIGINAL APPLICATION #) | <b>STAFF</b>         | APP. NUMBER: <u>UC-20-0408</u> DATE FILED: <u>9/15/20</u><br>PLANNER ASSIGNED: <u>JOR</u><br>TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>10/14</u><br>PC MEETING DATE: <u>11/3/20</u><br>BCC MEETING DATE: _____<br>FEE: <u>\$675 online</u>          |   |
|  |                      | <b>PROPERTY OWNER</b>   | NAME: <u>STRA Holding LLC</u><br>ADDRESS: <u>2009 E. Windmill Lane</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89123</u><br>TELEPHONE: <u>702.553.9488</u> CELL: _____<br>E-MAIL: <u>tony@marquisedevelopment.com</u>                        |
|  |                      | <b>APPLICANT</b>  | NAME: <u>Chipotle Mexican Grill, INC.</u><br>ADDRESS: <u>PO Box 182566</u><br>CITY: <u>Columbus</u> STATE: <u>OH</u> ZIP: <u>43218</u><br>TELEPHONE: <u>614.318.7459</u> CELL: _____<br>E-MAIL: <u>scott.brown@chipotle.com</u> REF CONTACT ID #: _____ |
|  | <b>CORRESPONDENT</b> | NAME: <u>Harlan R. Faust, Architect</u><br>ADDRESS: <u>14344 Y Street</u><br>CITY: <u>Omaha</u> STATE: <u>NE</u> ZIP: <u>68137</u><br>TELEPHONE: <u>402.895.0878</u> CELL: _____<br>E-MAIL: <u>bfiedler@fhaarchitects.com</u> REF CONTACT ID #: _____ |   |


ASSESSOR'S PARCEL NUMBER(S): 177-34-811-007

PROPERTY ADDRESS and/or CROSS STREETS: St. Rose Parkway and Amigo St.

PROJECT DESCRIPTION: A outdoor dining area for a new Fast Casual Mexican Restaurant.

(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 understand that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

  
 Property Owner (Signature)\*

  
 Property Owner (Print)

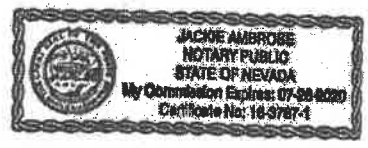
STATE OF Nevada

COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 07/08/20 (DATE)

By Anthony Hama

NOTARY PUBLIC: Jackie Ambrose



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

Page 3 of 5

UC-20-0408

## JUSTIFICATION LETTER

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**Date:** 9/11/2020

**To:** Clark County Comprehensive Planning  
5000 S. Grand Central Parkway  
Las Vegas, NV 89106

**From:** Harlan R. Faust, Architect  
14344 Y Street, Suite 204  
Omaha, NE 68137

**Project:** Outdoor Dining and Drinking at Chipotle Mexican Grill near the intersection of St. Rose Parkway and Arnigo St.  
APN: 177-34-811-007

On behalf of the applicant, we are requesting a use permit to allow outside dining and drinking within 200 feet of a residential property. The outside dining area is in conjunction with a Chipotle Mexican Grill, a fast-casual Mexican restaurant with a drive thru window and on premises alcohol sales. Chipotle is located adjacent to St. Rose Parkway within a commercial project comprised of a mixture of uses.

The restaurant and outdoor dining area would operate from 10:45 am - 10:00 pm, seven days per week. Chipotle's proposed use of the property complies with applicable provisions of Title 30, with the exception of Condition #1 under Outdoor dining in Table 30.44-1. The building is approximately 28 feet away from the residential property to the Southwest. The outdoor dining is approximately 85 feet from the residential property closest to the Northwest. In between the outside dining area and the residential property is a parking lot, a landscape buffer that includes trees and a six foot high wall. The trees and wall will screen the residential area from any noise associated with patrons using the outdoor dining area. Furthermore, there will be no speakers on the patio. Finally, since the restaurant is also near St. Rose Parkway, the traffic noise will be greater than any noise from the outside dining area.

Chipotle will be infilling a property that is currently a vacant pad site, adjacent to other restaurants and retail uses of similar scale, site design, operating characteristics, hours of operation, traffic generation, lighting, noise, odor, and other external impacts.

Chipotle believes in their philosophy of "Food with Integrity," which governs everything from development to operation. They look for real estate that meets their standards, build a quality building to serve a quality product, and takes pride in maintaining their properties, both aesthetically and functionally. The store staff is trained to properly maintain inside and outside the building, and regional



ARCHITECTS  
FOOD + HOSPITALITY



facilities staff periodically ensure that everything is running smoothly, and equipment is regularly maintained as part of national contracts that are in place.

Therefore, we believe the use permit to reduce the separation to a residential use is appropriate and will not create an adverse impact.



11/17/20 PC AGENDA SHEET

SETBACKS  
(TITLE 29)

ROBERT TRENT JONES LN/PINETINA ST

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VC-20-0434-SPRINGER, RONALD D. & LINDA M. FAMILY TRUST & SPRINGER, RONALD D. & LINDA M. TRS:**

**VARIANCE** to reduce the rear setback on 0.1 acres in an R-2 (Medium Density Residential) Zone P-C (Planned Community Overlay District) Zone within the Southern Highlands Master Planned Community.

Generally located on the west side of Pinetina Street, the east side of Armani Avenue, and 270 feet south of Robert Trent Jones Lane within Enterprise. JJ/bb/jd (For possible action)

---

**RELATED INFORMATION:**

**APN:**

191-08-120-005

**VARIANCE:**

Reduce the rear setback to 5 feet for a patio cover where 10 feet is required per Southern Highlands Modified Residential Development Standards (a 50% reduction).

**LAND USE PLAN:**

ENTERPRISE - MAJOR DEVELOPMENT PROJECT (SOUTHERN HIGHLANDS) - UNIT 2

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 12325 Pinetina Street
- Site Acreage: 0.1
- Project Type: Patio cover
- Square Feet: 160

**Site Plan**

The plans depict a single family home with a 15 foot rear yard setback to the house and 5 foot proposed setback for a 10 foot by 16 foot patio cover. The property line wall in the rear yard is 10 feet in height and backs-up to Armani Avenue, which has a detached sidewalk and 10 feet of landscaping. The proposed patio cover is not visible from the front of the home or Pinetina Street.

Landscaping

Additional landscaping is not required as part of this request.

Elevations

The elevations depict a 9 foot high decorative aluminum patio cover, painted to match the home on the northwest corner of the house.

Floor Plans

The floor plans depict a small enclosed patio at the northwest corner of the first level of the home. The proposed 160 square foot patio cover will extend 10 feet from the northwest corner of the home and 16 feet from north to south. The northern edge of the patio cover is flush with the north wall of the home.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is proposing to professionally install a patio cover in the backyard of an existing home in Southern Highlands. The applicant has health concerns that require additional shade coverage in a backyard with southern exposure to the sun. The patio cover will allow the applicant to fully use the backyard during daylight hours. The rear yard backs to a 10 foot block wall and Armani Avenue on the other side.

Prior Land Use Requests

| Application Number | Request  | Action          | Date        |
|--------------------|--|-----------------|-------------|
| ZC-0326-13         | Reclassified 43.8 acres to an R-2 Planned Community Overlay District zone with modified development standards, and modified street standards | Approved by BCC | August 2013 |

Surrounding Land Use

|                            | Planned Land Use Category | Zoning District                                | Existing Land Use         |
|----------------------------|---------------------------|--|---------------------------|
| North, South, East, & West | Major Development Project | R-2 & P-C (Planned Community Overlay District) | 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**

The proposed patio cover will not create an undesirable change to the character of the neighborhood or be a detriment to nearby properties. The proposed variance is not substantial when considering the physical attributes of the lot. The proposed patio and setback will not have an adverse impact on the physical conditions of the neighborhood. Lot 12 of Southern Highlands parcel 420 unit 2 is only 82 feet deep, creating a physical hardship for the applicant to construct a shade structure similar to other nearby properties. Lot 12 is located at the narrowest point between 2 streets, Pinetina Street and Armani Avenue. A 5 foot detached sidewalk exists on the Armani Avenue side of the 10 foot wall, along with 10 feet of landscaping and a unique landscaped roundabout median (decorative) with only 2 access points.

**Staff Recommendation**

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 29, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** LINDA SPRINGER

**CONTACT:** LINDA SPRINGER, 12325 PINETINA STREET, LAS VEGAS, NV 89141





# LAND USE APPLICATION

# 6A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

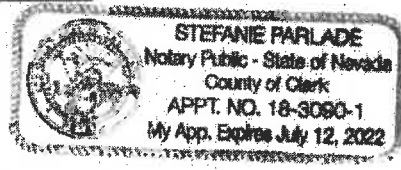
|  |   |
|--|---|
| <b>APPLICATION TYPE</b><br><br><input type="checkbox"/> TEXT AMENDMENT (TA)<br><input type="checkbox"/> ZONE CHANGE<br><input type="checkbox"/> CONFORMING (ZC)<br><input type="checkbox"/> NONCONFORMING (NZC)<br><input type="checkbox"/> USE PERMIT (UC)<br><input checked="" type="checkbox"/> VARIANCE (VC)<br><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)<br><input type="checkbox"/> DESIGN REVIEW (DR)<br><input type="checkbox"/> PUBLIC HEARING<br><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)<br><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)<br><input type="checkbox"/> WAIVER OF CONDITIONS (WC)<br>(ORIGINAL APPLICATION #)<br><input type="checkbox"/> ANNEXATION REQUEST (ANX)<br><input type="checkbox"/> EXTENSION OF TIME (ET)<br>(ORIGINAL APPLICATION #)<br><input type="checkbox"/> APPLICATION REVIEW (AR)<br>(ORIGINAL APPLICATION #) | <b>STAFF</b><br><br>APP. NUMBER: <u>VC-20-0434</u> DATE FILED: <u>9-29-2020</u><br>PLANNER ASSIGNED: <u>ESB</u><br>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>10-28 6p.m.</u><br>PC MEETING DATE: <u>11-17-2020 7p.m.</u><br>BCC MEETING DATE: _____<br>FEE: <u>475</u>  |
|  | <b>PROPERTY OWNER</b><br><br>NAME: <u>Ron Springer</u><br>ADDRESS: <u>12325 PineTina St</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89141</u><br>TELEPHONE: <u>7024622345</u> CELL: <u>7026017048</u><br>E-MAIL: <u>lms1952@yahoo.com</u>                      |
|  | <b>APPLICANT</b><br><br>NAME: <u>Linda Springer</u><br>ADDRESS: <u>12325 PineTina St</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89141</u><br>TELEPHONE: <u>7024622345</u> CELL: <u>7026017048</u><br>E-MAIL: <u>lms1952@yahoo.com</u> REF CONTACT ID #: _____ |
|  | <b>CORRESPONDENT</b><br><br>NAME: <u>Same</u><br>ADDRESS: _____<br>CITY: _____      STATE: _____      ZIP: _____<br>TELEPHONE: _____      CELL: _____<br>E-MAIL: _____      REF CONTACT ID #: _____   |

ASSESSOR'S PARCEL NUMBER(S): Southern Highlands Parcel 420 Unit 2  
 PROPERTY ADDRESS and/or CROSS STREETS: 12325 PineTina St  
 PROJECT DESCRIPTION: Install Patio Cover (50% of standard)

(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 notifying the public of the proposed application.

Ron Springer      Ron Springer  
 Property Owner (Signature)      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark County  
 SUBSCRIBED AND SWORN BEFORE ME on 09/24/2020 (DATE)  
 by Ronald Dean Springer  
 NOTARY PUBLIC: [Signature]



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

August 24, 2020

Letter of Justification

VC-20-0434

PLANNER  
COPY

To Who It May Concern:

I am writing this letter of justification to obtain approval for a professional installation of an aluminum patio cover. The purpose of the installation is to protect home owner from the damaging effects of the sun rays. The home owner has skin cancer and grandchildren, whom cannot be exposed to prolonged sun exposed.

Rear yard variance need to be reduced from 10 ft. to 5ft. to professionally install 10x16 patio cover. There are no rear neighbors and the rear fence is a 10ft high concrete block. Right and left neighbors have similar patio covers and have already signed with HOA to permit agreement of installation.

Estimate cost is \$3,400 and will improve overall property value.

Regards,

*Ron and Linda Springer*

702-601-7048



CONVENIENCE STORE  
(TITLE 30)

FORT APACHE RD/GOMER RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-20-400110 (UC-0790-16) -KULAR GURDEV SINGH:**

**USE PERMIT SECOND EXTENSION OF TIME** to complete the following: 1) reduce the separation for a proposed convenience store to a residential use; 2) reduce the separation for a proposed gasoline service station to a residential use; 3) reduce the separation for a proposed vehicle wash to a residential use; and 4) reduce the separation for a proposed vehicle maintenance building (smog check) to a residential use.

**WAIVERS OF DEVELOPMENT STANDARDS** to reduce the driveway separation. **WAIVER OF CONDITIONS** of a zone change (NZC-0339-04 (WC-0042-06)) requiring per revised plans on file dated February 3, 2006.

**DESIGN REVIEWS** for the following: 1) a proposed convenience store and retail building; 2) proposed gasoline service station; 3) proposed vehicle wash; and 4) proposed vehicle maintenance building (smog check) on a 1.4 acre portion of a 4.0 acre site in a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone.

Generally located on the northeast corner of Gomer Road and Fort Apache Road within Enterprise. JJ/jgh/jd (For possible action)

**RELATED INFORMATION:**

**APN:**  
176-20-419-001 ptn

**USE PERMITS:**

1. Reduce the separation from a convenience store to a residential use to 77 feet where 200 feet is the standard (a 61.5% reduction).
2. Reduce the separation from a gasoline station to a residential use to 77 feet where 200 feet is the standard (a 61.5% reduction).
3. Reduce the separation from a vehicle wash to a residential use to 60 feet where 200 feet is the standard (a 70% reduction).
4. Reduce the separation from a vehicle maintenance building (smog check) to a residential use to 42 feet where 200 feet is the standard (a 79% reduction).

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce the driveway separation on Gomer Road from the intersection of Fort Apache Road and Gomer Road to 35 feet where 150 feet is the standard per Uniform Standard Drawing 222.1 (a 76.6% reduction).

- b. Reduce the separation between an intersection and a driveway approach to 73 feet where 190 feet is required along Fort Apache Road per Uniform Standard Drawing 222.1 (a 61.6% reduction).

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 9670 S. Fort Apache Road
- Site Acreage: 1.4 acre portion of a 4 acre site
- Project Type: Convenience store, gasoline pumps, smog check, vehicle wash, and retail space
- Number of Stories: 1
- Building Height (feet): Up to 21
- Square Feet: 3,200 convenience store/4,800 fuel canopy/100 smog check/1,100 retail lease space/1,900 vehicle wash /11,100 total
- Parking Required/Provided:21/29

Site Plans

The previously approved plans depict a retail center consisting of a convenience store with an attached vehicle wash and gasoline service station, a retail lease space, and a drive-thru restaurant on the southern 1.4 acres of the 4 acre site that is in a C-2 zone. The northern portion of the site that is in a C-1 zone is not a part of this application. The convenience store is located on the eastern portion of the site and set back 77 feet from the eastern property line which is a single family residence in an R-E zone. There is a developed single family residential development approximately 115 feet to the northeast. The retail lease space is located on the northern portion of the convenience store building. The vehicle wash is located on the east side of the convenience store and set back 60 feet from the eastern property line. The entrance to the vehicle wash faces Gomer Road and is buffered by street landscaping per Figure 30.64-17. The fuel canopy is located on the western side of the convenience store just west of the driveway along Gomer Road. Parking is distributed throughout the site. There is 1 access driveway on Fort Apache Road and 1 access driveway on Gomer Road. Per the approved plan submitted at the original public hearing, the smog check station is now located on a landscape island southwest of the convenience store. Initially the applicant requested a waiver of development standards to reduce the setback for the trash enclosure to 40 feet from a residential use, however, the applicant withdrew the waiver of development standards and relocated the trash enclosure over 50 feet from the east property line.

Landscaping

The previously approved plans depict a 15 foot wide landscape area with a detached sidewalk along Fort Apache Road and Gomer Road. A 5 foot wide landscape area with an existing CMU block wall and landscaping per Figure 30.64-11 is located along the eastern property line.

Interior parking lot trees are distributed throughout the site. Landscape materials include trees, shrubs, and groundcover.

#### Elevations

The convenience store/vehicle wash/retail building is 21 feet high with a flat roof with parapet walls. The façade includes a stucco finish, cultured stone, accent paint wainscoting, and fabric and metal canopies. The smog check building is 10 feet high with a façade that matches the convenience store.

#### Floor Plans

The previously approved plans depict a commercial building with a 3,200 square foot convenience store, a 1,100 square foot retail lease space, and a 1,900 square foot vehicle wash. The 100 square foot smog check station will include a window and door.

#### Previous Conditions of Approval

Listed below are the approved conditions for ET-18-400217 (UC-0790-16):

##### Current Planning

- Until January 4, 2021 to complete;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

##### Public Works - Development Review

- Compliance with previous conditions.

#### Previous Conditions of Approval

Listed below are the approved conditions for UC-0790-16:

##### Current Planning

- Per revised plans dated 1/4/17;
- Car wash hours limited to 7:00 a.m. to 7:00 p.m.;
- Landscaping on east property line of project to be a 10 foot wide extensive landscape buffer with mature trees;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

##### Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Vacate and rededicate bus turnout right-of-way and/or passenger loading/shelter areas in accordance with Regional Transportation Commission standards.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that existing sewer is located within 400 feet of the parcel; and that at time of development CCWRD requires submittal of estimated wastewater flow rates to determine sewer point of connection.

WAIVER OF DEVELOPMENT STANDARDS #1 WAS WITHDRAWN

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that this extension of time is being filed to allow more time to complete the project. Final construction plans are moving forward but the applicants' project has been delayed due to the COVID-19 pandemic. They are asking for two additional years to complete construction.

**Prior Land Use Requests**

| Application Number         | Request   | Action          | Date         |
|----------------------------|---|-----------------|--------------|
| VS-20-0263                 | Vacated and abandoned easements located between Fort Apache Road and El Capitan Way and between Gomer Road and Meranto Avenue and a portion of right-of-way being Fort Apache Road  | Approved by PC  | August 2020  |
| DR-20-0228                 | Increased finished grade in conjunction with an approved shopping center  | Approved by BCC | July 2020    |
| WS-19-0845                 | Modified driveway design standards and design review for site lighting; and changes to a previously approved shopping center  | Approved by BCC | January 2020 |
| ET-18-400217 (UC- 0790-16) | First extension of time of a use permit to reduced the separation for a proposed convenience store to a residential use; reduced the separation for a proposed gasoline service station to a residential use; reduced the separation for a proposed vehicle wash to a residential use; and reduced the separation for a proposed vehicle maintenance building (smog check) to a residential use | Approved by BCC | January 2018 |

**Prior Land Use Requests**

| Application Number       | Request  | Action          | Date         |
|--------------------------|--|-----------------|--------------|
| DR-18-0059               | Proposed tavern and retail building  | Approved by BCC | March 2018   |
| UC-0790-16               | Reduced the separation for a proposed convenience store to a residential use; reduced the separation for a proposed gasoline service station to a residential use; reduced the separation for a proposed vehicle wash to a residential use; and reduced the separation for a proposed vehicle maintenance building (smog check) to a residential use | Approved by BCC | January 2017 |
| WS-0296-12               | Appealed the administrative denial of an off-site improvement bond extension of time in conjunction with an approved shopping center/office complex  | Approved by BCC | August 2012  |
| TM-0176-06               | 1 lot commercial subdivision   | Approved by PC  | May 2006     |
| NZC-0339-04 (WC-0042-06) | Waived the condition of the previous zone change requiring buildings along the east property line to be single story and 21 feet maximum height  | Approved by BCC | March 2006   |
| NZC-0339-04              | Reclassified from R-E to C-1 and C-2 zoning for a shopping center/office complex   | Approved by BCC | July 2004    |

**Surrounding Land Use**

|               | Planned Land Use Category                                    | Zoning District | Existing Land Use                                   |
|---------------|--|-----------------|---|
| North & South | Residential Medium (3 to 14 du/ac)                           | RUD             | Single family residential                           |
| East          | Residential Medium (3 to 14 du/ac) & Commercial Neighborhood | R-1 & R-E       | Single family residential & single family residence |
| West          | Commercial Neighborhood                                      | R-2             | 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.

Although specific progress has not been made on this project, permits are in review for other portions of the shopping center. Staff has no objection to the request.

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until January 4, 2022 to complete.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- Compliance with previous conditions.

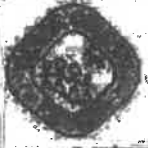
**Clark County Water Reclamation District (CCWRD)**

- No comment.

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

**APPLICANT: GURDEV KULAR**

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



# LAND USE APPLICATION 7A

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

- APPLICATION TYPE**
- TEXT AMENDMENT (TA)
  - ZONE CHANGE
    - CONFORMING (ZC)
    - NONCONFORMING (NZO)
  - USE PERMIT (UC)
  - VARIANCE (VC)
  - WAIVER OF DEVELOPMENT STANDARDS (WS)
  - DESIGN REVIEW (DR)
    - PUBLIC HEARING
  - ADMINISTRATIVE DESIGN REVIEW (ADR)
  - STREET NAME / NUMBERING CHANGE (SC)
  - WAIVER OF CONDITIONS (WC)
  - (ORIGINAL APPLICATION #)
  - ANNEXATION REQUEST (ANX)
  - EXTENSION OF TIME (ET)
    - UC-0790-16
    - (ORIGINAL APPLICATION #)
  - APPLICATION REVIEW (AR)
    - (ORIGINAL APPLICATION #)

**STAFF**

APP. NUMBER: EX 20-400110      DATE FILED: 9/22/2020  
 PLANNER ASSIGNED: JGH  
 TAB/CAC: Enterprise 6pm      TAB/CAC DATE: 10/28/2020  
 PC MEETING DATE: N/A  
 BCC MEETING DATE: 11/18/2020 9am  
 FEE: \$1200

**PROPERTY OWNER**

NAME: GURDEV KULAR  
 ADDRESS: 955 Temple View Drive  
 CITY: Las Vegas      STATE: NV      ZIP: 89110  
 TELEPHONE: 702-306-7872      CELL: \_\_\_\_\_  
 E-MAIL: kularg91@gmail.com

**APPLICANT**

NAME: GURDEV KULAR  
 ADDRESS: 955 Temple View Drive  
 CITY: Las Vegas      STATE: NV      ZIP: 89110  
 TELEPHONE: 702-306-7872      CELL: \_\_\_\_\_  
 E-MAIL: kularg91@gmail.com      REF CONTACT ID #: \_\_\_\_\_

**CORRESPONDENT**

NAME: John Vornsand, AICP  
 ADDRESS: 62 Swan Circle  
 CITY: Henderson      STATE: NV      ZIP: 89074  
 TELEPHONE: 702-896-2932      CELL: \_\_\_\_\_  
 E-MAIL: landuseplanning@embarqmail.com      REF CONTACT ID #: 165449

ASSESSOR'S PARCEL NUMBER(S): 176-20-419-001  
 PROPERTY ADDRESS and/or CROSS STREETS: NEC FORT APACHE/GOMER  
 PROJECT DESCRIPTION: Extension of Time for a proposed convenience store & vehicle wash

(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 (state 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 understand 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) Gurdev Kular

STATE OF NV  
 COUNTY OF \_\_\_\_\_  
 SUBSCRIBED AND SWORN TO before me on \_\_\_\_\_ (DATE)  
 By \_\_\_\_\_  
 NOTARY PUBLIC: \_\_\_\_\_

**JOB VERGARA**  
 Notary Public, State of Nevada  
 No. 19-1918-1  
 My Appl. Exp. March 5, 2023

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

ET-20-400110

**JOHN VORNSAND, AICP**  
Planning & Zoning Entitlements  
62 SWAN CIRCLE  
HENDERSON, NEVADA 89074  
Phone (702) 895-3932  
Email: landuseplanning@embarqmail.com

September 9, 2020

**RE: Justification Letter - Extension of Time - UC-790-16 - NWC Post Apache/Gomer**

The owner/applicant is requesting additional time to complete construction of a convenience store, vehicle wash and gasoline sales in conjunction with an approved shopping center including a restaurant, tavern and child care facility. Since the original approval for the convenience store in 2016, applications have been approved for additional uses on the overall property (DR-18-0059 & WS-19-0845). The time limit imposed on UC-0790-16 is to complete construction in two years, prior to January 4, 2021. Although final construction plans are moving forward at this time, completion will not occur prior to the expiration date of January 4, 2021. The delays have also been caused by the recent pandemic issues. The applicant respectfully requests an additional two years to complete construction.

SINCERELY



John Vornsand, AICP

PLANNER  
COPY



11/18/20 BCC AGENDA SHEET

SINGLE FAMILY SUBDIVISION  
(TITLE 30)

VALLEY VIEW BLVD/ELDORADO LN

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
ET-20-400113 (WS-18-0658) -DBAC, LLC:

**WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** to commence the following: **1)** increase retaining wall/screen wall height; and **2)** allow non-standard street sections in conjunction with a proposed single family residential development.  
**DESIGN REVIEWS** for the following: **1)** single family residential subdivision; and **2)** increase finished grade on 7.2 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone.

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

**RELATED INFORMATION:**

**APN:**  
177-08-101-002

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase retaining wall height (retaining and screen wall) to 16 feet where a maximum of 12 feet is permitted per Figure 30.64-15 (a 33% increase).
2. Allow non-standard street sections as required per Uniform Standards Drawings 212 and 210.SI.

**DESIGN REVIEWS:**

1. Single family residential subdivision.
2. Increase finished grade height to 120 inches where 18 inches is allowed per Section 30.32.040 (a 566.6% increase).

**LAND USE PLAN:**

ENTERPRISE – BUSINESS DESIGN AND RESEARCH PARK

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 7.2
- Number of Lots/Units: 14
- Density (du/ac): 1.71
- Minimum/Maximum Lot Size: 20,063 square feet/26,602 square feet

- Net Minimum/Maximum Lot Size: 16,246 square feet/20,353 square feet
- Project Type: Single family residential subdivision
- Number of Stories: 2
- Building Height (feet): 28
- Square Feet: 5,902 to 7,010 (including garages)

### Site Plans

The previously approved plans depict a proposed gated single family residential development consisting of 14 lots on 7.2 acres. The density of the residential development is 1.71 dwelling units per gross acre with a minimum net lot size of 16,246 square feet, and a maximum net lot area of 20,353 square feet. The gross lot areas range from 20,063 square feet to 26,602 square feet. Proposed lots will be served by 2, 40 foot wide private streets with R-type curbs. The internal private street intersection includes a roundabout with roundabouts at the end of the 2 proposed cul-de-sacs. There are no internal sidewalks. The plans also show access gates and medians within the proposed development, off Eldorado Lane to the south. The applicant initially requested to waive full off-sites, however the applicant later withdrew the request.

### Landscaping & Screening

The previously approved plans show 24 inch box trees and shrubbery on the exterior of lots along Valley View Boulevard and Eldorado Lane with a screen wall behind the landscaping. The location of the increased retaining wall height is along the north and east property lines. The north property line retaining walls consist of a 6 foot high maximum retaining wall with a 6 foot screen wall. The east property line retaining walls consist of a 10 foot high maximum retaining wall adjacent to the existing 6 foot wall with retaining wall along the property line. There is a 5 foot wall off-set from the east property line and then another 1 foot high retaining wall with a 6 foot high screen wall on top of the retainer.

### Elevations

The previously approved plans show 2 types of 2 story contemporary model homes with multiple elevations for each plan. The buildings have parapet walls with varying roof lines and heights of up to 28 feet. All buildings have enhanced architectural elements such as wood louvers, black anodized aluminum and wood awning, and will be constructed with smooth plaster and stone feature walls.

### Floor Plans

The approved model homes range in size from 5,902 square feet to 7,010 square feet including garages. The 2 models show 4 and 5 bedrooms, dining, living and kitchen areas, loft, storage, laundry room, and bathrooms. All models have either a 3 or 4 car garage.

### Previous Conditions of Approval

Listed below are the approved conditions for WS-18-0658:

#### Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.

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

#### Public Works - Development Review

- Drainage study and compliance;
- 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;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Clark County Fire Prevention approval of non-standard street sections.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

#### Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- 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;
- For that portion which lies within the AE-60, applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;

- For that portion which lies within the AE-60, applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation.
- For that portion which lies within the AE-60, applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;
- For that portion which lies within the AE-60, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0376-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #1 WAS WITHDRAWN.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates, an extension of time is needed because there are existing jet fuel and petroleum fuel lines on Valley View Blvd. The existing fuel lines are delaying progress on the project and the applicants would like more time to commence.

**Prior Land Use Requests**

| Application Number | Request   | Action          | Date         |
|--------------------|---|-----------------|--------------|
| WS-18-0658         | Waiver to increase wall height with a proposed single-family residential development  | Approved by BCC | October 2018 |
| TM-18-500151       | 14 lot single family residential subdivision  | Approved by BCC | October 2018 |
| ZC-0656-09         | Reclassified the property from R-E to M-D zoning with waivers for alternative landscape buffer for an office warehouse facility | Denied by BCC   | January 2010 |
| UC-0718-06         | A place of worship and modified development standards and a design review for a place of worship – expired                      | Approved by PC  | June 2006    |

**Prior Land Use Requests**

| Application Number | Request  | Action          | Date         |
|--------------------|--|-----------------|--------------|
| TM-0393-05         | 16 lot single family residential subdivision – expired                                     | Approved by BCC | August 2005  |
| WS-0886-05         | Waiver to reduce lot sizes for a single family residential subdivision – expired           | Approved by PC  | July 2005    |
| ZC-1026-05         | Reclassified properties within the Enterprise Land Use Plan to establish the RNP-I Overlay | Approved by BCC | October 2005 |

**Surrounding Land Use**

|              | Planned Land Use Category                       | Zoning District | Existing Land Use         |
|--------------|---|-----------------|---------------------------|
| North & West | Rural Neighborhood Preservation (up to 2 du/ac) | R-E (RNP-1)     | Single family residential |
| South        | Rural Neighborhood Preservation (up to 2 du/ac) | R-E (RNP-1)     | Undeveloped               |
| East         | Business and Design/Research Park               | M-D             | Office/Warehouse          |

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

There are existing fuel lines running along Valley View Boulevard delaying progress on the project, the applicant would like more time to commence. Staff has no objection to the request.

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until October 03, 2022 to commence.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified;

**Public Works - Development Review**

- Compliance with previous conditions.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** SHANNON COOPER

**CONTACT:** ROSALINDA MEADOR-APARICIO, TANEY ENGINEERING INC., 6030  
SOUTH JONES BOULEVARD, LAS VEGAS, NV 89118

**DRAFT**

11/18/20 BCC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL  
(TITLE 30)

WINDMILL LN/GILES ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-20-400115 (UC-0061-17) -ABC PARADISE, LLC:**

**USE PERMITS SECOND EXTENSION OF TIME** for the following: 1) permit a proposed multiple family residential development; and 2) increase building height.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce front setback; 2) reduce side (corner) setback; 3) reduce height/setback ratio adjacent to single family residential uses; 4) allow balconies to overlook single family residential uses; and 5) reduce height/setback ratio from an arterial street (Windmill Lane).

**DESIGN REVIEW** for a proposed multiple family residential development on 5.1 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the northeast corner of Windmill Lane and Giles Street within Enterprise. MN/jgh/jd (For possible action)

RELATED INFORMATION:

**APN:**

177-09-401-008; 177-09-401-011; 177-09-401-015; 177-09-401-020

**USE PERMITS:**

1. Permit a proposed multiple family residential development in the H-1 zone.
2. Increase building height to 60 feet where a maximum of 50 feet is permitted per Table 30.40-3 and Table 30.40-7 (a 20% increase).

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the front setback to 12 feet where a minimum of 20 feet is required per Table 30.40-3 and Table 30.40-7 (a 40% reduction).
2. Reduce the side (corner) setback to 15 feet where a minimum of 20 feet is required per Table 30.40-3 and Table 30.40-7 (a 25% reduction).
3.
  - a. Reduce the height/setback ratio adjacent to a single family residential use to the east to 47 feet where a minimum of 162 feet is required per Figure 30.56-10 (a 71% reduction).
  - b. Reduce the height/setback ratio adjacent to a single family residential use to the north to 41 feet where a minimum of 162 feet is required per Figure 30.56-10 (a 75% reduction).
4. Allow balconies to overlook single family residential uses to the east and north where not permitted per Figure 30.56-10.
5. Reduce the height/setback ratio from an arterial street (Windmill Lane) to 15 feet where a minimum of 18 feet is required per Figure 30.56-4 (a 17% reduction).

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

**BACKGROUND:  
Project Description**

**General Summary**

- Site Address: 8060, 8080, & 8090 Giles Street
- Site Acreage: 5.1
- Number of Units: 235
- Density: 46.5 (du/ac)
- Project Type: Multiple family residential development
- Number of Stories: 4
- Building Height (feet): 60
- Square Feet: 301,344 (multiple family residential buildings)/117,890 (parking garage)
- Parking Required/Provided: 383/414
- Open Space Required/Provided (square feet): 23,500/24,578

Site Plans

The previously approved plans show a proposed multiple family residential development consisting of 235 units (153 one bedroom and 82 two bedroom) for an overall density of 46.5 dwelling units per acre. The development consists of 2 buildings with a parking garage located between the buildings. The south building is located 15 feet from the south (corner side) property line, 17 feet from the west (front) property line (setback is 12 feet since setback is measured 5 feet from back of curb where a detached sidewalks exist), and 47 feet from the east (rear) property line. The north building is located 41 feet from the north (interior side) property line, 19 feet from the west (front) property line, and 47 feet from the east (rear) property line. Access to the site is via 2 driveways from Giles Street and 1 driveway from Windmill Lane. A total of 414 parking spaces are provided where 383 spaces are required. A total of 24,578 square feet of open space is provided, where 23,500 square feet of open space is required for the site, consists of a courtyard with a pool at the center of the north building, a "zen" courtyard at the center of the south building, a landscaped area between the buildings, and an outdoor terrace on the 4<sup>th</sup> floor of the north building. The landscaped area between the buildings is gated on both ends.

Landscaping

A 15 foot wide landscape area with an existing attached sidewalk is depicted in the previously approved plans, along Windmill Lane. A 17 foot wide pedestrian realm is shown with a detached sidewalk along Giles Street. A 5.5 foot wide landscape area with a 6 foot high block wall is shown along the east and north property lines per Figure 30.64-11. The landscape palette consists of Shoestring Acacia, Chinese Pistache, Mexican Fan Palm, Mediterranean Fan Palm, Crape Myrtle, Japanese Blueberry, Holly Oak, Bottle trees, and various shrubs and groundcover.

Elevations

The previously approved plans depict 2, 4 story, 60 foot high multiple family residential buildings constructed of painted stucco, stone veneer, painted metal rails, and concrete tile



roofing. The main roof ridgeline is approximately 54 feet, but several architectural towers on the buildings increase the height of the buildings to 60 feet. The architectural façade design of the southern building is extended as part of the parking garage façade. Open walkways connect each floor of both buildings over the landscape area between the buildings. Balconies associated with individual units are shown on all sides of the buildings. An outdoor terrace is shown on the 4th floor of the northwest corner of the northern building.

#### Floor Plans

The previously approved plans depict that all 4 floors will have a mix of 1 bedroom and 2 bedroom units that equal 235 units. Additionally, the 4th floor shows a leasing office, clubhouse, fitness area, and outdoor terrace. Two model units are shown on the 1st floor. The ground level of the parking garage also shows a storage area for residents. The residential units range in size from 812 square feet to 1,657 square feet.

#### Previous Conditions of Approval

Listed below are the approved conditions for ADET-19-900215 (UC-0061-17):

##### Current Planning

- Until April 5, 2020 to commence
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Listed below are the approved conditions for UC-0061-17:

##### Current Planning

- Amenities shall be provided within the pedestrian realm along Giles Street such as decorative waste receptacles, benches, public art, bike racks, etc.;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that any request for accessory commercial uses would require a special use permit, and may not exceed 2,400 square feet; substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

##### Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Giles Street (25 feet to back of curb with detached sidewalk).

- 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 which may require a vacation of excess right-of-way or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

**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; the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; the FAA will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

**Building Fire Prevention**

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

**Signage**

Signage is not a part of this request.

**Applicant's Justification**

The applicant indicates that they are applying for a second extension of time because they have a sister project, under application numbers UC-18-0454 and VS-18-0460, approved to the north of

this site. This application has been delayed because the applicant was waiting for the sister project to be approved so that they could coordinate construction schedules; there were also other delays due to COVID-19. The applicant would like additional time granted so that they can continue making progress toward commencing the project.

**Prior Land Use Requests**

| Application Number             | Request   | Action          | Date         |
|--------------------------------|---|-----------------|--------------|
| ADET-19-900215<br>(UC-0061-17) | Increased building height for a multiple family residential development, waivers for a reduced front setback and reduced height/setback ratio from an arterial street (Windmill Lane) | Approved by ZA  | April 2019   |
| ET-19-400049<br>(VS-0062-17)   | Vacated and abandoned easements located between Santoli Avenue and Windmill Lane  | Approved by BCC | June 2019    |
| UC-0061-17                     | Increased building height for a multiple family residential development, waivers for a reduced front setback and reduced height/setback ratio from an arterial street (Windmill Lane) | Approved by BCC | April 2017   |
| VS-0062-17                     | Vacated and abandoned easements located between Santoli Avenue and Windmill Lane and between Giles Street and Haven Street  | Approved by BCC | April 2017   |
| VS-0318-08                     | Vacated and abandoned a portion of right-of-way being Santoli Avenue (formerly Geonry Avenue) between Giles Street and Haven Street - expired   | Approved by PC  | July 2008    |
| UC-0277-05<br>(ET-0074-07)     | First extension of time to commence a hotel condominium on the 3 southernmost parcels subject until June 8, 2009 to commence - expired  | Approved by BCC | May 2007     |
| UC-0977-06                     | Allowed a residential condominium development and a waiver to reduce the height/setback ratio from a single family residential use - expired  | Approved by BCC | August 2006  |
| VS-1632-05                     | Vacated and abandoned a portion of right-of-way being Santoli Avenue (formerly Geonry Avenue) between Giles Street and Haven Street - expired   | Approved by PC  | January 2006 |
| UC-0277-05                     | Allowed a hotel condominium on the 3 southernmost parcels subject to a maximum height of 65 feet - expired  | Approved by BCC | June 2005    |

**Surrounding Land Use**

|       | Planned Land Use Category   | Zoning District | Existing Land Use         |
|-------|---|-----------------|---------------------------|
| North | Residential Suburban (up to 8 du/ac)  | H-1             | Undeveloped               |
| South | Office Professional   | H-1             | Senior housing            |
| East  | Commercial General, Commercial Neighborhood, & Residential Suburban (up to 8 du/ac) | C-P & R-E       | Undeveloped & residential |

**Surrounding Land Use**

|      | <b>Planned Land Use Category</b> | <b>Zoning District</b> | <b>Existing Land Use</b>  |
|------|----------------------------------|------------------------|---|
| West | Commercial Tourist               | H-1, C-2, & C-1        | Mini-warehouse facility, communications building, & undeveloped |

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

The applicant would like additional time granted to coordinate the construction of this project with the project to the north. In addition, delays have occurred due to COVID-19. Staff does not object to the request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until April 5, 2022 to commence.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- Compliance with previous conditions.

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

- No comment.

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

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

DRAFT





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

# 9A

|  |  |   |
|--|--|---|
| <p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (Nzc)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (Vc)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p style="padding-left: 20px;"><input type="checkbox"/> PUBLIC HEARING</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input checked="" type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="padding-left: 20px;">ADET-19-900215 (UC-0061-17)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> | <b>STAFF</b>   | <p>APP. NUMBER: <u>ET 20-400115</u>      DATE FILED: <u>9/29/2020</u></p> <p>PLANNER ASSIGNED: <u>JG H</u></p> <p>TAB/CAC: <u>Enterprise</u>      TAB/CAC DATE: <u>10/29/2020</u></p> <p>PC MEETING DATE: <u>N/A</u></p> <p>BCC MEETING DATE: <u>11/18/2020</u></p> <p>FEE: <u>\$ 900</u></p> |
| <b>PROPERTY OWNER</b>  | <p>NAME: <u>ABC Paradise, LLC</u></p> <p>ADDRESS: <u>2010 Valley View Land, Suite 145</u></p> <p>CITY: <u>Farmers Branch</u>      STATE: <u>TX</u>      ZIP: <u>75234</u></p> <p>TELEPHONE: _____      CELL: _____</p> <p>E-MAIL: _____</p>  |   |
| <b>APPLICANT</b>   | <p>NAME: <u>ABC Paradise, LLC</u></p> <p>ADDRESS: <u>2010 Valley View Land, Suite 145</u></p> <p>CITY: <u>Farmers Branch</u>      STATE: <u>TX</u>      ZIP: <u>75234</u></p> <p>TELEPHONE: _____      CELL: _____</p> <p>E-MAIL: _____      REF CONTACT ID #: _____</p>   |   |
| <b>CORRESPONDENT</b>   | <p>NAME: <u>Tony Celeste - Kaempfer Crowell</u></p> <p>ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89135</u></p> <p>TELEPHONE: <u>702-792-7000</u>      CELL: _____</p> <p>E-MAIL: <u>ajc@kcnvlaw.com</u>      REF CONTACT ID #: _____</p> |   |

**ASSESSOR'S PARCEL NUMBER(S):** 177-09-401-008,011,015, & 020

**PROPERTY ADDRESS and/or CROSS STREETS:** Windmill and Giles

**PROJECT DESCRIPTION:** Extension of time re: ADET-19-900215 (UC-0061-17)

(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 designees, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

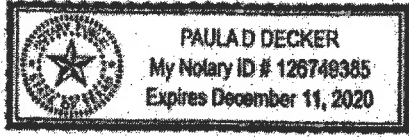
Paula D. Decker      R. W. Crowell  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Illinois  
 COUNTY OF Willard

SUBSCRIBED AND SWORN BEFORE ME ON August 24th 2020 (DATE)

By R. W. Crowell

NOTARY PUBLIC: Paula P. Decker



\*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.



ATTORNEYS AT LAW

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510 West Fourth Street  
Carson City, NV 89703  
Tel 775.864.8300  
Fax 775.862.0257

September 22, 2020

Department of Comprehensive Planning  
500 S Grand Central Parkway  
Las Vegas, Nevada 89155-1741

ET-20-400115

PLANNER  
COPY

Re: *Second Extension of time for UC-0061-17  
ABC Paradise, LLC*

To Whom It May Concern:

This office represents the owner/applicant with regard to the above referenced matter. On April 5, 2017, the above referenced zoning application was approved by the Board of County Commissioners. An administrative extension of time was approved on April 17, 2019.

The purpose of this letter is to request a second extension of time. The owner/applicant has a sister project to the North that was approved on December 19, 2018 under UC-18-0454 and VS-18-0460. The owner/applicant was waiting for the sister project to be approved so that they could coordinate construction schedules. Additionally, they were also addressing design and engineering issues which resulted in delays. The owner/applicant also experienced an ownership change due to a death and are now dealing with additional delays due to COVID-19. The owner/applicant understands that the application expired in April of 2020 but per Governor Sisolak's Directive 009 from March, "if any entitlement, map, or permit has an expiration date on or after March 12, 2020, it is automatically considered extended for 90 days, either from the expiration date or from the date the State of Emergency is ended, whichever is later." The State of Emergency has not yet ended. Therefore, we respectfully request that this extension of time be accepted.

While the owner/applicant has not yet been able to commence the project due to the above referenced issues, we are respectfully requesting that the commencement date of the project be extended for an additional two years.



11/18/20 BCC AGENDA SHEET

LANDSCAPING  
(TITLE 30)

CACTUS AVE/JONES BLVD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WC-20-400116 (UC-0789-16) -MFE, INC:**

**WAIVER OF CONDITIONS** of a use permit requiring a 14 foot intense landscape buffer on the west property line with Mondale Pines in conjunction with a previously approved commercial center on a 1.5 acre portion of 3.8 acres in a C-1 (Local Business) Zone.

Generally located on the west side of Jones Boulevard and the south side of Cactus Avenue within Enterprise. JJ/jor/jd (For possible action)

---

**RELATED INFORMATION:**

**APN:**  
176-35-501-007 ptn

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

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

**General Summary**

- Site Address: N/A
- Site Acreage: 1.5 (portion)/3.8 (overall site)
- Project Type: Commercial center which includes a convenience store, gasoline station, vehicle wash, smog check, and future restaurant pad site
- Number of Stories:
- Building Height (feet): Up to 21
- Square Feet: 5,310 (convenience store)/2,444 (vehicle wash)/100 (smog check)/3,700 (fuel canopy)
- Parking Required/Provided: 25/40

**History & Site Plan**

A commercial center consisting of a convenience store with vehicle wash and gasoline pumps, a smog check station, a retail lease space, and a drive-thru restaurant on the northern 1.5 acres of the 3.8 acre site was approved by UC-0789-16. The southern portion of the site was not part of the original application. Since approval of the original application, modifications pursuant to an administrative design review (ADR-0540-17) were approved for the following: reducing the size of the fuel canopy and reducing the number of gasoline pumps to 6 (previously approved for a double row of 8 pumps); relocating the convenience store and vehicle wash building farther to

the east away from the undeveloped R-2 zoned property; relocating the fast food restaurant on Jones Boulevard farther south; and adjusting square footage for some of the buildings.

Per this application and its companion item DR-20-0445, the applicant is requesting to waive the original condition on UC-0789-16 requiring a 14 foot wide intense landscape buffer on the west property line with Mondale Pines. Plans approved per the administrative design review (ADR-0540-17) show the 14 foot wide intense landscape buffer and that the convenience store is set back 34 feet from the R-2 zoned developed property to the west. Today, the updated site plan depicts that the convenience store is now set back 33 feet where it was previously set back at 34 feet from the west property line. Furthermore, the site plan also illustrates that the convenience store is a companion to the vehicle wash, and there is no longer a separate retail lease space located on the southern end of the building. Lastly, the new site plan shows an undeveloped pad site on the eastern portion of the site, which was previously designed for a future restaurant with a drive-thru.

The new site plan has the same elements from previous approvals. The vehicle wash is located on the west side of the convenience store but is now set back 10 feet from the west property line. The entrance to the vehicle wash is on the west side of the convenience store, adjacent to Cactus Avenue and is buffered by street landscaping per Figure 30.64-17. The fuel canopy is located on the eastern side of the convenience store in the center of the site. A smog check station is located on a landscape island southeast of the convenience store, and is set back 90 feet from the western property line. A trash enclosure is located on the southern portion of the site, 81 feet from the western property line. Parking is distributed throughout the site and there is 1 access driveway on Cactus Avenue and 1 access driveway on Jones Boulevard.

#### Landscaping

The approved plans depict a 15 foot wide landscape area with a detached sidewalk along Cactus Avenue and Jones Boulevard. The applicant is proposing a 10 foot wide intense landscape buffer with landscaping per Figure 30.64-12 located along the west property line. As previously stated, there was a condition of approval via UC-0789-16 which required a 14 foot wide intense landscape buffer on the west property line with Mondale Pines. Interior parking lot trees are distributed throughout the site. Landscape materials include trees, shrubs, and groundcover.

#### Elevations

The convenience store and vehicle wash are 21 feet high with a flat roof with parapet walls. The facade includes a stucco finish, cultured stone, accent paint wainscoting, and fabric and metal canopies. The smog check building is 10 feet high with a façade that matches the convenience store.

### Floor Plans

The approved plans depict a commercial building with a 5,310 square foot convenience store, and a 2,444 square foot vehicle wash. In addition, there is a 100 square foot smog check station that will include a window and door, and the fuel canopy has an overall area of 3,700 square feet.

### Previous Conditions of Approval

Listed below are the approved conditions for ET-18-400235 (UC-0789-16)

#### Current Planning

- Until January 18, 2021 to commence.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

#### Public Works - Development Review

- Compliance with previous conditions.

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

- No comment.

Listed below are the approved conditions for UC-0789-16:

#### Current Planning

- Expunge UC-0525-14;
- Car wash hours limited to 7:00 a.m. to 7:00 p.m.;
- Car wash to be enclosed except for tunnel entrance and exit;
- Downward LED lighting only;
- 14 foot intense landscape buffer on west property line with Mondale Pines;
- Block wall on west property line to be stucco and painted;
- If developed with a similar use, cross access to property on the west to be provided;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

#### Public Works – Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access,

streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that existing sewer is located within 400 feet of the parcel; and that at time of development CCWRD requires submittal of estimated wastewater flow rates to determine sewer point of connection.

Signage

Signage is not a part of this request.

Applicant's Justification

The submitted justification letter states that although the proposed landscape buffer along the west property line is not 14 feet wide, the design still mirrors Figure 30.6-12 where the intense landscape buffer is required to be a minimum of 10 feet wide and large 24 inch box trees are planted in off-set rows. Furthermore, the adjacent R-2 zoned development to the west was designed with a 30 foot wide private drainage and public sewer easement adjacent to the west property line of the subject parcel. The developed residences to the west were designed to be set back approximately 30 feet west of the applicant's west property line and proposed 10 foot wide intense landscape buffer. The applicant states that the proposed reduction in width of the 14 foot wide intense landscape buffer will not affect the adjacent area in an adverse manner.

**Prior Land Use Requests**

| <b>Application Number</b>    | <b>Request</b>  | <b>Action</b>   | <b>Date</b>   |
|------------------------------|---|-----------------|---------------|
| VS-19-0339                   | Vacated patent easements and a portion of right-of-way being Jones Boulevard  | Approved by PC  | June 2019     |
| ET-18-400235<br>(UC-0789-16) | First extension of time for a previously approved convenience store, gas station, vehicle wash, smog check, and reduced the separation to a residential use   | Approved by BCC | December 2018 |
| TM-18-500145                 | 1 lot commercial subdivision  | Approved by BCC | December 2018 |
| ADR-900540-17                | Proposed modifications to a retail center   | Approved by ZA  | May 2017      |
| UC-0789-16                   | Convenience store, gas station, vehicle wash, smog check, and reduced the separation to a residential use   | Approved by BCC | January 2017  |
| UC-0525-14<br>(ET-400011-16) | First extension of time for a vehicle wash, gasoline station, and to reduce the separation from a gasoline station to a residential use with a waiver to reduce driveway separation, and a design review for a shopping center – expunged | Approved by BCC | May 2016      |

**Prior Land Use Requests**

| Application Number | Request   | Action          | Date         |
|--------------------|---|-----------------|--------------|
| TM-0212-14         | Commercial subdivision  | Approved by PC  | January 2018 |
| VS-0951-14         | Vacated and abandoned easements of interest to Clark County and portions of right-of-way being Cactus Avenue, Jones Boulevard, and Conn Avenue – expired  | Approved by PC  | January 2015 |
| UC-0525-14         | Vehicle wash, gasoline station, and reduce the separation from a gasoline station to a residential use with a waiver to reduce driveway separation, and a design review for a shopping center – expunged                            | Approved by BCC | July 2014    |
| DA-1266-08         | Development agreement   | Approved by BCC | October 2008 |
| VS-0336-08         | Vacated and abandoned easements and portions of public rights-of-way – expired  | Approved by PC  | June 2008    |
| ZC-0726-07         | Reclassified the subject property to C-1 zoning with a use permit, waiver, and design review for a shopping center and on-premises consumption of alcohol, convenience store, and reduced separation from a residential development | Approved by BCC | August 2007  |

**Surrounding Land Use**

|       | Planned Land Use Category  | Zoning District | Existing Land Use         |
|-------|--|-----------------|---------------------------|
| North | Public facility  | R-E             | Undeveloped               |
| South | Residential Suburban (up to 8 du/ac)                                       | R-2             | Single family subdivision |
| East  | Major Development Project (Southern Highlands) - Single Family Residential | R-2             | Single family subdivision |
| West  | Commercial Neighborhood  | R-2             | Single family subdivision |

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

**Related Applications**

| Application Number | Request   |
|--------------------|---|
| DR-20-0445         | A design review for alternative parking lot landscaping and site design changes 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**

Although the applicant's project was approved in 2016 and is still in process for construction, the single family residential subdivision to the west has completed construction. Today, on the east side of the subdivision (adjacent to the subject parcel) there is an existing 30 foot wide private drainage and public sewer easement that runs north to south, and tapers down to 8 feet in width, and this private easement is approximately 144 feet in length and adds an additional buffer to the proposed 10 foot wide landscape buffer. As the private easement terminates in a southerly direction, the proposed 10 foot wide intense landscape buffer is now adjacent to the end of a stub street and 2 single family residential lots that have existing homes which are set back approximately 40 feet west of the proposed 10 foot wide landscape buffer. The applicant's development terminates at this point and no additional development is shown on the site plan. Staff finds that the reduction of the landscape buffer does not pose unjustified effects, since it still meets the minimum required landscaping characteristics of an intense landscape buffer per Title 30 (Figure 30.64-12). Staff is in support of this request.

### **Staff Recommendation**

Approval.

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

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

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

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

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: MFE, INC.**

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

**DRAFT**







# LAND USE APPLICATION 10A

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

|  |                       |   |
|--|-----------------------|---|
| <p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> <b>NONAVER OF DEVELOPMENT STANDARDS (WS)</b></p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p style="padding-left: 20px;"><input type="checkbox"/> PUBLIC HEARING</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input checked="" type="checkbox"/> <b>WAIVER OF CONDITIONS (WC)</b></p> <p style="padding-left: 20px;"><b>UC-0789-16</b></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> | <b>STAFF</b>          | <p>APP. NUMBER: <u>WC-20-400116</u>      DATE FILED: <u>9/30/20</u></p> <p>PLANNER ASSIGNED: <u>JOK</u></p> <p>TAB/CAC: <u>ENTERPRISE</u>      TAB/CAC DATE: <u>10/28/20</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>11/18/20</u></p> <p>FEE: <u>\$475</u></p>                          |
|  | <b>PROPERTY OWNER</b> | <p>NAME: <u>MFE Inc</u></p> <p>ADDRESS: <u>955 Temple View Drive</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89110</u></p> <p>TELEPHONE: <u>702-306-7872</u>      CELL: _____</p> <p>E-MAIL: <u>kularg91@gmail.com</u></p>   |
|  | <b>APPLICANT</b>      | <p>NAME: <u>MFE, Inc</u></p> <p>ADDRESS: <u>955 Temple View Drive</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89110</u></p> <p>TELEPHONE: <u>702-306-7872</u>      CELL: _____</p> <p>E-MAIL: <u>kularg91@gmail.com</u>      REF CONTACT ID #: _____</p>                         |
|  | <b>CORRESPONDENT</b>  | <p>NAME: <u>John Vornsand, AICP</u></p> <p>ADDRESS: <u>62 Swan Circle</u></p> <p>CITY: <u>Henderson</u>      STATE: <u>NV</u>      ZIP: <u>89074</u></p> <p>TELEPHONE: <u>702-896-2932</u>      CELL: _____</p> <p>E-MAIL: <u>landuseplanning@embergmeil.com</u>      REF CONTACT ID #: <u>165449</u></p> |

ASSESSOR'S PARCEL NUMBER(S): 176-35-501-007

PROPERTY ADDRESS and/or CROSS STREETS: SWC Jones/Cactus

PROJECT DESCRIPTION: Reduction of 14' intense landscape buffer on the West property line to a 10' intense landscape buffer. Waiver of Development Standards to waive one landscape finger required in front of the proposed convenience store.

(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)
 

Gurdev Kular  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON August 27, 2020 (DATE)

By Gurdev Kular

NOTARY PUBLIC:

JAMES TOLSON  
 Notary Public - State of Nevada  
 County of Clark  
 APPT. NO. 13-10543-1  
 My App. Expires Sept. 27, 2021

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

JOHN VORNSAND, AICP  
Planning & Zoning Entitlements  
62 SWAN CIRCLE  
HENDERSON, NEVADA 89074  
Phone (702) 896-2932  
Email: landuseplanning@embarqmail.com

WC-20-400118  
(UC-0789-16)

September 23, 2020

RE: Justification Letter - Waiver of Conditions & Design Review  
SWC Jones/Cactus - APN 176-35-501-007

The applicant is requesting a Waiver of Conditions imposed by UC-0789-16 to provide a "14 foot intense landscape buffer on West property line with Mondale Pines". The applicant is proposing a 10' intense landscape buffer along the West property line with 24" box, Mondell Pines, 10' on center as required per Title 30 requirements. The adjacent subdivision to the West was designed with a 30 foot wide private drainage and public sewer easement located adjacent to the approximate Northern half of the subject parcel with residential rear setbacks to the West at a minimum of 30 feet providing additional buffer in addition to the 10 foot intense landscape buffer proposed and will not affect the adjacent area in an adverse manner..

The applicant is also requesting a Design Review for alternative parking lot landscaping to waive the requirement for one landscape finger required in the parking area adjacent to the front of the store. A landscape finger would serve no useful purpose, a tree may have the tendency to grow over and interfere with pedestrians on the sidewalk in front of the store as the landscape finger would be required near the front door, and would eliminate one parking space in front of the store where the maximum number of parking stalls should be provided. This waiver does not affect the adjacent area in an adverse manner.

SINCERELY



John Vornsand, AICP

LANDSCAPING  
(TITLE 30)

CACTUS AVE/JONES BLVD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**DR-20-0445-MFE, INC:**

**DESIGN REVIEWS** for the following: 1) parking lot landscaping, and 2) site design changes to a previously approved commercial center on a 1.5 acre portion of 3.8 acres in a C-1 (Local Business) Zone.

Generally located on the west side of Jones Boulevard and the south side of Cactus Avenue within Enterprise. JJ/jor/jd (For possible action)

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**RELATED INFORMATION:**

**APN:**  
176-35-501-007 ptn

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

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

- Site Address: N/A
- Site Acreage: 1.5 (portion)/3.8 (overall site)
- Project Type: Commercial center which includes a convenience store, gasoline station, vehicle wash, smog check, and future restaurant pad site
- Number of Stores: 1
- Building Height (feet): Up to 21
- Square Feet: 5,310 (convenience store)/2,444 (vehicle wash)/100 (smog check)/3,700 (fuel canopy)
- Parking Required/Provided: 25/40

**History & Site Plans**

A commercial center consisting of a convenience store with vehicle wash and gasoline pumps, a smog check station, a retail lease space, and a drive-thru restaurant on the northern 1.5 acres of the 3.8 acre site was approved by UC-0789-16. The southern portion of the site was not part of the original application. Since approval of the original application modifications pursuant to an administrative design review (ADR-0540-17) were approved for the following: reducing the size of the fuel canopy and reducing the number of gasoline pumps to 6 (previously approved for a double row of 8 pumps); relocating the convenience store and vehicle wash building farther to

the east away from the undeveloped R-2 zoned property, relocating the fast food restaurant on Jones Boulevard farther south, and adjusting square footage for some of the buildings.

Per this application and its companion item WC-20-400116 (UC-0789-16), the applicant is requesting to waive the original condition on UC-0789-16 requiring a 14 foot wide intense landscape buffer on the west property line with Mondale Pines. Plans approved per the administrative design review (ADR-0540-17) show the 14 foot wide intense landscape buffer and that the convenience store is set back 34 feet from the R-2 zoned developed property to the west. Today, the updated site plan depicts that the convenience store is now set back 33 feet where it was previously set back at 34 feet from the west property line. Furthermore, the site plan also depicts that the convenience store is a companion to the vehicle wash, and there is no longer a separate retail lease space located on the southern end of the building. Lastly, the new site plan shows an undeveloped pad site on the eastern portion of the site, which was previously designed for a future restaurant with a drive-thru.

The new site plan has the same elements from previous approvals. The vehicle wash is located on the west side of the convenience store but is now set back 10 feet from the west property line. The entrance to the vehicle wash is on the west side of the convenience store, adjacent to Cactus Avenue and is buffered by street landscaping per Figure 30.64-17. The fuel canopy is located on the eastern side of the convenience store in the center of the site. A smog check station is located on a landscape island southeast of the convenience store, and is set back 90 feet from the western property line. A trash enclosure is located on the southern portion of the site, 81 feet from the western property line. Parking is distributed throughout the site and there is 1 access driveway on Cactus Avenue and 1 access driveway on Jones Boulevard.

#### Landscaping

The approved plans depict a 15 foot wide landscape area with a detached sidewalk along Cactus Avenue and Jones Boulevard. The applicant is proposing a 10 foot wide intense landscape buffer with landscaping per Figure 30.64-12 along the west property line (per WC-20-400116 (UC-0789-16)). As previously stated, there was a condition of approval via UC-0789-16, which required a 14 foot wide intense landscape buffer on the west property line with Mondale Pines. Interior parking lot trees are distributed throughout the site. Landscape materials include trees, shrubs, and groundcover.

#### Applicant's Justification

The applicant is requesting a design review of the parking lot landscaping because 1 landscape finger island was eliminated in the landscape design adjacent to the convenience store building. However, the applicant is providing the sufficient amount of trees required on-site per Title 30, where 1 large tree for each 30 linear feet of street frontage is required. The landscape plan shows that 1 large tree every 20 linear feet of street frontage makes up for more than what 1 tree in a landscape finger island would provide for the site. Furthermore, the required landscape finger island serves no purpose adjacent to the building since the tree may have a tendency to overgrow and affect neighboring parking spaces so close to the building's entrance.

**Prior Land Use Requests**

| <b>Application Number</b>    | <b>Request</b>   | <b>Action</b>   | <b>Date</b>   |
|------------------------------|--|-----------------|---------------|
| VS-19-0339                   | Vacated patent easements and a portion of right-of-way being Jones Boulevard   | Approved by PC  | June 2019     |
| ET-18-400235<br>(UC-0789-16) | First extension of time for a previously approved convenience store, gas station, vehicle wash, smog check, and reduce the separation to a residential use   | Approved by BCC | December 2018 |
| TM-18-500145                 | 1 lot commercial subdivision   | Approved by BCC | December 2018 |
| ADR-900540-17                | Proposed modifications to retail center  | Approved by ZA  | May 2017      |
| UC-0789-16                   | Convenience store, gas station, vehicle wash, smog check, and reduced the separation to a residential use  | Approved by BCC | January 2017  |
| UC-0525-14<br>(ET-400011-16) | First extension of time for a vehicle wash, gasoline station, and to reduce the separation from a gasoline station to a residential use, with a waiver to reduce driveway separation, and a design review for a shopping center – expunged | Approved by BCC | May 2016      |
| TM-0212-14                   | Commercial subdivision   | Approved by PC  | January 2015  |
| VS-0951-14                   | Vacated and abandoned easements of interest to Clark County and portions of right-of-way being Cactus Avenue, Jones Boulevard, and Conn Avenue – expired   | Approved by PC  | January 2015  |
| UC-0525-14                   | Vehicle wash, gasoline station, and reduced the separation from a gasoline station to a residential use, with a waiver to reduce driveway separation, and a design review for a shopping center – expunged                                 | Approved by BCC | July 2014     |
| DA-1266-08                   | Development agreement  | Approved by BCC | October 2008  |
| VS-0336-08                   | Vacated and abandoned easements and portions of public rights-of-way – expired   | Approved by PC  | June 2008     |
| ZC-0726-07                   | Reclassified the subject property to C-1 zoning with a use permit, waiver, and design review for a shopping center and on-premises consumption of alcohol, convenience store, and reduced separation from a residential development        | Approved by BCC | August 2007   |

**Surrounding Land Use**

|       | <b>Planned Land Use Category</b>   | <b>Zoning District</b> | <b>Existing Land Use</b>  |
|-------|--|------------------------|---------------------------|
| North | Public Facility  | R-E                    | Undeveloped               |
| South | Residential Suburban (up to 8 du/ac)                                       | R-2                    | Single family residential |
| East  | Major Development Project (Southern Highlands) - Single Family Residential | R-2                    | Single family residential |
| West  | Commercial Neighborhood  | R-2                    | Single family residential |

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

**Related Applications**

| <b>Application Number</b> | <b>Request</b>  |
|---------------------------|---|
| WC-20-400116 (UC-0789-16) | A waiver of conditions of a use permit requiring a 14 foot wide intense landscape buffer on the west property line with Mondale Pines is a companion item on this agenda. |

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Staff determines that the proposed landscape plan for the applicant's project depicts a sufficient amount of large trees, shrubs, and groundcover throughout the site. The landscape plan shows 62 trees throughout the site and eliminating 1 landscape finger island adjacent to the convenience store building does not diminish the overall impact of the proposed landscaping per plans. Furthermore, staff finds that changes to the site which include eliminating the retail lease space within the convenience store building and leaving the future restaurant pad site design for future review are considered to be minimal; therefore, staff is in support of this request.

**Staff Recommendation Approval.**

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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: MFE, INC.**

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

DRAFT







# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

# 11A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

|  |  |
|--|--|
| <b>APPLICATION TYPE</b><br><br><input type="checkbox"/> TEXT AMENDMENT (TA)<br><input type="checkbox"/> ZONE CHANGE<br><input type="checkbox"/> CONFORMING (ZC)<br><input type="checkbox"/> NONCONFORMING (NZC)<br><input type="checkbox"/> USE PERMIT (UC)<br><input type="checkbox"/> VARIANCE (VC)<br><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)<br><input checked="" type="checkbox"/> DESIGN REVIEW (DR)<br><input checked="" type="checkbox"/> PUBLIC HEARING<br><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)<br><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)<br><input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC)<br><u>UP 8788-16</u><br>(ORIGINAL APPLICATION #)<br><input type="checkbox"/> ANNEXATION REQUEST (ANX)<br><input type="checkbox"/> EXTENSION OF TIME (ET)<br>(ORIGINAL APPLICATION #)<br><input type="checkbox"/> APPLICATION REVIEW (AR)<br>(ORIGINAL APPLICATION #) | <b>STAFF</b><br><br>APP. NUMBER: <u>DR-20-0445</u> DATE FILED: <u>9/30/20</u><br>PLANNER ASSIGNED: <u>DR</u><br>TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>10/28/20</u><br>PC MEETING DATE: _____<br>SCC MEETING DATE: <u>11/18/20</u><br>FEE: <u>\$075</u>                               |
|  | <b>PROPERTY OWNER</b><br><br>NAME: <u>MFE Inc</u><br>ADDRESS: <u>955 Temple View Drive</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89110</u><br>TELEPHONE: <u>702-306-7872</u> CELL: _____<br>E-MAIL: <u>kularg91@gmail.com</u>   |
|  | <b>APPLICANT</b><br><br>NAME: <u>MFE, Inc</u><br>ADDRESS: <u>955 Temple View Drive</u><br>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89110</u><br>TELEPHONE: <u>702-306-7872</u> CELL: _____<br>E-MAIL: <u>kularg91@gmail.com</u> REF CONTACT ID #: _____                             |
|  | <b>CORRESPONDENT</b><br><br>NAME: <u>John Vornsand, AICP</u><br>ADDRESS: <u>62 Swan Circle</u><br>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u><br>TELEPHONE: <u>702-898-2932</u> CELL: _____<br>E-MAIL: <u>landuseplanning@embarcmail.com</u> REF CONTACT ID #: <u>165449</u> |

ASSESSOR'S PARCEL NUMBER(S): 176-35-501-007

PROPERTY ADDRESS and/or CROSS STREETS: SWC Jones/Cactus


PROJECT DESCRIPTION: Reduction of 14' intense landscape buffer on the West property line to a 10' intense landscape buffer. Waiver of Development Standards to waive one landscape finger required in front of the proposed convenience store.

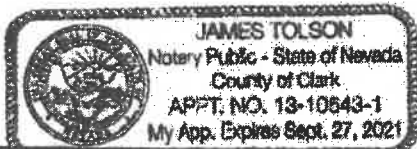
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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


  
 Property Owner (Signature)      Property Owner (Print)

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON August 27, 2020 DATE

BY Guadalupe Kular  
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.

DR-20-0445

**JOHN VORNSAND, AICP**

Planning & Zoning Entitlements

62 SWAN CIRCLE

HENDERSON, NEVADA 89074

Phone (702) 896-2932

Email: landuseplanning@embarqmail.com

September 23, 2020

**RE: Justification Letter - Waiver of Conditions & Design Review  
SWC Jones/Cactus - APN 176-35-501-007**

The applicant is requesting a Waiver of Conditions imposed by UC-0789-16 to provide a "14 foot intense landscape buffer on West property line with Mondale Pines". The applicant is proposing a 10' intense landscape buffer along the West property line with 24" box, Mondell Pines, 10' on center as required per Title 30 requirements. The adjacent subdivision to the West was designed with a 30 foot wide private drainage and public sewer easement located adjacent to the approximate Northern half of the subject parcel with residential rear setbacks to the West at a minimum of 30 feet providing additional buffer in addition to the 10 foot intense landscape buffer proposed and will not affect the adjacent area in an adverse manner..

The applicant is also requesting a Design Review for alternative parking lot landscaping to waive the requirement for one landscape finger required in the parking area adjacent to the front of the store. A landscape finger would serve no useful purpose, a tree may have the tendency to grow over and interfere with pedestrians on the sidewalk in front of the store as the landscape finger would be required near the front door, and would eliminate one parking space in front of the store where the maximum number of parking stalls should be provided. This waiver does not affect the adjacent area in an adverse manner.

SINCERELY



John Vornsand, AICP



# Enterprise Town Advisory Board

To: TransformClarkCounty@ClarkCountyNV.gov:

## ENTERPRISE TAB RURAL LOW RESIDENTIAL POLICY RECOMMENDATIONS

As of October 6, 2020.

The Rural Low Residential goals and policies must be better defined to distinguish RNP-1 uses from large lot uses outside the RNP overlay. The goals and policies developed must be consistent with the NRS and set the code standards.

The Rural Low Residential land use, 1/2 acre and larger, has evolved over the last decade in the Enterprise, Spring Valley and Lone Mountain Land Use Plans. At first, it covered land in the RNP overlay where rural character preservation is required. It was then expanded to include large lot development outside the RNP where rural character preservation is not required.

### HISTORY

- Residents were told by the County staff to establish large lot residential in Enterprise 20 to 30 years ago.
  - Many residences were established with equestrian uses.
  - At that time, only a small area of Enterprise was included in the land use plan.
  - Goals and policies for rural uses were not established.
- In the early 90's, Nevada established the Rural Neighborhood Preserve (RNP).
  - However, that law was not renewed after 10 years.
  - It was replaced with the current definition.
- In 2004, the County established the RNP overlay on approximately 3000 acres in Enterprise.
- The RNP overlay has been poorly defined in policy and code.
- The open rural design is being supplanted by closed in small subdivision design.

### NRS 278.0177

The NRS 278.0177 defines a "Rural Preservation Neighborhood" as:

"Rural preservation neighborhood" means a subdivided or developed area:

1. Which consists of 10 or more residential dwelling units;
2. Where the outer boundary of each lot that is used for residential purposes is not more than 330 feet from the outer boundary of any other lot that is used for residential purposes;
3. Which has no more than two residential dwelling units per acre; and
4. Which allows residents to raise or keep animals non-commercially.

### TITLE 30.48 PART C (current)

Title 30.48 Part C is used to implement the "Rural Preservation Neighborhood"



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30.48.170

Purpose.

The Rural Neighborhood Preservation Overlay District, hereinafter referred to as RNP, is established to ensure that the character of rural and other residential development is preserved.

## ANALYSIS

The key word in both the State and County code about the RNP is preservation. The preservation element must be included in the policies for Rural Low Residential. The County code introduces "rural character" as an element in Rural Low Residential. It does not provide the distinguishing characteristic between the RNP and large lot developments. The two terms, "preserve" and "rural character", taken together mean RNP neighborhoods must have clearly defined goals and policies.

A developed/protected neighborhood is a concept currently used by master planned communities and HOAs to maintain the neighborhood character and prevent parcel removal. The difference between master planned communities/HOAs and RNPs is who controls the neighborhood development/protection.

The HOA is defined and controlled by NRS Chapter 116. The NRS limits County control. The master planned communities are defined by the developer in accordance with County Title 30 Chapter 30.20. Each master planned community has its own land use plan and standards.

The County has not applied the same level of goals and policies to the RNP. The goals and policies for the RNP are few. The result is the RNPs changes are being driven by private developers' land use applications.

## RURAL CHARACTER

The verbiage below defines how rural character should be developed into goals and policies. These were developed by examining how other government bodies in the valley approach the development/protection of Rural Low Residential uses.

RNP neighborhood is defined by some or all the characteristics below:

- Populated by residents with common interests in more open space lifestyles than experienced in suburban/urban neighborhoods.
- Homes front on local streets or 4-house cul-de-sacs.
- Custom built homes.
- No mandatory conditions, covenants, and restrictions (CC&Rs) or homeowners' associations.
- Suitable for raising or keeping animals non-commercially and/or riding horses in a rural residential setting.
- Access to county trail system or internal trail systems.



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- Residential net lot size large enough to park boats, horse trailers, and other recreational vehicles behind the front setback line and with enough rear yard area to construct accessory buildings.
- Residential densities low enough to provide greater setbacks between neighboring dwellings than typically found in suburban/urbanized areas.
- Modified pavement sections and few public streetlights and sidewalks.
- Less light pollution from fewer residential nighttime activities and reduced house lighting in general.

The current goals and policies are too watered down to provide the necessary guidance for preservation and future development.

## SUGGESTED GOALS AND POLICIES:

Given the information above, the following goals and policies are suggested:

**Rural Low Residential** Goal adopted by Board of County Commissioners

Rural Neighborhood Residential to provide for large lot residential uses with two distinct land uses: large lot homes and the Rural Neighborhood Preservation (RNP).

### Additional Estate Residential Policies:

- Rural Neighborhood characteristics should be defined.
- Rural Neighborhood Residential uses should be developed to two units or less per acre.
- RNP overlay should be developed to maintain rural characteristics.
- Discourage the development of enclosed communities.
- Development within or abutting RNP overlay uses should preserve the RNP rural character and limit any impacts of non-residential development.
- Develop/preserve existing Rural Neighborhood Preservation Overlay Districts by discouraging reclassification of viable neighborhoods for other uses.
- The RNP-1 overlay should conform with the NRS and Clark County criteria for "Rural Neighborhood Preservation".

Jenna Waltho  
Chair, Enterprise Town Advisory Board

