



ENTERPRISE TOWN ADVISORY BOARD

Windmill Library
7060 W. Windmill Lane

Las Vegas, NV 89113

November 29, 2023

6:00pm

AGENDA

Note:

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

Board/Council Members: Justin Maffett, Chair
David Chestnut
Kaushal Shah

Barris Kaiser, Vice Chair
Chris Caluya

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

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

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

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

- III. Approval of Minutes for November 15, 2023. (For possible action)
- IV. Approval of the Agenda for November 29, 2023 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
 - 1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)

VI. Planning and Zoning

- 1. **ET-23-400124 (WS-22-0342)-JM LEASING, LLC:**
WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for setbacks in conjunction with a single family residence on 0.6 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Ford Avenue, 288 feet west of Miller Lane within Enterprise. JJ/tpd/syp (For possible action) **12/05/23 PC**
- 2. **PA-23-700037-ROOHANI KHUSROW FAMILY TRUST:**
PLAN AMENDMENT to redesignate the existing land use categories from Ranch Estate Neighborhood (up to 2 du/ac), Neighborhood Commercial, and Corridor Mixed-Use to Mid-Intensity Suburban Neighborhood (up to 8 du/ac) on 14.0 acres. Generally located on the northeast corner of Durango Drive and Agate Avenue within Enterprise. JJ/gc (For possible action) **12/19/23 PC**
- 3. **ZC-23-0729-ROOHANI KHUSROW FAMILY TRUST:**
ZONE CHANGE to reclassify 14.0 acres from an R-E (Rural Estates Residential) Zone and an R-E (Rural Estates Residential) (RNP-I) Zone to an R-2 (Medium Density Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1) increase wall height; 2) establish alternative yards for residential lots; 3) street landscaping; 4) eliminate landscaping adjacent to a less intensive use; and 5) reduce the width of a local (public) street.**
DESIGN REVIEWS for the following: **1) hammerhead street design; 2) single family residential development; and 3) finished grade.** Generally located on the northeast corner of Durango Drive and Agate Avenue within Enterprise. JJ/md/syp (description on file) (For possible action) **12/19/23 PC**
- 4. **VS-23-0730-ROOHANI KHUSROW FAMILY TRUST ET.AL.:**
VACATE AND ABANDON easements of interest to Clark County located between Durango Drive and Gagnier Boulevard (alignment), and between Agate Avenue and Pebble Road; portions of right-of-way being Raven Avenue located between Durango Drive and Gagnier Boulevard (alignment); a portion of right-of-way being Durango Drive located between Agate Avenue and Pebble Road; a portion of right-of-way being Agate Avenue located between Durango Drive and Gagnier Boulevard (alignment); and a portion of right-of-way being Rocca Street/Lisa Lane located between Raven Avenue and Agate Avenue within Enterprise (description on file). JJ/md/syp (For possible action) **12/19/23 PC**
- 5. **TM-23-500152-ROOHANI KHUSROW FAMILY TRUST:**

TENTATIVE MAP consisting of 107 lots and common lots on 14.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the northeast corner of Durango Drive and Agate Avenue within Enterprise. JJ/md/syp (For possible action) **12/19/23 PC**

6. **VC-23-0720-AELLO JOANNE:**
VARIANCE for reduced setback in conjunction with an existing single family residence on 0.1 acres in an R-2 (Medium Density Residential) Zone. Generally located on the east side of Toscano Gardens Street, 100 feet north of Parma Galleria Avenue within Enterprise. JJ/mh/syp (For possible action) **12/19/23 PC**

7. **VS-23-0728-BDGC ANIMAL HOSPITAL LLC:**
VACATE AND ABANDON easement of interest to Clark County located between Grand Canyon Drive and Conquistador Street, and between Oleta Avenue and Blue Diamond Road within Enterprise (description on file). JJ/rp/syp (For possible action) **12/19/23 PC**

8. **WS-23-0734-MARQUEZ FAMILY TRUST ETAL & MARQUEZ CHRISTIAN & GABRIELA TRS:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1) waive water connection; and 2) waive sanitary sewer service connection** in conjunction with a single family residential subdivision on 2.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Eldorado Lane and the east side of Placid Street within Enterprise. MN/tpd/syp (For possible action) **12/19/23 PC**

9. **ET-23-400154 (WS-19-0816)-SCT SILVERADO RANCH & ARVILLE, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS SECOND EXTENSION OF TIME for the following: **1) reduce driveway separation; and 2) reduce throat depth for a driveway.**
DESIGN REVIEW for a proposed on-premises consumption of alcohol (tavern) on 0.8 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Silverado Ranch Boulevard and the east side of Arville Street within Enterprise. JJ/sd/syp (For possible action) **12/20/23 BCC**

10. **WC-23-400155 (ZC-0339-08)-SCT SILVERADO RANCH & ARVILLE, LLC:**
WAIVER OF CONDITIONS of a zone change requiring cross access and parking easement to the north and east in conjunction with a tavern on 0.8 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Silverado Ranch Boulevard and the east side of Arville Street within Enterprise. JJ/sd/syp (For possible action) **12/20/23 BCC**

11. **WS-23-0709-SCT SILVERADO RANCH & ARVILLE, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1) allow attached sidewalk and alternative landscaping; 2) increase wall height; 3) eliminate parking lot landscaping; 4) allow non-standard improvements; 5) reduce departure distance; and 6) reduce driveway width.**
DESIGN REVIEWS for the following: **1) modification to previously approved tavern; 2) finished grade on 0.8 acres in a C-2 (General Commercial) Zone.** Generally located on the north side of Silverado Ranch Boulevard and the east side of Arville Street within Enterprise. JJ/sd/syp (For possible action) **12/20/23 BCC**

12. **UC-23-0726-BGD, LLC:**
USE PERMIT to allow accessory structures (conex box) not architecturally compatible with the existing building.
WAIVER OF DEVELOPMENT STANDARDS to modify CMA Design Overlay District standards.
DESIGN REVIEW for accessory structures (conex box) in conjunction with an existing vehicle sales facility on 10.2 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Maule Avenue, 300 feet east of Redwood Street within Enterprise. MN/sd/syp (For possible action) **12/20/23 BCC**

13. **ZC-23-0745-LV ERIE, LLC:**
ZONE CHANGE to reclassify 3.5 acres from an H-2 (General Highway Frontage) to a C-1 (Local Business District) Zone.
USE PERMITS for the following: **1)** mini-warehouse; **2)** convenience store; **3)** gasoline station; and **4)** vehicle wash.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** building height; **2)** off-site improvements; **3)** non-standard improvements in right-of-way; **4)** eliminate sidewalk and alternative landscaping; **5)** allow modified driveway design standards; and **6)** allow modified street standards.
DESIGN REVIEWS for the following: **1)** mini-warehouse; **2)** convenience store; **3)** gasoline station; **4)** vehicle wash; and **5)** finished grade. Generally located on the east side of Las Vegas Boulevard South and the south side of Erie Avenue within Enterprise (description on file). MN/rr/syp (For possible action) **12/20/23 BCC**

14. **VS-23-0746-LV ERIE, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Las Vegas Boulevard South and Giles Street (alignment), and between Erie Avenue and Siddall Avenue and a portion of right-of-way being Erie Avenue located between Las Vegas Boulevard South and Giles Street (alignment) within Enterprise (description on file). MN/rr/syp (For possible action) **12/20/23 BCC**

VII. General Business

1. Review the 2024 Enterprise Town Advisory Board Tentative meeting calendar. (For discussion only.)

VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No discussion, action, or vote may be taken on this agenda item. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: December 13, 2023.

X. Adjournment.

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

Windmill Library – 7060 W. Windmill Lane

Clark County Government Center – 500 S. Grand Central Pkwy

<https://notice.nv.gov>

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



Enterprise Town Advisory Board

November 15, 2023

MINUTES

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

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

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

Current Planning No Current Planner attended

II. Public Comment

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- None

III. Approval of Minutes for November 1, 2023 (For possible action)

Motion by Justin Maffett

Action: **APPROVE** Minutes as published for November 1, 2023.

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

IV. Approval of Agenda for November 15, 2023 and Hold, Combine or Delete Any Items (For possible action)

Motion by Justin Maffett

Action: **APPROVE** as amended.

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

Related applications to be heard together:

4. VS-23-0698-SYA GROUP, LLC:
5. UC-23-0682-SYA GROUP, LLC:

6. WC-23-400156 (DR-1241-99)-RAINY DAY INVESTMENTS, LLC & MCMENEMY RON S CHARTERED:
7. DR-23-0716-RAINY DAY INVESTMENTS, LLC & MCMENEMY RON S CHARTERED:

9. VS-23-0696-GHANOLI HOLDINGS, LLC:
10. UC-23-0695-GHANOLI HOLDINGS, LLC:

13. ZC-23-0714-COUNTY OF CLARK (RPM):
14. VS-23-0715-COUNTY OF CLARK (RPM):

Items 13 and 14 will be heard first.

V. Informational Items

1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)
 - **Clark County Development Code:**
Title 30 was adopted August 2023 and will take effect on January 1, 2024. The Department of Comprehensive Planning has scheduled two public training sessions for the newly adopted Title 30. There will be a presentation highlighting the re-organization of Title 30.
Session 1
Wednesday, November 29th, 2023, at 6:00 p.m.
Clark County Building Department
Presentation Room
4701 West Russell Road, Las Vegas, NV 89118

Session 2
Monday December 4th, 2023, at 6:00 p.m.
Clark County Government Center
Commission Chambers, First Floor
500 S. Grand Central Parkway, Las Vegas, NV 89115

VI. Planning & Zoning

1. **ET-23-400124 (WS-22-0342)-JM LEASING, LLC:**
WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for setbacks in conjunction with a single family residence on 0.6 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the south side of Ford Avenue, 288 feet west of Miller Lane within Enterprise. JJ/tpd/syp (For possible action) **12/05/23 PC**

Motion by Justin Maffett

Action: **REQUEST** return the application to the Enterprise TAB on November 29, 2023, due to applicant no show.

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

2. **VS-23-0689-CHURCH THE ROCK:**
VACATE AND ABANDON easements of interest to Clark County located between Pebble Road and Raven Avenue, and between Edmond Street and Mohawk Street within Enterprise (description on file). JJ/mh/syp (For possible action) **12/05/23 PC**

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

3. **VS-23-0691-A & A REVOCABLE LIVING TRUST & A & A III, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Decatur Boulevard and Hauck Street, and between Silverado Ranch Boulevard and Gary Avenue, and a portion of a right-of-way being Decatur Boulevard located between Silverado Ranch Boulevard and Gary Avenue within Enterprise (description on file). JJ/tpd/syp (For possible action) **12/05/23 PC**

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

4. **VS-23-0698-SYA GROUP, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Decatur Boulevard and Ullom Drive (alignment), and between Le Baron Avenue and Silverado Ranch Boulevard within Enterprise (description on file). JJ/lm/syp (For possible action) **12/05/23 PC**

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

5. **UC-23-0682-SYA GROUP, LLC:**
USE PERMIT for a daycare facility.
DESIGN REVIEW for a proposed daycare facility on 1.3 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Le Baron Avenue, 125 feet east of Decatur Boulevard within Enterprise. JJ/lm/syp (For possible action) **12/05/23 PC**

Motion by David Chestnut
Action: **APPROVE.**
ADD Comprehensive Planning condition:
• Design review as a public hearing for lighting and signage
Per staff conditions
Motion **PASSED** (4-0) /Unanimous

6. **WC-23-400156 (DR-1241-99)-RAINY DAY INVESTMENTS, LLC & MCMENEMY RON S CHARTERED:**

WAIVER OF CONDITIONS of a design review of a shopping center requirement to have a similar architectural appearance throughout, including concrete tile roofs with stucco and stone or brick veneers and facades in conjunction with a new gasoline station on a 0.9 acre portion of 26.0 acres in a C-2 (General Commercial) Zone. Generally located 246 feet east of Maryland Parkway and 756 feet south of Silverado Ranch Boulevard within Enterprise. MN/rr/syp (For possible action) **12/05/23 PC**

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

7. **DR-23-0716-RAINY DAY INVESTMENTS, LLC & MCMENEMY RON S CHARTERED:**
DESIGN REVIEWS for the following: 1) gasoline station; and 2) lighting in conjunction with a new gasoline station on a 0.9 acre portion of 26.0 acres in a C-2 (General Commercial) Zone. Generally located 246 feet east of Maryland Parkway and 756 feet south of Silverado Ranch Boulevard within Enterprise. MN/rr/syp (For possible action) **12/05/23 PC**

Motion by David Chestnut
Action: **APPROVE**
ADD Comprehensive Planning condition:
• Design review as a public hearing for signage
Per staff conditions
Motion **PASSED** (4-0) /Unanimous

8. **ET-23-400148 (VS-21-0397)-DIAMOND TORINO, LLC:**
VACATE AND ABANDON FIRST EXTENSION OF TIME easements of interest to Clark County located between Decatur Boulevard and Arville Street, and between Ford Avenue and Torino Avenue (alignment) within Enterprise (description on file). JJ/jm/syp (For possible action) **12/06/23 BCC**

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

9. **VS-23-0696-GHANOLI HOLDINGS, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Martin Avenue and Maule Avenue (alignment), and between Crystal Street and Dean Martin Drive within Enterprise (description on file). MN/rr/syp (For possible action) **12/06/23 BCC**

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

10. **UC-23-0695-GHANOLI HOLDINGS, LLC:**
USE PERMIT for a truck staging area.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow reduced landscaping and attached sidewalk; **2)** allow modified driveway standards; and **3)** allow modified street standards.
DESIGN REVIEW for a truck staging area on 0.5 acres in an M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the south side of Martin Avenue and the east side of Crystal Street within Enterprise. MN/rr/syp (For possible action) **12/06/23 BCC**

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

11. **WS-23-0697-EAGLE PROMENADE, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to reduce street landscaping.
DESIGN REVIEWS for the following: **1)** alternative parking lot landscaping; and **2)** a retail building (automobile parts) on a 2.0 acre portion of an 8.4 acre site in a C-1 (Local Business) Zone. Generally located on the west side of Rainbow Boulevard and the north side of Eldorado Lane within Enterprise. MN/md/syp (For possible action) **12/06/23 BCC**

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

12. **WS-23-0708-EL CAMINO REAL INDUSTRIAL, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to waive off-site improvements in conjunction with an approved office/warehouse facility on 2.0 acres in an M-D (Designed Manufacturing) Zone. Generally located on the north side of Pebble Road and the east side of El Camino Road within Enterprise. JJ/lm/syp (For possible action) **12/06/23 BCC**

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

13. **ZC-23-0714-COUNTY OF CLARK (RPM):**
ZONE CHANGE to reclassify 332.3 acres from an R-E (Rural Estates Residential) Zone to a P-F (Public Facility) Zone.
DESIGN REVIEW for a park (Southwest Ridge Bicycle Skills Park) on a 24.0 acre portion of the 316.0 acres. Generally located on the south side of Warm Springs Road and the west side of Fort Apache Road within Enterprise (description on file). JJ/lm/syp (For possible action) **12/06/23 BCC**

Motion by David Chestnut
Action: **APPROVE**
ADD Comprehensive Planning conditions:
• Design review as a public hearing for lighting and signage
Per staff conditions
Motion **PASSED** (4-0) /Unanimous

14. **VS-23-0715-COUNTY OF CLARK (RPM):**
VACATE AND ABANDON right-of-way (grant) located between Warm Springs Road and Robindale Road (alignment) within Enterprise (description on file). JJ/lm/syp (For possible action) **12/06/23 BCC**

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

VII. General Business:

1. None.

VIII. Public Comment:

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

- None.

IX. Next Meeting Date

The next regular meeting will be November 29, 2023 at 6:00 p.m. at the Windmill Library.

X. Adjournment:

Motion by Justin Maffett
Action: **ADJOURN** meeting at 7:27 p.m.
Motion **PASSED** (4-0) /Unanimous

**REDUCE SETBACK
(TITLE 30)**

FORD AVE/MILLER LN

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-23-400124 (WS-22-0342)-JM LEASING, LLC:**

WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for setbacks in conjunction with a single family residence on 0.6 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

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

RELATED INFORMATION:

APN:
176-16-812-005

WAIVER OF DEVELOPMENT STANDARDS:
Reduce the interior side setback for a principal structure (attached garage) to 5 feet where 10 feet is required per Table 30.40-1 (a 70% reduction).

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

BACKGROUND:
Project Description

General Summary

- Site Address: 7935 W. Ford Avenue
- Site Acreage: 0.6
- Project Type: Reduce side setback
- Number of Stories: 1 (residence)/1 (attached garage)
- Building Height (feet): 17 (residence)/13 (attached garage)
- Square Feet: 3,057 (residence)/396 (casita)/362 (attached garage)

Site Plans

The approved plans depict an existing 3,057 square foot single family residence with casita constructed in 2017. The residence is set back over 150 feet from Ford Avenue, 10 feet from the west property line, over 60 feet from the south property line, and the attached garage addition is set back 5 feet from the east property line.

Landscaping

There are no proposed changes to the existing landscaping.

Elevations

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

Floor Plans

The approved plans depict a 329 square foot open space for a garage addition with interior access to the residence.

Previous Conditions of Approval

Listed below are the approved conditions for WS-22-0342:

Current Planning

- 1 year to complete the building permit and inspection process;
- Limited to a 5 foot setback reduction;
- Attached garage may not be converted to habitable space, due to the existing casita at the front of the residence.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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

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

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant was not able to complete the building permit process within 1 year as conditioned in the previously approved Notice of Final Action (WS-22-0342). The applicant was not able to focus on the permit process due to personal issues. Also, the price of construction materials reached a level that was not financially feasible during that time. They also say that the plans will change because of the approved setbacks in the original application. An extension has been requested for the permit with the Building Department and now the applicant is also requesting a 6 month extension for their previously approved application (WS-22-0342).

Prior Land Use Requests

Application Number	Request	Action	Date
WS-22-0342	Waiver for reduced setbacks in conjunction with a single-family residence	Approved by PC	August 2022
TM-0065-14	6 lot single family residential subdivision	Approved by PC	May 2014
ZC-1026-05	County initiated zone change to establish R-E (RNP-I) zoning for 3,800 parcels within the Enterprise Planning Area including this parcel	Approved by BCC	October 2005

Surrounding Land Use

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

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

Clark County Public Response Office (CCPRO)

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

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

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

Staff believes that the applicant has taken steps to complete the building permit process as conditioned in the approved Notice of Final Action (WS-22-0342). A building permit (BD22-50380) has been issued to the applicant that coincides with the structure that this request is for. However, this building permit has not been finalized with an inspection and the approved application requires an extension of time to complete the building permit process.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- 6 months to complete the building permit and inspection process;
- Attached garage may not be converted to habitable space, due to the existing casita at the front of the residence.
- Applicant is advised that the County has adopted a rewrite to Title 30, effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: MATTHEW PANKOW

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

PLANNER COPY



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

1A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) 22-0342 (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>ET-23-400124</u> DATE FILED: <u>8/23/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>10/11/23</u> PC MEETING DATE: <u>11/7/23</u> BCC MEETING DATE: <u>N/A</u> FEE: <u>\$300</u>
	PROPERTY OWNER NAME: <u>Matthew Pankow</u> ADDRESS: <u>7935 W. Ford Ave.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: <u>630-818-7362</u> E-MAIL: <u>matthewpankow@msn.com</u>
	APPLICANT NAME: <u>Matthew Pankow</u> ADDRESS: <u>7935 W. Ford Ave.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89113</u> TELEPHONE: _____ CELL: <u>630-818-7362</u> E-MAIL: <u>matthewpankow@msn.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>LASZLO HERCZEG</u> ADDRESS: <u>10705 SILVER PYRAMID CT</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89144</u> TELEPHONE: _____ CELL: <u>702-528-2173</u> E-MAIL: <u>laszlo.z.herczeg@gmail.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 176-16-182-005

PROPERTY ADDRESS and/or CROSS STREETS: 7935 W. Ford Ave. Las Vegas NV 89113 / Ford & S. Warbonet Way

PROJECT DESCRIPTION: Extension request for the Existing Original Final Notice.

(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)* Matthew Pankow

 Property Owner (Print)

STATE OF Illinois
 COUNTY OF Cook

SUBSCRIBED AND SWORN BEFORE ME ON 8/23/2023 (DATE)
 By DEBORAH M. CONTRERAS
 NOTARY PUBLIC: Deborah M. Contreras



*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.

Good Afternoon Mrs. Real,

I am writing you about my Clients request to extend his Notice of Final Action that has just expired couple days ago. Per the Approval notice condition, He had to complete the Building Permit process and the Inspections in a year, but due to his family circumstances (they were expecting their third child) and height construction material prices, they were not able to do the construction and inspections. We completed the Building Permit process and get a permit, but the construction has been delayed because above mentioned reasons. The Building Permit has expired but my client extended it for another 6 month term. When my client wanted to start the construction like about a month ago he wanted to extend the single garage another 105 sf to the South to make it a tandem, meeting the approved 5' reduced setback. So the building would be a little longer than as it was approved by the building department. We turned in a Revision to the same building permit and that is when Zoning sent us a comment about the Notice of Final Action is getting expired. We would like to ask for a 6 month period of extension to be able to complete the construction including the revision. Thank you for your consideration and to looking into this matter.

Attached the original Notice of Final Action and Agenda Sheet for reference. The application number for that was 22-0342. Let us know if you have any questions.

Property Address: 7935 Ford Ave. Las Vegas NV 89113
APN#176-16-812-005

Regards,
Laszlo Herczeg, RD
at HERCZEG RESIDENTIAL DESIGN
Cell:702-528-2173

12/19/23 PC AGENDA SHEET

PLAN AMENDMENT
(TITLE 30)

DURANGO DR/AGATE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

PA-23-700037-ROOHANI KHUSROW FAMILY TRUST:

PLAN AMENDMENT to redesignate the existing land use categories from Ranch Estate Neighborhood (up to 2 du/ac), Neighborhood Commercial, and Corridor Mixed-Use to Mid-Intensity Suburban Neighborhood (up to 8 du/ac) on 14.0 acres.

Generally located on the northeast corner of Durango Drive and Agate Avenue within Enterprise. JJ/gc (For possible action)

RELATED INFORMATION:

APN:

176-21-101-010; 176-21-101-011; 176-21-101-015; 176-21-101-016; 176-21-101-017

LAND USE PLAN:

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

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

ENTERPRISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 14

Applicant's Justification

The applicant states the area has undergone a change from what was once a low-density residential area to higher density residential uses. Immediately to the south is an existing residential development zoned R-2 with a master plan designation of Mid-Intensity Suburban Neighborhood (MN). To the north is an existing R-1 zoned residential development, also master planned for MN uses. The existing R-E zoned properties, also to the north, are separated from the site by Raven Avenue. Additionally, higher density R-3 zoned residential condominiums are located to the west across Durango Drive. The existing developments in the area demonstrate the transition the area has gone through over the past few decades.

The proposed MN land use designation will bring less traffic, noise, and lights than if the site was developed with commercial uses as the current land use designation dictates. Even with the proposed change in land use designation from commercial to residential, future residents of the

site will still be able to access commercial developments along Durango Drive by public transit or foot. The proposed amendment will not result in any additional impacts on surrounding infrastructure not already contemplated in the area.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-22-0137	Reclassified the south half of the site from R-E to R-2 zoning	Approved by BCC	June 2022
VS-22-0138	Vacated and abandoned easements and rights-of-way	Approved by BCC	June 2022
TM-22-500045	50 single family residential lots on the south half of the site	Approved by BCC	June 2022

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Ranch Estate Neighborhood (up to 2 du/ac)	R-1 & R-E (RNP-1)	Single family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Ranch Estate Neighborhood (up to 2 du/ac) & Compact Neighborhood (up to 18 du/ac)	R-E (RNP-1) & R-3	Single family residential
West	Compact Neighborhood (up to 18 du/ac) & Corridor Mixed-Use	R-2 & R-3	Single family residential & multiple family residential

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

Related Applications

Application Number	Request
ZC-23-0729	Zone change to reclassify the site from R-E, R-E (RNP-1), and R-2 to R-2 zoning, with waivers and design reviews for a single family residential development is a companion item on this agenda.
VS-23-0730	A request to vacate and abandon government patent easements, drainage easement, and rights-of-way is a companion item on this agenda.
TM-23-500152	Tentative map for 107 single family residential lots is a companion item on this agenda.

STANDARDS FOR ADOPTION:

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

Analysis

Comprehensive Planning

The applicant requests a change from Ranch Estate Neighborhood (RN) (up to 2 du/ac), Neighborhood Commercial (NC), and Corridor Mixed-Use (CM) to Mid-Intensity Suburban Neighborhood (MN) (up to 8 du/ac). Intended primary land uses in the proposed MN land use designation include single family attached and detached, and duplexes. Supporting land uses include accessory dwelling units and neighborhood serving public facilities, such as parks, trails, open space, places of assembly, schools, libraries, and other complementary uses.

Staff finds the request for the Mid-Intensity Suburban Neighborhood (MN) land use designation appropriate for this location. With both existing residential subdivisions to the north and south already designated as MN, the proposed change to MN for the subject site will allow for a continuous block of MN designated properties along the east side of Durango Drive. Furthermore, the south half of the subject site is already zoned R-2 via NZC-22-0137, and redesignating the site to MN would make the Master Plan designation consistent with the current zoning.

Although the northeast corner of the site is currently designated as Ranch Estate Neighborhood (RN), staff finds the change in designation will not adversely impact the other surrounding RN properties to the north and east. The existing RN designated and R-E (RNP-I) zoned subdivision to the north is separated from the site by Raven Avenue and has existing perimeter subdivision landscaping. The existing residence on the RN designated and R-E (RNP-I) zoned property to the east is located on the northeast quadrant of the property, with the remainder of the property severely limited for development due to the existing drainage channel and easement. The request complies with Policy 6.1.4 of the Master Plan which encourages compact and efficient development patterns within the disposal boundary to maximize the use of available infrastructure, land, and other resources while considering community compatibility.

Staff Recommendation

Adopt and direct the Chair to sign a resolution adopting the amendment. This item will be forwarded to the Board of County Commissioners' meeting for final action on January 17, 2024 at 9:00 a.m., unless otherwise announced.

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

TAB/CAC:

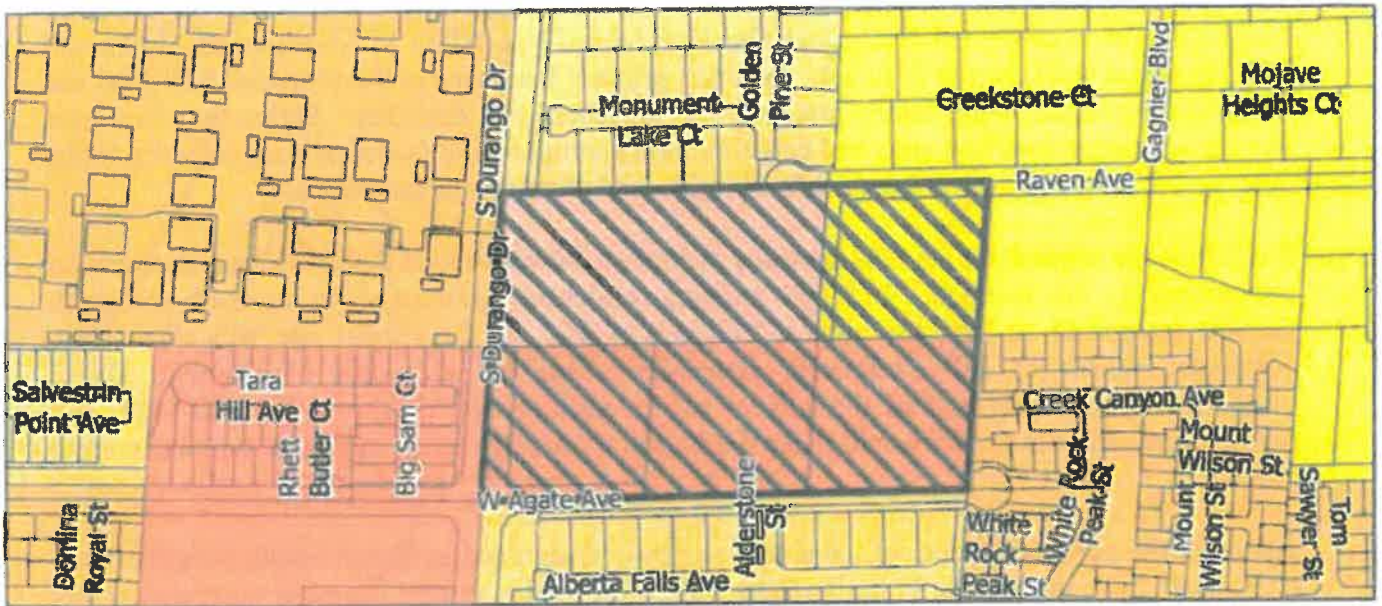
APPROVALS:

PROTEST:

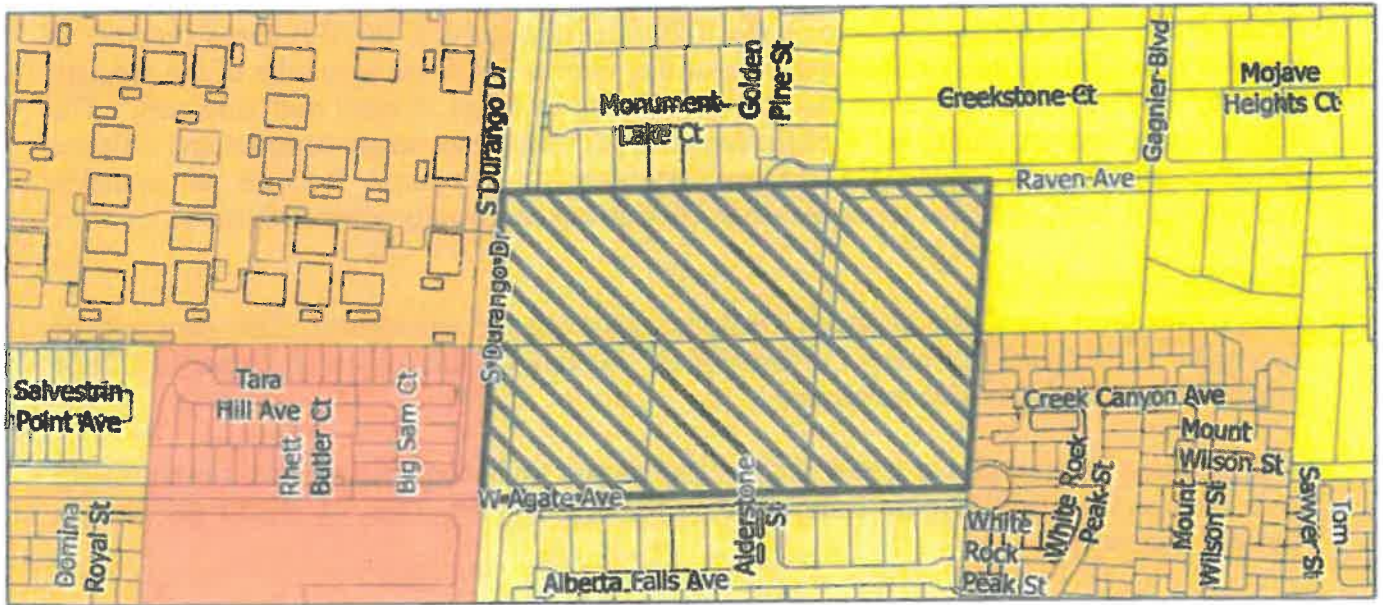
APPLICANT: CENTURY COMMUNITIES

CONTACT: AIMEE ENGLISH, TRITON ENGINEERING, 6765 W. RUSSELL ROAD, SUITE 200, LAS VEGAS, NV 89118

Planned Land Use Amendment PA-23-700037



Current



Requested

Neighborhoods

- Outlying Neighborhood (ON)
- Edge Neighborhood (EN)
- Ranch Estate Neighborhood (RN)
- Low-Intensity Suburban Neighborhood (LI)
- Mid-Intensity Suburban Neighborhood (MI)
- Compact Neighborhood (CN)
- Urban Neighborhood (UN)

Employment

- Business Employment (BE)
- Industrial Employment (IE)

Commercial and Mixed Use

- Neighborhood Commercial (NC)
- Corridor Mixed-Use (CM)
- Entertainment Mixed-Use (EM)

Other

- Agriculture (AG)
- Open Lands (OL)
- Public Use (PU)
- Major Projects (MP)

Requested Area To Change

Planning Areas

DRAFT

Enterprise
Clark County, Nevada

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





MASTER PLAN AMENDMENT APPLICATION 2A

DEPARTMENT OF COMPREHENSIVE PLANNING

PROCESS AND SUBMITTAL REQUIREMENTS INCLUDED

APPLICATION TYPE	APP. NUMBER: <u>PA-23-700037</u> DATE FILED: <u>10/19/23</u>
<input type="checkbox"/> MASTER PLAN AMENDMENT (PA) <input checked="" type="checkbox"/> MAP <input type="checkbox"/> TEXT	PLANNER ASSIGNED: _____ TAB/CAC: <u>ENTERPRISE</u> TAB/CAC MTG DATE: <u>11/29/23</u> PC MEETING DATE: <u>12/19/23 @ 7:00 P.M.</u> <u>6:00 P.M.</u> BCC MEETING DATE: <u>1/17/24 @ 9:00 A.M.</u> TRAILS? <input type="checkbox"/> YES <input type="checkbox"/> NO FEE: <u>\$2,700.00</u>

PROPERTY OWNER	NAME: <u>ROOHANI KHUSROW FAMILY TRUST and ROOHANI KHUSROW TRS</u> ADDRESS: <u>9500 Hillwood Drive, Ste. #201</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____
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APPLICANT	NAME: <u>Century Communities Attn: Joe Genovese</u> ADDRESS: <u>6345 S. Jones Blvd. Ste#400</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-330-4894</u> CELL: <u>702-443-0192</u> E-MAIL: <u>nv-landfp@centurycommunities.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Triton Engineering Attn: Almee English</u> ADDRESS: <u>6765 W. Russell Road, Ste#200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-254-1480</u> CELL: <u>702-682-7933</u> E-MAIL: <u>aenglish@tritoneng.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 176-21-101-010, 011, 015, 016, and 017

CURRENT LAND USE PLAN DESIGNATION: Neighborhood Commercial, Ranch Estate Neighborhood and Corridor Mixed Use

REQUESTED LAND USE PLAN DESIGNATION: Mid-Intensity Suburban Neighborhood (up to 8 du/ac)

PROPERTY ADDRESS and/or CROSS STREETS: Agate Avenue & Durango Drive

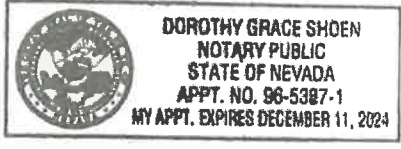
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

[Signature] KHUSROW ROOHANI - TRUSTEE
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 8-27-2023 (DATE)
 By Khusrow Roohani, trustee

NOTARY PUBLIC: Dorothy Grace Shoen



*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.

September 21, 2023

VIA ONLINE SUBMITTAL

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

**Re: Justification Letter – Master Plan Amendment
Century Communities
APNs: 176-21-101-010, 011, 015, 016 and 017**

PLANNER
COPY

To Whom It May Concern:

Please be advised this office represents Century Communities (the “Applicant”) in the above-referenced matter. The proposed project is located on approximately 13.99 acres and is generally located on the northeast corner of Durango Drive and Agate Avenue. The property is more particularly described as APNs: 176-21-101-010, 011, 015, 016 and 017 (the “Site”). The Applicant is proposing an R-2 single-family residential development. As such, the Applicant is requesting a master plan amendment from Ranch Estate Neighborhood (RN), Neighborhood Commercial (NC), and Corridor Mixed-Use (CM) to Mid Intensity Suburban Neighborhood (MN). A corresponding application for a zone change to R-2 has also been submitted.

Master Plan Amendment:

The Site currently has a mixed master plan of RN, NC and CM. The request for a zone change to R-2 and a master plan amendment to MN is appropriate for the Site and consistent with the overall intent of the Master Plan. The Site is located along Durango Drive, a heavily travelled 100-foot right-of-way. MN is appropriate as the area has undergone a change in trend from what was once a low-density residential area, to higher density residential uses and commercial uses.

Immediately adjacent to the south is an existing R-2 residential development with a master plan designation of MN. To the north is an existing R-1 development with a master plan designation of MN. Also to the north is an existing R-E development with a master plan designation of RN, which is buffered from the proposed development by an existing right-of-way, Raven Avenue. Across Durango Drive to the west are existing high-density condominiums, residential, and commercial uses. This demonstrates the transition that the area has undergone over the past few decades.

MN is an appropriate transition for the area and will be far less intense than the existing commercial master plan designations on the Site. The proposed mid intensity residential

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Page 2

development will bring less traffic, noise, and light than if a large commercial center was developed.

A change of the land use plan to MN satisfies the requirements set forth in Table 30.12-3(h):

1. The proposed amendment is consistent with the overall intent of the Master Plan:

The Site is planned for NC and CM along Durango Drive, which generally supports a mix of retail, restaurants, offices, service commercial, and other professional services. Whereas the Applicant is requesting an amendment to MN, which supports a range of housing types, up to a density of 8 du/ac. Additionally, a portion of the Site is planned RN but surrounded on two sides by higher intensity residential and buffered by the proposed project by an existing right-of-way. As discussed above, the proposed amendment is appropriate for the Site and consistent with the overall intent of the Master Plan. Specifically, this proposed amendment meets the following Master Plan Goal for Enterprise, where the Site is located:

- Policy EN-1.1 Neighborhood Integrity – Preserve the integrity of contiguous and uniform neighborhoods through development regulations that encourage compatible infill development and standards for transitioning from higher intensity uses.

The Site is located along Durango Drive, a heavily travelled 100-foot right-of-way and serves as a major bus route for the valley. The proposed master plan amendment to MN meets the Master Plan Goal in that it provides a lower intensity use adjacent to existing residential along a busy right-of-way. Along Durango Drive are numerous shopping and restaurant options for residents so the proposed request will not remove any needed commercial space. The location of this proposed development will allow future residents to easily access these services using public transit and by foot.

2. The proposed amendment is required based on changed conditions or further studies:

The proposed master plan amendment to MN meets the newly adopted Transform Clark County Master Plan Countywide Goals and Policies.

There is a change in trend occurring in the area, from what was once a low-density residential area, to higher density residential uses and commercial uses. A commercial use on the Site would be far more impactful to the existing residential adjacent to the north, east and west. Therefore, the proposed amendment is in keeping with this consideration as identified in the Master Plan.

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Page 3

3. The proposed amendment is compatible with the surrounding area:

Due to the location along Durango Drive and adjacent uses, the Site is ideal for an infill residential development. Additional commercial on this Site would create higher traffic, light, and noise, negatively impacting the adjacent residential. The proposed MN designation will provide an appropriate transition and buffer from the Durango Drive, as well. Additionally, the proposed project will assist with addressing the valley-wide housing crisis by providing alternative housing options for the area.

4. Strict adherence to the current goals and policies of the Master Plan would result in a situation neither intended by nor in keeping with the other core values, goals and policies:

The proposed plan amendment meets several County wide goals and policies listed in the Master Plan, including but not limited to the following:

- Policy 1.1.1 and Policy 1.3.2 – Encourages diverse housing types at various densities and in numerous locations. Here, the proposed amendment would add to the already existing mix of residential uses and density in the immediate area, including high, medium, and low-density developments.
- Policy 1.1.2 – Concentrate higher-density housing in areas with access to existing or planned high-frequency transit, major employment centers, existing infrastructure and other services. Here, the Site is surrounded by existing commercial uses and fronts onto Durango Drive, a highly travelled right-of-way, with existing bus stop locations.
- Policy 1.4.5 – Standardize requirements for buffers and development transitions to mitigate the impacts of higher intensity uses proposed adjacent to an existing or planned residential neighborhood. Here, the proposed amendment will provide a lower intensity use of residential as opposed to various types of mid to high intensity commercial uses.

5. The proposed amendment will not have a negative effect on the adjacent properties or on transportation services and facilities:

The proposed master plan amendment to MN will not have a negative effect on adjacent properties, transportation, or facilities. The surrounding area is largely commercial and higher density residential uses along Durango Drive. The majority of the Site is currently master planned NC and CM, which generally support a mix of retail, restaurants, offices, service commercial, and other professional services. The proposed master plan amendment to MN will allow for a less intensive residential use, which will result in less traffic than the current master plan designations. Additionally, approval will be conditioned upon a traffic study and compliance with the study. Therefore, the proposed amendment and zone change will not have a negative effect on adjacent properties or on transportation services and facilities.

6. **The proposed amendment will have a minimal effect on service provisions or is compatible with existing and planned service provisions and further development of the area:**

The proposed plan amendment will not result in any additional impacts on surrounding infrastructure not already contemplated in the area. The Site is currently planned for commercial uses. Therefore, the MN will be less intense overall and will not create a negative impact to service in the area.

7. **The proposed amendment will not cause a detriment to the public health, safety, and general welfare of the people of Clark County:**

The proposed amendment will not cause any detriment to public health, safety or general welfare to the people of Clark County. There is a serious need for additional housing opportunities. This project will be a benefit, not a detriment, to the community. Fire services and police services similarly will not be substantially affected by the development of the Site.

Based on the above information, a master plan amendment to MN is appropriate, and the Applicant has satisfied the standard for approval. Thank you for your consideration of this request. Please let me know if you have any questions.

Sincerely,

KAEMPFER CROWELL



Elisabeth E. Olson

12/19/23 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT
(TITLE 30)

DURANGO DR/AGATE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0729-ROOHANI KHUSROW FAMILY TRUST:

ZONE CHANGE to reclassify 14.0 acres from an R-E (Rural Estates Residential) Zone and an R-E (Rural Estates Residential) (RNP-I) Zone to an R-2 (Medium Density Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) establish alternative yards for residential lots; 3) street landscaping; 4) eliminate landscaping adjacent to a less intensive use; and 5) reduce the width of a local (public) street.

DESIGN REVIEWS for the following: 1) hammerhead street design; 2) single family residential development; and 3) finished grade.

Generally located on the northeast corner of Durango Drive and Agate Avenue within Enterprise. JJ/md/syp (description on file) (For possible action)

RELATED INFORMATION:

APN:

176-21-101-010 & 011; 176-21-101-015 through 017

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase wall height to a maximum of 12 feet (6 foot screen wall with a 6 foot retaining wall) where a maximum height of 9 feet (6 foot screen wall with a 3 foot retaining wall) is permitted per Section 30.64.050 (a 33.3% increase).
2. Establish alternative yards for single family residential lot 37 and lot 76 where yards are established per Section 30.56.
3.
 - a. Allow alternative street landscaping (5 foot wide landscape area with 5 foot wide detached side walk) along Agate Avenue where landscaping per Figure 30.64-17 is required.
 - b. Allow alternative street landscaping, including a 5 foot wide attached sidewalk, along Raven Avenue where a detached sidewalk and street landscaping per Figure 30.64-17 is required.
 - c. Reduce street landscaping to zero feet along a portion of Durango Drive where 15 feet of landscaping is required behind an existing attached sidewalk per Section 30.64.030.
4.
 - a. Eliminate landscaping adjacent to a less intensive use (single family residential development) along the north property line where landscaping is required per Figure 30.64-11.

- b. Eliminate a portion of landscaping along the east property line adjacent to a less intensive use (single family residence) where landscaping is required per Figure 30.64-11.
5. Reduce the width of a local (public) street (Raven Avenue) to 47 feet where a minimum width of 60 feet is required per Chapter 30.52 (a 21.7% reduction).

DESIGN REVIEWS:

1. Allow streets terminating in a hammerhead design where a radius cul-de-sac per Uniform Standard Drawing is preferred per Section 30.56.080.
2. Single family residential development.
3. Increase finished grade up to 228 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 533% increase).

PROPOSED LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 14
- Number of Lots: 107
- Density (du/ac): 7.7
- Minimum/Maximum Lot Size (square feet): 3,325/6,425 (gross and net)
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): 25
- Square Feet: 1,675 to 2,114

History and Request

A single family residential development with R-2 zoning consisting of 50 lots on 7 acres with a density of 7.2 dwelling units per acre was approved via NZC-22-0137 by the Board of County Commissioners (BCC) in June 2022 for the south portion, APNs 176-21-101-015 through 176-21-101-017, of the project site. A corresponding tentative map and vacation and abandonment application was also approved by the BCC in conjunction with NZC-22-0137. The applicant is now requesting to add APNs 176-21-101-010 and 176-21-101-011 to the previously approved subdivision into a single project. Furthermore, the applicant is requesting a zone boundary amendment to reclassify 14 acres from R-E and R-E (RNP-I) to an R-2 zoning district for a single family residential development consisting of 107 lots. Application PA-23-700037 is the corresponding plan amendment for the subject property requesting to change the land use categories from Ranch Estate Neighborhood (RN), Neighborhood Commercial (NC), and Corridor Mixed-Use (CM) to Mid-Intensity Suburban Neighborhood (MN).

Site Plans

The plans depict a single family residential development consisting of 107 lots on 14 acres with a density of 7.7 dwelling units per gross acre. The minimum and maximum lot sizes are 3,325 and

6,425 square feet, respectively. Access to the site is granted via a 44 foot wide north/south private street (Street A) that connects to Agate Avenue, a public street. A second access point to the site is granted via a 44 foot wide north/south private street (Street B) that connects to Raven Avenue, a public street. Five foot wide attached sidewalks are provided on 1 side of the north/south private streets. A waiver of development standards is requested to reduce the width of Raven Avenue to 47 feet. The interior street network of the development consists of two, 54 foot wide east/west private streets (Avenues A and B) terminating into hammerhead designs necessitating a design review. A 5 foot wide attached sidewalk is located on 1 side of the east/west private streets. Lot 37 and Lot 76, located at the northwest and northeast portions of the site, immediately south of Avenue B, require a waiver of development standards to establish alternative yards. The residence on lot 37 will be constructed so that the front of the house faces east and the residence on Lot 76 will be constructed so that the front of the house faces west. The front yard for Lot 37 will be located between the house and the east property line. The front yard for Lot 76 will be located between the house and the west property line. A 10 foot side street corner, and a driveway length of 20 feet, will be maintained for both lots. All single family residential lots are oriented towards the interior private streets within the subdivision with the exception of Lots 1 through Lot 12 and Lots 98 through Lot 107, with access to Agate Avenue. A 5 foot wide attached sidewalk is located at the northeast corner of the site, along Lots 62 through Lot 67 adjacent to Raven Avenue. A 5 foot wide detached sidewalk is located along the south portion of the site, adjacent to Lots 1 through Lot 12 and Lots 98 through Lot 107, along Agate Avenue. A 5 foot wide detached sidewalk is located along the southwest corner of the site, in proximity to Lot 12 and Lot 13, adjacent to Durango Drive, transitioning into an existing 5 foot wide sidewalk, located along the northwest corner of the site, in proximity to Lot 36 and common element "A". The increase in finished grade above 6 feet occurs over the entirety of the site due to existing contours, drainage patterns, and sewer service issues. Due to the significant depth of the wash impacting the site, the increase in finished grade may be up to 19 feet, oriented in an east/west direction along Avenue "B".

Landscaping

The plans depict a street landscape area, including a 5 foot wide detached sidewalk, measuring 10 feet in width along Agate Avenue. A 6 foot wide landscape area, located behind a 5 foot wide attached sidewalk, is located along the northeast corner of the site, adjacent to Raven Avenue. The street landscape areas consist of trees, shrubs, and groundcover and require a waiver of development standards for alternative street landscaping. A 15 foot landscape area, including a 5 foot wide detached sidewalk, is located at the southwest corner of the site, along Durango Drive. The detached sidewalk transitions into an existing 5 foot wide attached sidewalk, located at the northwest corner of the site, adjacent to Durango Drive. A landscape area measuring between 25 feet to 72 feet in width is located behind the existing attached sidewalk. A waiver of development standards is required to eliminate a portion of the street landscaping along the northwest corner of the site, measuring 90 linear feet, along Durango Drive due to the existing drainage channel. The street landscape area along Durango Drive consists of trees, shrubs, and groundcover. An open space area, common element "A", is located at the northwest corner of the site along Durango Drive and measures 5,400 square feet in area. An open space area, common element "B", is located at the southeast corner of the site and measures 3,960 square feet in area. A 10 foot wide sidewalk is centrally located within this common area, connecting Avenue "A" to Agate Avenue. A waiver of development standards is required to increase wall height to a maximum of 12 feet (6

foot screen wall with a 6 foot retaining wall) along the east, north and west property lines of the development, due to the substantial amount of grading required for the site. No landscaping is provided along the northwest property line, between Lots 47 through Lot 58 that are adjacent to the existing R-1 single family residential development to the north. A waiver of development standards is requested to eliminate landscaping adjacent to the less intensive being the adjacent R-1 single family residential development. A waiver is also required to eliminate a portion of the required landscaping along the northeast property line, adjacent to the existing single family residence zoned R-E(RNP-I). A 20 foot wide landscape area with 24 inch box trees, measuring 125 feet in length, is located between the east property line of common element "B" and the existing single family residence to the east. Approximately 170 linear feet along the east property line of common element "B" adjacent to the single family residence will not feature landscaping due to a 20 foot wide drainage easement.

Elevations

The plans depict 2 story model homes with a maximum height up to 25 feet. The proposed models consist of a pitched, concrete tile roof featuring stucco siding, decorative foam for trim, and accents. Some of the models also include decorative stone veneer.

Floor Plans

The plans depict 2 story homes with multiple floor plans ranging from 1,675 square feet to 2,114 square feet. The models feature multiple bedrooms, bathrooms, kitchen, and a living room. All models feature 2 car garages.

Applicant's Justification

The applicant states there are existing residential neighborhoods with R-1, R-2 and R-3 zoning surrounding the site. A zone change to R-2 is consistent with the surrounding improvements in the area. Due to the topography of the property, the applicant is requesting screen wall heights to a maximum of 6 feet and retaining wall heights of a maximum of 6 feet with a total wall height of 12 feet. The increase in wall height is caused by certain grading areas that require substantial height of retaining. The increase of retaining wall height primarily occurs along the east, north and west property lines. Alternative yard standards are requested for Lot 36 and Lot 76 as these lots feature side loaded garages. The house on Lot 37 will be built so that the front of the house faces east and the house on Lot 76 will be built so that the front of the house faces west. The front yard for Lot 37 will be between the house and the east property line and the front yard for Lot 76 will be between the house and the west property line. A 10 foot street side setback will be maintained. The applicant justifies the reduced street width for Raven Avenue as it will not extend west to Durango Drive and will have very minimal traffic use with this development. Raven Avenue provides secondary public access through the site. It is also requested that the cul-de-sac be reduced to a stub street since adequate and alternative access is provided through the site while maintaining utility access to the development to the north. The applicant is requesting to allow a detached sidewalk with 5 feet of landscaping in lieu of a 15 foot wide street landscape area along Agate Avenue. A waiver is also requested to allow a 5 foot wide attached sidewalk with 6 feet of street landscaping along Raven Avenue. The landscape plans illustrate a 20 foot wide landscape area in common element "B" adjacent to the R-E (RNP-I) zoned property at the northeast corner of the site. However, for drainage purposes, the landscaping has been placed along the west property line instead of along the east property line, in that northeast location. The applicant states

4 hammerhead cul-de-sacs are utilized to maximize efficiency due to the irregular topographic shape of the property. This will lead the site design to be compatible with the properties to the north, south, and east of the development site. The hammerheads will not impact on-site parking space requirements where 235 parking spaces are required and the site accommodates 378 parking spaces. All lots will have the required 20 foot driveway length. The hammerheads will not impact any size of lots, all lots exceed the required 3,300 square foot minimum lot size. The differential on the cross section over the entire site may exceed 6 feet due to existing contours, drainage patterns, and sewer service issues. There is an existing large deep wash traversing the site that creates the need for fill over 36 inches. Due to the significant depth of the wash impacting the site, fill requirements will not exceed 19 feet in wash areas. The site will be elevated to work with the civil engineering constraints and the site will not be artificially elevated to enhance views.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-22-0137	Reclassified the south half of the site from R-E to R-2 zoning	Approved by BCC	June 2022
VS-22-0138	Vacated and abandoned easements and rights-of-way	Approved by BCC	June 2022
TM-22-500045	50 single family residential lots on the south half of the site	Approved by BCC	June 2022

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Ranch Estate Neighborhood (up to 2 du/ac)	R-1 & R-E (RNP-I)	Single family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Ranch Estate Neighborhood (up to 2 du/ac) & Compact Neighborhood (up to 18 du/ac)	R-E (RNP-I) & R-3	Single family residential
West	Compact Neighborhood (up to 18 du/ac) & Corridor Mixed-Use	R-2 & R-3	Single family residential & multiple family residential

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

Related Applications

Application Number	Request
PA-23-700037	A plan amendment to redesignate the land use categories from Ranch Estate Neighborhood (RN), Neighborhood Commercial (NC), and Corridor Mixed-Use (CM) to Mid-Intensity Suburban Neighborhood (MN) is a companion item on this agenda.
TM-23-500152	A tentative map for 107 single family residential lots is a companion item on this agenda.

Related Applications

Application Number	Request
VS-23-0730	A request to vacate and abandon government patent easements, a drainage easement, and rights-of-way is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Zone Change

The intent of the R-2 zoning district is to provide for the development of compact single family residential uses and to prohibit the development of incompatible uses that are detrimental to the residential environment. The proposed zoning is compatible with the density and intensity of the single family residential developments to the west and south, which are in an R-2 zone. Immediately to the southeast of the project site is an existing single family residential development, within an R-3 zoning district, with a slightly higher density and intensity. Staff finds the proposed zoning complies with Goal 1.1 of the Master Plan which encourages opportunities for diverse housing options to meet the needs of residents of all ages, income levels and abilities. Furthermore, the proposal complies with Policy 1.3.2 that encourages a mix of housing options, both product types and unit sizes, within larger neighborhoods and multiple family developments. Therefore, staff recommends approval.

Waiver of Development Standards

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

Waiver of Development Standards #1

The walls and increased grade are needed to balance the site for drainage and sewer issues, and not to improve the views for future residents. Furthermore, the difference in grade within the site necessitates the installation of the requested retaining walls. However, since staff is not supporting waivers of development standards #2 through #5, and the design reviews, staff cannot support this request.

Waiver of Development Standards #2

The request to establish alternative yards within the proposed development applies to Lots 37 and Lot 76, located at the northwest and northeast portions of the site, immediately south of Avenue B, which terminates in a hammerhead street design. The residence on Lot 37 will be constructed so that the front of the house faces east and the residence on Lot 76 will be constructed so that the front of the house faces west. The front yard for Lot 37 will be located between the house and the

east property line. The front yard for the for Lot 76 will be located between the house and the west property line. A 10 foot side street corner and a driveway length of 20 feet will be maintained for both lots. Staff finds the proposed alternative yards should have minimal to no impact on the proposed subdivision. However, since staff is not supporting the waivers of development standards and design review requests associated with this proposal, staff recommends denial.

Waiver of Development Standards #3a through #3c

Staff finds the proposed alternative landscaping along Agate Avenue, consisting of a 5 foot wide detached sidewalk located behind a 5 foot wide landscape area, reasonable. The proposed landscape plan illustrates that a minimum of 2 trees for each lot fronting on Agate Avenue will be planted behind the detached sidewalk. the waiver of development standards cannot function independently of the design reviews, which staff is not supporting; therefore, staff recommends denial of this request.

Staff recognizes the fact that attached or detached sidewalks do not exist along the northeast portion of the development, adjacent to Raven Avenue. Although the applicant is proposing a 6 foot wide street landscape area, in conjunction with an attached 5 foot wide sidewalk adjacent to Raven Avenue, staff cannot support this request as it is a self-imposed burden.

Staff has no objection to reducing a portion of the street landscape area along Durango Drive, adjacent to the existing drainage channel. Additional street landscaping, measuring between 25 feet to 72 feet in width, is located immediately to the south and north of the drainage channel. However, since staff is not supporting the design reviews for the proposed development, staff cannot support this request.

Waiver of Development Standards #4a and #4b

The intent to require landscaping adjacent to a less intensive residential use is to mitigate the impact a higher density residential use may have on the adjacent properties. Staff finds the proposed 20 foot wide landscape area, located along the northeast portion of the project site between common element "B" and the single family residence to the east, should provide some mitigation. However, staff finds the request to eliminate the landscape buffer along the north property line, between Lots 47 through Lot 61, and the adjacent R-1 zoned single family residential development, a self-imposed burden. Therefore, staff cannot support this request.

Design Review #1

Staff is concerned with the proposed hammerhead design being utilized for the termination of the private streets within the subdivision. The hammerhead design encourages additional on-street parking, making it difficult for vehicular maneuverability within the cul-de-sac. The hammerhead design potentially impedes vehicular maneuverability and access for emergency vehicles within the portion of the subdivision servicing Lot 37 and Lot 47 (west end of Avenue "B"), Lot 67 and Lot 76 (east end of Avenue "B"), Lot 13 and Lot 36 (west end of Avenue "A"), and Lot 77, Lot 78 and Lot 97 (east end of Avenue "A"). Staff finds the applicant has not provided compelling justification for the proposed street designs; therefore, cannot support this request.

Design Review #2

Architectural enhancements, including varying rooflines, are provided on all sides of the proposed residences. Staff finds that the design of the residences and the overall site comply with Policy 1.3.1 of the Master Plan which encourages the integration of varied housing models, architectural styles, streetscapes, common landscape areas, and other character-defining features that contribute to a distinct neighborhood identity. Although the proposed subdivision does provide pedestrian connections to Raven Avenue and Agate Avenue, pedestrian access is not provided to Durango Drive. To further improve pedestrian circulation, staff recommends a condition to provide pedestrian access to Durango Drive. However, since staff is not supporting the waivers of development standards and design review #1, staff recommends denial of this request.

Public Works - Development Review

Waiver of Development Standards #5

Staff has no objection to reducing the width of Raven Avenue since that portion of the street is only for this subdivision.

Design Review #3

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

Staff Recommendation

Approval of the zone change, waiver of development standards #5, and design review #3; denial of waivers of development standards #1 through #4, and design reviews #1 and #2. This item will be forwarded to the Board of County Commissioners' meeting for final action on January 17, 2024 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Expunge NZC 22-0137;
- Provide pedestrian access to Durango Drive;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will

be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waivers of development standards and design reviews must commence within 4 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Agate Avenue, 17 feet for Raven Avenue, and 45 feet to the back of curb for Durango Drive;
- Clark County Fire Prevention approval of the Raven Avenue terminus;
- Coordinate with Public Works - Development Review for the design and termination of Raven Avenue;
- Arch culvert to be privately maintained by the Homeowners Association;
- Provide an easement to Clark County Public Works through the private streets for maintenance of the drainage facility;
- Provide vehicular access to the drainage facility located to the east of this subdivision.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way, 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 a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0122-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: CENTURY COMMUNITIES

**CONTACT: AIMEE ENGLISH, TRITON ENGINEERING, 6765 W. RUSSELL ROAD,
SUITE 200, LAS VEGAS, NV 89118**



LAND USE APPLICATION 3A

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

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>20-23-0729</u> DATE FILED: <u>10/19/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>11/29/23 @ 6:00 PM</u> PC MEETING DATE: <u>12/19/23 @ 7:00 PM</u> BCC MEETING DATE: <u>1/17/24 @ 9:00 AM</u> FEE: <u>\$2,200.00</u>
	PROPERTY OWNER NAME: <u>ROOHANI KHUSROW FAMILY TRUST and ROOHANI KHUSROW TRS</u> ADDRESS: <u>9500 Hillwood Dr. Ste#201</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-823-2300</u> CELL: <u>702-249-0777</u> E-MAIL: <u>kroohani@gmail.com</u>
	APPLICANT NAME: <u>Century Communities Attn: Joe Genouese</u> ADDRESS: <u>6345 S. Jones Blvd. Ste#400</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-330-4694</u> CELL: <u>702-443-0192</u> E-MAIL: <u>nv-landfp@centurycommunities.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Triton Engineering Attn:Aimee English</u> ADDRESS: <u>6765 W. Russell Road Ste# 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-254-1480</u> CELL: <u>702-682-7933</u> E-MAIL: <u>aenglidh@tritoneng.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-21-101-010, 011, 015, 016 & 017
 PROPERTY ADDRESS and/or CROSS STREETS: Agate Ave & Durgango Drive
 PROJECT DESCRIPTION: To develop a single-family residential community

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

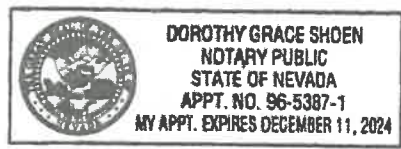
[Signature] (KHUSROW) ROOHANI- TRUSTEE

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

STATE OF NEVADA
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 5-17-2023 (DATE)
 By Khusrow Roohani - manager

NOTARY PUBLIC: Dorothy Grace Shoen



*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.



October 16, 2023

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

PLANNER
COPY

Subject: **Agate Durango JUSTIFICATION LETTER APR-23-100930**
REGARDING: ZONE CHANGE, DESIGN REVIEW and WAIVER OF DEVELOPMENT STANDARDS
APN#: 176-21-101-010, 011, 015, 016 & 017

As representatives of Century Communities, we respectfully request your consideration of the attached request for a Zone Change, Design Review and Waiver of Development Standards. The subject property is located within unincorporated Clark County. The proposed site is situated on the northeast corner of S. Durango Drive and Agate Avenue, south of Raven Avenue.

Project Description

Century Communities is proposing to develop 107 single family detached residences on approximately 13.99 acres. This proposed 107 lot, single-family, detached residential development is consistent with the surrounding development trends in the area.

Zone Change

Century Communities is requesting a zone change from existing R-E zoning to R-2 on parcels 176-21-101-010 & 011. Parcels 176-21-101-015, 016 & 017 are currently zoned R-2. The proposed development requires a zone change from R-E to R-2. There are existing residential neighborhoods with R-1, R-2 and R-3 zoning surrounding the site. A zone change to R-2 is consistent with the surrounding improvements in the area.

Design Review for Single Family Residences

Century Communities is proposing a development that contains 107 lots on 13.99 acres, for an overall density of 7.65 per gross acre. The project is composed of a 35' x 95' minimum sized lots.

The production models are 2,114 SF, 2,001 SF, 1,859 SF and 1,675 SF and correspond with the square footage of the floor plans proposed. These are two story homes with 3 bedrooms, 2 ½ baths and a bonus room to 4 bedrooms, 3 baths with a den. Century is offering 4 different models with 4 elevations each and two car garages. These units will be two-story. The height of these models is 24' & 11' with concrete roofing. They feature one-coat stucco, decorative foam for trim and accents and some of the models have decorative stone veneer.

All homes require a minimum lot size of 3,300 SF with the smallest being 3,325 SF, the largest 6,885 SF and an average of 3,778 SF. This development has both public and private streets. The private streets lie within the interior of the development and the public streets are along the perimeter of the development.

Design Review for 36" elevation

We are also requesting a Design Review to be considered so we may increase the finished grade by 36 inches as is required by Clark County Code, Title 30.32.4. The differential on the cross section over the entire site may exceed 6' due to existing contours, drainage patterns and sewer service issues and may cause more than 6' retaining walls. There is an existing large deep wash traversing the site that creates the need for fill over 36". Due to the significant depth of the wash impacting the site,

fill requirements will not exceed nineteen feet (19') in wash areas. The site will be elevated to work with the civil engineering constraints; the site will not be artificially elevated to enhance views.

Design Review for a Hammerhead

We are designing 4- hammerhead cul-de-sacs to maximize efficiency due to the irregular topographic shape of the property. This will lead the site design to be compatible with the properties to north, south and east of the development site. The hammerheads will not impact on onsite parking space requirements where 235 parking spaces are required and the site accommodates 378 parking spaces. All lots will have the required 20ft driveway length. Hammerhead will not impact any size of lots, all lots exceed the required 3,300 sq ft minimum lot size.

Parking Analysis

The Site Plan and Parking Analysis shows all homes contain two car garages. With 107 units having a minimum of a two-car garage and a 20' driveway, this provides 3 parking spaces per unit. Additionally, there are 57 on-street parking spaces. Therefore, the development has a total of 378 parking provided, of which 235 parking spaces are required.

Waiver of Development Standards

On behalf of Century Communities, we respectfully submit a request for a Waiver of Development Standards as follows:

Waiver 1:

Due to the topography of the property, we are requesting screen wall heights to a maximum of 6 ft and retaining walls height of maximum of 6ft with a total overall wall height of 12 ft., where a maximum 9-ft (6-ft screen on 3-ft retaining) is permitted. This is caused by certain grading areas that require substantial height retaining. The increase of retaining wall height primarily occurs along the east, north and west property lines.

Waiver 2:

We are requesting alternative yard standards for lots 37 and 76. Lots 37 and 76 are side loaded lots. The house on lot 37 will be built so that the front of the house faces east and the house on lot 76 will be built so that the front of the house faces west. This will create non-standard yards, as defined by Title 30. The front yard for lot 37 will be between the house and the east property line and the front yard for lot 76 will be between the house and the west property line. A 10' Street Side setback will be maintained.

Waiver 3:

We request that Raven Avenue roadway width be reduced from a 60' wide roadway to a 47' wide public roadway. Raven Avenue will not extend west to Durango Drive and will have very minimal traffic use with this development. Raven Avenue provides secondary public access through the site. We also request that the cul-de-sac be reduced to a stub street since adequate and alternative access through the site while maintaining utility access to the development to the north.

Waiver 4:

Detached sidewalks and landscaping are required along all streets 60 feet or wider per Figure 30.64-17 or -18. Our project proposes homes facing Agate Avenue, which is a public 60' ROW. We will be requesting a waiver of standards to allow a detached sidewalk and front yard landscaping for each home, in lieu of the standard 5'/5'/5' detached sidewalk and street landscaping. With this request we are showing 5' feet of landscape, 5'feet of sidewalk and the front homes landscaped as the additional 5'.

We are requesting a waiver for detached sidewalks for Raven Ave. Since it's currently dedicated at 60' right of way. We are reducing the roadway to a public 47' wide right of way.

Waiver 5:

A less intensive use buffer per Figure 30.64-11 will be required along the perimeter of the property that is adjacent to the R-E zoned property in the northeast corner of the site.

The Landscape Plans presented to the Planning staff do show a 20' landscape area in the common lot adjacent to the R-E zoned property in the northeast corner of the site. However, for drainage purposes, the landscaping has been placed along the west property line instead of along the east property line, in that northeast location. We understand that a waiver of standards will still be required because we are not able to provide a landscape buffer along the full length of the east property line, adjacent to the R-E zoned property, due to the drainage issues on this site.

We feel that this development and the proposed site plan are compatible with the surrounding area and planned development. With this in mind, we respectfully request the support of staff, Town Advisory Board and Board of County Commissioners on these applications.

Should there be any questions or require additional information please contact me 702.254.1480.

Sincerely,

Aimee English
Project Coordinator

12/19/23 PC AGENDA SHEET

EASEMENTS/RIGHT-OF-WAY
(TITLE 30)

DURANGO DR/AGATE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0730-ROOHANI KHUSROW FAMILY TRUST ET.AL.:

VACATE AND ABANDON easements of interest to Clark County located between Durango Drive and Gagnier Boulevard (alignment), and between Agate Avenue and Pebble Road; portions of right-of-way being Raven Avenue located between Durango Drive and Gagnier Boulevard (alignment); a portion of right-of-way being Durango Drive located between Agate Avenue and Pebble Road; a portion of right-of-way being Agate Avenue located between Durango Drive and Gagnier Boulevard (alignment); and a portion of right-of-way being Rocca Street/Lisa Lane located between Raven Avenue and Agate Avenue within Enterprise (description on file). JJ/md/syp (For possible action)

RELATED INFORMATION:

APN:

176-21-101-010; 176-21-101-011; 176-21-101-012; 176-21-101-015; 176-21-101-016; 176-21-101-017; 176-21-116-034;

LAND USE PLAN:

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

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of multiple easements, which include the following: 1) A drainage facility easement measuring 45,000 square feet in area, located at the northwest portion of the site on APN 176-21-101-010; 2) A BLM right-of-way grant, located along Durango Drive, adjacent to APN 176-21-101-010; and 3) Patent easements measuring between 3 feet to 33 feet in width located within the interior, and around the perimeter of the project site. The second component of the request includes the vacation and abandonment of multiple rights-of-way including the following: 1) Five feet of right-of-way along Agate Avenue and Durango Drive to accommodate the required detached sidewalk; 2) A north/south portion of right-of-way measuring 30 feet in width being Rocca Street/Lisa Lane, located between APNs 176-21-101-010 and 176-21-101-011; and 3) Portions of right-of-way being Raven Avenue with areas measuring between zero feet to 13 feet in width. The proposed areas of vacation along Raven Avenue are necessary to accommodate the requested reduction of the right-of-way width to 47 feet.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-22-0137	Reclassified the south half of the site from R-E to R-2 zoning	Approved by BCC	June 2022
VS-22-0138	Vacated and abandoned easements and rights-of-way	Approved by BCC	June 2022
TM-22-500045	50 single family residential lots on the south half of the site	Approved by BCC	June 2022

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Ranch Estate Neighborhood (up to 2 du/ac)	R-1 & R-E (RNP-I)	Single family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Ranch Estate Neighborhood (up to 2 du/ac) & Compact Neighborhood (up to 18 du/ac)	R-E (RNP-I) & R-3	Single family residential
West	Compact Neighborhood (up to 18 du/ac) & Corridor Mixed-Use	R-2 & R-3	Single family residential & multiple family residential

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

Related Applications

Application Number	Request
PA-23-700037	A plan amendment to redesignate the land use categories from Ranch Estate Neighborhood (RN), Neighborhood Commercial (NC), and Corridor Mixed-Use (CM) to Mid-Intensity Suburban Neighborhood (MN) is a companion item on this agenda.
ZC-23-0729	Zone change to reclassify the site from R-E, R-E (RNP-I), and R-2 to R-2 zoning, with waivers and design reviews for a single family residential development is a companion item on this agenda.
TM-23-500152	Tentative map for 107 single family residential lots is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on January 17, 2024 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Agate Avenue, 17 feet for Raven Avenue, and 45 feet to the back of curb for Durango Drive;
- Clark County Fire Prevention approval of the Raven Avenue terminus;
- Coordinate with Public Works - Development Review for the design and termination of Raven Avenue;
- Arch culvert to be privately maintained by the Homeowners Association;
- Provide an easement to Clark County Public Works through the private streets for maintenance of the drainage facility;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way, dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CENTURY COMMUNITIES

CONTACT: AIMEE ENGLISH, TRITON ENGINEERING, 6765 W. RUSSELL ROAD SUITE # 200, LAS VEGAS, NV 89118



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

4A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	DEPARTMENT USE	APP. NUMBER: <u>VS-23-0730</u> DATE FILED: <u>10/19/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>11/29/23</u> PC MEETING DATE: <u>12/19/23 @ 7:00 A.M.</u> @ <u>6:00 PM</u> BCC MEETING DATE: <u>1/17/24 @ 9:00 A.M.</u> FEE: <u>\$875.00</u>
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PROPERTY OWNER	NAME: <u>ROOHANI KHUSROW FAMILY TRUST and ROOHANI KHUSROW TRS</u> ADDRESS: <u>9500 Hillwood Dr. Ste#201</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-823-2300</u> CELL: <u>702-249-0777</u> E-MAIL: <u>kroohani@gmail.com</u>
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APPLICANT	NAME: <u>Century Communities Attn: Joe Genouvese</u> ADDRESS: <u>6345 S. Jones Blvd. Ste#400</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-330-4694</u> CELL: <u>702-443-0192</u> E-MAIL: <u>nv-landfp@centurycommunities.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Triton Engineering Attn: Aimee English</u> ADDRESS: <u>6765 W Russell Road Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702.254.1480</u> CELL: <u>702.682.7933</u> E-MAIL: <u>aenglish@tritoneng.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 176-21-101-010, 011, 015, 016 & 017 \$ 176-21-199-017

PROPERTY ADDRESS and/or CROSS STREETS: Agate Ave & Durgango Drive

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

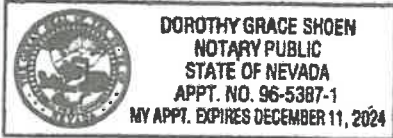
[Signature]

KHUSROW ROOHANI TRUSTEE

Property Owner (Signature)*
STATE OF NEVADA CLARK
COUNTY OF

Property Owner (Print)

SUBSCRIBED AND SWORN BEFORE ME ON 5-17-2023 (DATE)
By KHUSROW ROOHANI - TRUSTEE



NOTARY PUBLIC: Dorothy Grace Shoen

*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.



October 11, 2023

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

**Subject: VACATION LETTER – CENTURY COMMUNITIES, - Agate Durango
APN #176-21-101-010, 011, 015, 16 & 017 and 176-21-199-017**

As representatives of Century Communities, we respectfully request your consideration of the attached requests for Vacation application to accompany our Tentative Map and Zone change submittal. The subject property is located within un-incorporated Clark County. The proposed site is located on the northeast corner of Agate Avenue and Durango Drive.

We are requesting to vacate the following:

- Patent easements for the following parcels 176-21-101-010, 011, 015, 016 & 017
- 3' ft & 13' ft of Public Right of Way on Raven Avenue
- 5' ft of Public Right of Way on Durango Drive
- Vacate and Reduce cul-de-sac terminus on Raven Avenue
- Vacate existing drainage easement west side of Durango Drive
- Vacate ROW dedication adjacent to APN 176-21-101-011
- Vacate and Transition 975' ft of right of way along APN 176-21-199-017

PLANNER
COPY

The site is currently undeveloped, and a 107-lot single family detached residential development is proposed. To fully develop the parcel, several easements and dedications are no longer needed or can be reduced. Dual access to the property will be provided from Agate Avenue along the south and Raven Avenue along the north. The vacation and abandonment of a portion of right-of-way along Durango Drive is necessary to accommodate the detached sidewalk.

Raven Avenue will not continue through to Durango Drive and traffic volumes are expected to be very low. Therefore, a portion of Raven Avenue right-of-way is to be vacated in order to reduce a 60' wide collector roadway to a more representative 47' wide residential roadway. The necessity of a cul-de-sac for turn-around is no longer needed due to the circulation provided through the development for dual access requirements.

Should there be any questions or require additional information please contact me at 702.254.1480.

Sincerely,

A handwritten signature in blue ink that reads "Aimee English".

Aimee English
Project Coordinator

12/19/23 PC AGENDA SHEET

AGATE AND DURANGO

DURANGO DR/AGATE AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-23-500152-ROOHANI KHUSROW FAMILY TRUST:

TENTATIVE MAP consisting of 107 lots and common lots on 14.0 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the northeast corner of Durango Drive and Agate Avenue within Enterprise. JJ/md/syp (For possible action)

RELATED INFORMATION:

APN:

176-21-101-010; 176-21-101-011; 176-21-101-015; 176-21-101-016; 176-21-101-017

PROPOSED LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 14
- Number of Lots: 107
- Density (du/ac): 7.7
- Minimum/Maximum Lot Size (square feet): 3,325/6,425 (gross and net)
- Project Type: Single family residential development

The plans depict a single family residential development consisting of 107 lots on 14 acres with a density of 7.7 dwelling units per gross acre. The minimum and maximum lot sizes are 3,325 and 6,425 square feet, respectively. Access to the site is granted via a 44 foot wide north/south private street (Street A) that connects to Agate Avenue, a public street. A second access point to the site is granted via a 44 foot wide north/south private street (Street B) that connects to Raven Avenue, a public street. Five foot wide attached sidewalks are provided on 1 side of the north/south private streets. The interior street network of the development consists of two, 54 foot wide east/west private streets (Avenues A and B) terminating into hammerhead designs. A 5 foot wide attached sidewalk is located on 1 side of the east/west private streets. All single family residential lots are oriented towards the interior private streets within the subdivision with the exception of Lots 1 through Lot 12 and Lots 98 through Lot 107, with access to Agate Avenue. A 5 foot wide attached sidewalk is located at the northeast corner of the site, along Lots 62 through Lot 67 adjacent to Raven Avenue. A 5 foot wide detached sidewalk is located along the south portion of the site, adjacent to Lots 1 through Lot 12 and Lots 98 through Lot 107, along Agate Avenue. A 5 foot wide detached sidewalk is located along the southwest corner of the site, in proximity to Lot 12 and Lot 13, adjacent to Durango Drive transitioning into an existing 5

foot wide sidewalk, located along the northwest corner of the site, in proximity to lot 36 and common element "A".

Landscaping

The plans depict a street landscape area, including a 5 foot wide detached sidewalk, measuring 10 feet in width along Agate Avenue. A 6 foot wide landscape area, located behind a 5 foot wide attached sidewalk, is located along the northeast corner of the site, adjacent to Raven Avenue. The street landscape areas consist of trees, shrubs, and groundcover and require a waiver of development standards for alternative street landscaping. A 15 foot landscape area, including a 5 foot wide detached sidewalk, is located at the southwest corner of the site, along Durango Drive. The detached sidewalk transitions into an existing 5 foot wide attached sidewalk located at the northwest corner of the site, adjacent to Durango Drive. A landscape area measuring between 25 feet to 72 feet in width is located behind the existing attached sidewalk. The street landscape area along Durango Drive consists of trees, shrubs, and groundcover. An open space area, common element "A", is located at the northwest corner of the site along Durango Drive and measures 5,400 square feet in area. An open space area, common element "B", is located at the southeast corner of the site and measures 3,960 square feet in area. A 10 foot wide sidewalk is centrally located within this common area, connecting Avenue "A" to Agate Avenue. No landscaping is provided along the northwest property line, between Lots 47 through Lot 58 that are adjacent to the existing R-1 single family residential development to the north. A 20 foot wide landscape area with 24 inch box trees, measuring 125 feet in length, is located between the east property line of common element "B" and the existing single family residence to the east. Approximately 170 linear feet along the east property line of common element "B" adjacent to the single family residence will not feature landscaping due to a 20 foot wide drainage easement.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-22-0137	Reclassified the south half of the site from R-E to R-2 zoning	Approved by BCC	June 2022
VS-22-0138	Vacated and abandoned easements and rights-of-way	Approved by BCC	June 2022
TM-22-500045	50 single family residential lots on the south half of the site	Approved by BCC	June 2022

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Ranch Estate Neighborhood (up to 2 du/ac)	R-1 & R-E (RNP-I)	Single family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Ranch Estate Neighborhood (up to 2 du/ac) & Compact Neighborhood (up to 18 du/ac)	R-E (RNP-I) & R-3	Single family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Compact Neighborhood (up to 18 du/ac) & Corridor Mixed-Use	R-2 & R-3	Single family residential & multiple family residential

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

Related Applications

Application Number	Request
ZC-23-0729	Zone change to reclassify the site from R-E, R-F (RNP-D), and R-2 to R-2 zoning, with waivers and design reviews for a single family residential development is a companion item on this agenda.
PA-23-700037	A plan amendment to redesignate the land use categories from Ranch Estate Neighborhood (RN), Neighborhood Commercial (NC), and Corridor Mixed-Use (CM) to Mid-Intensity Suburban Neighborhood (MN) is a companion item on this agenda.
VS-23-0730	A request to vacate and abandon government patent easements, drainage easement, and rights-of-way is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

This request meets the tentative map requirements as outlined in Title 30. Approval of this request is contingent upon approval of ZC-23-0729 which staff is not supporting; therefore, staff cannot support this request.

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on January 17, 2024 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Expunge TM-22-500045.
- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; 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 there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Agate Avenue, 17 feet for Raven Avenue, and 45 feet to the back of curb for Durango Drive;
- Clark County Fire Prevention approval of the Raven Avenue terminus;
- Coordinate with Public Works - Development Review for the design and termination of Raven Avenue;
- Arch culvert to be privately maintained by the Homeowners Association;
- Provide an easement to Clark County - Public Works through the private streets for maintenance of the drainage facility;
- Provide vehicular access to the drainage facility located to the east of this subdivision.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way 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 a Point of Connection (POC) request has been completed for this project, to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0122-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: CENTURY COMMUNITIES

**CONTACT: AIMEE ENGLISH, TRITON ENGINEERING, 6765 W. RUSSELL ROAD
SUITE 200, LAS VEGAS, NV 89118**

12/19/23 PC AGENDA SHEET

SETBACK
(TITLE 29)

TOSCANO GARDENS ST/PARMA GALLERIA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VC-23-0720-AELLO JOANNE:

VARIANCE for reduced setback in conjunction with an existing single family residence on 0.1 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the east side of Toscano Gardens Street, 100 feet north of Parma Galleria Avenue within Enterprise. JJ/mh/syp (For possible action)

RELATED INFORMATION:

APN:

177-32-318-017

VARIANCE:

Reduce the rear patio cover setback to 5 feet where 10 feet is required per Southern Highlands modified development standards (a 50% reduction) and where 7 feet was previously approved (a 29% reduction).

LAND USE PLAN:

ENTERPRISE – MAJOR DEVELOPMENT PROJECT (SOUTHERN HIGHLANDS)

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

BACKGROUND:

Project Description

General Summary

- Site Address: 11012 Toscano Gardens Street
- Site Acreage: 0.1
- Project Type: Setback
- Number of Stories: 1
- Building Height (feet): 9 (patio cover)
- Square Feet: 1,522 (residence)/429 (garage)/150 (patio cover)

Site Plan, History, & Request

The plans show an existing single family residence with an attached garage totaling 1,951 square feet. The plans also show a proposed 150 square foot patio cover that is attached to the residence in the rear of the property, set back 5 feet from the side and rear property lines. The Southern Highlands major project area created modified development standards that differ from the requirements of Title 30. These standards were approved by ZC-1604-99, which established a

rear setback requirement of 10 feet for this subdivision. A subsequent application was later approved (ZC-1215-05), which reduced the rear setback requirement from 10 feet to 7 feet for the subdivision. The applicant is requesting a rear setback reduction to 5 feet, the approval of which will waive the condition imposed by the previous applications that established modified development standards.

Landscaping

The front yard of the property has several medium trees and shrubs. There are no proposed or required changes to the landscaping associated with this application.

Elevations

The plans show a 9 foot high patio cover that is constructed of solid alumnawood.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the patio cover will provide shade and that the 15 foot backyard makes it difficult to meet the rear setback requirement. The applicant adds that numerous properties in the community have setbacks that are less than 7 feet.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1604-99 (ET-0261-05)	First extension of time to reclassify property from R-E to R-2, R-4, C-1, C-2, and P-F Zones, all within the P-C Zone, along with a use permit for modified development standards, variances for setbacks, and waivers for modified improvement standards and street grid dedication requirements	Approved by BCC	December 2005
MP-1071-05	Major project for a land use plan amendment for a mixed-use comprehensive master plan community known as Southern Highlands on approximately 2,654 acres	Approved by BCC	October 2005
ZC-1215-05	Reclassified 18.9 acres from an R-4 to R-2 zoning with a variance for reduced setbacks	Approved by BCC	September 2005
TM-0432-05	175 single family residential lots on 18.8 acres in an R-2 Zone	Approved by BCC	September 2005
VC-1857-03	Reduced separations between structures, increased heights, and allow 3 story buildings, along with a design review for a multiple family residential development on 13 acres in an R-4 Zone	Approved by PC	March 2004

Prior Land Use Requests

Application Number	Request	Action	Date
WT-1595-00	Waiver to allow nonstandard streetlights	Approved by PC	November 2000
TM-0151-00	Tentative map and extension of time consisting of 140 single family residential lots and 1 common element lot on 22.6 acres	Approved by PC	June 2000
VC-0212-00	Increased block wall height in conjunction with a proposed single family residential subdivision	Approved by PC	March 2000
TM-0314-99	Tentative map and extension of time consisting of 367 single family residential lots on 49.8 acres	Approved by PC	January 2000
ZC-1604-99	Reclassified 2,299 acres from R-E to R-2, R-4, C-1, C-2, and P-F Zones, all within the P-C Zone, along with use permits for a golf course and modified development standards, variances for setbacks, and waivers for modified improvement standards and street grid dedication requirements	Approved by BCC	December 1999
TM-0306-99	Tentative map and extension of time consisting of 6 parent/out lots on 186 acres	Approved by PC	December 1999
UC-1450-98	Relocated a previously approved 230/180kV transmission line	Approved by PC	October 1998
SC-0930-97	Street name change for an existing public street generally located approximately 700 feet east of Valley View Boulevard extending south of Desert Inn Road	Approved by PC	June 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-3	Single family residential

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 29.

Analysis

Comprehensive Planning

The rear yard of the property is enclosed by a block wall and is further buffered by a common lot featuring landscaping and a detached sidewalk, which will make the proposed patio cover less visible. The proposed patio cover is compatible with surrounding development and staff does not anticipate any adverse effects on adjacent properties as a result of the rear setback reduction,

which is minimal compared to what was previously approved. Therefore, staff can support this request.

Staff Recommendation
Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive 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: JOANNE AELLO
CONTACT: JOANNE AELLO, 11012 TOSCANO GARDENS STREET, LAS VEGAS, NV
89141



LAND USE APPLICATION DEPARTMENT OF COMPREHENSIVE PLANNING

6A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

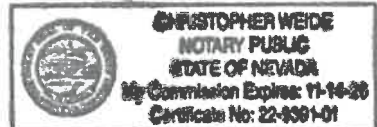
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>23-0720</u> DATE FILED: <u>10/12/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>11/29/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>12/20/23</u> FEE: <u>\$ 475</u>
	PROPERTY OWNER NAME: <u>Joanne Aello</u> ADDRESS: <u>11017 Toscano Gardens Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89141</u> TELEPHONE: <u>818 913 9500</u> CELL: <u>818 913 9500</u> E-MAIL: <u>aellojoanne@gmail.com</u>
	APPLICANT NAME: <u>Joanne Aello</u> ADDRESS: <u>11012 Toscano Gardens Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89141</u> TELEPHONE: <u>818 913 9500</u> CELL: <u>818 913 9500</u> E-MAIL: <u>aellojoanne@gmail.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>Joanne Aello</u> ADDRESS: <u>11012 Toscano Gardens Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89141</u> TELEPHONE: <u>818 913 9500</u> CELL: <u>818 913 9500</u> E-MAIL: <u>aellojoanne@gmail.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 177-32-318-017
 PROPERTY ADDRESS and/or CROSS STREETS: 11012 Toscano Gardens Street 89141
 PROJECT DESCRIPTION: Patio Cover Setback

(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.

Joanne Aello Joanne Aello
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 09/25/2023 (DATE)
 By Joanne Aello
 NOTARY PUBLIC: Christopher Weide



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

**PLANNER
COPY**

Justification Letter

September 21, 2023

WS-23-0720

I am applying to request a waiver of development standards for a 5-foot setback for the patio cover I am adding to my home. The patio cover will be 8'9" high, 15' wide and 10' long (see diagram). My backyard is very small; there is only 15 feet from my house to the back wall. I would like to have 10 feet of shade coverage to maximize the use of my space. The current requirement for Southern Highlands is a 7-foot setback, but there are already numerous homes in my community that have either a 5 or even 3-foot setback.

Thank you.



Joanne Aello
11012 Toscano Gardens Street
Las Vegas, NV. 89141

12/19/23 PC AGENDA SHEET

EASEMENT
(TITLE 30)

GRAND CANYON DR/BLUE DIAMOND RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-23-0728-BDGC ANIMAL HOSPITAL LLC:

VACATE AND ABANDON easement of interest to Clark County located between Grand Canyon Drive and Conquistador Street, and between Oleta Avenue and Blue Diamond Road within Enterprise (description on file). JJ/rp/syp (For possible action)

RELATED INFORMATION:

APN:
176-19-201-021

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

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of a 30 foot wide patent easement along the east property line. The applicator indicates that the vacation of this government patent easement is necessary to fully develop the property.

Surrounding Land Use

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

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

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

**Staff Recommendation
Approval.**

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Clark County Water Reclamation District (CCWRD)

- No objection.

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

APPLICANT: KEELEY SMITH

CONTACT: KEELEY SMITH, 1555 S. RAINBOW BLVD., LAS VEGAS, NV 89146



VACATION APPLICATION

7A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE

- VACATION & ABANDONMENT (vs)
- EASEMENT(S)
- RIGHT(S)-OF-WAY
- EXTENSION OF TIME (ET)
(ORIGINAL APPLICATION #):

DEPARTMENT USE

APP. NUMBER: V5-23-0728

DATE FILED: 10/19/2023

PLANNER ASSIGNED: _____

TAB/CAC: Enterprise

TAB/CAC DATE: 11/29/2023

PC MEETING DATE: 12/19/2023

BCC MEETING DATE: _____

FEE: 1675

PROPERTY OWNER

NAME: BDGC Animal Hospital LLC
 ADDRESS: 6032 S. Durango Drive, Ste. 100
 CITY: Las Vegas STATE: NV ZIP: 89113
 TELEPHONE: _____ CELL: 702.823.6679
 E-MAIL: jlrussman23@gmail.com

APPLICANT

NAME: BDGC Animal Hospital LLC
 ADDRESS: 6032 S. Durango Drive, Ste. 100
 CITY: Las Vegas STATE: NV ZIP: 89113
 TELEPHONE: _____ CELL: 702.823.6679
 E-MAIL: jlrussman23@gmail.com
 REF CONTACT ID #: _____

CORRESPONDENT

NAME: Keeley Smith
 ADDRESS: 1555 S. Rainbow Blvd.
 CITY: Las Vegas STATE: NV ZIP: 89146
 TELEPHONE: 702.804.2092 CELL: _____
 E-MAIL: ksmith@gcwengineering.com
 REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-19-201-021

PROPERTY ADDRESS and/or CROSS STREETS: Blue Diamond West and Grand Canyon Dr

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)*

Cyril John Bullard

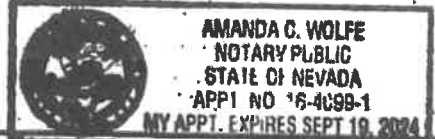
Property Owner (Print)

STATE OF NEVADA
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON July 17, 2023 (DATE)

By Cyril John Bullard

NOTARY PUBLIC: AMANDA C. WOLFE



*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.

398-B291

July 11, 2023

CIVIL
ENGINEERING

VS-23-0728

GCW
ENGINEERS \ SURVEYORS

Clark County
Public Works
333 N. Rancho Drive
Las Vegas, NV 89106

**RE: Animal Hospital - APR: 23-100654
APN: 176-19-201-021**

Dear Sir/Madam:

GCW, Inc. is currently preparing Civil Improvement Plans for the above reference project, on behalf of our client, BDGC Animal Hospital, LLC.

GCW, Inc. is respectfully requesting the vacation of certain government patent easements on parcel 176-19-201-021. The patent easements to be vacated consist of the East 30 feet of said parcel. Said parcel was dedicated per Official Record document #: 20050614:03666 (27-2005-0090)

The vacation of this government patent easement is necessary to fully develop the property.

We kindly request your support and approval of this matter. Thank you for your consideration of this matter.

Cordially

GCW, INC

Andre Leonard, PE

12/19/23 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL
DEVELOPMENT

ELDORADO LN/PLACID ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0734-MARQUEZ FAMILY TRUST ETAL & MARQUEZ CHRISTIAN & GABRIELA TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) waive water connection; and 2) waive sanitary sewer service connection in conjunction with a single family residential subdivision on 2.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the south side of Eldorado Lane and the east side of Placid Street within Enterprise. MN/tpd/syp (For possible action)

RELATED INFORMATION:

APN:

177-09-603-003

WAIVERS OF DEVELOPMENT STANDARDS:

1. Waive the requirement for public water service connection where required per Sections 30.52.040 and 30.52.100.
2. Waive the requirement for public sanitary sewer service connection where required per Sections 30.52.040 and 30.52.110.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 325 E. Eldorado Lane
- Site Acreage: 2.1
- Number of Lots: 3
- Minimum/Maximum Lot Size (square feet): 23,919/43,337
- Project Type: Single family residential development

Site Plans

The plans depict a proposed single family residential subdivision consisting of 3 lots on 2.1 acres with a density of 1.5 dwelling units per gross acre. Each lot exceeds the minimum gross lot area requirement of 20,000 square feet required by the R-E zoning district. Lot 1 in the northwest corner of the subdivision features a proposed driveway location from Placid Street. Lot 2 on the

south side of the subdivision features a proposed driveway east from Placid Street, while Lot 3 in the northeast corner of the subdivision features a proposed driveway location. A waiver of development standards (WS-23-0256) was approved in June 2023 to eliminate street landscaping and detached sidewalks along Eldorado Lane and Placid Street.

Applicant's Justification

The applicant states that 1 of the proposed parcels has a water connection while another has a sewer connection with no water connection; the third has neither. They would like to temporarily waive the requirement and have all three parcels connected to both sewer and water at a later time. The applicant further states that it would not be financially feasible to connect all three parcels to water and sewer at the same time. Thus, this temporary waiver is needed to grant more time to connect to all 3 lots.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-23-0256	Waived street landscaping in conjunction with a single-family residential development	Approved by PC	June 2023
VS-0239-09	Vacated and abandoned easements of interest to Clark County located between Eldorado Lane and Maulding Avenue (alignment), and between Placid Street and Fairfield Avenue	Approved by PC	May 2009
ZC-1026-05	Reclassified 3,800 parcels from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential
South, East & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

According to Title 30, water service shall be provided to all developments when the development is within the required distance to water and sewer. Due to the location of this site, water and sewer service are required at the time of the development, which includes the parcel map process. Connecting developments into existing public water and sewer service helps to ensure that the development will continuously have a safe and reliable water and sewer supply. The project site is within the connection distance to municipal utility lines; therefore, staff does not support these requests.

Department of Aviation

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

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; obtain appropriate water rights and necessary permits from the Nevada Department of Resources for use of a private well, obtain approval from the Southern Nevada Health District for use of a private septic system; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for

incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0401-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: CHRISTIAN MARQUEZ
CONTACT: CHRISTIAN MARQUEZ, 1723 INDIAN SUMMER DR., LAS VEGAS, NV
89123

DRAFT



LAND USE APPLICATION 8A

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

APPLICATION TYPE

TEXT AMENDMENT (TA)

ZONE CHANGE (ZC)

USE PERMIT (UC)

VARIANCE (VC)

WAIVER OF DEVELOPMENT STANDARDS (WS)

DESIGN REVIEW (DR)

ADMINISTRATIVE DESIGN REVIEW (ADR)

STREET NAME / NUMBERING CHANGE (SC)

WAIVER OF CONDITIONS (WC)

(ORIGINAL APPLICATION #)

ANNEXATION REQUEST (ANX)

EXTENSION OF TIME (ET)

(ORIGINAL APPLICATION #)

APPLICATION REVIEW (AR)

(ORIGINAL APPLICATION #)

STAFF

APP. NUMBER: WS-23-0734 DATE FILED: 10/23/23

PLANNER ASSIGNED: _____

TAB/CAC: Enterprise TAB/CAC DATE: 11/29

PC MEETING DATE: 12/19

BCC MEETING DATE: _____

FEE: \$475

PLANNER COPY

PROPERTY OWNER

NAME: Marquez Family Trust BTRAL and Gabriela Trust

ADDRESS: 1725 Indian Summer

CITY: Las Vegas STATE: NV ZIP: 89123

TELEPHONE: 702 506 7541 CELL: _____

E-MAIL: Sigma Holv @ AOL com

APPLICANT

NAME: Jason Griffith

ADDRESS: 1337 Temperate DR

CITY: Henderson STATE: NV ZIP: 89052

TELEPHONE: 702 353-0510 CELL: _____

E-MAIL: jason@yesit.com REF CONTACT ID #: _____

CORRESPONDENT

NAME: Gabby Perez

ADDRESS: 4945 W Patrick Ln

CITY: Las Vegas STATE: _____ ZIP: 89118

TELEPHONE: 424-219-1379 CELL: _____

E-MAIL: gjp@cmhworks.com REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-09-603-003

PROPERTY ADDRESS and/or CROSS STREETS: El Dorado + Placid

PROJECT DESCRIPTION: Split into 3 lots: waive Title 30

(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)* Gabriela Marquez

Property Owner (Print) Gabriela Marquez

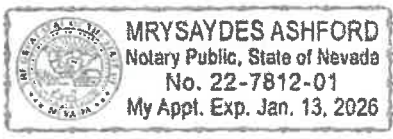
STATE OF Nevada

COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 02 September, 2023 (DATE)

By Gabriela Marquez

NOTARY PUBLIC: MA



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

LAND USE APPLICATION SUBMITTAL REQUIREMENTS

Application C	Disclosure Form C	Assessor's Map D E	Deed F	Legal Description H	Justification Letter	Site Plans and applicable checklist C I J Y	Site Plans - Floor Plans I	Site Plans - Elevations I	Landscape Plan I	Parking Analysis K	Cross Section L L	Fees B B	Grading Plans L V	List & Quantities of Hazardous Materials P	DOA and/or FAA Submittal N O	Record of Survey W	Residential Impact Statement X	Certified Evidence of Separation L M A	RISE Reports C S	Concurrence from a Member of the Board
SUBMITTAL REQUIREMENTS	1	1			2							✓								
• These are the official submittal requirements; additional requirements may apply.	1	1	PDF	PDF	2							✓				PDF	PDF	PDF		
• Refer to 30.16.240 for general descriptions of requirements.	1	1	PDF	PDF	2	2	2	2	2	1		✓	2	PDF	PDF	PDF	PDF	PDF		
• All documents must be accurate and legible.	1	1	PDF	PDF	2	2	2	2	2	1		✓	2		PDF	PDF	PDF			
• For electronic submittals, PDF indicates document is only required in PDF format and numbers represent the required quantity of hard copies. For all hard copy submittals, add 1 copy for each required document.	1	1	PDF	PDF	2	2	2	2	2	1		✓	2		PDF	PDF	PDF			
• Incomplete applications will not be authorized to submit.	1	1	PDF	PDF	2	2	2	2	2	1		✓	2		PDF	PDF	PDF			
• Once fees are paid, an application will be considered "Submitted".	1	1	PDF	PDF	2	2	2	2	2	1		✓	2		PDF	PDF	PDF			
Text Amendment B	1	1	PDF ^E		2							✓								
Zone Boundary Amendment A	1	1		PDF	2							✓								
Use Permit A.T.U.DD	1	1	PDF	PDF	2	2	2	2	2	1		✓	2	PDF	PDF	PDF	PDF	PDF		
Variance A	1	1	PDF	PDF	2	2	2	2	2	1		✓	2		PDF	PDF	PDF			
Waiver of Development Standards A.CC.DD	1	1	PDF	PDF	2	2	2	2	2	1		✓	2		PDF	PDF	PDF			
Design Review A.X.Z	1	1	PDF	PDF	2	2	2	2	2	1		✓	2		PDF	PDF	PDF	PDF		
Administrative Design Review A.X.Z	1	1 ^R	PDF	PDF	2	2	2	2	2	1		✓	2							
Street Name or Numbering System Change A.M	1	1	PDF ^E		2							✓								
Waiver of Conditions B	1	1		PDF	2							✓			PDF	PDF				
Annexation Requests B.O	1	1	PDF		2	2						✓								
Extension of Time B	1	1	PDF ^G		2							✓		PDF		PDF				
Application Review B	1	1	PDF		2							✓		PDF		PDF				
Revised Plans E E					2	2	2	2	2	1		✓	2						PDF	

Footnotes on next page

12/20/23 BCC AGENDA SHEET

TAVERN
(TITLE 30)

SILVERADO RANCH BLVD/ARVILLE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-23-400154 (WS-19-0816)-SCT SILVERADO RANCH & ARVILLE, LLC:

WAIVERS OF DEVELOPMENT STANDARDS SECOND EXTENSION OF TIME for the following: 1) reduce driveway separation; and 2) reduce throat depth for a driveway.

DESIGN REVIEW for a proposed on-premises consumption of alcohol (tavern) on 0.8 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Silverado Ranch Boulevard and the east side of Arville Street within Enterprise. JJ/sd/syp (For possible action)

RELATED INFORMATION:

APN:

177-19-801-020

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the departure distance from the driveway to the intersection to 176.5 feet where 190 feet is required along Arville Street per Uniform Standard Drawing 222.1 (a 7.1% reduction).
2. Reduce throat depth for a driveway to 7 feet 11 inches where a minimum of 25 feet is the standard per Uniform Standard Drawing 222.1 (a 68% reduction).

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 0.8
- Project Type: Tavern
- Number of Stories: 1
- Building Height (feet): 24
- Square Feet: 4,600
- Parking Required/Provided: 46/49

Site Plan

The previously approved plans depict a tavern building located near the south portion of the property at the corner of Silverado Ranch Boulevard and Arville Street. Access to the site is provided by 1 driveway on Arville Street. Parking for the tavern is located on the northerly portion of the parcel with a future cross access easement provided along the east side of the parcel. The building is set back 35 feet from Silverado Ranch Boulevard and 12 feet 6 inches from Arville Street.

The revised plans submitted for review at this time (WS-23-0709) depict a similar design for a proposed tavern and on-site consumption of alcohol with restricted gaming. Access to the site is provided by 1 driveway on Arville Street. Parking for the tavern is located on the northerly portion of the parcel. The building is set back 35 feet from Silverado Ranch Boulevard and 12 feet 6 inches from Arville Street. The applicant is now requesting to allow an attached sidewalk, to increase wall height and to reduce departure distance. In addition, the applicant is requesting to reduce the 36 foot minimum driveway width.

In 2022, the adjacent properties were rezoned to a Residential Urban Density zone for the development of single family residential development (NZC-22-0381). Since then, the connectivity between the project and a planned residential is not suited for the project. The applicant has now submitted 3 separate application requests. The first application WC-23-400155 (ZC-0339-08) is to waive the prior conditions for a cross access and parking easements, waivers to Title 30 standards for attached sidewalks, retaining wall height, parking lot landscaping, reduce driveway width, reduce departure distance (WS-23-0709) and lastly a second extension of time request ET-23-400154 (WS-19-0816).

Landscaping

The previously approved plans show an approximate 15 foot wide landscape area with a detached sidewalk along both Arville Street and Silverado Ranch Boulevard, and a 10 foot wide landscape area consisting of trees and groundcover along the north and east property lines. Interior to the site, landscaping is distributed throughout the parking lot and around portions of the building footprint. The landscape materials include large trees, shrubs, and groundcover.

Per the waiver of development standards application being considered at this time, a 10 foot wide landscape area consisting of trees and groundcover is located along the south and west property lines, behind an attached sidewalk. Interior to the site, minimal landscaping is distributed throughout the parking lot and around portions of the building footprint. The landscape materials include large trees, shrubs, and groundcover. An intense landscape buffer is shown on the plan where residential uses are adjacent to the proposed project per Figure 30.64-12. This new application submitted by the applicant includes waivers to eliminate parking lot landscaping and landscape finger islands within the proposed parking lot.

Elevations

The approved building is proposed to be 1 story, with the height of the building varying from 20 feet to 24 feet with elements to break-up the roofline. Materials will consist of colored stucco, decorative cornice molding, and aluminum storefront window system.

Marquez Family Trust
Jason and Erika Griffith
c/o 1723 Indian Summer Drive
Las Vegas, NV 89123

WS-23-0934
JL

October 16, 2023

City of Las Vegas

RE: Justification Letter Regarding application related to 325 E Eldorado Lane (Parcel# 177-09-603-003, "The Property")

To whom it may concern:

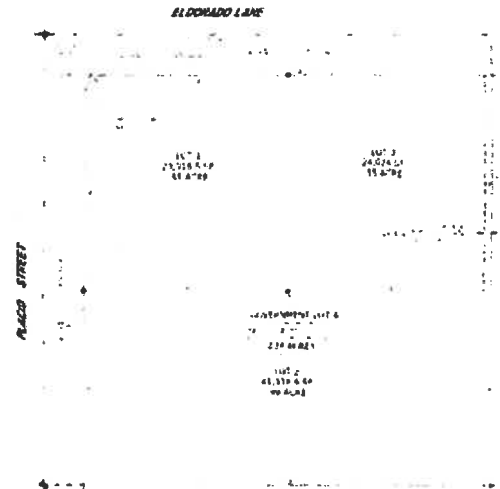
This letter is written on behalf of the applicant, Marquez Family Trust and Jason and Erika Griffith, and shall serve as the required justification letter ("Letter") for the Land Use Application for the approximate 2.07 acres at the Property. We are requesting a Waiver of Development Standards for Section 30.52.040 and 30.52.100 for water connection and for Section 30.52.040 and 30.52.110 for sewer connection.

The Property is located at the South West corner of E Eldorado Lane and Placid Ave. The subject property lies approximately 1 block south of E Warm Springs and 2 blocks West of Bermuda.

Lot 1 (once split) of the NW corner of the attached is 0.55 acres and has no water and no sewer connection currently.

Lot 3 (once split) of the NE corner of the attached is 0.55 acres and has water connection and no sewer connection currently.

Lot 2 (once split of the Southern part of the parcel of the attached is 0.99 acres and has no water connection and does have a sewer connection currently.



The applicants purchased this property February 2021 with high hopes for splitting the parcel in 3 separate parcels and beginning to build. We hired an engineer, started working with architects and met with potential builders and banks regarding construction loans.

The initial plan was to split the approximate 2 acres into three (3) separate parcels at approximately two parcels at 0.5 acres and one parcel at 1 acre. It was the intent to start building as soon as we were able to do so.

Fast forward over 2 years later, and we are still in a wait and see mode relative to an issue that has arisen which involves splitting up the subject property could potentially require the installation of water connection on all 3 properties (it currently only has 1 connection), which would cost us roughly \$15,000 – \$20,000 on each connection.

We are requesting a waiver or a deferral of this requirement.

RE: 325 E Eldorado Lane, Parcel # 177-09-603-003

We certainly know that we will need to have this completed once we start building and even applying for construction permits; however, the timing of it being requested now is sub-optimal. Paying for the connections now would only serve to slow down the process on the building as funds that were previously allocated for completing plans and breaking ground would be used in this water connection on 1 of the parcels that won't be developed for a few years.

Our current plan is to build on 1 or 2 of the parcels and the 3rd parcel would not be built on for a few years. The significant rise in interest rates since we purchased the property has forced us to adjust the timing of our project.

Again, we are not attempting to get around or avoid the water connection at all the parcels, we are just asking for a future date to be set for it and/or allowing us to split up the parcels to our respective ownership, so that we can individually time the development of the land / home on our own respective time frames.

To provide greater clarity and assurance, we are not property developers. We are not build and flip it home investors. We are not 'new' residents who have just moved here trying to circumvent the rules in place. Two of the applicants have been in Las Vegas their whole life, with their families, and the other two applicants have been in Las Vegas, with their families, over 20 years. It is our full intention to build and then occupy the properties we build, as our primary residence and to have our families grow and stay in those houses for the foreseeable long term.

We greatly appreciate your time and effort in the review of this proposal. If you have any questions, or require further information, please do not hesitate to contact me at 702-303-0510, or Chris Marquez at 702-506-2541, or our engineer, Brandon Potts at 702-279-3576.

Best regards,



Jason J. Griffith, CPA
on behalf of Marquez Family Trust, and
Jason and Erika Griffith

Cc: Brandon Potts

Floor Plans

The approved tavern will have an area of 4,600 square feet consisting of a bar, dining area, separate seating area, kitchen, offices, and restrooms.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for ET-22-400102 (WS-19-0816):

Current Planning

- Until December 04, 2023 to commence.
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Silverado Ranch Boulevard and the Silverado Ranch Detention Basin improvement projects.
- Compliance with previous conditions.

Applicant's Justification

The requested extension of time will allow the applicant to work through the necessary project development-permitting approvals prior to commencing construction. Concurrently, the applicant has submitted related entitlement requests for the project (WS-23-0709). The applicant hereby requests a second extension of time for WS-19-0816, to allow a 2 year extension to commence construction by December 4, 2025.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-22-400102 (WS-19-0816)	First extension of time for on-premises consumption of alcohol (tavern) with waivers for modified driveway standards	Approved by BCC	October 2022
WS-19-0816	On-premises consumption of alcohol (tavern) with waivers for modified driveway standards	Approved by BCC	December 2019
ZC-0339-08	Reclassified 0.9 acres from R-E to C-2 zoning for a future commercial development	Approved by BCC	May 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Business Employment	RUD	Undeveloped
South	Compact Neighborhood (up to 18 du/ac)	R-3	Undeveloped
West	Neighborhood Commercial	C-1	Convenience store & gasoline station

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

Related Applications

Application Number	Request
WC-23-400155 (ZC-0339-08)	Waiver of conditions to provide cross access and parking easement is a companion item on this agenda.
WS-23-0709	A waiver of development standards for attached sidewalk, wall height, parking lot landscaping, non-standard improvements, departure distance and to waive driveway width, and design review for a tavern and increased finished grade is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

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

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Until December 4, 2025 to commence.
- Applicant is advised that the County has adopted a rewrite to Title 30, effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and 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: SCT SILVERADO RANCH & ARVILLE, LLC

CONTACT: REBECCA MILTENBERGER, BROWNSTEIN, HYATT, FARBER, & SCHREC, 100 N. CITY PARKWAY, SUITE 1600, LAS VEGAS, NV 89106



LAND USE APPLICATION

9A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) WS- 22 19-0816 (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>Et-23-400154</u> DATE FILED: <u>10/11/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>11/15/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>12/6/23</u> FEE: <u>\$ 300</u>
	PROPERTY OWNER NAME: <u>SCT Silverado Ranch & Arville LLC</u> ADDRESS: <u>1505 S. Pavilion Center Drive</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>
	APPLICANT NAME: <u>SCT Silverado Ranch & Arville LLC</u> ADDRESS: <u>1505 S. Pavilion Center Drive</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u> REF CONTACT ID #: <u>N/A</u>
CORRESPONDENT NAME: <u>Brownstein Hyatt Farber Schreck - Attn: Rebecca Miltenberger</u> ADDRESS: <u>100 N. City Parkway, Suite 1600</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89106</u> TELEPHONE: <u>702-464-7052</u> CELL: <u>N/A</u> E-MAIL: <u>miltenberger@bhfs.com</u> REF CONTACT ID #: <u>176001</u>	

ASSESSOR'S PARCEL NUMBER(S): 177-19-801-020

PROPERTY ADDRESS and/or CROSS STREETS: W. Silverado Ranch Blvd. & Arville

PROJECT DESCRIPTION: Modification to WS-19-0816 (as extended by ET-22-400102)

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

Property Owner (Signature)* [Signature] Property Owner (Print) JEFFREY T. WELCH

STATE OF Nevada
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON July 5, 2023 (DATE)
 By Jeffrey T. Welch

NOTARY PUBLIC: Amelia Carr



*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.

October 5, 2023

Rebecca L. Miltenberger
Attorney at Law
702.464.7052 direct
rmiltenberger@bhfs.com

VIA HAND DELIVERY

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

ET-23-400154

RE: Justification Letter – Silverado Ranch & Arville Tavern (Extension of Time - WS-19-0816)
APN: 177-19-801-020

To Whom It May Concern:

Our office represents SCT Silverado Ranch & Arville LLC, a Nevada limited liability company (the "Applicant"), owner of that certain property bearing Clark County Assessor Parcel Number ("APN") 177-19-801-020 (the "Property"). The Applicant hereby requests an extension of time for a second extension of time for WS-19-0816, to allow a two (2) year extension to commence construction by December 4, 2025.

In 2008, the Property was rezoned to C-2 (General Commercial) per application no. ZC-08-0339 (the "Rezoning Approvals") with a BE (Business Employment) planned land use designation. Subsequently, the Board of County Commissioners approved a design review for an approximately 4,600 sq. ft. tavern with on-premises consumption of alcohol and related waivers of development standards as set forth in application no. WS-19-0816 (collectively, the "Tavern Approvals"). The Tavern Approvals were extended until December 4, 2023 per application no. ET-22-400102.

The Property was recently acquired by the Applicant, and the Applicant intends to develop the Property as a tavern, consistent with the Tavern Approvals (the "Project"). Concurrently herewith, the Applicant has submitted related entitlement requests for the Project. The requested extension of time will allow the Applicant to work through the necessary Project development permitting approvals prior to commencing construction.

We appreciate your consideration, and please do not hesitate to contact me if you require additional information.

Sincerely,



Rebecca L. Miltenberger
Enclosures

TAVERN
(TITLE 30)

SILVERADO RANCH BLVD/ARVILLE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-23-400155 (ZC-0339-08)-SCT SILVERADO RANCH & ARVILLE, LLC:

WAIVER OF CONDITIONS of a zone change requiring cross access and parking easement to the north and east in conjunction with a tavern on 0.8 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Silverado Ranch Boulevard and the east side of Arville Street within Enterprise. JJ/sd/syp (For possible action)

RELATED INFORMATION:

APN:

177-19-801-020

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 0.8
- Project Type: Tavern
- Number of Stories: 1
- Building Height (feet): 24
- Square feet: 4,600
- Parking Required/Provided: 40/47

Site Plan & History

In 2008, the property was rezoned to C-2 (General Commercial) zone with an application for a 4,600 square foot tavern with on-premises consumption of alcohol and related waivers of development standards. The approved plans depict a tavern building located near the south portion of the property at the corner of Silverado Ranch Boulevard and Arville Street. Set forth in the approved application (ZC-0339-08) was a condition to provide cross access and parking easement to the north and east. A later application, (WS-19-0816) was submitted and approved by the Board for reduced driveway separation and reduced throat depth for a proposed tavern.

The plans depict a tavern building located near the south portion of the property at the corner of Silverado Ranch Boulevard and Arville Street. Access to the site is provided by 1 driveway on Arville Street. Parking for the tavern is located on the northerly portion of the parcel with a future cross access easement provided along the east side of the parcel. The building is set back 35 feet from Silverado Ranch Boulevard and 12 feet 6 inches from Arville Street.

Although the property to the north and east were vacant at the time of the zone change, it was planned for commercial uses. Therefore, the condition was placed on the property to provide cross access to the adjacent property planned for commercial. In 2022, the adjacent properties were rezoned to a Residential Urban Density zone for a single family residential development (NZC-22-0381).

Landscaping

The approved plans depict street landscaping consisting of an approximate 15 foot wide landscape area with a detached sidewalk along both Arville Street and Silverado Ranch Boulevard. A 10 foot wide landscape area consisting of trees and groundcover is located along the north and east property lines. Interior to the site, landscaping is distributed throughout the parking lot and around portions of the building footprint. The landscape materials include large trees, shrubs, and groundcover.

The related waiver (WS-23-0709) submitted by the applicant includes an intense landscape buffer along the north and east property lines adjacent to residential uses per Figure 30.64-12 and waivers to eliminate parking lot landscaping and landscape finger islands within the proposed parking lot. The request also includes a waiver to allow an attached sidewalk with 10 feet of landscaping on Silverado Ranch Boulevard and Arville Street.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-0319-08:

Current Planning

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

Civil Engineering

- Right-of-way dedication to include flaring transitions on Silverado Ranch Boulevard and Arville Street in accordance with Standard Drawing 201.1;
- Drainage study and compliance;
- Construct full off-site improvements;
- If required by Regional Transportation Commission, dedicate and construct right-of-way for bus-turnout and/or passenger loading/shelter area in accordance with Regional Transportation Commission standards;
- Detached sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control which may require a vacation of excess right-of-way or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Applicant's Justification

In 2022, the adjacent properties were rezoned to a Residential Urban Density zone for the development of single family residential development (NZC-22-0381). Since then the connectivity between the project and a planned residential use no longer applies to the policies and goals of the Master Plan. The applicant has now submitted this request to waive the prior conditions for a cross access and parking easements.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-22-400102 (WS-19-0816)	First extension of time for on-premises consumption of alcohol (tavern) with waivers for modified driveway standards	Approved by BCC	October 2022
WS-19-0816	On-premises consumption of alcohol (tavern) with waivers for modified driveway standards	Approved by BCC	December 2019
ZC-0339-08	Reclassified 0.9 acres from R-E to C-2 zoning for a future commercial development	Approved by BCC	May 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Business Employment	RUD	Undeveloped
South	Compact Neighborhood (up to 18 du/ac)	R-3	Undeveloped
West	Neighborhood Commercial	C-1	Convenience store & gasoline station

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

Related Applications

Application Number	Request
ET-23-400154 (WS-19-0816)	A waiver of development standards second extension of time for on-premises consumption of alcohol is a companion item on this agenda.
WS-23-0709	A waiver of development standards for attached sidewalk, wall height, parking lot landscaping, non-standard improvements, departure distance and to waive driveway width, and design review for a tavern and increased finished grade is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Waiver of Conditions

Staff has no objection to waiver the condition requiring cross access and parking easement to the north and east. Cross access is required between similar uses. Since the approval of the zone change, when the condition was added, the adjacent property has been rezoned to a residential development; therefore, the condition no longer applies.

Staff Recommendation

Approval.

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

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

PRELIMINARY STAFF CONDITIONS:

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0256-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: SCT SILVERADO RANCH & ARVILLE, LLC

CONTACT: REBECCA MILTENBERGER, BROWNSTEIN, HYATT, FARBER, & SCHREC, 100 N. CITY PARKWAY, SUITE 1600, LAS VEGAS, NV 89106



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING 10A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <u>WS-19-0816</u> <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WC-23-400155</u> DATE FILED: <u>10/11/23</u> PLANNER ASSIGNED: _____ TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>11/15/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>12/6/23</u> FEE: <u>\$475</u>
	PROPERTY OWNER NAME: <u>SCT Silverado Ranch & Arville LLC</u> ADDRESS: <u>1505 S. Pavilion Center Drive</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>
	APPLICANT NAME: <u>SCT Silverado Ranch & Arville LLC</u> ADDRESS: <u>1505 S. Pavilion Center Drive</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u> REF CONTACT ID #: <u>N/A</u>
	CORRESPONDENT NAME: <u>Brownstein Hyatt Farber Schreck - Attn: Rebecca Miltenberger</u> ADDRESS: <u>100 N. City Parkway, Suite 1600</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89106</u> TELEPHONE: <u>702-464-7052</u> CELL: <u>N/A</u> E-MAIL: <u>rmiltenberger@bhfs.com</u> REF CONTACT ID #: <u>176001</u>

ASSESSOR'S PARCEL NUMBER(S): 177-19-801-020

PROPERTY ADDRESS and/or CROSS STREETS: W Silverado Ranch Blvd. & Arville

PROJECT DESCRIPTION: Modification to WS-19-0816 (as extended by ET-22-400102)

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

Property Owner (Signature)* [Signature] Property Owner (Print) JEFFREY T. WELCH

STATE OF Nevada
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON July 5, 2023 (DATE)

By Jeffrey T. Welch
 NOTARY PUBLIC: Amelia Carr



*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.

October 5, 2023

WC-23-400155

Rebecca L. Miltenberger
Attorney at Law
702.464.7052 direct
rmiltenberger@bhfs.com

VIA HAND DELIVERY

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

RE: Justification Letter – Silverado Ranch & Arville Tavern (Waiver of Conditions)
APN: 177-19-801-020

To Whom It May Concern:

Our office represents SCT Silverado Ranch & Arville LLC, a Nevada limited liability company (the "Applicant"), owner of that certain property bearing Clark County Assessor Parcel Number ("APN") 177-19-801-020 (the "Property"). The Applicant is requesting approval of the following, in conjunction with the redesign of a tavern previously approved by application no. WS-19-0816:

Waiver of Conditions to waive the following conditions: a) provide a cross access and parking easement to the north and east per ZC-08-0339; and b) provide a minimum driveway width of 36 feet per WS-19-0816.

In 2008, the Property was rezoned to C-2 (General Commercial) per application no. ZC-08-0339 (the "Rezoning Approvals") with a BE (Business Employment) planned land use designation. Subsequently, the Board of County Commissioners approved a design review for an approximately 4,600 sq. ft. tavern with on-premises consumption of alcohol and related waivers of development standards as set forth in application no. WS-19-0816 (collectively, the "Tavern Approvals"). The Tavern Approvals were extended until December 4, 2023 per application no. ET-22-400102. The Property was recently acquired by the Applicant, and the Applicant intends to develop the Property as a tavern, consistent with the Tavern Approvals, subject to the waivers requested herein (the "Project").

The Rezoning Approvals included a condition that a cross access and parking easement to the north and east be provided. Recently, the adjacent property was rezoned to a Residential Urban Density Zone for the development of single family residential development. The Per Table 30.56-2 of the Code, the requirement for cross access is applicable to non-residential land uses that are similar or complementary with consistent levels of intensity and similar parking. Due to the fact that the adjacent land use is no longer an intended residential use, connectivity between the Project and a planned residential use does not satisfy the policies and goals of the master plan. Accordingly, the Applicant requests the prior condition for a cross access and parking easement be waived.

Additionally, per the Tavern Approvals and Section 30.52.050 of the Code, a 36' minimum driveway width from the lip of the gutter to the lip of the gutter is to be provided; however, a 32' driveway width from face of curb to face of curb is the standard per Uniform Standard Drawing 222.1. The Applicant proposes to provide a 32' driveway width from lip of gutter to lip of gutter and 35' from face of curb to face of curb. Similar requests for a 32 feet driveway width have been previously approved where 36 feet is required. Additionally, the driveway dimensions align with the planned parking space and driveway aisle dimensions.

Principal Planner
Clark County Comprehensive Planning Department
October 5, 2023
Page 2

We appreciate your consideration, and please do not hesitate to contact me if you require additional information.

Sincerely,



Rebecca L. Miltenberger
Enclosures

12/20/23 BCC AGENDA SHEET

TAVERN
(TITLE 30)

SILVERADO RANCH BLVD/ARVILLE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0709-SCT SILVERADO RANCH & ARVILLE, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow attached sidewalk and alternative landscaping; 2) increase wall height; 3) eliminate parking lot landscaping; 4) allow non-standard improvements; 5) reduce departure distance; and 6) reduce driveway width.

DESIGN REVIEWS for the following: 1) modification to previously approved tavern; 2) finished grade on 0.8 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Silverado Ranch Boulevard and the east side of Arville Street within Enterprise. JJ/sd/syp (For possible action)

RELATED INFORMATION:

APN:

177-19-801-020

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Allow a proposed attached sidewalk with 10 feet of landscaping along Silverado Ranch Boulevard where a detached sidewalk with landscaping is required per Figure 30.64-17.
- b. Allow attached sidewalk with 10 feet of landscaping along Arville Street where detached sidewalk with landscaping is required per Figure 30.64-17.
2. Increase the retaining wall height to 5 feet (with a 6 foot screen wall on top) where 3 feet retaining wall (with a 6 foot screen wall on top) is the maximum per Section 30.64.050.
3. Eliminate parking lot landscaping where required per Figure 30.64-14.
4. Allow non-standard improvements (landscaping) within the right-of-way (Russell Road) where not permitted per Chapter 30.52.
5. Reduce the departure distance from the driveway to the intersection to 172.9 feet where 190 feet is required along Arville Street per Uniform Standard Drawing 222.1 (a 9% reduction).
6. Reduce the driveway width to 32 feet where 36 feet is the maximum allowed per Uniform Standard Drawing 222 (a 22% decrease).

DESIGN REVIEWS:

1. Tavern.
2. Increase finished grade to 57 inches where 36 inches is the standard per Section 30.32.040 (an 59% increase).

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 0.8
- Project Type: Tavern
- Number of Stories: 1
- Building Height (feet): 24
- Square Feet: 4,600
- Parking Required/Provided: 40/47

Site Plan & History

In 2008, the property was rezoned to C-2 (General Commercial) zone and an application was approved for a 4,600 square foot tavern with on-premises consumption of alcohol and related waivers of development standards. The approved plans depicted a tavern building located near the south portion of the property at the corner of Silverado Ranch Boulevard and Arville Street. Set forth in the approved application (ZC-0339-08) was a condition to provide cross access and parking easement to the north and east.

In 2022, the adjacent properties were rezoned to a Residential Urban Density zone for the development of single family residential development (NZC-22-0381). Since then the connectivity between the project and a planned residential use does not meet the policies and goals and the applicant has now submitted 3 separate application requests. The first application WC-23-400155 (ZC-0339-08) is to waive the prior conditions for a cross access and parking easements, waivers to Title 30 standards for attached sidewalks, retaining wall height, parking lot landscaping, departure distance and driveway width (WS-23-0709) and lastly a second extension of time request ET-23-400154 (WS-19-0816).

The revised plans submitted for review and approval depict a proposed tavern and on-site consumption of alcohol with restricted gaming. Access to the site is provided by 1 driveway on Arville Street. The driveway width is 32 feet. Parking for the tavern is located on the northerly portion of the parcel. The building is set back 35 feet from Silverado Ranch Boulevard and 12 feet 6 inches from Arville Street.

Landscaping

The approved plans per WS-19-0816 depict street landscaping consisting of an approximate 15 foot wide landscape area with a detached sidewalk along both Arville Street and Silverado Ranch

Boulevard. A 10 foot wide landscape area consisting of trees and groundcover is located along the north and east property lines. Interior to the site, landscaping is distributed throughout the parking lot and around portions of the building footprint. The landscape materials include large trees, shrubs, and groundcover.

This new application submitted by the applicant includes an intense landscape buffer along the north and east property lines adjacent to residential uses per Figure 30.64-12 and waivers to eliminate parking lot landscaping and landscape finger islands within the proposed parking lot. The request also includes a waiver to allow attached sidewalks with 10 feet of landscaping.

Elevations

The plans submitted depict a proposed building at 1 story, up to 24 feet high, consisting of colored stucco, decorative cornice molding, and aluminum storefront window system. The height of the building varies slightly from 20 feet to 24 feet and has been designed to break-up the roofline and enhance the overall look of the building. No changes or alterations are proposed to the approved elevations.

Floor Plans

The tavern has an area of 4,600 square feet consisting of a bar, dining area, separate seating area, kitchen, offices, and restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states this property was recently acquired by a new owner and the applicant intends to develop the property as a tavern, consistent with the original approvals with additional waivers for attached sidewalks, retaining wall height, parking lot landscaping, and departure distance along with a design review for increased grade. No changes are proposed to the approved exterior elevations of the commercial building.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-22-00102 (WS-19-0816)	First extension of time for on-premises consumption of alcohol (tavern) with waivers for modified driveway standards	Approved by BCC	October 2022
WS-19-0816	On-premises consumption of alcohol (tavern) with waivers for modified driveway standards	Approved by BCC	December 2019
ZC-0339-08	Reclassified 0.9 acres from R-E to C-2 zoning for a future commercial development	Approved by BCC	May 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Business Employment	RUD	Undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Compact Neighborhood (up to 18 du/ac)	R-3	Undeveloped
West	Neighborhood Commercial	C-1	Convenience store with gasoline station

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

Related Applications

Application Number	Request
WC-23-400155 (ZC-0339-08)	A waiver of conditions to provide cross access and parking agreement is a companion item on this agenda.
ET-23-400154 (WS-19-0816)	An extension of time for on-premises consumption of alcohol is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Waiver of Development Standards

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

Waiver of Development Standards #1

Staff does not support the request to install attached sidewalks where detached sidewalks are required along arterial streets. The applicant has stated in their justification letter they are providing additional landscape areas to off-set any impacts. Staff cannot support the request to waive the required detached sidewalk as stipulated in Title 30. The development to the west across Arville Street has incorporated a detached sidewalk. A detached sidewalk will promote a consistent streetscape and pedestrian safety measures, especially along any arterial or collector street.

Waiver of Development Standards #2

Overall, staff finds that the requested increase in the retaining wall is needed for the proposed drainage of the property. The increase in retaining height permits the matching grading along the exterior of the site, adjacent to the streets and residential uses. This increase should limit any impacts of the site and prevent drainage storm flow on the surrounding properties. Therefore, staff can support this request.

Waiver of Development Standards #3

Staff cannot support the applicant request to waive parking lot landscaping per Figure 30.64-14. The applicant has stated they need this waiver to maximize on-site parking. The plans show a parking analysis where 40 parking spaces are required with 47 parking spaces provided. Review of the site plans show that a total of 4 landscape islands would be required, which if installed would lower the overall on-site parking to 43 parking spaces and is 3 more parking spaces than what is required. Installation of landscape islands will not reduce on-site parking below the required 40 parking spaces. In addition, parking lot landscaping provides for reductions in the heat island effect and provides for a more visual appealing development. Therefore, staff cannot support this request.

Design Review #1

The design of the building, with the variations in building height, complies with Urban Specific Policy 19 of the Master Plan, which encourages varying building heights and breaking-up the mass of a building. However, with staff recommendation of denial of the waivers of development standards #1 and #3, staff cannot support the design of the proposed project as presented. Therefore, staff recommends denial.

Public Works - Development Review

Waiver of Development Standards #4

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any landscaping placed in the right-of-way. Staff can support waiver of development standards #4 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

Waiver of Development Standards #5

Staff has no objection to the further reducing of the departure distance by less than 4 feet, as the applicant has placed the driveway as far north as the site will allow.

Waiver of Development Standards #6

Staff has no objection to reduce the driveway width for the commercial driveway on Arville Street. The application was conditioned to a traffic study that will address any concerns that maybe the result of the reduced driveway width.

Design Review #2

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

Staff Recommendation

Approval of waivers of development standards #2, and #4 through #6, and design review #2; denial of waivers of development standards #1 and #3 and design review #1.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

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

Public Works - Development Review

- Comply with approved drainage study PW23-13052;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0256-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: SCT SILVERADO RANCH & ARVILLE, LLC
CONTACT: REBECCA MILTENBERGER, BROWNSTEIN, HYATT, FARBER, &
SCHREC, 100 N. CITY PARKWAY, SUITE 1600, LAS VEGAS, NV 89106

DRAFT



LAND USE APPLICATION 11A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE (ZC)</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><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>WS-23-0709</u> DATE FILED: <u>10/11/23</u></p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>11/15/23</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>12/6/23</u></p> <p>FEE: <u>\$ 1,150</u></p>
	PROPERTY OWNER	<p>NAME: <u>SCT Silverado Ranch & Arville LLC</u></p> <p>ADDRESS: <u>1505 S. Pavilion Center Drive</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u></p> <p>TELEPHONE: <u>N/A</u> CELL: <u>N/A</u></p> <p>E-MAIL: <u>N/A</u></p>
	APPLICANT	<p>NAME: <u>SCT Silverado Ranch & Arville LLC</u></p> <p>ADDRESS: <u>1505 S. Pavilion Center Drive</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u></p> <p>TELEPHONE: <u>N/A</u> CELL: <u>N/A</u></p> <p>E-MAIL: <u>N/A</u> REF CONTACT ID #: <u>N/A</u></p>
	CORRESPONDENT	<p>NAME: <u>Brownstein Hyatt Farber Schreck - Attn: Rebecca Miltenberger</u></p> <p>ADDRESS: <u>100 N. City Parkway; Suite 1600</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89106</u></p> <p>TELEPHONE: <u>702-464-7052</u> CELL: <u>N/A</u></p> <p>E-MAIL: <u>rmiltenberger@bhfs.com</u> REF CONTACT ID #: <u>176001</u></p>

ASSESSOR'S PARCEL NUMBER(S): 177-19-801-020

PROPERTY ADDRESS and/or CROSS STREETS: W. Silverado Ranch Blvd. & Arville

PROJECT DESCRIPTION: Modification to WS-19-0816 (as extended by ET-22-400102)

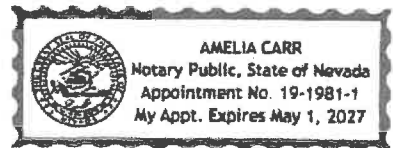
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to mitigate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF Nevada
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON July 5, 2023 (DATE)
By Jeffrey T. Welch

NOTARY PUBLIC: Amelia Carr



*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.

October 5, 2023

WS-23-0709

Rebecca L. Miltenberger
Attorney at Law
702.464.7052 direct
rmiltenberger@bhfs.com

VIA HAND DELIVERY

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

RE: Justification Letter – Silverado Ranch & Arville Tavern
APN: 177-19-801-020

To Whom It May Concern:

Our office represents SCT Silverado Ranch & Arville LLC, a Nevada limited liability company (the "Applicant"), owner of that certain property bearing Clark County Assessor Parcel Number ("APN") 177-19-801-020 (the "Property"). The Applicant is requesting approval of the following, in conjunction with the redesign of a tavern previously approved by application no. WS-19-0816:

Design Review for the following: a) modifications to WS-19-0816 per the enclosed plans; and b) finished grade in conjunction with a tavern on 0.82 acres in a C-2 (General Commercial District) zone.

Waiver of Development Standards for the following: a) to allow attached sidewalks; b) reduce driveway separation to approximately 172' 9"; c) increase the height of the retaining wall to 5' with a 6' screening wall; d) to allow non-standard improvements (landscaping) in the right-of-way; e) eliminate parking lot landscaping; f) eliminate parking lot figure islands; and g) reduce the driveway width to 32'.

In 2008, the Property was rezoned to C-2 (General Commercial) per application no. ZC-08-0339 (the "Rezoning Approvals") with a BE (Business Employment) planned land use designation. Subsequently, the Board of County Commissioners approved a design review for an approximately 4,600 sq. ft. tavern with on-premises consumption of alcohol and related waivers of development standards as set forth in application no. WS-19-0816 (collectively, the "Tavern Approvals"). The Tavern Approvals were extended until December 4, 2023 per application no. ET-22-400102. The Property was recently acquired by the Applicant, and the Applicant intends to develop the Property as a tavern, consistent with the Tavern Approvals, subject to the waivers requested herein (the "Project").

The Project will consist of an approximately 4,500 sf. ft. tavern, with restricted gaming including a bar (with 15 slot machines), a restaurant and related back of house facilities as shown on the enclosed plans. The building features varying heights, and will incorporate a textured stucco façade, brick veneer, steel accents and decorative façade features as shown on the enclosed elevation plans.

The Project will include 45 parking spaces, 2 of which will be ADA compliant, in accordance with Table 30.60-1 and Table 30.60-5 of the Clark County Development Code (the "Code"). One loading space will be provided in accordance with Table 30.60-6 of the Code. The throat depth of 12'2" provided in the attached plans will exceed the previously approved throat depth under the Tavern Approvals of 7' 11".

An intense landscape buffer will be provided along the Eastern and Northern property boundary lines as shown on the enclosed landscape plan. The proposed landscaping consists of trees, shrubs and ground cover in accordance with the *Southern Nevada Planning Coalition Regional Plant List*. Landscaping will be provided within the landscape islands at the end of the parking space strips and adjacent to the building.

Design Review: The site was previously approved for a tavern per the Tavern Approvals. The requested design review is for modifications to the prior Tavern Approvals as shown on the enclosed plans. The Applicant is requesting to increase finished grade up to a maximum of 57 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 0.58% increase). The proposed grade of the site will increase to approximately 24 inches as permitted by Code along Arville, however given the grade and slope of the site, an increased grade to 4.7 feet (57 inches) is required which will predominately occur along the eastern boundary.

Waiver of Development Standards:

In connection with the Project, the Applicant is requesting a waiver of the following development standards:

- To allow attached sidewalks where detached sidewalks are required per Section 30.64.030(I)(3) & Figure 30.64-17. The Applicant is proposing to provide approximately 5' sidewalks along S. Arville Street and W. Silverado Ranch Boulevard and an approximately 10' amenity zone with landscaping and trees as shown on the enclosed plans. Moreover, attached sidewalks accommodate an existing utility vault with utility boxes, proposed street lights and additional proposed utilities. The surrounding development existing as of the date hereof has similar attached sidewalks.¹ Accordingly, the Applicant requests a waiver to include attached sidewalks.
- To reduce the driveway separation to approximately 172' 9", a reduction of approximately 3' 9" from the previously approved separation distance of 176' 6" under the Tavern Approvals.
- To increase the height of the retaining wall to 5 feet with a 6 foot screen where 3 feet with a 6 foot screen is permitted by Code. Due to the grade of the Property, a taller retaining wall will be required.
- To allow non-standard improvements (landscaping) in the right-of-way. As required under the Tavern Approvals, a portion of the Property will be dedicated to include a property line radius of 54 feet adjacent to the spandrel, which will be landscaped as shown on the enclosed plans. As such, the Applicant is requesting approval for nonstandard improvements to be located within a right of way.
- To eliminate parking lot landscaping and landscape finger islands within the proposed parking lot on site where Figure 30.64-14 is required. Given the small lot site and the configuration of the proposed parking the Applicant is requesting to waive the required parking lot landscaping and finger islands in order to accommodate the required number of parking spaces per the Code and provide additional landscaping around the site per the enclosed plans.

This site was previously approved for a tavern and the overall design is consistent with the existing Tavern Approvals. The proposed design and requested waivers are consistent with the prior approvals and existing developments in the area.

¹ The neighboring development across Arville Street was similarly approved for attached sidewalks per ZC-20-0236.

Principal Planner
Clark County Comprehensive Planning Department
October 5, 2023
Page 3

We appreciate your consideration, and please do not hesitate to contact me if you require additional information.

Sincerely,

A handwritten signature in blue ink that reads "Rebecca L. Miltenberger". The signature is written in a cursive style with a long, sweeping underline.

Rebecca L. Miltenberger
Enclosures

12/20/23 BCC AGENDA SHEET

VEHICLE SALES
(TITLE 30)

MAULE AVE/REDWOOD ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-23-0726-BGD, LLC:

USE PERMIT to allow accessory structures (conex box) not architecturally compatible with the existing building.

WAIVER OF DEVELOPMENT STANDARDS to modify CMA Design Overlay District standards.

DESIGN REVIEW for accessory structures (conex box) in conjunction with an existing vehicle sales facility on 10.2 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Maule Avenue, 300 feet east of Redwood Street within Enterprise. MN/sd/syp (For possible action)

RELATED INFORMATION:

APN:
176-02-210-003

WAIVER OF DEVELOPMENT STANDARDS:
For an accessory structure which does not have architectural detaining and design elements consistent with the primary building as required per Section 30.48.685.

LAND USE PLAN:
ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:
Project Description
General Summary

- Site Address: 6625 Roy Horn Way
- Site Acreage: 10.2
- Project Type: Vehicle sales
- Building Height (feet): 10
- Square Feet: 2,040 (6 conex boxes)
- Parking Required/Provided: 189/294/594 (vehicle display)

Site Plan

The plans depict an existing vehicle sales facility with vehicle maintenance. A 42,900 square foot building is located on the northern portion of the site. A carwash and loading area are located on the east side of the proposed building while 3 service drives are located on the west

side of the proposed building. An employee and customer service parking lot consisting of 191 parking stalls is located to the south of the building. The application submitted is to allow for 6 conex boxes to be used for on-site storage and 1 guard office. The 5 outside storage structures are located along the east property line of the site. The storage containers are located so that the required 24 foot lane for two-way traffic is maintained between the containers and the existing buildings on-site. The guard office is located west of the service garage. The parking analysis provided on the site plan shows that there are 294 parking spaces provided on-site where 189 parking spaces are required.

Landscaping

No changes to landscaping is proposed with this application.

Elevations

The storage containers exterior dimensions are 40 long, 8 feet, 6 inches wide and 9 feet and 6 inches high with vertical siding. A total of 6 boxes are proposed by the applicant. The elevations also show mechanical unit mounted to the side, sliding windows and glass door, and roll-up door. The applicant will paint these conex boxes to match the accent colors of the principal building.

Floor Plans

The plans depict an open floor plan and will be used for storage and the guard house will have a built-in countertop, sliding window, and door for ingress/egress.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the containers will not be screened from the CC 215 and Roy Horn Way right-of-way except by landscaping. The proposed containers are at a minimum 665 feet from the right-of-way so they will not be visible to traffic. Maule Avenue to the south has an existing 6 foot high chain-link fence which will screen the containers. As the face of the containers are small and are not very noticeable from the adjacent streets. The guard office container is not visible from CC 215 and Roy Horn Way and is 134 feet from the south property line along Maule Avenue. It is behind an existing block wall fence and painted in a blue color to coincide with the existing colors on-site.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0459	Electric substation, transmission lines, increased the height of utility structures, waived trash enclosure, waiver for full off-site improvements, allowed modified driveway design standards, and design review for electric substation, utility structures, and finished grade	Approved by BCC	January 2023

Prior Land Use Requests

Application Number	Request	Action	Date
TM-0107-13	Commercial subdivision on 16.4 acres in the MUD-3 and CMA Design Overlay Districts	Approved by BCC	August 2013
ZC-0043-13	Reclassified 5 acres from M-D and M-D (AE-60) zoning to C-2 and C-2 (AE-60) zoning with a use permit for a vehicle repair, waivers for parking lot space size, and design review for a vehicle sales and repair facility	Approved by BCC	March 2013

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	R-E & C-2	CC 215 & undeveloped
South	Business Employment	C-2	Parking lot
East & West	Business Employment	C-2	Vehicle sales

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning Use Permit

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

Waiver of Development Standards

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

Use Permit & Waiver of Development Standards

Staff review of this use permit and waiver requests is to ensure architectural compatibility with the existing development in the area. The CMA Design Overlay District was established to impose, and thereby encourage and promote a high level of quality developments that will, among other purposes, assist in providing and fostering a positive aesthetic image. Such architectural standards for the building colors within this area are encouraged to have exterior facades with the same architectural detail of the existing building, that are consistent with subdued tones of the surrounding landscape and neighborhood. The submitted photos depict the

proposed conex boxes shown with solid blue colors which are subdued in tone but are not harmonious with the surrounding buildings. The metal conex boxes are not compatible with the concrete tilt-up primary buildings with blue accents for signage. Therefore, staff cannot support these requests.

Design Review

The CMA Design Overlay District was established to encourage and promote a high quality development that will produce a stable environment in harmony with existing and future developments and protect the use of neighboring properties. Staff finds that the proposed application to install 6 conex boxes on-site that are partially or wholly visible from the right-of-way is not compatible to the surrounding area. Since staff cannot support the use permit and waiver of development standards in relation to architectural compatibility, staff cannot support this request.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

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

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

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

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: GAUDIN FORD

**CONTACT: PAULA WOOLMAN, NDL GROUP, INC., 3830 S. JONES BOULEVARD,
LAS VEGAS, NV 89103**

DRAFT



LAND USE APPLICATION 12A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE (ZC)</p> <p><input checked="" type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>UC-23-0726</u> DATE FILED: <u>10/18/23</u></p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>11/29/23</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>12/20/23</u></p> <p>FEE: <u>\$1825</u></p>
	PROPERTY OWNER	<p>NAME: <u>BGD LLC</u></p> <p>ADDRESS: <u>280 N. Gibson Road</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89014</u></p> <p>TELEPHONE: <u>(702) 731-2121</u> CELL: <u>(702) 731-2121</u></p> <p>E-MAIL: <u>wgregg@gaudinford.com</u></p>
	APPLICANT	<p>NAME: <u>BGD LLC DBA Gaudin Ford</u></p> <p>ADDRESS: <u>6625 W. Roy Horn Way</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u></p> <p>TELEPHONE: <u>(702) 731-2121</u> CELL: <u>(702) 731-2121</u></p> <p>E-MAIL: <u>wgregg@gaudinford.com</u> REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>Paula Woolman - NDL Group, Inc.</u></p> <p>ADDRESS: <u>3830 S. Jones Blvd.</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u></p> <p>TELEPHONE: <u>(702) 258-6000</u> CELL: <u>(702) 808-1017</u></p> <p>E-MAIL: <u>pwoolman@ndlgroupinc.com</u> REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 176-02-210-003

PROPERTY ADDRESS and/or CROSS STREETS: 6625 W. Roy Horn Way near Roy Horn Way and Redwood Street

PROJECT DESCRIPTION: Installation of shipping containers to serve as outside storage and one (1) guard office

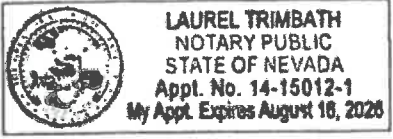
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and 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 5-26-23 (DATE)

By H. Gary Ackerman
 NOTARY PUBLIC: [Signature]



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



UC-23-0726

September 13, 2023

Clark County Comprehensive Planning
500 S. Grand Central Parkway
P.O. Box 551744
Las Vegas, NV 89155-1744

Re: Design Review and Use Permit – APN 176-02-210-003

To Whom It May Concern:

Please allow this letter to serve as justification for the proposed installation of five (5) shipping containers to be used for storage and one (1) container to be used as a guard office. This project is located at Gaudin Ford, 6625 W. Roy Horn Way. We are requesting a design review for proposed accessory structures in conjunction with an existing vehicle sales facility (Gaudin Ford dealership).

The purpose of this planning application is to resolve an open Notice of Violation BFC23-00073 in which this location was cited for work without permit in regards to some outside storage structures that are currently located along the east property line of the site. After meetings with various County departments on the best way to get into compliance, it was determined that the use of shipping containers would be the solution that has the best chance of approval. The storage container exterior dimensions are 40' x 8'-6" and 9'-6" high. We propose to paint these containers to match the existing dealership blue and white reveal and pop-out colors. This will also match the metal standing seam roof on the west side of the dealership. Please see included elevation photos for reference.

The storage containers will not be screened from the Clark County 215/Roy Horn Way right-of-way except by landscaping. The containers are at a minimum 665' from the right-of-way so they will not be visible to traffic as it passes by. Maule Avenue to the south has an existing 6' high screened chain link fence. The containers are 83' from the Maule right-of way. As the face of the containers are small in size, 8'-6" x 9'-6", they are not very noticeable from the adjacent streets. The guard office container is not visible from Clark County 215/Roy Horn Way and is 134' feet from the south property line along Maule Avenue. It is behind an existing block wall fence and painted in a blue color to coincide with the existing colors onsite, please see elevations provided.

As previously mentioned, this application is a request to allow accessory structures that will provide onsite secure storage and one guard office. The storage containers will be located so that the required 24' lane for traffic is maintained between the containers and the existing buildings onsite. Please see the parking analysis provided on the site plan which shows that there are 294 parking spaces provided onsite where 134 are required. No changes to site lighting, signage, or existing landscaping are required or proposed. We are adding an enclosure for the existing compactor as required to be in compliance with Title 30 (30.56.120) as shown on the included site plan.

We appreciate your consideration of this request, please let me know if there is any additional information that I can provide at this time.

Respectfully,
Paula Woolman
NDL Group, Inc.

12/20/23 BCC AGENDA SHEET

MINI-WAREHOUSE/CONVENIENCE STORE/
GAS STATION
(TITLE 30)

LAS VEGAS BLVD S/ERIE AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ZC-23-0745-LV ERIE, LLC:

ZONE CHANGE to reclassify 3.5 acres from an H-2 (General Highway Frontage) to a C-1 (Local Business District) Zone.

USE PERMITS for the following: 1) mini-warehouse; 2) convenience store; 3) gasoline station; and 4) vehicle wash.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) building height; 2) off-site improvements; 3) non-standard improvements in right-of-way; 4) eliminate sidewalk and alternative landscaping; 5) allow modified driveway design standards; and 6) allow modified street standards.

DESIGN REVIEWS for the following: 1) mini-warehouse; 2) convenience store; 3) gasoline station; 4) vehicle wash; and 5) finished grade.

Generally located on the east side of Las Vegas Boulevard South and the south side of Erie Avenue within Enterprise (description on file). M/W/r/syp (For possible action)

RELATED INFORMATION:

APN:
177-33-301-021

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 38 feet where 35 feet is the maximum allowed per Table 30.40-4 (an 8.6% increase).
2. Waive off-site improvements except full paving (curb, gutter, sidewalk, streetlights and partial paving) along Giles Street where required per Chapter 30.52.
3. Allow non-standard improvements (landscaping) within the right-of-way of Las Vegas Boulevard South.
4.
 - a. Eliminate sidewalk and allow 10 feet of landscaping along Giles Street where landscaping and a detached sidewalk is required per Figure 30.64-17.
 - b. Eliminate detached sidewalk and landscaping along Las Vegas Boulevard South where landscaping and a detached sidewalk is required per Figure 30.64-17.
5.
 - a. Reduce throat depth to 14 feet for a driveway along Erie Avenue where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 44% reduction).

- b. Reduce throat depth to 14 feet 7 inches for a driveway along Las Vegas Boulevard South where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 41.7% reduction).
6. Reduce departure distance from the intersection of Las Vegas Boulevard South and Erie Avenue to 183 feet 9 inches where a minimum of 190 feet is required per Uniform Standard Drawing 222.1 (a 3.3% reduction).

DESIGN REVIEWS:

1. Mini-warehouse.
2. Convenience store.
3. Gasoline station.
4. Vehicle wash.
5. Increase finished grade to 43 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 19.4% increase).

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE
ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 3.5
- Project Type: Mini-warehouse, convenience store, gasoline station, and vehicle wash
- Number of Stories: 3 (mini-warehouse)/1 (convenience store and vehicle wash)
- Building Height (feet): 38 (mini-warehouse)/26 (convenience store and vehicle wash)/21 (gasoline station canopy)
- Square Feet: 106,200 (mini-warehouse)/4,900 (convenience store)/2,254 (vehicle wash)/4,270 (gasoline station canopy)
- Parking Required/Provided: 20/22

Site Plan

The plan depicts a 4,270 square foot gasoline station canopy that is set back 35 feet from the west (front) property line along Las Vegas Boulevard South and 73 feet 2 inches from the north (side street) property line along Erie Avenue. Under the canopy there will be 6 fuel islands with 2 gas pumps per island. East of the canopy is a 4,900 square foot convenience store with a 2,254 square foot vehicle wash building attached to the east side of the store. The building is set back 76 feet 6 inches from the north property line. The vehicle wash will have a 2 lane drive-thru with a single bay entrance from the south. Vehicles will exit the vehicle wash on the north side of the building. The plan further depicts a three-story mini-warehouse building located to the east of the vehicle wash. The building is set back 50 feet from the north property line and 41 feet from the east (rear) property line along Giles Street. The building has a 30 foot wide drive aisle around the south, east, and north sides with 4 loading areas depicted. Access will be controlled by gates with a key pad at the entrance to the drive-thru and another set of existing gates at the northeast corner

of the building. Parking in accordance with the requirements of Chapter 30.60 is depicted along the north side of the property, in front of the convenience store and on the west side of the proposed mini-warehouse. Access to the site is proposed from 1 driveway on Erie Avenue and 1 on Las Vegas Boulevard South.

Landscaping

The plan depicts a detached sidewalk with street landscaping along Erie Avenue. A detached sidewalk and landscaping are depicted in the right-of-way on Las Vegas Boulevard South. This is the subject of waivers to allow non-standard (landscaping) improvements within the right-of-way and to eliminate the on-site street landscaping. Along Giles Street, 10 feet of street landscaping with no sidewalk is shown where a detached sidewalk with 5 foot wide landscape strips are normally required on each side. This is also a subject of a waiver. Landscaping is also depicted along the south property boundary and throughout the parking areas.

Elevations

The convenience store and vehicle wash buildings have flat roofs with parapet walls and a varied rooflines ranging in height from 12 feet to 26 feet. The 3 story mini-warehouse has a flat roof with a surrounding parapet wall and is 35 feet to 38 feet in height. Each building has a typical modern façade that includes a stucco finish and panel systems for the mini-warehouse, convenience store and car wash buildings, and gas station canopy. Color schemes for the stucco will be carried throughout the development with 4 different colors. Both the convenience store and mini-warehouse will feature storefront glass, including at the building entrances. The vehicle wash appears to be open at each end with no service bay doors. The mini-warehouse has an architectural design features including canopies, varying parapet height, to help to break-up the building massing. This includes a 3 foot increase in a parapet height above the maximum height allowance of 35 feet at the southwest corner of the building where the office is located which is the subject of a waiver.

Floor Plans

Plans depict the building shells of the convenience store, vehicle wash, and adjoining utility building. The convenience store features 3 entrances with the main entrance on the west side of the building. The mini-warehouse has 2 entrances and features 3 stories. The first story includes an office with restrooms. Each floor will have storage units ranging in size from 5 feet by 5 feet to 10 feet by 30 feet. Each floor is proposed to be accessible by 2 interior stairwells and 2 elevators.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that neighborhood meetings were held for previous development proposals on the subject site. The previous proposals for multiple family housing initially and then single family housing were opposed by neighboring residents. As a result, the site has been redesigned for commercial development only. The applicant states that there will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police, stormwater, and drainage facilities. The applicant states further that adjacent streets are

under capacity, the sewer and water are available in Las Vegas Boulevard South, the storm run-off will not impact the existing structure in the area. Emergency services are located 2.2 miles away. There is no residential component, so there will be no impact to area schools.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Entertainment Mixed-Use & Neighborhood Commercial	H-2	Undeveloped
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped & single family residential
West	Entertainment Mixed-Use	H-1 & C-2	Undeveloped

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

Related Applications

Application Number	Request
VS-23-0746	A vacation and abandonment of patent easements and right-of-way is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Zone Change

The current zone H-2 (General Highway Frontage) cannot be further expanded and will not be included in the new Title 30 when it is effective on January 1, 2024. Therefore, H-2 is being phased out whenever there is an opportunity to do so. A zone change to C-1 will be in accordance with the planned land use designations. The adjacent areas to the east are zoned R-E RNP-I and are partially developed with single family residential homes. The C-1 zoning is generally a less intense commercial zone that will help to support Policy 1.5.2 of the Master Plan. This policy seeks to protect the established character and lifestyles associated with RNP areas and minimize future conflicts with higher intensity development planned on-sites that are adjacent to RNP areas. Therefore, staff can support this request.

Use Permits

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

Use Permit #1

Mini-warehouse facilities are generally quiet neighbors that do not generate much traffic. In this case, the proposed mini-warehouse building will feature storage units on 3 floors within an enclosed structure. Access to the storage units will be provided only through the buildings

interior via stairwells and elevators. The location of the building also will serve as a buffer between the higher traffic areas to the west, including the gas station, convenience store and vehicle wash, and the rural residential areas to the east. The extension of Giles Street with landscaping along the street will provide an additional buffer between the subject property and the adjoining residential neighborhood. This facility should not significantly impact the surrounding area; therefore, staff can support this request.

Use Permits #2 through #4

The convenience store, gasoline station, and vehicle wash all require a minimum 200 foot separation from any residential use. The closest single family residential home is approximately 350 feet southeast of the nearest point of the vehicle wash. The closest points of the convenience store and gasoline station are further away from the residential areas. Parking associated with these uses is also oriented on the west side of the convenience store and mini-warehouse. Additionally, the proposed mini-warehouse building will provide further buffering from the other uses which are comparatively significant traffic generators. The convenience store and gasoline station canopies are located beyond the minimum distances required from the adjoining streets. Overall, it appears these uses are appropriate for the location and compatible with the surrounding uses. Therefore, staff can support these requests.

Waivers of Development Standards

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

Waiver of Development Standards #1

The applicant is seeking a slight increase in building height of the mini-warehouse to accommodate a higher parapet at the southwest corner of the building where the main entrance is located. The roof of the building is at 30 feet with a 5 foot tall parapet surrounding the roof which will provide screening of any rooftop equipment. The additional 3 foot increase in the parapet height is an architectural feature designed to provide interest in the building. This is a minor increase which only applies to a small portion of the overall building and is not directly adjoining any residential areas. Therefore, staff can support this request.

Waivers of Development Standards #4a

The applicant is requesting to waive full off-site improvements on Giles Street and instead construct the road to rural street standards (waiver #2). If approved, a sidewalk would not be installed along this street. Therefore, the applicant is seeking approval of alternative street landscaping along Giles Street where normally two, 5 foot wide landscape strips are located on either side of a 5 foot wide sidewalk. In this case the applicant is proposing the full amount of required landscaping which is 10 feet without the sidewalk. However, Public Works does not support the waiver for off-site improvements; therefore, staff does not support the request for alternative landscaping.

Waiver of Development Standards #4b

The applicant is requesting to allow the placement of non-standard improvements consisting of landscaping and a detached sidewalk within the Las Vegas Boulevard South right-of-way (waiver #3). As a result, there is a separate request to eliminate the street landscaping on the subject site per Figure 30.64-17 which would normally consist of a detached sidewalk with a minimum 5 foot wide strip of landscaping on either side of the sidewalk. The applicant states that the right-of-way is quite wide and that the County may wish to expand the roadway in the future. Provided that waiver #3 is approved, staff does not object to eliminating the on-site landscaping as long as that if for any reason the landscaping in the right-of-way is removed in the future because of road construction or other reasons, it is either replanted or replaced on-site.

Design Reviews #1 through #4

The architecture design of the proposed mini-warehouse, convenience store, vehicle wash, and gasoline station as well as the design of the site is generally in accordance with the requirements of Title 30. The design includes variations in building height, colors, and materials which serves to break-up the mass of these commercial buildings. Therefore, staff can support these requests.

Public Works - Development Review

Waiver of Development Standards #2

Staff cannot support waiver of development standards to waive off-site improvements on Giles Street. Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school.

Waiver of Development Standards #3

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

Waiver of Development Standards #5

Staff has no objection to the reduction in throat depth for both the Las Vegas Boulevard South and Erie Avenue driveways. The applicant has provided additional width for the landscape planters adjacent to the driveway, thereby adding more distance between ingressing vehicles and parking spaces helping to mitigate potential conflict normally caused by reduced throat depth.

Waiver of Development Standards #6

Staff has no objection to the reduction on departure distance for the Erie Avenue driveway as the reduction allows for better site circulation to help prevent vehicle stacking within the right-of-way.

Design Review #5

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application.

Staff Recommendation

Approval of the zone change, use permits, waivers of development standards #1, #3, #4b, #5 and #6, and design reviews; denial of waivers of development standards #2 and #4a.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Giles Street and associated spandrel;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of

excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0405-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: BLACK MOUNTAIN HOLDING COMPANY

CONTACT: LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,
BLDG 3 SUITE 577, LAS VEGAS, NV 89134

DRAFT



LAND USE APPLICATION 13A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input checked="" type="checkbox"/> ZONE CHANGE (ZC)</p> <p><input checked="" type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>2C-23-0745</u> DATE FILED: <u>10/24/23</u></p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: <u>ENTERPRICE</u> TAB/CAC DATE: <u>11/29/23</u>^{6:00}</p> <p>PC MEETING DATE: <u>-</u> *<u>VS-23-0746 IS A</u></p> <p>BCC MEETING DATE: <u>12/9/23 @ 9:00 AM</u></p> <p>FEE: <u>\$2,875.00</u> <u>COMPANION ITEM.</u></p>
	PROPERTY OWNER	<p>NAME: <u>LV Erie LLC- Dennis Troesh</u></p> <p>ADDRESS: <u>1370 Jet Stream Drive, Suite 100</u></p> <p>CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u></p> <p>TELEPHONE: <u>702-444-4795</u> CELL: _____</p> <p>E-MAIL: <u>michael@wdcnevada.com</u></p>
	APPLICANT	<p>NAME: <u>Black Mountain Holding Company, LLC</u></p> <p>ADDRESS: <u>901 Green Valley Pkwy #130</u></p> <p>CITY: <u>Henderson</u> STATE: _____ ZIP: <u>89074</u></p> <p>TELEPHONE: <u>702-444-4795</u> CELL: _____</p> <p>E-MAIL: <u>michael@wdcnevada.com</u> REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>LAS Consulting-Lucy Stewart</u></p> <p>ADDRESS: <u>1930 Village Center Circle, Bldg 3-577</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u></p> <p>TELEPHONE: <u>702-499-6469</u> CELL: _____</p> <p>E-MAIL: <u>stewplan@gmail.com</u> REF CONTACT ID #: <u>165577</u></p>

ASSESSOR'S PARCEL NUMBER(S): 177-33-301-021

PROPERTY ADDRESS and/or CROSS STREETS: SEC Erie & LVBS

PROJECT DESCRIPTION: Mini-warehouse & service station w/car 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 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 Sept. 8, 2023 (DATE)

By Dennis Troesh

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.

LAS Consulting, Inc.
1930 Village Center Circle, Bldg 3, Suite 577
Las Vegas, NV 89134
(702) 499-6469-cell
(702) 946-0857-fax

CIVIL
ENGINEERING

October 23, 2023

Clark County Current Planning
500 Grand Central
Parkway Las Vegas, NV
89106

USE PERMITS ALSO REQUIRED
FOR GASOLINE STATION
AND VEHICLE WASH.

ZC-23-0145

RE: Project description/justification letter- APR 23-101037
/APN: 177-33-301-021

Dear Sir or Madam:

Please accept this letter as our request for a conforming zone change, waiver of development standards and a design review.

Project Description:

Existing Zoning: General Highway Frontage (H-2)

Proposed Zoning: Local Business (C-1).

Master Plan Designation: Neighborhood Commercial (NC)/Entertainment Mixed Use (EM)

Location of Subject Property:

The subject parcel is 5 gross acres located on the southeast corner of Las Vegas Boulevard South and is currently zoned General Highway Frontage (H-2) with a land use designation of Neighborhood Commercial (NC) and Entertainment Mixed Use (EM). Erie Avenue is to the north, to the east is BLM land and to the southeast is an existing RNP neighborhood, to the south are lots owned by multiple people zoned H-2. Giles Street alignment is to the east; however, developments further north have built the road to rural

standards. A companion vacation application is being filed with this application.

Description

This request is to rezone the property from H-2 (Highway Frontage) to C-1 (Local Business). The project is for a three-story, 106,200 square foot mini-warehouse facility and a 4,900 square foot convenience store with gas pumps and a car wash. The mini-warehouse facility is 35 feet in height adjacent to Giles Street to the east, with a 3-foot architectural enhancement at the entrance at the southwest corner of the building. The mini-warehouse facility is accessed by a main entrance at the southwest corner of the building where the office is located.

A 3-foot architectural enhancement is designed above this entrance, which will require a waiver of development standards. There are 5 parking spaces required and 6 parking spaces provided. There are two entrances into the building. The property is gated with access from Las Vegas Boulevard South (LVBS) and a keypad on site. A six-foot split-face block wall is shown along the south property line and a 6-foot CMU wall along the eastern boundary, with landscaping adjacent to it. The mini-warehouse portion has gates on the northeast side of the property and on the south side of the building. The mini-warehouse and C-store are consistent in appearance with the same material and color scheme.

USE PERMITS ALSO REQUIRED

FOR GASOLINE STATION & VEHICLE WASH.

MNO
10/25/23

Applications Requested

- Conforming zone change to C-1. This zoning will allow for these uses.
- Use Permit for Mini-warehouse development in C-1. Required in C-1.
- Use Permit for convenience store in C-1. Required in C-1.
- Design Review for mini-warehouse facility, and c-store and car wash buildings.

REQUEST-Design review as a public hearing to increase the grade to 3'7" feet grade where a maximum of 36 inches is allowed.

JUSTIFICATION-This is due to the grades of the site and the size of the building. The grade has to be increased for the mini warehouse building so it will drain to the street.

REQUEST –Waiver of development standards to allow a 3-foot increase in height for an architectural enhancement on the mini-warehouse building. Maximum building height of 35 feet is allowed where 38 feet is requested.

JUSTIFICATION-This will provide an attractive building and provide an interesting façade.

REQUEST - Waiver of development standards to not install full offsite improvements on Giles Street.

JUSTIFICATION-This was a request by the commissioner’s staff- to match Giles as it was built to the north. The adjacent proposed land sue to the east is an RNP area. This portion of Giles is being developed to rural standards which requires this waiver.

REQUEST -Waiver of development standards to allow landscaping within the right of way for Las Vegas Boulevard South (LVBS).

JUSTIFICATION-LVBS has a large right of way. The county is not sure when or if the roadway will be expanded to the maximum right of way. Allowing landscaping in the right of way will allow this area to be a nice, landscaped area instead of just a blank desert for years to come. We have designed the site to allow for the detached sidewalk in the future once the roadway has been constructed.

REQUEST -Waiver of development standards to allow alternative street landscaping where Figure 3064-17 is required. Ten feet of landscaping is provided.

JUSTIFICATION- Figure 3064-17 required a detached sidewalk and landscaping. We are requesting this waiver because Giles is built to rural standards and there aren’t any sidewalks within this area.

REQUEST -Waiver of development standards to provide zero on-site landscaping adjacent to LVBS.

JUSTIFICATION -LVBS has a large right of way. The county is not sure when or

if the roadway will be expanded to the maximum right of way. Allowing landscaping in the right of way will allow this area to be a nice, landscaped area instead of just a blank desert for years to come. We have designed the site to allow for the detached sidewalk in the future once the roadway has been constructed.

REQUEST -Waiver of development standards for throat depth on Erie Avenue to 14 feet where 25 feet is required.

JUSTIFICATION -The eastern driveway/conflict is exit only and should have no impact on the throat depth. The driveway on the western side is a right turn or the drivers can go straight so there are options that should minimize conflicts.

REQUEST -Waiver of development standards for throat depth on LVBS (ultimate construction) of 14'7".

JUSTIFICATION -The county is not sure when or if the roadway will be expanded to the maximum right of way, so the throat depth should be 45 feet for a significant amount of time. The driveway needs to be shorter to allow for the fuel trucks to be able to maneuver into the site.

REQUEST --Waiver of development standards to allow a departure distance to 183'9" feet where 190 feet is required.

JUSTIFICATION -This is the only location the driveway can be placed on the site. The reduction of 6 feet should have a minimal impact on the traffic.

Area Description

This area is a mixture of commercial, R-2, R-3, and R-1 houses adjacent to a rural neighborhood preservation neighborhood to the east. Giles Street will be built to rural standards like other developments in this area. We previously held a neighborhood meeting; multi-family was shown on the eastern half of the site. The neighbors were adamantly opposed to any residential that was rental, and the client changed the plan to develop it as single-family homes. When we held a second neighborhood meeting, the neighbors were opposed to any residential. The applicant redesigned the site to make the entire site commercial, making this now a conforming

zone change.

There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities. The adjacent streets are under capacity, the sewer and water are available in LVBS, the storm runoff will not impact the existing structure in the area, emergency services are located 2.2 miles away, there is no residential component so there will be no impact to the schools in the area.

We believe this will be an attractive addition to the area. We respectfully request your approval.

Yours truly,

Lucy Stewart

Lucy Stewart

12/20/23 BCC AGENDA SHEET

EASEMENTS & RIGHT-OF-WAY
(TITLE 30)

LAS VEGAS BLVD S/ERIE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0746-LV ERIE, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Las Vegas Boulevard South and Giles Street (alignment), and between Erie Avenue and Siddall Avenue and a portion of right-of-way being Erie Avenue located between Las Vegas Boulevard South and Giles Street (alignment) within Enterprise (description on file). MN/rr/syp (For possible action)

RELATED INFORMATION:

APN:

177-33-301-021

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE
ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

The applicant is requesting to vacate 5 feet of an existing 40 foot wide patent easement along the north property line of APN 177-33-301-201 along Erie Avenue. The remaining portion of the patent easement will be dedicated as right-of-way by separate document. The applicant is also requesting to vacate 5 feet of the existing 40 foot Bureau of Land Management right-of-way grant on Erie Avenue and 5 feet of the existing 40 foot right-of-way on Erie Avenue. The vacation of these easements and right-of-way is needed to accommodate off-site improvements necessary for the development of the subject site.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Entertainment Mixed-Use & Neighborhood Commercial	H-2	Undeveloped
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped & single family residential
West	Entertainment Mixed-Use	H-1 & C-2	Undeveloped

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

Related Applications

Application Number	Request
ZC-23-0745	A zone change from H-2 to C-1 zoning for a mini-warehouse, convenience store, vehicle wash, and gasoline station is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Right-of-way dedication to include 30 feet for Giles Street and associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: BLACK MOUNTAIN HOLDING COMPANY
CONTACT: LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,
BLDG 3 SUITE 577, LAS VEGAS, NV 89134

DRAFT



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING 14A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>VS-23-0746</u> DATE FILED: <u>10/24/23</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: _____ TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>11/29/23</u> PC MEETING DATE: <u>-</u> @ <u>6:00 PM</u> BCC MEETING DATE: <u>12/20/23 @ 9:00 A.M.</u> FEE: <u>\$875</u> <p style="text-align: center;"><i>* 20-23-0745 IS A COMPANION ITEM.</i></p>

PROPERTY OWNER	NAME: <u>LV Erie LLC- Dennis Troesh</u> ADDRESS: <u>1370 Jet Stream Drive, Suite 100</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: <u>702-444-4795</u> CELL: _____ E-MAIL: <u>michael@wdcnevada.com</u>
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APPLICANT	NAME: <u>Black Mountain Holding Company, LLC</u> ADDRESS: <u>901 Green Valley Pkwy #130</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89074</u> TELEPHONE: <u>702-444-4795</u> CELL: _____ E-MAIL: <u>michael@wdcnevada.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>LAS Consulting-Lucy Stewart</u> ADDRESS: <u>1930 Village Center Circle, Bldg 3-577</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-499-6469</u> CELL: _____ E-MAIL: <u>stewplan@gmail.com</u> REF CONTACT ID #: <u>165577</u>
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ASSESSOR'S PARCEL NUMBER(S): 177-33-301-021

PROPERTY ADDRESS and/or CROSS STREETS: SEC LVBS & Erie

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

<p><u>Dennis Troesh</u> Property Owner (Signature)*</p> <p>STATE OF NEVADA COUNTY OF <u>clark</u> SUBSCRIBED AND SWORN BEFORE ME ON <u>Sept. 8, 2023</u> (DATE) By <u>Dennis Troesh</u> NOTARY PUBLIC: <u>[Signature]</u></p>	<p><u>Dennis Troesh</u> Property Owner (Print)</p> <div style="border: 1px solid black; padding: 5px; text-align: center;"> <small>JESSICA PANTALEON Notary Public, State of Nevada Appointment No. 21-9763-01 My Appt. Expires Jul 16, 2025</small> </div>
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*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.

T 702-365-9312 | F 702-365-9317
6345 S Jones Blvd. Suite 100
Las Vegas, NV 89118



September 8, 2023

Clark County
Dept. of Comprehensive Planning
500 S. Grand Central Pkwy.
Las Vegas, NV 89155

VS-23-0740

**Re: Las Vegas Blvd and Erie
Lochsa Project No. 211115**

To Whom It May Concern:

Lochsa Engineering is submitting an application to vacate a portion of the existing patent easement (Patent# 27-2006-0148) and a portion of existing BLM Right-Of-Way (per OR: 20060726:04635) and a portion of exiting Right-Of-Way (per OR: 1513:1472121) in conjunction with improvements for a proposed Las Vegas Blvd and Erie Project (Assessor's Parcel Number 177-33-301-021). The vacation of these easements is a requirement for the development of the project site.

We hereby request to vacate 5' of the existing 40-foot patent easement along the north property line of APN: 177-33-301-021. The remaining portion of the patent easement will be dedicated as R.O.W. by separate document.

We also request to vacate 5' of the existing 40' BLM right-of-way grant on Erie Avenue and 5' of the existing 40' right-of-way on Erie Avenue to accommodate public works comments during initial entitlement review.

Please feel free to contact me with any questions at (702) 365-9312. Thank you.

Sincerely,

**Lochsa
ENGINEERING**

A handwritten signature in black ink that reads 'Christopher Bolton'.

Christopher J. Bolton
Project Manager

ENTERPRISE TOWN BOARD DRAFT CALENDAR 2024

January 10 & 31

February 14 & 28

March 13 & 27

April 10

May 1 & 15 & 29

June 12 & 26

July 10 & 31

August 14 & 28

September 11 & 25

October 9 & 30

November 13 & 27

December 11

