



ENTERPRISE TOWN ADVISORY BOARD

Windmill Library
7060 W. Windmill Lane
Las Vegas, NV 89113
December 28, 2022
6:00pm

AGENDA

Note:

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

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

Barris Kaiser – Vice Chair
Joseph Throneberry

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

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

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

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

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

- III. Approval of Minutes for December 14, 2022. (For possible action)
- IV. Approval of the Agenda for December 28, 2022 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
 - 1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (For discussion only)

Transform Clark County

For those of you who were able to join for the presentation on Installment #2, thank you. For those of you who may have missed the presentation, you may view the presentation here:
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To aid in the collection of comments on the second installment, please feel free to use our online commenting tool. You can access our interactive commenting tool by following these simple steps:

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 Select Participate
 Select Review & Comment on Latest Draft

Please pass the word along to your fellow TAB/CAC members and the public. Comments may also be sent via email to transformclarkcounty@clarkcountynv.gov. All comments are due by December 30, 2022.

Thank you everyone in advance for your participation.

- VI. Planning and Zoning
 - 1. **NZC-22-0653-ROOHANI KHUSROW FAMILY TRUST:**
ZONE CHANGE to reclassify 7.3 acres from an R-E (Rural Estates Residential) Zone and a C-1 (Local Business) Zone to an RUD (Residential Urban Density) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) reduce setback; and 3) waive detached sidewalks.
DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade. Generally located on the south side of Warm Springs Road and the east side of Montessori Street within Enterprise (description on file). MN/rk/syp (For possible action) 01/17/23 PC
 - 2. **VS-22-0654-ROOHANI KHUSROW FAMILY TRUST:**
VACATE AND ABANDON easements of interest to Clark County located between Warm Springs Road and Mardon Avenue, and between Montessori Street and Rainbow Boulevard within Enterprise (description on file). MN/rk/syp (For possible action) 01/17/23 PC

3. **TM-22-500217-ROOHANI KHUSROW FAMILY TRUST:**
TENTATIVE MAP consisting of 60 single family residential lots and common lots on 7.3 acres in an RUD (Residential Urban Density) Zone. Generally located on the south side of Warm Springs Road and the east side of Montessouri Street within Enterprise. MN/rk/syp (For possible action) **01/17/23 PC**

4. **SC-22-0644-BLUE DIAMOND PB HOLDINGS, LLC:**
STREET NAME CHANGE to change the name of Schirlls Street to Pinkbox Doughnuts Drive between Blue Diamond Road and Wigwam Avenue. Generally located on the south side of Blue Diamond Road, 700 feet east of Arville Street within Enterprise. JJ/jad/syp (For possible action) **01/17/23 PC**

5. **ZC-22-0651-PERALTA FAMILY LP:**
ZONE CHANGE to reclassify 5.0 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; and 2) alternative street design.
DESIGN REVIEWS for the following: 1) single family residential subdivision; 2) establish alternative yard; and 3) finished grade. Generally located on the east and west sides of Paradise Park Drive and the north side of Gomer Road within Enterprise (description on file). JJ/lm/syp (For possible action) **01/18/23 BCC**

6. **VS-22-0652-PERALTA FAMILY LP:**
VACATE AND ABANDON easements of interest to Clark County located between Gomer Road and Rotherham Hills Avenue, and between Grand Canyon Drive and Chieftain Street within Enterprise (description on file). JJ/lm/syp (For possible action) **01/18/23 BCC**

7. **TM-22-500216-PERALTA FAMILY LP:**
TENTATIVE MAP consisting of 29 lots and common lots on 5.0 acres in an R-2 (Medium Density Residential) Zone. Generally located on the east and west sides of Paradise Park Drive and the north side of Gomer Road within Enterprise. JJ/lm/syp (For possible action) **01/18/23 BCC**

8. **WC-22-400128 (ZC-1926-03)-PALM BEACH RESORT CONDOS:**
WAIVERS OF CONDITIONS of a zone change requiring: 1) development be limited to “For Sale” condominiums rather than apartments or commercial; and 2) a 20 foot wide intense landscape buffer be provided along the west and south property lines in conjunction with a multiple family residential development on a 6.5 acre portion of 15.4 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the south side of Serene Avenue and 1000 feet west of Las Vegas Boulevard South within Enterprise. MN/hw/syp (For possible action) **01/18/23 BCC**

9. **UC-22-0650-PALM BEACH RESORT CONDOS:**
USE PERMITS for the following: 1) high impact project; and 2) multiple family residential development.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce height/setback ratio; 2) reduce parking; and 3) reduce throat depth.
DESIGN REVIEW for a multiple family residential development on a 6.5 acre portion of 14.5 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the south side of Serene Avenue, 1000 feet west of Las Vegas Boulevard South within Enterprise. MN/hw/syp (For possible action) **01/18/23 BCC**

10. **ZC-22-0606-B-R OVATION LIMITED PARTNERSHIP:**
ZONE CHANGE to reclassify 5.0 acres from an R-E (Rural Estates Residential) zone to an H-1 (Limited Resort and Apartment) Zone.
USE PERMIT for a multiple family residential development (senior housing).
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduce parking lot landscaping; 3) reduce throat depth; 4) reduce setback for decorative fence; and 5) increase wall height.
DESIGN REVIEW for a multiple family residential development on 12.2 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the north side of Bruner Avenue and the west side of Parvin Street (alignment) within Enterprise (description on file). MN/sd/syp (For possible action) **01/18/23 BCC**

11. **VS-22-0612-B-R OVATION LIMITED PARTNERSHIP:**
VACATE AND ABANDON easements of interest to Clark County located between Las Vegas Boulevard South and I-15 and between Jonathan Drive and Bruner Avenue within Enterprise (description on file). MN/sd/syp (For possible action) **01/18/23 BCC**

VII. General Business

1. None.

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

IX. Next Meeting Date: January 11, 2023.

X. Adjournment.

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



Enterprise Town Advisory Board

December 14, 2022

MINUTES

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

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.
No Staff present from Current Planning

II. Public Comment

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

- None

III. Approval of Minutes for November 30, 2022 (For possible action)

Motion by David Chestnut

Action: **APPROVE** Minutes as published for November 30, 2022.

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

IV. Approval of Agenda for December 14, 2022 and Hold, Combine or Delete Any Items (For possible action)

Motion by David Chestnut

Action: **APPROVE** as published.

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

V. Informational Items

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

Transform Clark County

For those of you who were able to join for the presentation on Installment #2, thank you. For those of you who may have missed the presentation, you may view the presentation here:

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Select Review & Comment on Latest Draft

Please pass the word along to your fellow TAB/CAC members and the public. Comments may also be sent via email to transformclarkcounty@clarkcountynv.gov. All comments are due by December 30, 2022.

Thank you everyone in advance for your participation.

VI. Planning & Zoning

1. **UC-22-0635-HSJC INVESTMENTS LTD:**
USE PERMIT to reduce the separation from a supper club to a residential use in conjunction with an existing shopping center on 3.0 acres in a C-2 (Commercial General) Zone. Generally located on the southeast corner of Rainbow Boulevard and Shelbourne Avenue within Enterprise. JJ/sd/syp (For possible action) **01/03/23 PC**

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

2. **DR-22-0634-AMH NV15 DEVELOPMENT, LLC:**
DESIGN REVIEW for finished grade in conjunction with an approved single family residential development on 1.9 acres in an R-2 (Medium Density Residential) Zone. Generally located on the north side of Chartan Avenue and the east side of Buffalo Drive within Enterprise. JJ/rk/syp (For possible action) **01/04/23 BCC**

Motion by Justin Maffett
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 December 28, 2022 at 6:00 p.m. at the Windmill Library.

X. Adjournment:

Motion by David Chestnut

Action: **ADJOURN** meeting at 6:17 p.m.

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

01/17/23 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

WARM SPRINGS RD/MONTESSOURI ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-22-0653-ROOHANI KHUSROW FAMILY TRUST:

ZONE CHANGE to reclassify 7.3 acres from an R-E (Rural Estates Residential) Zone and a C-1 (Local Business) Zone to an RUD (Residential Urban Density) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; 2) reduce setback; and 3) waive detached sidewalks.

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

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

RELATED INFORMATION:

APN:

176-10-502-009; 176-10-514-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase combined screen wall and retaining wall height to 12.5 feet (6.5 foot retaining wall and 6 foot screen wall) where a maximum of 9 feet (3 foot retaining wall and 6 foot screen wall) is permitted per Section 30.64.050 (a 39% increase).
2. Reduce the rear yard setback to 6 feet where 15 feet is required per Table 30.40-2 (a 60% reduction).
3. Allow an attached sidewalk (along Mardon Avenue) where a detached sidewalk is required per Section 30.64.030(L)(3) and Figure 30.64-17.

DESIGN REVIEWS:

1. Single family residential development.
2. Increase finished grade to 78 inches (6.5 feet) where a maximum of 36 inches (3 feet) is the standard per Section 30.32.040 (a 216% increase).

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A

- Site Acreage: 7.3
- Number of Lots: 60
- Density (du/ac): 8.2
- Minimum/Maximum Lot Size (square feet): 2,885/3,967
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): Up to 27
- Square Feet: 1,590/2,469
- Open Space Required/Provided: 12,000/12,872

Neighborhood Meeting Summary

The applicant conducted a neighborhood meeting on September 7, 2022, as required by the nonconforming amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. There were 4 attendees present at the open house meeting for this item. The attendees had questions on the housing product, access, and design of the project. No other concerns were raised at the meeting.

Site Plans

The plans depict a residential development totaling 60 single family lots and 6 common area lots on 7.3 acres. The density of the residential subdivision is 8.2 dwelling units per acre. The lots range in size from a minimum of 2,885 square feet to a maximum of 3,967 square feet. The subdivision will be served by 43 foot wide private streets which includes a sidewalk on 1 side of the street. The street network consists of 2 main drives with a loop street and 2 stub streets toward the northern portion of the development. The subdivision will have 2 points of access from Mardon Avenue to the south. The open space area (Common Element F) is centrally located within the project, between 2 rows of residences. The open space area measures 25 feet in width.

Landscaping

Street landscaping consists of a 15 foot wide landscape area, including a 5 foot wide detached sidewalk located adjacent to Warm Springs Road and Montessouri Street. The street landscaping along Mardon Avenue shows a 6 foot landscape area behind and attached sidewalk. The proposed development requires 12,000 square feet of open space where 12,872 square feet of open space is provided. The open space area (Common Element F) is centrally located within the project. Also shown on the plans are landscape elements along the corner side lots within the subdivision.

Elevations

The development will provide 2 story model homes with the maximum height shown as approximately 27 feet. The plans submitted by the applicant depict 3 different models with each model type having potential elevation variations. The building materials consist of concrete tile roofs, stucco finished walls with decorative pop-outs, and fenestration on windows and doors on all sides of the models.

Floor Plans

The plans depict 2 story model homes ranging in size from 1,590 square feet to 2,469 square feet depending on the options selected by the home buyer. The first floor of every unit will contain a 2 car garage with a 20 foot long driveway.

Applicant's Justification

The applicant indicates that the zone change will result in a less intense use than the partial C-1 zoning on this site and will be compatible with the established residential land use patterns along Warm Springs Road. The RUD zoning will provide an appropriate buffer and transition between the parcel directly to the north of the site being M-D and the parcel to the south being P-F. Based on the reduced density being sought, impacts to traffic will be greatly reduced as compared to a commercial development. Each house will include a 2 car garage and a 2 car driveway. Furthermore, the project will be in the spirit and characteristics of the newly adopted Master Plan which encourages varied densities and an integrated mix of housing types along the spectrum being desired for new compact neighborhoods.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-18-0583	Reclassified the site to R-4 zoning for a multiple family residential development.	Withdrawn	November 2018
VS-18-0596	Vacated and abandoned portions of right-of-way	Withdrawn	November 2018
VS-18-0598	Vacated and abandoned portions of right-of-way	Withdrawn	November 2018
ZC-1458-07	Reclassified a portion of the site to C-1 zoning for a future mixed-use development	Approved by BCC	February 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D	Distribution center
South	Open Lands	P-F	Public park
East	Neighborhood Commercial	C-1	Shopping center
West	Neighborhood Commercial	C-1 & C-P	Undeveloped & daycare facility

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

Related Applications

Application Number	Request
TM-22-500217	A tentative map for 60 residential lots on 7.3 acres is a companion item on this agenda.
VS-22-0654	A vacation and abandonment of roadway easements for detached sidewalks is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

The applicant shall provide Compelling Justification that approval of the nonconforming zoning boundary amendment is appropriate. A Compelling Justification means the satisfaction of the following criteria as listed below:

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

The applicant indicates there have been substantial land use trends in the immediate area which have substantially changed the character of the area that merits consideration of a single family residential request. Larger employment and activity centers have developed in the immediate area with over 1.5 million square feet of commercial services. This increase in employment and activity centers have created more housing demands for the immediate area.

Staff finds there are other existing single family residential developments in the area and most of those developments are west of Montessori Street. As a result, Montessori Street should act as a border between the more intense commercial uses and the single family residential farther to the west of that street. Therefore, staff finds that there has not been a change in law, policies, trends, or facts that have substantially changed the character or condition of the area.

- 2. The density and intensity of the uses allowed by the nonconforming zoning is compatible with the existing and planned land uses in the surrounding area.*

The applicant indicates directly abutting or contiguous to the subject site are intense zoning districts with existing commercial and industrial developments, but also single family residential developments to the southwest.

Even though the site is located along Warm Springs Road which has a mix of various planned and developed uses, staff finds the request to RUD zoning in the middle of an area that has developed with commercial projects on both sides of the site results in spot zoning since the RUD development may be incompatible with surrounding uses and favors a particular owner.

- 3. 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, as a result of the uses allowed by the nonconforming zoning.*

According to the applicant the proposed development will not have an adverse, negative impact on services and facilities not already planned in the area. Technical studies will be prepared to address any drainage and water related impacts as part of the civil plan review process.

Various Clark County service departments have reviewed this development proposal and found adequate services available or have specified the type of improvements that are needed for this development. The site is in the Public Facilities Needs Assessment (PFNA) area, a standard development agreement will be necessary prior to issuance of any building permits to mitigate any short falls in needed public facilities.

Based on information received from the Clark County School District, the elementary school and high school located within the corresponding school zone was over capacity for the 2022-2023 school year. Staff is concerned that the cumulative impact from the individual student yield of this project and future projects in the immediate area may further exacerbate the existing capacity situations, especially since this area was not planned to accommodate the number of additional residential units and no new schools are planned in the future.

- 4. The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies.*

According to the applicant the proposed single family development fully complies and furthers goals and policies contained within the Master Plan by providing housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. The project furthers Goal 1.1 which encourages providing opportunities for diverse housing options to meet the needs of residents of all ages, income levels, and abilities.

However, staff finds the intrusion of residential next to an existing commercial development may create issues that were not contemplated when the shopping center was built 4 years ago.

Summary

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

A waiver of development standards is needed for the proposed walls along the west and portions of the north property lines. The primary reasoning for the wall height increase is needed to accommodate street drainage, natural topography, and corresponding pad heights. However, since the overall residential subdivision design cannot function independent of the zone change and design review #1, which staff is not supporting, staff cannot support this portion of the request.

Waiver of Development Standards #2

Staff finds this request is a self-imposed hardship since the setback reduction is only necessary due to the design and size of the proposed home models. The applicant has not provided any information to show unique issues on the lots such as easements or topographic features that would justify the setback reduction. The home models as designed are too large to fit on the lots within current Code requirements. The applicant has not proposed any mitigation for the reduced setback. Therefore, staff finds the applicant has not provided a sufficient justification to allow a 60% reduction in the rear yard setback.

Waiver of Development Standards #3

There has been a recent revision to Title 30 that was adopted earlier this year for all developments to provide detached sidewalks along local streets. Prior to June of 2023, developments were only required to provide detached sidewalks along collector and arterial streets. This means the project would then have to provide detached sidewalks along Maron Avenue in addition to Warm Springs Road and Montessori Street. The applicant is requesting to waive this requirement due to the timing of the submittal to the County and the adoption of the new ordinance. Staff finds that since the development is of sufficient area, with no known encumbrances or constraints, the new ordinance should be accommodated. With subsequent waiver requests, staff is concerned that once this request is granted approval not to provide a detached sidewalk along a local street, other projects will use this application as a precedence for upcoming waiver requests. Therefore, staff finds the applicant has not provided a sufficient justification to allow an attached sidewalk along Mardon Avenue.

Zone Change & Design Review #1

A nonconforming zone boundary amendment should provide innovation in residential developments by utilizing area sensitive site planning and design to achieve a desirable mixture of compatible land use patterns. The applicant should demonstrate that the project will contribute to the general prosperity, health, safety, and welfare of the community, including but not limited to, efficient streetscapes and enhance residential amenities. The open space provided within the RUD development exceeds Code requirements by 872 square feet. However, staff is concerned with the configuration of the open space as it divides 2 rows of residences creating a canyon effect. The design of the open space area, located between the residential lots, could potentially create defensible space issues for residents. Furthermore, the proposed configuration of the open space is not practical and is partially isolated from the remainder of the development. Staff finds the open space should have a unified design, open to the private street within the subdivision that is both visible and easily accessible for all residents. Therefore, staff cannot support the request for a nonconforming zone boundary amendment and associated design review due to concerns with the open space configuration and the attached sidewalk along Mardon Avenue.

Public Works - Development Review

Design Review #2

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

Clark County Code, Title 30, or previous land use approval. Staff cannot support the locations for both Street "C" and Street "A" as they will create left turn conflicts with the driveways for the park on the south side of Mardon Avenue.

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. This item will be forwarded to the Board of County Commissioners' meeting for final action on February 22, 2023 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:

Current Planning

If approved:

- Resolution of Intent to complete in 3 years;
- 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 new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Mardon Avenue, 25 feet to the back of curb for Montessori Street, 45 feet to the back of curb for Warm Springs Road, and associated spandrels;

- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a bus turnout on Warm Springs Road, east of Montessouri Street, including passenger loading/shelter pad in accordance with RTC standards.
- 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 dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

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

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0256-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: KB HOME LAS VEGAS, INC.
CONTACT: THE WLB GROUP, 3663 E. SUNSET ROAD, SUITE 204, LAS VEGAS, NV
89120**



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

1A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input checked="" type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>NZC-22-0653</u> DATE FILED: <u>11-28-22</u></p> <p>PLANNER ASSIGNED: <u>Rk</u></p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>12/28/22</u></p> <p>PC MEETING DATE: <u>1-17-23</u> R-E & C-1 to RUD</p> <p>BCC MEETING DATE: <u>2-22-23</u> Neighborhood Commercial</p> <p>FEE: <u>\$3,265.00</u> MN 18-0583</p>
	PROPERTY OWNER	<p>NAME: <u>Khusrow Roohani Family Trust</u></p> <p>ADDRESS: <u>9500 Hillwood Dr., Suite 201</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u></p> <p>TELEPHONE: _____ CELL: _____</p> <p>E-MAIL: <u>kroohani@gmail.com</u></p>
	APPLICANT	<p>NAME: <u>KB Home Las Vegas Inc (attn: Christa Bilbrey)</u></p> <p>ADDRESS: <u>5795 Badura Ave., Suite 180</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u></p> <p>TELEPHONE: <u>(702) 266-8466</u> CELL: <u>(702) 449-5131</u></p> <p>E-MAIL: <u>cbilbrey@kbhomes.com</u> REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>The WLB Group, Inc. (attn: Mark Bangan)</u></p> <p>ADDRESS: <u>3663 E. Sunset Road, Suite 204</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u></p> <p>TELEPHONE: <u>(702) 458-2551</u> CELL: _____</p> <p>E-MAIL: <u>mbangan@wlbgroup.com</u> REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 176-10-502-009, 176-10-514-001,

PROPERTY ADDRESS and/or CROSS STREETS: Warm Springs Rd. / Montessori St

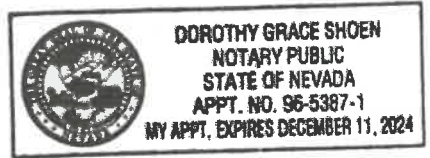
PROJECT DESCRIPTION: Detached Single Family Residential

(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 5-17-22 (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 10, 2022

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

NCZC-22-0653

**RE: NCZC/Design Review/Waivers –Justification Letter for Warm Springs
Montessori (APN's: 176-10-502-009 & 176-10-514-001)**

Clark County Planning Staff,

On behalf of KB Home, The WLB Group is respectfully submitting the attached Non-Conforming Zone Change/Design Review/Waiver of Development Standards Application for the above referenced parcel numbers at the southeast corner of Warm Springs Road and Montessori Street.

Project Description

The proposed development consists of 60-lots located on 7.31 acres with a gross density of 8.21 units per acre. The community will consist of 2-story detached single-family homes. There will be some internal common elements including one linear park that will consist mainly of a walking path, landscaping, and some benches. The 12,824 s.f. linear park area is in the center of the development and features 1,575 s.f. of artificial turf area with benches.

Nonconforming Zone Change

We are requesting to rezone the parcels listed above from R-E/C-1 to RUD. The planned landuse on the parcels is Neighborhood Commercial. With the parcel directly to the north of our parcels being MD and the parcel to the east and west being NC and the parcel to the south being OL we feel the change in zoning to RUD will be a good fit for the area. Based on the reduced density being sought, impacts to traffic will be greatly reduced as compared to a commercial development which the site is currently master planned and zoned for.

Parking

This site provides 268 parking spaces where 156 spaces are required.

Required Parking = 156 parking spaces
120 p.s. – resident parking (60 lots x 2 = 120)
+ 12 p.s. - visitor parking (60/5 = 12)
+ 24 p.s. – garage (enclosed) spaces (120/5 = 24)

Provided Parking = 266 parking spaces
120 p.s. – driveway parking (60 lots x 2 = 120)
+ 120 p.s. – garage parking spaces (60 lots x 2 = 120)
+ 26 p.s. – on street visitor parking

Design Review

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

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

This proposed development includes interior private streets that are 43' wide which includes a 5' sidewalk on one side of the street and allows for parking on both sides of the street. One linear park is located internal to the community between the entrances from Mardon Avenue and landscape buffers will be provided around the perimeter and adjacent to streets internal to the community in compliance with Title 30, Chapter 30.64. House plans will include four 2-story homes ranging in square footage from 1,590 up to 2,469 square feet. These homes will offer three distinct elevation options per plan and will feature tile roofs, attractive desert colors and paver driveways. The buildings will be a maximum of 28'-6" in height. Each house will include a two-car garage and a two-car driveway. Driveways will be single loaded, not paired so there will be 19' between driveways to accommodate street parking of a standard vehicle.

2. To increase the finished grade for a single-family residential development up to 78 inches (6.5 feet) where 36 inches (3.0 feet) is the standard per section 30.32.040.

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

Waiver of Development Standards

The proposed development will require the approval of three (3) waivers of development standards which are listed below;

1. To reduce the rear yard setback from 15'-0" to 6'-0" as required by Title 30 Table 30.40-2 for all lots.

This request is to allow the rear yard area to be reduced to 6'-0" to allow for a unique type of lot. This development still provides 10'-0" between houses, but the two 5'-0" side yards will be combined into one side yard which will become the useable area for a single house. We feel this reduction in the rear yard setback is in the spirit and characteristics of the newly adopted 2020 master plan which encourages varied densities and an integrated mix of housing types along the spectrum being desired for new compact neighborhoods.

2. To increase the allowable retaining/screen wall height from 9'-0" (3-foot retaining wall with a 6-foot screen wall) to 12'-6" (6-foot screen wall plus a 6.5-foot retaining wall) per section 30.64.050 to allow for positive drainage and grading of the site.

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

3. To request a waiver of the newly adopted detached sidewalk ordinance for 60-foot Rights-of-Ways. That was adopted on June 21, 2022, and effective on July 11, 2022.

We are requesting this waiver to allow this development to utilize the previously allowable landscaping along a 60-foot right of way at six (6') feet. We request this due to the timing of the proposed ordinance and at the current review level this development is at in the County. We have revised our site plan to show adherence to the future ordinance for Montessori Street but are unable to provide the required 15' landscaping along Mardon Avenue. We feel this request could be supported by Staff due to the regional park that is currently located across Mardon Avenue, therefore offsetting the visual aspect of the waiver being requested.

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

Sincerely,



Mark Bangan
Director of Planning Services

September 8, 2022

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

RE: REVISED – Compelling Justification Letter for (APN: 176-10-502-009 & 176-10-514-001)

On behalf of KB Home, we are requesting a non-conforming zone boundary amendment (zone change) to RUD zoning, waivers of development standards, and design reviews for a proposed 60 lot single family residential development for an anticipated density of 8.2 dwellings units per acres. The subject site is 7.3 acres, zoned R-E and C-1, and located on the south side of Warm Springs Road and the east side of Montessouri Street. The site is located within walking distance of the last remaining areas within Enterprise that are planned for Business Employment (BE) and proposed to be the economic/employment sectors of the area by encouraging light industrial development that will bring jobs and add to the economy of the Las Vegas Valley.

Based on the attached site plan with corresponding housing type, density, setbacks, parking, and buffering, the proposed use is entirely consistent with the intent of the RUD zoning district. The project is in full compliance with several Goals and Policies contained within the Clark County Master Plan regarding opportunities for additional residential developments to serve the overabundant commercial areas along Rainbow Boulevard and Warm Springs Road.

Non-Conforming Zone Boundary Amendment – Compelling Justification

- 1. A change in law, policies, trends, or facts after the adoption, readoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed amendment appropriate*

There have been substantial land use trends in the immediate area which have substantially changed the character of the area that merits consideration of a single family residential request. Not all the changes or character to the area have changed since the most recent overhaul and adoption of the new Clark County Master Plan which occurred in December 2021, but this portion of the Warm Springs Road corridor has substantially changed over the last couple of years. Additional and larger employment and activity centers have developed in the immediate area with over 1.5 million square feet of commercial services within walking distance of the site. In fact, half a mile directly north on Montessouri Street is the regional shopping center known as The Arroyo which consists of nearly 1 million square feet of restaurants and other commercial services that future residents need. The increased employment and activity centers have created an increase in housing demands for the immediate area. Rainbow Boulevard and Warm Springs Road are principal arterial streets and primarily planned and developed with commercial uses. The daily traffic counts along these portions of both corridors continue to increase with planned and existing mass transit (RTC) facilities. The adjacent properties to the east are zoned C-1 and developed with a Sprouts and other services that provide for a full range of commercial uses that serve the needs of the entire community. The proposed single family residential development is intended to help serve the needs of the local community and therefore makes the proposed request appropriate and compatible with the immediate area.

2. *The density or intensity of the uses allowed by the amendment is compatible with the existing and planned land uses in the surrounding area*

Directly abutting or contiguous to the subject site are intense zoning districts with existing commercial and industrial developments, planned industrial developments, but also single family residential development to the southwest. There is also an existing park directly to the south. The Neighborhood Commercial (NC) land use category includes supporting and complementary land uses. The proposed RUD zoning is entirely appropriate, consistent, and compatible with the existing and planned land uses in the immediate area and will complement the area for a balanced land use pattern. Within walking distance of the project site is the last remaining areas within Enterprise that are planned for Business Employment (BE) and proposed to be the economic/employment sectors of the area by encouraging light industrial development that will bring jobs and add to the economy of the Las Vegas Valley. Directly to the east and southeast are existing commercial services, including a grocery store. These planned and existing uses further increase the demand for housing.

3. *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, as a result of the uses allowed*

The proposed development will not have an adverse, negative impact on services and facilities not already planned in the area. Various Clark County service departments will review this development proposal and assess whether there are adequate services available in the immediate area. Since the site is located within the Public Facilities Needs Assessment Area (PFNA), any minimal impacts on services and facilities will be adequately mitigated with a standard development agreement and the most recent mitigation fees. Finally, the applicant will mitigate any additional impacts the project may have on the immediate area.

This single family development will provide on-site open space opportunities for the residents and will be an amenitized use rather than a traditional commercial development. Finally, this project will complete the much needed full off-site improvements for the last remaining unimproved segment of Warm Springs Road between Montessori Street and Rainbow Boulevard which will facilitate traffic movement and provide for a seamless, improved Warm Springs Road.

4. *The proposed amendment conforms to other applicable adopted plans, goals, and policies*

The proposed single family development fully complies and furthers goals and policies contained within the Clark County Master Plan by providing housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. The project furthers Goal 1.1 which encourages providing opportunities for diverse housing options to meet the needs of residents of all ages, income levels, and abilities. Additionally, the request complies and furthers Goal 1.3 which encourages development of new neighborhoods that embody Clark County's core values.

The request is compliant with specific policies related to residential development and housing options as follows:

1. Policy 1.1.1: Mix of Housing Types which encourages, in part, the provision of diverse housing types at varied densities and in numerous locations;

2. Policy 1.3.1: Neighborhood Identity which encourages the integration of varied housing models, architectural styles, streetscapes, signage, common landscaped areas and other character defining features that contribute to a distinct neighborhood identity;
3. Policy 1.3.2: Mix of Housing Options within Neighborhoods encourages, in part, a mix of housing options, both product types and unit sizes, within neighborhoods;
4. Policy 1.3.3: Neighborhood Services encourages the integration of grocery stores, restaurants, medical offices, and other daily-needs services as part of or adjacent to new neighborhoods to minimize the need for longer-vehicle trips. Promote direct connections that allow residents to safely access services on foot or by bike; and
5. Policy 1.3.5: Neighborhood Livability encourages, in part, the integration and connection of parks, trails, common open space, recreational amenities, or other features in new neighborhoods to enhance the health and quality of life of residents.

Thank you for the consideration.

Sincerely,

Dionis Smith

01/17/23 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

WARM SPRINGS RD/MONTESSOURI ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-22-0654-ROOHANI KHUSROW FAMILY TRUST:

VACATE AND ABANDON easements of interest to Clark County located between Warm Springs Road and Mardon Avenue, and between Montessori Street and Rainbow Boulevard within Enterprise (description on file). MN/rk/syp (For possible action)

RELATED INFORMATION:

APN:

176-10-502-009; 176-10-514-001

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

The plans show the vacation and abandonment of 5 foot wide BLM roadway easements located along Warm Springs Road and Montessori Street to accommodate a detached sidewalk. The applicant indicates that the easements are no longer needed, and approval of this application will allow the residential development of these parcels.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-18-0583	Reclassified the site to R-4 zoning for a multiple family residential development	Withdrawn	November 2018
VS-18-0596	Vacated and abandoned portions of right-of-way	Withdrawn	November 2018
VS-18-0598	Vacated and abandoned portions of right-of-way	Withdrawn	November 2018
ZC-1458-07	Reclassified a portion of the site to C-1 zoning for a future mixed-use development	Approved by BCC	February 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D	Distribution center
South	Open Lands	P-F	Public park
East	Neighborhood Commercial	C-1	Shopping center

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Neighborhood Commercial	C-1 & C-P	Undeveloped & daycare facility

Related Applications

Application Number	Request
NZC-22-0653	A nonconforming zone change to reclassify the site to RUD zoning for a single family residential development is a companion item on this agenda.
TM-22-500217	A tentative map for 60 residential lots on 7.3 acres is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Staff has no objection to the vacation of roadway easements 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 February 22, 2023 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:

Current Planning

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

Public Works - Development Review

- Right-of-way dedication to include 30 feet for Mardon Avenue, 25 feet to the back of curb for Montessouri Street, 45 feet to the back of curb for Warm Springs Road, and associated spandrels.

- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a bus turnout on Warm Springs Road, east of Montessori Street, including passenger loading/shelter pad in accordance with RTC standards;
- 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 and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: KB HOME LAS VEGAS, INC.

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



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

2A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE		DEPARTMENT USE	APP. NUMBER: <u>VS-22-0654</u>	DATE FILED: <u>11-28-22</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____			PLANNER ASSIGNED: <u>RK</u>	TAB/CAC DATE: <u>12-28-22</u>
			TAB/CAC: <u>Enterprise</u>	PC MEETING DATE: <u>1-17-23</u>
			BCC MEETING DATE: <u>2-22-23</u>	FEES: <u>\$875.00</u>
				<u>RUD</u> <u>Neighborhood Commercial</u> <u>MN 18-0583</u>

PROPERTY OWNER	NAME: <u>Khusrow Roohani Family Trust</u>
	ADDRESS: <u>9500 Hillwood Dr., Suite 201</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: <u>kroohani@gmail.com</u>

APPLICANT	NAME: <u>KB Home Las Vegas Inc. (Attn: Christa Bilbrey)</u>
	ADDRESS: <u>5795 Badura Ave., Suite 180</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>(702) 266-8466</u> CELL: <u>(702) 449-5131</u>
	E-MAIL: <u>cbilbrey@kbhome.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>The WLB Group, Inc.</u>
	ADDRESS: <u>3663 E. Sunset Rd., Suite 204</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>(702) 458-2551</u> CELL: _____
	E-MAIL: <u>mbangan@wlbgroup.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-10-502-009, 176-10-514-001

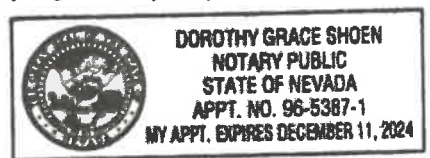
PROPERTY ADDRESS and/or CROSS STREETS: Warm Springs Rd. / Montessori St.

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

[Signature]
Property Owner (Signature)*

Khusrow Roohani, Trustee
Property Owner (Print)

STATE OF NEVADA
COUNTY OF Clark
SUBSCRIBED AND SWORN BEFORE ME ON 5-17-22 (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.



November 10, 2022

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

VS-22-0654

**RE: Vacation Application – Justification Letter for Warm Springs
Montessori (APN's: 1176-10-502-009 & 176-10-514-001)**

Clark County Planning Staff,

On behalf of KB Home, The WLB Group respectfully submits the attached Vacation Application for the above referenced parcel numbers located on the southeast corner of Warm Springs Road and Montessori Street.

We are respectfully requesting to vacate roadway easements that are no longer required due to the proposed single-family development that is a companion item to this vacation.

Vacation of Road Easements

We are requesting to vacate 5.00' of the road easement located on APN 176-10-502-009, 5.00' Clark County Road easement for both Warm Springs Road and Montessori Street. This vacation will allow for the detaching of the sidewalk along both Warm Springs Road and Montessori Street.

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

Sincerely,

A blue ink handwritten signature, appearing to read "Mark Bangan", with a horizontal line extending to the right.

Mark Bangan
Planning Department Manager

01/17/23 PC AGENDA SHEET

WARM SPRINGS - MONTESSOURI
(TITLE 30)

WARM SPRINGS RD/MONTESSOURI ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-22-500217-ROOHANI KHUSROW FAMILY TRUST:

TENTATIVE MAP consisting of 60 single family residential lots and common lots on 7.3 acres in an RUD (Residential Urban Density) Zone.

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

RELATED INFORMATION:

APN:

176-10-502-009; 176-10-514-001

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 7.3
- Number of Lots: 60
- Density (du/ac): 8.2
- Minimum/Maximum Lot Size (square feet): 2,885/3,967
- Project Type: Single family residential development

The plans depict a residential development totaling 60 single family lots and 6 common area lots on 7.3 acres. The density of the residential subdivision is 8.2 dwelling units per acre. The lots range in size from a minimum of 2,885 square feet to a maximum of 3,967 square feet. The subdivision will be served by 43 foot wide private streets which includes a sidewalk on 1 side of the street. The street network consists of 2 main drives with a loop street and 2 stub streets toward the northern portion of the development. The subdivision will have 2 points of access from Mardon Avenue to the south. The proposed development requires 12,000 square feet of open space where 12,872 square feet of open space is provided. The open space area (Common Element F) is centrally located within the project, dividing 2 rows or residences. Street landscaping consists of a 15 foot wide landscape area, including a 5 foot wide detached sidewalk located adjacent to Warm Springs Road and Montessori Street. The street landscaping along Mardon Avenue shows a 6 foot landscape area behind and attached sidewalk.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-18-0583	Reclassified the site to R-4 zoning for a multiple family residential development	Withdrawn	November 2018
VS-18-0596	Vacated and abandoned portions of right-of-way	Withdrawn	November 2018
VS-18-0598	Vacated and abandoned portions of right-of-way	Withdrawn	November 2018
ZC-1458-07	Reclassified a portion of the site to C-1 zoning for a future mixed-use development	Approved by BCC	February 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D	Distribution center
South	Open Lands	P-F	Public park
East	Neighborhood Commercial	C-1	Shopping center
West	Neighborhood Commercial	C-1 & C-P	Undeveloped & daycare facility

Related Applications

Application Number	Request
NZC-22-0653	A nonconforming zone change to reclassify the site to RUD zoning for a single family residential development is a companion item on this agenda.
VS-22-0654	A vacation and abandonment of roadway easements for detached sidewalks is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

This request meets the tentative map requirements as outlined in Title 30; however, approval of this request is contingent upon approval of NZC-22-0653, which staff cannot support.

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. This item will be forwarded to the Board of County Commissioners' meeting for final action on February 22, 2023 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:

Current Planning

If approved:

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Mardon Avenue, 25 feet to the back of curb for Montessouri Street, 45 feet to the back of curb for Warm Springs Road, and associated spandrels;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for a bus turnout on Warm Springs Road, east of Montessouri Street, including passenger loading/shelter pad in accordance with RTC standards.
- 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 dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Current Planning Division - Addressing

- No comments.

Department of Aviation

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

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0256-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: KB HOME LAS VEGAS, INC.

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



TENTATIVE MAP APPLICATION 3A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM 22-500217</u>	DATE FILED: <u>11-28-22</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>RK</u>	TAB/CAC DATE: <u>12-28-22</u>
		TAB/CAC: <u>Enterprise</u>	R-E & C-1 to RUD Neighborhood Commercial MN 18-0553
		PC MEETING DATE: <u>1-17-23</u>	
		BCC MEETING DATE: <u>2-23-23</u>	
		FEE: <u>\$ 750.00</u>	

PROPERTY OWNER	NAME: <u>Khusrow Roohani Family Trust</u>
	ADDRESS: <u>9500 Hillwood Dr., Suite 201</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: <u>kroohani@gmail.com</u>

APPLICANT	NAME: <u>KB Home Las Vegas Inc. (Attn: Christa Bilbrey)</u>
	ADDRESS: <u>5795 Badura Ave., Suite 180</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>(702) 266-8468</u> CELL: <u>(702) 449-5131</u>
	E-MAIL: <u>cbilbrey@kbhome.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>The WLB Group, Inc. (Attn: Mark Bangen)</u>
	ADDRESS: <u>3863 E. Sunset Road, Suite 204</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>(702) 458-2551</u> CELL: _____
	E-MAIL: <u>mbangen@wlbgroup.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-10-502-008, 176-10-514-001

PROPERTY ADDRESS and/or CROSS STREETS: Warm Springs Rd. / Montessori St.

TENTATIVE MAP NAME: Warm Springs and Montessori

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)*	<u>Khusrow Roohani, Trustee</u> Property Owner (Print)
STATE OF <u>Nevada</u>	
COUNTY OF <u>Clark</u>	
SUBSCRIBED AND SWORN BEFORE ME ON <u>5-17-22</u> (DATE)	
By <u>Khusrow Roohani - Trustee</u>	
NOTARY PUBLIC: <u>Dorothy Grace Shoen</u>	 DOROTHY GRACE SHOEN NOTARY PUBLIC STATE OF NEVADA APPT. NO. 96-5387-1 MY APPT. EXPIRES DECEMBER 11, 2024

*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.

01/17/23 PC AGENDA SHEET

STREET NAME CHANGE
(TITLE 30)

BLUE DIAMOND RD/SCHIRLLS ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

SC-22-0644-BLUE DIAMOND PB HOLDINGS, LLC:

STREET NAME CHANGE to change the name of Schirlls Street to Pinkbox Doughnuts Drive between Blue Diamond Road and Wigwam Avenue.

Generally located on the south side of Blue Diamond Road, 700 feet east of Arville Street within Enterprise. JJ/jad/syp (For possible action)

RELATED INFORMATION:

APN:

177-18-602-007; 177-18-602-027

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Project Type: Street name change

History & Applicant's Justification

ZC-18-0961 reclassified the subject parcel from H-2 zoning to C-2 zoning for a commercial development which includes restaurant buildings with a drive-thru. The applicant also submitted a vacation and abandonment application (VS-18-0962) as a companion item to the zone change to vacate Schirlls Street; however, the applicant will no longer complete the vacation and abandonment. WS-22-0289 was approved earlier this year for a drive-thru restaurant for Pinkbox Doughnuts and Schirlls Street will serve as the main point of access to the proposed development.

In 1998, SC-1717-98 was approved for the entire alignment, to name Schirlls Street in some areas, to correct the spelling of Schirlls Street in some areas, and to rename Vista Street to Schirlls Street. It appears Vista Street was not updated for this alignment and it has been considered and referred to as both Vista Street or Schirlls Street.

The applicant is requesting a street name change of the Schirlls Street Alignment to Pinkbox Doughnuts Drive. As mentioned above, although a vacation and abandonment of this alignment was approved, now the alignment will be dedicated. The Schirlls Street alignment has been

vacated on the north side of Blue Diamond Road for at least 4,200 feet. The alignment picks-up again south of Wigwam Avenue.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-22-0289	Design review with waiver for setbacks and increased grade for a drive-thru restaurant	Approved by BCC	June 2022
ET-21-400025 (VS-18-0962)	First extension of time to vacate Schirlls Street	Approved by BCC	April 2021
ET-21-400024 (ZC-18-0961)	First extension of time for a restaurant building with a drive-thru, where the site was reclassified from H-2 to C-2 zoning	Approved by BCC	April 2021
ADR-19-900822	Redesigned commercial development	Approved by ZA	December 2019
ZC-18-0961	Reclassified site from H-2 to C-2 zoning for commercial development	Approved by BCC	February 2019
VS-18-0962	Vacated and abandoned 30 feet of Schirlls Street	Approved by BCC	February 2019
SC-1717-98	Renamed an existing north and south street alignment from Schirlls Street, Schirlls Avenue, and Vista Street to Schirlls Street.	Approved by BCC	December 1998

Surrounding Land Use

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

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

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

The Las Vegas Valley Street Naming and Address Assignment Policy found in Appendix A of Title 30 states, "a newly developed street shall assume the name of the street on which it aligns, unless the street does not and cannot in the future connect to an existing street segment along the alignment." Since the Schirlls Street alignment does not exist to the north of Blue Diamond Road, and the commercial development surrounds the street in question, and does not extend to Wigwam Avenue, staff can support the request. The Combined Fire Communication Center has approved the name Pinkbox Doughnuts Drive.

Staff Recommendation

Approval

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Street signs shall be installed after construction of off-site improvements for the street and prior to final inspection of the restaurant.
- Applicant is advised that they are responsible for the installation of street signs per Public Works requirements; 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.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: BLUE DIAMOND PB HOLDINGS, LLC

**CONTACT: SIEGEL COMPANIES, 3790 PARADISE ROAD, SUITE 250, LAS VEGAS,
NV 89169**



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

4A

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>SC 22-0644</u> DATE FILED: <u>11/16/22</u></p> <p>PLANNER ASSIGNED: _____</p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>12/28/22</u></p> <p>PC MEETING DATE: <u>11/17/23</u></p> <p>BCC MEETING DATE: _____</p> <p>FEE: <u>\$400</u></p>
	PROPERTY OWNER	<p>NAME: <u>Blue Diamond PB Holdings, LLC</u></p> <p>ADDRESS: <u>3790 Paradise Road #250</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89169</u></p> <p>TELEPHONE: <u>72-947-8330</u> CELL: <u>702-275-2322</u></p> <p>E-MAIL: <u>SThueson@SiegelCompanies.com</u></p>
	APPLICANT	<p>NAME: <u>Blue Diamond PB Holdings, LLC</u></p> <p>ADDRESS: <u>3790 Paradise Road #250</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89169</u></p> <p>TELEPHONE: <u>702-947-8330</u> CELL: <u>702-275-2322</u></p> <p>E-MAIL: <u>JGrindstaff@SiegelCompanies.com</u> REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>Greg Borgel</u></p> <p>ADDRESS: <u>3790 Paradise Road #250</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89169</u></p> <p>TELEPHONE: <u>702-947-8330</u> CELL: <u>702-791-8219</u></p> <p>E-MAIL: <u>GBorgel@SiegelCompanies.com</u> REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 177-18-602-007

PROPERTY ADDRESS and/or CROSS STREETS: Blue Diamond Road and Schriels Street

PROJECT DESCRIPTION: Name change for a portion of Schriels Street to "Pinkbox Doughnuts Drive"

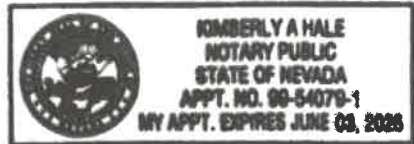
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

Property Owner (Signature)* SEAN THUESON
Property Owner (Print)

STATE OF NEVADA
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 11/8/2022 (DATE)

By _____
NOTARY PUBLIC: Kimberly A Hale



***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.

SC-22-0644

Blue Diamond PB Holdings, LLC

Clark County
Comprehensive Planning 500
Grand Central Pkwy.
Las Vegas NN, 89101

November 11, 2022

RE: Street Name Change

Please accept this application for a street name change for a portion of Schrills Street.

We are asking to rename a portion of the Schrills Street alignment from Blue Diamond Road approximately 600 feet south to Wigwam Avenue. WE

Currently there are no homes or businesses on either the east or west side of Schrills Street between Blue Diamond and Wigwam. This parcel is bordered by Blue Diamond Road to the north and surrounded on the east, south and west by land currently owned by the Department of Aviation. Although this parcel is in the disposal area it has not yet been nominated for disposal.

This portion of schrills that is our east property line has been previously renamed to Vista Street. we are merely asking for the name change from Vista to "Pinkbox Doughnuts Drive".

North of our site across Blue Diamond Road is the Target anchored "Blue Diamond Crossing" shopping center. The Schrills alignment was vacated through this center continuing for over 4,200 feet until the alignment is found again. South of Wigwam the Schrills alignment continues.

Although there is currently a pending application for the vacation of this portion Schrills Public Works has said that the prefer we bring our utilities for this parcel from the Wigwam alignment. As such Public Works requires that we dedicate the street rather than just utilizing the original patent easement.

Do not hesitate to contact me with any questions.



Sean Trueson

01/18/23 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

GOMER RD/PARADISE PARK DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-22-0651-PERALTA FAMILY LP:

ZONE CHANGE to reclassify 5.0 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase wall height; and 2) alternative street design.

DESIGN REVIEWS for the following: 1) single family residential subdivision; 2) establish alternative yard; and 3) finished grade.

Generally located on the east and west sides of Paradise Park Drive and the north side of Gomer Road within Enterprise (description on file). JJ/lm/syp (For possible action)

RELATED INFORMATION:

APN:

176-19-801-011; 176-19-801-017

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase wall height to 12.5 feet (6 foot screen wall with a 6.5 foot retaining wall) where a maximum wall height of 9 feet (6 foot screen wall with a 3 foot retaining wall) is permitted per Section 30.64.050 (a 38.8% increase).
2.
 - a. Allow alternative street design (off-set crown) where a design per Uniform Standard Drawing 205 is required.
 - b. Reduce public street width to 48 feet where 60 feet is required per Section 30.52.030 (a 20% reduction).

DESIGN REVIEWS:

1. Detached single family residential development.
2. Establish alternative yard for 1 proposed single family residential lot where yards are established per Uniform Standard Drawing 206.S3.
3. Increase finished grade to 7 feet where a maximum of 3 feet is the standard per Section 30.32.040 (a 133.3% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5.0
- Number of Lots/Units: 29
- Density (.lu/ac): 5.7
- Minimum/Maximum Lot Size (square feet): 3,814/8,518
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): 25
- Square Feet: 1,600 to 2,555

Site Plans

The plans depict a single family residential development consisting of 29 lots. The site consists of 2 parcels with frontage on Gomer Road to the south and on the east and northwest sides of the terminus of Paradise Park Drive (48 feet wide with off-set crown). The easterly portion of the development consists of 13 lots that will have 5 lots fronting onto Paradise Park Drive and the remaining lots accessing a 39 foot wide private street. The westerly portion of the development consists of 16 lots that will front onto a 39 foot wide private street. The private streets and portions of yards are located within an existing overhead powerline easement which consists of pedestrian trails to the east and west of the proposed development, and connected by sidewalks within the proposed subdivision. Lot 13 depicts 2 proposed options for the front of the residence, either facing south toward the private street or facing west. Due to the irregular shape of Lot 13, the proposed alternative yard layout for setbacks with the residence facing west are as follows: rear (east) 15 feet, street side (south) 11 feet, and side (north) 5 feet. The driveway is located on the west side of the property leading to a side loaded garage.

Landscaping

The plans depict 3 common element lots located on the easterly parcel for open space and utility easements with a total of 6,079 square feet of open space interior to the subdivision. There is an additional common element lot 15 feet wide with a detached sidewalk and street landscaping provided along Gomer Road. Portions of walls along the south side of the development will have retaining walls between 5 feet and 6 feet.

Elevations

The plans depict 5 home models that are all 2 stories with a maximum building height of approximately 25 feet with 3 elevation options. All of the homes have pitched roofs with concrete tile roofing materials. The exterior of the homes will consist of combinations of a stucco finish painted in earth tone colors, stone veneer, various window treatments, and architectural enhancements.

Floor Plans

The proposed homes will be between 1,600 square feet to 2,555 square feet in area. Each home will have 3 to 4 bedrooms and a 2 car garage.

Applicant's Justification

The applicant indicates that the proposed development conforms to the Master Plan. Additionally, the applicant indicates that the proposed finished grade is located along the existing natural drainage area which will be redirected with the development and allow for the positive flow for sewer. The proposed retaining wall height is placed to match the existing development to the east. The street cross section for Paradise Park Drive has been designed to use the existing dedication on the west side of the street and reduce the overall public street width for the minimal number of proposed lots within the subdivision. The applicant would like to provide an additional site layout option for buyers of Lot 13 in addition to the traditional yard layout with an alternative yard design depending upon which residence is chosen to be constructed on the lot at the time of purchase.

Surrounding Land Use

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

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

Related Applications

Application Number	Request
VS-22-0652	A request to vacate and abandon patent easements is a companion item on this agenda.
TM-22-500216	Tentative map for a single family residential subdivision with 29 residential and common lots on 5 acres is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

The revised request for R-2 zoning district is in conformance to the Master plan and is consistent with the existing and planned land uses for this area. Therefore, staff can support the zone change request.

Waivers of Development Standards

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

Waiver of Development Standards # 1

The applicant indicates that the increase in wall height is needed to balance the site and allow for proper drainage. The topography of the site can be considered a unique circumstance to allow a waiver to increase wall height; therefore, staff can support the waiver of development standards.

Design Reviews #1 & #2

The design of the proposed development and homes is consistent with other residential developments in the Enterprise Planning Area while providing an infill development with pedestrian access along the existing utility corridor. The proposed lots within the development exceed the minimum standards of Title 30 or provide for alternative standards that meet the intent of the Code for Lot 13; therefore, staff can support the design reviews.

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to the alternative street design for Paradise Park Drive. Paradise Park Drive will only serve this subdivision, so the offset crown and reduced street width will have no impact on the area.

Design Review #3

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has

been no substantial work towards completion within the time specified; and that the waivers of development standards and the 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;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of curb for Gomer Road, 18 feet for Paradise Park Drive, a portion of the cul-de-sac for Paradise Park Drive, and associated spandrel.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0460-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ACTUS

CONTACT: ACTUS, 3283 E. WARM SPRINGS ROAD, SUITE 300, LAS VEGAS, NV 89120



LAND USE APPLICATION

5A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE		STAFF	APP. NUMBER: <u>ZC/WS/DR 22-0651</u>	DATE FILED: <u>11/23/2022</u>
<input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) <input type="checkbox"/> APPLICATION REVIEW (AR)	PROPERTY OWNER		PLANNER ASSIGNED: <u>LMN</u>	TAB/CAC DATE: <u>12/28/22</u>
			APPLICANT	TAB/CAC: <u>ENTERPRISE</u>
		BCC MEETING DATE: <u>1/18/2023</u>		FEE: <u>\$ 2025</u>
	NAME: <u>Lucky Blue 108 LLC</u>			
	CORRESPONDENT	ADDRESS: <u>74 Hunt Valley Trl</u>		E-MAIL: _____
		CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u>		TELEPHONE: _____ CELL: _____
		NAME: <u>Actus</u> Contact: <u>Caitlin Cypher</u>		E-MAIL: _____ REF CONTACT ID #: _____
	ADDRESS: <u>3283 E. Warm Springs Rd, Suite 300</u>		CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>	
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>		TELEPHONE: <u>702-588-9286 x110</u> CELL: <u>702-203-4014</u>	
	E-MAIL: <u>caitlin.cypher@actus-nv.com</u>		REF CONTACT ID #: _____	
NAME: <u>Actus</u> Contact: <u>Caitlin Cypher</u>		ADDRESS: <u>3283 E. Warm Springs Rd, Suite 300</u>		
ADDRESS: <u>3283 E. Warm Springs Rd, Suite 300</u>		CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>		
CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>		TELEPHONE: <u>702-588-9286 x110</u> CELL: <u>702-203-4014</u>		
E-MAIL: <u>caitlin.cypher@actus-nv.com</u>		REF CONTACT ID #: _____		

ASSESSOR'S PARCEL NUMBER(S): 176-19-001-017

PROPERTY ADDRESS and/or CROSS STREETS: Gomer Road and Paradise Park Drive

PROJECT DESCRIPTION: Detached single family residential subdivision.

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

Property Owner (Signature)*

Payman Nasachi Manager Lucky Blue 108 LLC
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON June 17, 2022 (DATE)

By Payman Nasachi, Manager of Lucky Blue 108 LLC

NOTARY PUBLIC: Erica Badilla

ERICA BADILLA
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 07-30-22
Certificate No: 06-108382-1

*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 28, 2022



Clark County
Development Services
500 S. Grand Central Parkway
Las Vegas, NV 89012

3283 E. Warm Springs Suite 300
Las Vegas, NV 89120
(702) 586-9296

Re.: Justification Letter
APNs 176-19-801-011 and 176-19-801-017

20-22-0651

To Whom It May Concern,

Please be advised, this office represents the applicant. On behalf of the applicant, we are requesting the following applications: (1) design review for a single-family home subdivision; (2) waiver of development standards; (3) conforming zone change; and (4) tentative map for property generally located near Gomer Road and Paradise Park Drive and more particularly described as APNs: 176-19-801-011 and 176-19-801-017 (the "Site"). The Site is approximately 5 gross acres and is currently zoned RE.

Design Review

The applicant is proposing a single-family residential subdivision to construct twenty-nine (29) residential lots with a density of 5.74 dwelling units per acre. The applicant is proposing two-story homes that range in livable square footage from 1,800 sf to 2,555 sf. The range in overall heights of the proposed residence is 24'-2" to 25'-2 1/2". Lot sizes range from 3,844 sf and 8,736 sf with the average lot size being 5,572 sf. The minimum lot size will be over 3,500 sf, which is in compliance with the proposed R2 zoning requirements.

Cross sections provided with the submittal illustrate the elevations along the project perimeters to the adjacent properties. There will be several areas where the elevations have been raised more than 36 inches vertically on the interior of the site and along the adjacent boundaries, with a maximum of 7' in the wash at the northern side of the site. The elevation is required to provide sanitary sewer and positive drainage for the site.

Waiver of Development Standards

The waiver of development standards to allow for an offset crown of the public right of way on Paradise Park Drive, per the street sections on the tentative map and site plan, where USDCCA DWG NO. 205 is required. The applicant is requesting a total of 48' public street section, where an additional 18' of Right of Way will be dedicated to the existing 30' of Right of Way. The applicant believes this is a reasonable request, as the Paradise Park Drive terminates in this single-family home subdivision. The cul-de-sac at the termination point of Paradise Park Drive will be dedicated to match the existing dedications with the required radius.

The applicant is requesting a waiver for overall wall height up to a total of 12.5' (a maximum 6.5' retaining wall with a 6' screen wall) where a total of 9' (maximum 3' retaining wall with a 6' screen wall) is allowed per 30.64.020, on the south side of the site, to match the footings of the existing retaining/screen walls on the adjacent site. The request for said waiver is due to the existing elevation within the project site and the required sewer and drainage design for the project site. Minimum sewer slopes have been utilized with the project design, hence raising the overall elevation of the project several feet to allow for said design.

The applicant is requesting a waiver for the yards on Lots 13, which is an irregular lot configuration and may not meet the Title 30.56.040 (a) requirement. The applicant is requesting flexibility for the future buyer to orient the house 90 degrees, which would meet the yard requirement per Title 30.56-040 (a) (See site plan).

30.56.040 (a) Yards. The areas located between buildings and property lines in the front, side, and rear areas of lots are considered yards (See Figures 30.56-5 and 30.56-6).

Conforming Zone Change

The applicant is respectfully requesting a conforming zone change from RE to R-2 for the subject parcels in support of the proposed single-family residential development. This is conforming to the master plan of R-2 Mid Intensity Suburban Neighborhood (Up to 8 du/ac).

Tentative Map

The applicant is also submitting a tentative map for a twenty-nine (29) lot single family residential subdivision.

Vacation and Abandonment of Patent Easements

The applicant is requesting the vacation and abandonment of the patent easements on APN 176-19-801-011 and APN 176-19-801-017, as shown on the Vacation Map, where roadways will no longer be necessary or reduced.

Conclusion

We are hopeful that this letter clearly describes the project and the intent of the proposed development. If you have any questions or need any additional information, please feel free to call our office at (702)586-9296.

Sincerely,



Caitlin Cypher
Assistant Project Coordinator
3283 E. Warm Springs Rd. Suite 300
Las Vegas, NV 89120
(702) 586-9296

01/18/23 BCC AGENDA SHEET

EASEMENTS
(TITLE 30)

GOMER RD/PARADISE PARK DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0652-PERALTA FAMILY LP:

VACATE AND ABANDON easements of interest to Clark County located between Gomer Road and Rotherham Hills Avenue, and between Grand Canyon Drive and Chieftain Street within Enterprise (description on file). JJ/lm/syp (For possible action)

RELATED INFORMATION:

APN:

176-19-801-011; 176-19-801-017

LAND USE PLAN:

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

BACKGROUND:

Project Description

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

Surrounding Land Use

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

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

Related Applications

Application Number	Request
ZC-22-0651	Zone change to reclassify 5 acres to and R-2 zoning for a single family residential development is a companion item on this agenda.
TM-22-500216	Tentative map for a single family residential subdivision with 29 residential and common lots on 5 acres is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Right-of-way dedication to include 35 feet to the back of curb for Gomer Road, 18 feet for Paradise Park Drive, a portion of the cul-de-sac for Paradise Park Drive, and associated spandrek
- 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: ACTUS

CONTACT: ACTUS, 3283 E. WARM SPRINGS ROAD, SUITE 300, LAS VEGAS, NV 89120



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

6A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>VS-22-0652</u>	DATE FILED: <u>11/23/22</u>
<input type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		PLANNER ASSIGNED: <u>LMN</u>	TAB/CAC: <u>ENTERPRISE</u>
		PC MEETING DATE: _____	BCC MEETING DATE: <u>1/18/2023</u>
		FEE: <u>\$ 875</u>	

PROPERTY OWNER	NAME: <u>Peralta Family Limited Partnership</u>
	ADDRESS: <u>1130 Cashman Drive</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89102</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Actus Caitlin Cypher</u>
	ADDRESS: <u>3283 E. Warm Springs Rd, Suite 300</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702-586-9296 x110</u> CELL: <u>702-203-4014</u>
	E-MAIL: <u>caitlin.cypher@actus-nv.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Actus Caitlin Cypher</u>
	ADDRESS: <u>3283 E. Warm Springs Rd, Suite 300</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702-586-9296 x110</u> CELL: <u>702-203-4014</u>
	E-MAIL: <u>caitlin.cypher@actus-nv.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-19-801-011 ~~3007~~

PROPERTY ADDRESS and/or CROSS STREETS: Gomer Road and Paradise Park 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.

Ben O Peralta
 Property Owner (Signature)*

BEN O PERALTA
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON June 13th 2022 (DATE)
 By Ben O. Peralta
 NOTARY PUBLIC: Jacquelyn Redmer



*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 28, 2022



Clark County
Development Services
500 S. Grand Central Parkway
Las Vegas, NV 89012

3283 E. Warm Springs Suite 300
Las Vegas, NV 89120
(702) 586-9296

Re.: Justification Letter
APNs 176-19-801-011 and 176-19-801-017

VS-22-0652

To Whom It May Concern,

Please be advised, this office represents the applicant. On behalf of the applicant, we are requesting the following applications: (1) design review for a single-family home subdivision; (2) waiver of development standards; (3) conforming zone change; and (4) tentative map for property generally located near Gomer Road and Paradise Park Drive and more particularly described as APNs: 176-19-801-011 and 176-19-801-017 (the "Site"). The Site is approximately 5 gross acres and is currently zoned RE.

Design Review

The applicant is proposing a single-family residential subdivision to construct twenty-nine (29) residential lots with a density of 5.74 dwelling units per acre. The applicant is proposing two-story homes that range in livable square footage from 1,800 sf to 2,555 sf. The range in overall heights of the proposed residence is 24'-2" to 25'-2 1/2". Lot sizes range from 3,844 sf and 8,736 sf with the average lot size being 5,572 sf. The minimum lot size will be over 3,500 sf, which is in compliance with the proposed R2 zoning requirements.

Cross sections provided with the submittal illustrate the elevations along the project perimeters to the adjacent properties. There will be several areas where the elevations have been raised more than 36 inches vertically on the interior of the site and along the adjacent boundaries, with a maximum of 7' in the wash at the northern side of the site. The elevation is required to provide sanitary sewer and positive drainage for the site.

Waiver of Development Standards

The waiver of development standards to allow for an offset crown of the public right of way on Paradise Park Drive, per the street sections on the tentative map and site plan, where USDCCA DWG NO. 205 is required. The applicant is requesting a total of 48' public street section, where an additional 18' of Right of Way will be dedicated to the existing 30' of Right of Way. The applicant believes this is a reasonable request, as the Paradise Park Drive terminates in this single-family home subdivision. The cul-de-sac at the termination point of Paradise Park Drive will be dedicated to match the existing dedications with the required radius.

The applicant is requesting a waiver for overall wall height up to a total of 12.5' (a maximum 6.5' retaining wall with a 6' screen wall) where a total of 9' (maximum 3' retaining wall with a 6' screen wall) is allowed per 30.64.020, on the south side of the site, to match the footings of the existing retaining/screen walls on the adjacent site. The request for said waiver is due to the existing elevation within the project site and the required sewer and drainage design for the project site. Minimum sewer slopes have been utilized with the project design, hence raising the overall elevation of the project several feet to allow for said design.

The applicant is requesting a waiver for the yards on Lots 13, which is an irregular lot configuration and may not meet the Title 30.56.040 (a) requirement. The applicant is requesting flexibility for the future buyer to orient the house 90 degrees, which would meet the yard requirement per Title 30.56-040 (a) (See site plan).

30.56.040 (a) Yards. The areas located between buildings and property lines in the front, side, and rear areas of lots are considered yards (See Figures 30.56-5 and 30.56-6).

Conforming Zone Change

The applicant is respectfully requesting a conforming zone change from RE to R-2 for the subject parcels in support of the proposed single-family residential development. This is conforming to the master plan of R-2 Mid Intensity Suburban Neighborhood (Up to 8 du/ac).

Tentative Map

The applicant is also submitting a tentative map for a twenty-nine (29) lot single family residential subdivision.

Vacation and Abandonment of Patent Easements

The applicant is requesting the vacation and abandonment of the patent easements on APN 176-19-801-011 and APN 176-19-801-017, as shown on the Vacation Map, where roadways will no longer be necessary or reduced.

Conclusion

We are hopeful that this letter clearly describes the project and the intent of the proposed development. If you have any questions or need any additional information, please feel free to call our office at (702)586-9296.

Sincerely,



Caitlin Cypher
Assistant Project Coordinator
3283 E. Warm Springs Rd. Suite 300
Las Vegas, NV 89120
(702) 586-9296

01/18/23 BCC AGENDA SHEET

GOMER & PARADISE
(TITLE 30)

GOMER RD/PARADISE PARK DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-22-500216-PERALTA FAMILY LP:

TENTATIVE MAP consisting of 29 lots and common lots on 5.0 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the east and west sides of Paradise Park Drive and the north side of Gomer Road within Enterprise. JJ/lm/syp (For possible action)

RELATED INFORMATION:

APN:

176-19-801-011; 176-19-801-017

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5.0
- Number of Lots/Units: 29
- Density (du/ac): 5.7
- Minimum/Maximum Lot Size (square feet): 3,814/8,518
- Project Type: Single family residential development

The plans depict a single family residential development consisting of 29 lots. The site consists of 2 parcels with frontage on Gomer Road to the south and on the east and northwest sides of the terminus of Paradise Park Drive (48 feet wide with offset crown). The easterly portion of the development consists of 13 lots that will have 5 lots fronting onto Paradise Park Drive and the remaining lots accessing a 39 foot wide private street. The westerly portion of the development consists of 16 lots that will front onto a 39 foot wide private street. The private streets and portions of yards are located within an existing overhead powerline easement which consists of pedestrian trails to the east and west of the proposed development and connected by sidewalks within the proposed subdivision.

Surrounding Land Use

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

Surrounding Land Use

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

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

Related Applications

Application Number	Request
ZC-22-0651	Zone change to reclassify 5 acres to an R-2 zoning for a single family residential development is a companion item on this agenda.
VS-22-0652	A request to vacate and abandon patent easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements;

- Right-of-way dedication to include 35 feet to the back of curb for Gomer Road, 18 feet for Paradise Park Drive, a portion of the cul-de-sac for Paradise Park Drive, and associated spandrel.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Current Planning Division - Addressing

- No comments.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0460-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ACTUS

CONTACT: ACTUS, 3283 E. WARM SPRINGS ROAD, SUITE 300, LAS VEGAS, NV 89120



TENTATIVE MAP APPLICATION 7A

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>TM-22-500216</u> DATE FILED: <u>11/23/2022</u>
<input checked="" type="checkbox"/> TENTATIVE MAP (TM)		PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>ENTERPRISE</u> TAB/CAC DATE: <u>12/28/2022</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>1/18/2023</u> FEE: <u>\$750-</u>

PROPERTY OWNER	NAME: <u>Peralta Family Limited Partnership</u>
	ADDRESS: <u>1130 Cashman Drive</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89102</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Actus Caitlin Cypher</u>
	ADDRESS: <u>3283 E. Warm Springs Rd, Suite 300</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702-588-9296 x110</u> CELL: <u>702-203-4014</u>
	E-MAIL: <u>caitlin.cypher@actus-nv.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Actus Caitlin Cypher</u>
	ADDRESS: <u>3283 E. Warm Springs Rd, Suite 300</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702-588-9296 x110</u> CELL: <u>702-203-4014</u>
	E-MAIL: <u>caitlin.cypher@actus-nv.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 176-19-801-011

PROPERTY ADDRESS and/or CROSS STREETS: Gomer Road and Paradise Park Drive

TENTATIVE MAP NAME: Gomer Paradise

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.

<p><u><i>Ben Peralta</i></u> Property Owner (Signature)*</p> <p>STATE OF <u>Nevada</u> COUNTY OF <u>Clark</u></p> <p>SUBSCRIBED AND SWORN BEFORE ME ON <u>June 13th 2022</u> (DATE) By <u>Ben O. Peralta</u></p> <p>NOTARY PUBLIC: <u>Jacquelyn Redmer</u></p>	<p><u>BEN O PERALTA</u> Property Owner (Print)</p> <div style="border: 2px solid black; padding: 5px; text-align: center;"> JACQUELYN REDMER Notary Public, State of Nevada Appointment No. 21-8691-01 My Appt. Expires Aug 29, 2025 </div>
--	---

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

MULTIPLE FAMILY RESIDENTIAL
(TITLE 30)

SERENE AVE/LAS VEGAS BLVD S

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-22-400128 (ZC-1926-03)-PALM BEACH RESORT CONDOS:

WAIVERS OF CONDITIONS of a zone change requiring: 1) development be limited to "For Sale" condominiums rather than apartments or commercial; and 2) a 20 foot wide intense landscape buffer be provided along the west and south property lines in conjunction with a multiple family residential development on a 6.5 acre portion of 15.4 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the south side of Serene Avenue and 1000 feet west of Las Vegas Boulevard South within Enterprise. MN/hw/syp (For possible action)

RELATED INFORMATION:

APN:

177-20-710-000 through 177-20-710-378

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 2525 W. Serene Avenue
- Site Acreage: 6.5 (15.4 total gross acreage with original approval)
- Number of Units: 183 (756 total with original approval)
- Density (du/ac): 28.3 (49 total with original approval)
- Project Type: Multiple family residential
- Number of Stories: 4
- Building Height (feet): 50
- Square Feet: 289,021
- Open Space Required/Provided (square feet): 18,300/22,177
- Parking Required/Provided: 349/326

Plans, History, & Request

The existing site was originally rezoned from an R-T (Manufactured Home Residential) zone to the H-1 (Limited Resort and Apartment) zone in January of 2004 through ZC-1926-03 to allow the property to be used for future residential uses, as the property was in the process of being

purchased out of the public sector. At the time no plans were submitted, but a 756 residential condominium complex was proposed for the site through UC-0365-04 in April 2004. Only 378 units of the eastern portion of the condominium project were constructed.

The applicant is now requesting to construct a 183 unit multiple family residential (apartment) building on the uncompleted, vacant west side of the property through their companion application, UC-22-0650. In order to be able to construct the apartments on the site, the condition of ZC-1926-03 allowing only "For Sale" units will need to be waived. In addition, the applicant is proposing a 20 foot wide reducing to a 10 foot wide landscape buffer on the western property line and a 12 foot wide landscape buffer on the southern property line. These buffers comply with Figure 30.64-11 detailing landscape buffers adjacent to a less intensive use, but not the condition approved by ZC-1926-03.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-1926-03:

Current Planning

- Subject to no resolution of intent and staff preparing an ordinance to adopt the zoning;
- Development limited to "For Sale" condominiums rather than apartments or commercial;
- Design review as a public hearing on final plans or tentative map submittal;
- 20 foot wide intense landscape buffer along the west and south property lines;
- Drainage and traffic studies maybe required with future development;
- Filing Federal Aviation Administration (FAA) Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, as the development will penetrate the 100:1 notification airspace; alternatively, the applicant may submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- All applicable standard conditions for this application type;
- Applicant is advised that other land use applications may be required for future development;
- This project is under Clark County imposed CC&Rs agreed to by all parties as part of a real estate transaction that transferred ownership out of the public sector; the CC&Rs are to be enforced by Clark County; and that no building permits will be released for the project prior to the Department of Aviation notifying Zoning Plan Check that the applicant has met all applicable conditions of the CC&Rs as they relate to the application.

Applicant's Justification

The applicant states that there is a strong demand for housing in the Las Vegas Valley and the allowance for apartments at this site would help meet this demand by providing housing for those who are not able to purchase "For Sale" units at this time. In addition, they state that while they are not providing the full 20 foot wide landscape buffers on both the western and southern property lines, they are still providing a landscaping buffer above what is required.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0312-08	Allowed a portion of an existing residential condominium complex to be converted to resort condominiums	Approved by PC	May 2008
WS-1630-05 (WC-0216-07)	Waived a requirement for an 8 foot high wall on the south and west sides of the site	Approved by PC	August 2007
WS-0799-07	Allow a freestanding sign where not permitted	Approved by PC	August 2007
WS-1630-05	Reduced wall height, parking, and trash enclosure separation	Approved by PC	December 2005
TM-0483-04	756 unit condominium complex	Approved by PC	September 2004
UC-0365-04	Allowed a 756 unit condominium complex	Approved by BCC	April 2004
ZC-1926-03	Reclassified the site from R-T to H-1 zoning for future development	Approved by BCC	January 2004
DR-0735-97	279 space manufactured home park	Approved by PC	June 1997
ZC-1550-96	Reclassified the site from R-E and H-1 to T-C zoning for a manufactured home park	Approved by BCC	November 1996

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1 & R-3	Retail Center & Apartment Complex
South & West	Entertainment Mixed-Use	R-T	Manufactured Home Park
East	Entertainment Mixed-Use & Open Lands	H-1	Undeveloped

Related Applications

Application Number	Request
UC-22-0650	A use permit to allow a multiple family residential complex (apartments) with waivers is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waiver of Conditions #1

The area surrounding the subject site has several apartment complexes located nearby or across Las Vegas Boulevard South. These apartments are also mixed in with various condominium projects as well. The addition of the apartments in this area would aid in creating a good mix of housing types and incomes (single family manufactured home park and multiple family apartments and condominiums), which would advance the directive of Master Plan Policy 1.1.1. In addition, apartments would also not function much different than similar multiple family developments, like "For Sale" condominiums. For these reasons, staff can support this waiver.

Waiver of Conditions #2

Given the contexts of the area surrounding the subject site, the use of the landscape buffer would have been to buffer the surrounding manufactured home park from, at the time of the original approval, an unknown residential use. Now that a defined use has been determined and the manufactured home park would be buffered beyond just a landscape buffer at the property line by a private road and a drainage channel from the proposed use, a 20 foot landscape buffer seems excessive. While the width of the landscape strip is being reduced, staff could support the request if the proposed landscaping complies with the current Code's most intense landscape buffer (Figure 30.64-12), in particular the number of trees. Since this is not the case, staff cannot support this waiver of conditions.

Staff Recommendation

Approval of Waiver of Conditions #1; denial of Waiver of Conditions #2.

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:

Current Planning

If approved:

- Landscaping per Figure 30.64-12 shall be installed along the western and southern property line;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0128-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: NEW ANGLE DEVELOPMENT

**CONTACT: PARKER SIECK, LAS VEGAS, 1980 FESTIVAL PLAZA DR., SUITE 650,
LAS VEGAS, NV 89135**



LAND USE APPLICATION

8A


DEPARTMENT OF COMPREHENSIVE PLANNING

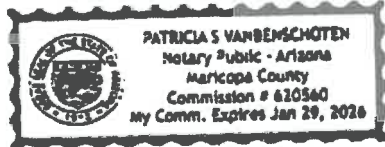
APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input 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) ZC-1926-03 (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>66-22-22-400178</u> DATE FILED: <u>11/22/22</u> PLANNER ASSIGNED: <u>HWJ</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>12/28/22</u> PC MEETING DATE: <u>—</u> BCC MEETING DATE: <u>01/19/23</u> FEE: <u>\$650</u>
	PROPERTY OWNER	NAME: <u>Palm Beach Resort Condominiums, L.L.C.</u> ADDRESS: <u>300 S. Fourth St., Suite 950</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>jerrymoyes@dvcfo.com</u>
	APPLICANT	NAME: <u>New Angle Development</u> ADDRESS: <u>500 N. Rainbow Blvd. #300</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89107</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____
	CORRESPONDENT	NAME: <u>Bob Gronauer - Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Dr. Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-693-4262</u> CELL: _____ E-MAIL: <u>psieck@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-20-710-000
 PROPERTY ADDRESS and/or CROSS STREETS: Serene Avenue and Las Vegas Blvd.
 PROJECT DESCRIPTION: Waiver of Conditions for ZC-1926-03

(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) Jerry Moyes
 Property Owner (Print)
 STATE OF Arizona
 COUNTY OF Maricopa
 SUBSCRIBED AND SWORN BEFORE ME ON August 19, 2022 (DATE)
 By Jerry Moyes
 NOTARY PUBLIC: Patricia S. VanBenschoten



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

KAEMPFER

CROWELL

KAEMPFER CROWELL RENSHAW
GRONAUER & FIORENTINO

ATTORNEYS AT LAW

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November 17, 2022

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Fax 775.882.0257

VIA ONLINE SUBMITTAL

PLANNER
COPY

WC-22-400128

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

**Re: *Justification Letter – Design Review, Special Use Permit, Waiver of Development Standards, and Waiver of Conditions
New Angle Development, Inc.
LVB & Serene Multi-Family Residential Development
APN: 177-20-710-000***

To Whom It May Concern:

This Firm represents New Angle Development, Inc. (the "Applicant") in the above-referenced matter. The proposed project is located on approximately 6.82 gross acres located on the south side of Serene Avenue and West of Las Vegas Boulevard, more specifically described as Assessor's Parcel Number 177-20-710-000 (the "Property"). The Applicant is proposing a design review, special use permit, waivers of development standards and a waiver of conditions to allow for a multi-family residential development.

The Property is currently zoned Limited Resort and Apartment (H-1) and master-planned Entertainment Mixed-Use (EM). The Property is bounded by a commercial retail center and Jovanna Apartments to the north, zoned H-1 and R-3 respectively; a mobile home park to the south and west zoned R-T; and vacant undeveloped land to the east, zoned H-1.

The eastern half of the Property is currently a resort condominium development consisting of 378 units. However, the Applicant is currently working with Clark County Public Works to amend the existing parcel map—intending to submit a final map application to sever the parcel in two, while maintaining certain existing easements.

The Applicant is requesting a special use permit and design review for a 183-unit gated multi-family residential development. The proposed gross density is 28.28 units/acre where up to 50 units/acre is permitted within H-1. The primary access point will be a gated entrance off of Serene Avenue with a secondary access point (emergency access and resident exit-only) proposed further east on Serene Avenue.

The project will include 57 one-bedroom units, 110 two-bedroom units, and 16 three-bedroom units for a total of 183 units. These units would be dispersed among one (1) four-story building.

The building architecture is contemporary in design with stucco exteriors with iron accents and large storefront windows, patios and balconies.

Additionally, the Property will provide outdoor amenities such as a pool, spa, and deck area of 7,344 square feet, a courtyard area of 15,983 square feet, 23,327 square feet of open space, a fitness room of 5,000 square feet, and a 9,800 square foot clubhouse providing indoor amenities. The Applicant is providing ample landscaping along the perimeter of the Property and throughout the development exceeding the required open space of 18,400 square feet (100 square feet per unit).

The Applicant is requesting a waiver to allow for a reduced distance of 75-feet to the call box where 100-feet is required. The ingress driveway is 24-feet which will allow for residents with clickers to pass any guests who are utilizing the call box. This will allow for adequate circulation into the Site to mitigate any potential backup into the right of way. Additionally, the entrance gate sand pushed back to allow additional queuing on site.

The project is currently designed to provide 326 total parking spaces consisting of 142 open spaces, 113 covered spaces, and 71 garage spaces, where 349 total parking spaces are required. Therefore, the Applicant is requesting a waiver of development standards for a reduction of 23 parking spaces. Due to the high number of one-bedroom units, this slight reduction in parking will not negatively impact the surrounding uses or project itself.

The Applicant is requesting a waiver to allow for a 70.79 foot rear setback and a 66.33 foot corner-side setback where 88 feet is required. The intent of a setback is to act as a buffer to ensure there is sufficient space between the uses of adjacent properties. Separating the Property from the adjacent property to the south is a drainage channel that provides an additional 60 feet between the two uses. The drainage channel, coupled with the proposed 70.79-foot rear setback provides approximately 130.70 feet space, which is a sufficient buffering zone. As for the reduction in the corner-side setback, a similar request was approved for the resort condominium development located on the eastern half of the Property. Additionally, the Property and the adjacent property to the west are separated by a 40-foot-wide private road and a 10-foot landscaping buffer, providing a total of 116.33 feet separating the two uses.

Finally, the Applicant is requesting a waiver of conditions from the previously approved 2003 zone change (ZC-1926-03). Specifically, the Applicant is requesting to waiver the following conditions:

1. Site is limited to "for sale" condominiums rather than commercial or apartments
2. Provide 20-foot intense landscaping along the western and southern property lines

Southern Nevada is experiencing a high influx of new residents on a daily basis and the number of available residential units are struggling to meet this demand. Additionally, the increasing interest rates and home prices are unattainable for many families. Therefore, the proposed

project will provide for lease units to provide additional housing options in the southwest. There are several other for lease apartment complexes in the immediate area making the proposed project compatible and harmonious.

In regards to the landscaping waiver, the Applicant is providing the required 20-feet of landscaping on a majority of the western property line, with a small portion along the southwest tapering to 8-feet. To justify the southern property line, the Applicant is providing adequate buffering with 6-feet of landscaping, a row of parking, a drive aisle and another row of parking separating the proposed building and the adjacent property. The buildings are set back over 60-feet from the southern property line.

Thank you in advance for your time and consideration regarding this application. Please feel free to contact me should you have any questions or concerns.

Sincerely,

KAEMPFER CROWELL



Lexa D. Green

01/18/23 BCC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL
(TITLE 30)

SERENE AVE/LAS VEGAS BLVD S

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0650-PALM BEACH RESORT CONDOS:

USE PERMITS for the following: 1) high impact project; and 2) multiple family residential development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce height/setback ratio; 2) reduce parking; and 3) reduce throat depth.

DESIGN REVIEW for a multiple family residential development on a 6.5 acre portion of 14.5 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the south side of Serene Avenue, 1000 feet west of Las Vegas Boulevard South within Enterprise. MN/hw/syp (For possible action)

RELATED INFORMATION:

APN:

177-20-710-000 through 177-20-710-378 ptn

USE PERMITS:

1. High impact project.
2. Multiple family residential development.

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce the height/setback ratio from the south property line for a proposed multiple family residential development to 71 feet where 132 feet is required per Figure 30.56-10 (a 46.2% reduction).
 - b. Reduce the height/setback ratio from the west property line for a proposed multiple family residential development to 67 feet where 132 feet is required per Figure 30.56-10 (a 49.3% reduction).
2. Reduce parking to 326 parking spaces where 349 parking spaces are required per Chapter 30.60 and Table 30.60-1 (a 7% reduction).
3. Reduce the throat depth for a call box to 75 feet where 100 feet is the standard per Uniform Standard Drawing 222.1 (a 25% reduction).

DESIGN REVIEW:

183 unit multiple family residential development

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 2525 W Serene Avenue
- Site Acreage: 6.5 (portion)
- Number of Units: 183 (378 previous and 561 total)
- Density (du/ac): 28.3 (38.7 total)
- Project Type: Multiple family residential
- Number of Stories: 4
- Building Height (feet): 50
- Square Feet: 289,021
- Open Space Required/Provided (square feet): 18,300/22,177
- Parking Required/Provided: 349/326

Site Plans

The proposed project is being developed on a portion of a previously approved 756 unit multiple family development. The entire complex has been subdivided, but only the eastern half was constructed. This request is to redevelop the western portion of the site for a 183 unit multiple family development which will be separated from the existing development. The plans depict a 4 story, multiple family residential building with a footprint of approximately 72,500 feet, with a total square footage of 289,021 square feet situated in the central portion of the site. The building is rectangular in shape with 2 central areas designed to host a 14,955 square foot courtyard on the northern portion of the building and a 7,222 square foot pool and spa area on the southern portion of the building. A 9,800 square foot clubhouse is provided to the north of the courtyard along with a 5,000 square foot exercise room which splits the courtyard and the pool spaces. Garages mainly surround the pool area, while many of the living spaces surround the courtyard. The building itself is surrounded by parking with spaces on all 4 sides of the building with covered and garage spaces provided in addition to typical uncovered spaces. The site has a primary access point off Serene Avenue with this driveway containing a median and call box for the gates that block unauthorized access to the rest of the parking area. An exit only gate is provided at the very northeast corner of the site, and cross access is provided to the adjoining 377 unit condominium development to the west. Overall, the building is shown set back 156 feet from Serene Avenue, 67 feet and 71 feet from the adjacent manufactured home park to the south and west, and 41 feet from the adjoining condominium complex to the east. At this time the parcel is still part of the overall existing tentative map. As a result, this project is considered a high impact project due to the combined unit total between the existing condominium complex to the east and the proposed apartment addition equaling 561 dwelling units with cross access and common ownership of the parcel. The 561 dwelling units exceeds the 500 dwelling unit threshold for high impact projects.

Landscaping

The plans provided depict a landscaping area 15 feet in width which incorporates a 5 foot wide attached sidewalk along Serene Avenue. This landscape area then extends around the western property line as a 10 foot wide landscaping strip which serves as a buffer to the less intensive manufactured home park use that surrounds the site on the southern and western boundaries.

This buffer extends farther to the parking lot and includes an area for a dog run. The southern property line contains a 12 foot landscape buffer to the less intensive manufactured home park. The eastern boundary contains a varying 8 foot to 10 foot landscape strip to serve as the parking lot landscaping and a buffer to the condominium complex to the east. A mix of trees and shrubs are located within these landscape strips with a majority of the trees being 24 inch box trees spaced 20 feet off center with the shrubs filling in. The parking lot has all required landscaping with 8 foot landscape fingers found throughout the site. A 6 foot decorative CMU block wall is shown to surround the property except at the cross access point and in the front of the property where a 6 foot decorative wrought iron fence is located.

Elevations

The elevations depict a 4 story, 50 foot high residential structure. The plans show that the building's exterior materials are primarily stucco finished with foam bands and window treatments along with stucco parapets. The building is well fenestrated with triple panel windows on all floors and all sides for the dwelling units. The north and south portions of the building include storefront window and door systems for access to the building on the first floor, while the east and west portions of the building include metal roll-up doors for garage access. The roofline and building profile have varying levels of wall protrusions and window pop outs that give a contemporary feel. The building is painted varying shades of grey based on the extent of the wall's protrusion from the building with yellow, green, and white accents on the varying window pop outs.

Floor Plans

The floor plans show 14 pedestrian, utility, and emergency access points along all 4 sides of the building. The plans show there are a total 183 units across 5 different floor plans. There are 2 one-bedroom floor plans spread across the 4 floors with an average of 12-15 units on each floor. The 2 bedroom apartments are spread across 2 models with approximately 37 units on each floor, and the 3 bedroom apartments are found on each floor with 4 units on each. The apartments are grouped mainly around the courtyard which contain gardens, BBQ areas, fire pits, and seating areas. A 9,800 square foot clubhouse, 7,222 square foot spa and pool area, and 5,000 square foot exercise room are also provided.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is proposing to construct a 183 unit multiple family apartment building with a maximum height of 50 feet. The building will be contemporary in design with stucco and iron accents, and will provide a variety of on-site amenities, such as a pool, clubhouse, and exercise room. The applicant states the waiver for the reduced throat depth should not be an issue, as a remote control will be used to reduce any traffic back-up. They also state the reduction in parking is minimal and is mitigated by the high number of 2 bedroom apartments being proposed. The reduced setback should also not cause any issues as a landscape buffer is proposed to be provided and the adjacent manufactured homes are further buffered by a drainage channel and private road. Overall, the applicant states that the proposed development will aid in the ever increasing demand for housing in the Las Vegas Valley.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0312-08	Allowed a portion of an existing residential condominium complex to be converted to resort condominiums	Approved by PC	May 2008
WS-1630-05 (WC-0216-07)	Waived a requirement for an 8 foot wall on the south and west sides of the site	Approved by PC	August 2007
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	Planned Land Use Category	Zoning District	Existing Land Use
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South & West	Entertainment Mixed-Use	R-T	Manufactured Home Park
East	Entertainment Mixed-Use & Open Lands	H-1	Undeveloped

Related Applications

Application Number	Request
WC-22-400128 (ZC-1926-03)	A request to waive the conditions of a zone change requiring all units be for sale and a 20 foot landscape buffer be provided along the southern and western property lines is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis
Current Planning
Use Permits

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

The location of the proposed multiple family building is just off the Las Vegas Boulevard South corridor and is surrounded by many similar or more intense uses. There are several multiple family units adjacent to the proposed building and across Las Vegas Boulevard South. The building will be buffered from the retail complex to the north and from the manufactured homes that surround the site to the west and south. In addition, the location of the proposed multiple family building should also mean services will be accounted for. Finally, the proposed multiple family building will provide for a variety of new units to the housing stock in Clark County. For these reasons, staff could support the described use permits; however, since staff does not support the waivers of developments and design review, staff cannot support the use permits.

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 has provided a landscaping buffer along both affected property lines per Figure 30.64-11, which if installed properly, should help to reduce any issues or nuisances. However, given that this project is being designed on vacant land, the inability to provide for more intense buffering where there is enough room and account for the setbacks appears to be a self-imposed burden and may significantly impact the neighboring properties. For those reasons staff cannot support this waiver.

Waiver of Development Standards #2

Given the high percentage of higher occupancy rooms and the more car dependent nature of the surrounding area these spaces may be needed to appropriately park the site. While staff appreciates that the number of spots being reduced is more than likely taken from visitor parking and is the result of placing more heat reducing landscaping, staff still cannot support this waiver as this appears to be a self-imposed burden.

Design Review

The design for the project that the applicant has shown is contemporary in nature and well landscaped. The project would blend in, contribute to, and enhance the visual environment of the surrounding neighborhood. The addition of the dwelling units provided would add to the housing stock of the area, while providing a variety of options. In general, staff finds the design to be

appealing and adequate for its intended use with buffering that helps to separate the project from the street and less intensive uses. The needed reductions in setback and parking, however, means that there may be unintended consequences for circulation and nuisances to the neighboring area, and for this reason, staff cannot support the design review.

Public Works - Development Review

Waiver of Development Standards #3

Although the throat depth distance to the call box does not comply with the minimum standard, the applicant has placed the gates farther into the site, which will provide more room for vehicles to exit the right-of-way, reducing stacking in the right-of-way to avoid collisions. Although staff has no objection to this request, staff cannot support the request since Planning is not supporting the remainder of the application.

Department of Aviation

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

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Prior to the issuance of building and grading permits, or subdivision mapping, mitigate the impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners or commit to mitigating the impacts of the project by entering into a Development Agreement with Clark County;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.

Department of Aviation

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

Fire Prevention Bureau

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0128-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: NEW ANGLE DEVELOPMENT

**CONTACT: PARKER SIECK, LAS VEGAS, 1980 FESTIVAL PLAZA DR., SUITE 650,
LAS VEGAS, NV 89135**



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 <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF	APP. NUMBER: <u>UL-22-0650</u> DATE FILED: <u>11/22/22</u> PLANNER ASSIGNED: <u>HW</u> TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>12/28/22</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>01/18/23</u> FEE: <u>94,100</u>	
		PROPERTY OWNER	NAME: <u>PALM BEACH RESORT CONDOMINIUMS, L.L.C.</u> ADDRESS: <u>300 South Fourth St. Suite 950</u> CITY: <u>Las Vegas.</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: _____ CELL: <u>602-432-0700</u> E-MAIL: <u>jenymoyes@dvcfo.com</u>
		APPLICANT	NAME: <u>New Angle Development</u> ADDRESS: <u>500 N. Rainbow Blvd. #300</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89107</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>chet@newangleddevelopment.com</u> REF CONTACT ID #: _____
		CORRESPONDENT	NAME: <u>Bob Gronauer</u> ADDRESS: <u>1980 Festival Plaza Dr. Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-693-4262</u> CELL: _____ E-MAIL: <u>psleck@kcnvlaw.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 17720710000

PROPERTY ADDRESS and/or CROSS STREETS: Serene Avenue and S Las Vegas Boulevard

PROJECT DESCRIPTION: Design Review and Use Permit for a Multi-Family Residential Project

(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.

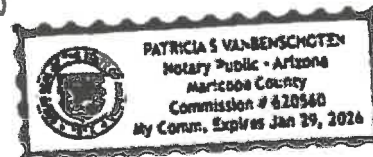
Jerry Moyes
Property Owner Signature

Jerry Moyes, Manager
Property Owner (Print)

STATE OF Arizona
COUNTY OF Maricopa

SUBSCRIBED AND SWORN BEFORE ME ON March 29, 2022 (DATE)
By Jerry Moyes, Manager of Palm Beach Resort

NOTARY PUBLIC: Patricia S. VanBenschoten



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

**KAEMPFER
CROWELL**

**KAEMPFER CROWELL RENSHAW
GRONAUER & FIORENTINO**

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ATTORNEYS AT LAW
LAS VEGAS OFFICE

LEXA D. GREEN
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702.792-7000

November 17, 2022

VIA ONLINE SUBMITTAL

PLANNER
COPY

UP-22-0650

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

**Re: *Justification Letter – Design Review, Special Use Permit, Waiver of Development Standards, and Waiver of Conditions
New Angle Development, Inc.
LVB & Serene Multi-Family Residential Development
APN: 177-20-710-000***

To Whom It May Concern:

This Firm represents New Angle Development, Inc. (the "Applicant") in the above-referenced matter. The proposed project is located on approximately 6.82 gross acres located on the south side of Serene Avenue and West of Las Vegas Boulevard, more specifically described as Assessor's Parcel Number 177-20-710-000 (the "Property"). The Applicant is proposing a design review, special use permit, waivers of development standards and a waiver of conditions to allow for a multi-family residential development.

The Property is currently zoned Limited Resort and Apartment (H-1) and master-planned Entertainment Mixed-Use (EM). The Property is bounded by a commercial retail center and Jovanna Apartments to the north, zoned H-1 and R-3 respectively; a mobile home park to the south and west zoned R-T; and vacant undeveloped land to the east, zoned H-1.

The eastern half of the Property is currently a resort condominium development consisting of 378 units. However, the Applicant is currently working with Clark County Public Works to amend the existing parcel map—intending to submit a final map application to sever the parcel in two, while maintaining certain existing easements.

The Applicant is requesting a special use permit and design review for a 183-unit gated multi-family residential development. The proposed gross density is 28.28 units/acre where up to 50 units/acre is permitted within H-1. The primary access point will be a gated entrance off of Serene Avenue with a secondary access point (emergency access and resident exit-only) proposed further east on Serene Avenue.

The project will include 57 one-bedroom units, 110 two-bedroom units, and 16 three-bedroom units for a total of 183 units. These units would be dispersed among one (1) four-story building.

The building architecture is contemporary in design with stucco exteriors with iron accents and large storefront windows, patios and balconies.

Additionally, the Property will provide outdoor amenities such as a pool, spa, and deck area of 7,344 square feet, a courtyard area of 15,983 square feet, 23,327 square feet of open space, a fitness room of 5,000 square feet, and a 9,800 square foot clubhouse providing indoor amenities. The Applicant is providing ample landscaping along the perimeter of the Property and throughout the development exceeding the required open space of 18,400 square feet (100 square feet per unit).

The Applicant is requesting a waiver to allow for a reduced distance of 75-feet to the call box where 100-feet is required. The ingress driveway is 24-feet which will allow for residents with clickers to pass any guests who are utilizing the call box. This will allow for adequate circulation into the Site to mitigate any potential backup into the right of way. Additionally, the entrance gate sand pushed back to allow additional queuing on site.

The project is currently designed to provide 326 total parking spaces consisting of 142 open spaces, 113 covered spaces, and 71 garage spaces, where 349 total parking spaces are required. Therefore, the Applicant is requesting a waiver of development standards for a reduction of 23 parking spaces. Due to the high number of one-bedroom units, this slight reduction in parking will not negatively impact the surrounding uses or project itself.

The Applicant is requesting a waiver to allow for a 70.79 foot rear setback and a 66.33 foot corner-side setback where 88 feet is required. The intent of a setback is to act as a buffer to ensure there is sufficient space between the uses of adjacent properties. Separating the Property from the adjacent property to the south is a drainage channel that provides an additional 60 feet between the two uses. The drainage channel, coupled with the proposed 70.79-foot rear setback provides approximately 130.70 feet space, which is a sufficient buffering zone. As for the reduction in the corner-side setback, a similar request was approved for the resort condominium development located on the eastern half of the Property. Additionally, the Property and the adjacent property to the west are separated by a 40-foot-wide private road and a 10-foot landscaping buffer, providing a total of 116.33 feet separating the two uses.

Finally, the Applicant is requesting a waiver of conditions from the previously approved 2003 zone change (ZC-1926-03). Specifically, the Applicant is requesting to waive the following conditions:

1. Site is limited to "for sale" condominiums rather than commercial or apartments
2. Provide 20-foot intense landscaping along the western and southern property lines

Southern Nevada is experiencing a high influx of new residents on a daily basis and the number of available residential units are struggling to meet this demand. Additionally, the increasing interest rates and home prices are unattainable for many families. Therefore, the proposed



project will provide for lease units to provide additional housing options in the southwest. There are several other for lease apartment complexes in the immediate area making the proposed project compatible and harmonious.

In regards to the landscaping waiver, the Applicant is providing the required 20-feet of landscaping on a majority of the western property line, with a small portion along the southwest tapering to 8-feet. To justify the southern property line, the Applicant is providing adequate buffering with 6-feet of landscaping, a row of parking, a drive aisle and another row of parking separating the proposed building and the adjacent property. The buildings are set back over 60-feet from the southern property line.

Thank you in advance for your time and consideration regarding this application. Please feel free to contact me should you have any questions or concerns.

Sincerely,
KAEMPFER CROWELL

Lexa D. Green

01/18/23 BCC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL
(TITLE 30)

I-15/BRUNER AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-22-0606-B-R OVATION LIMITED PARTNERSHIP:

ZONE CHANGE to reclassify 5.0 acres from an R-E (Rural Estates Residential) zone to an H-1 (Limited Resort and Apartment) Zone.

USE PERMIT for a multiple family residential development (senior housing).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduce parking lot landscaping; 3) reduce throat depth; 4) reduce setback for decorative fence; and 5) increase wall height.

DESIGN REVIEW for a multiple family residential development on 12.2 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the north side of Bruner Avenue and the west side of Parvin Street (alignment) within Enterprise (description on file). MN/sd/syp (For possible action)

RELATED INFORMATION:

APN:

191-05-801-013; 191-05-801-014; 191-05-801-015

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Increase building height to 70 feet where 50 feet is allowed for Phase 1 per Table 30.40-7 (a 40% increase).
- b. Increase building height to 59 feet where 50 feet is allowed for Phase 2 per Table 30.40-7 (a 14% increase).
2. Reduce parking lot landscaping (landscape finger islands and trees) where landscaping per Figure 30.64-14 is required.
3. Reduce throat depth to 126 feet where 150 feet is required per Uniform Standard Drawing 222.1 (a 16% reduction).
4. Allow a 6 foot high decorative fence along Ensworth Street which is not set back 6 feet for landscaping where required per Figure 30.64-10.
5. Increase wall height to 10 feet (4 feet of retaining wall and 6 feet of screen wall) where 9 feet (3 feet of retaining wall and 6 feet of screen wall) is the maximum allowed per Section 30.64.050 (an 11% increase).

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A; 12085 Ensworth Street; 12015 Ensworth Street
- Site Acreage: 12.2 (design review)/5 (zone change)
- Number of Units: 446 (both phases)
- Density (du/ac): 37
- Project Type: Multiple family residential
- Number of Stories: 4
- Building Height (feet): 70 (Phase 1)/59 (Phase 2)
- Open Space Required/Provided: 25,800/33,900 (Phase 1)/19,600/19,600 (Phase 2)
- Parking Required/Provided: 448/449 (Phase 1)/196/235 (Phase 2)

Site Plan & History

Phase 1 of this multiple family project was approved by ZC-21-0193 for the western 7.2 acre portion of the project and includes APNs 191-05-801-013 and 191-05-801-014. The Board of County Commissioners approved this application at their June 16, 2021 hearing. The approval of ZC-21-0193 allowed for a conforming zone change to H-1 and the development of a 258 unit multiple family development on the approved site adjacent to this application.

The zone change portion of this application represents Phase 2 of a multiple family residential development. The proposed project (Phase 2) is located on approximately 5 acres of the overall 12.2 acres of combined properties located at the northeast corner of I-15 and Bruner Avenue in Clark County, Nevada.

The plans for Phase 2 depict a proposed 4 story multiple family residential building with 196 units and includes common areas. The applicant is proposing a drive aisle that circulates around the site. The site complies with parking by providing 235 parking spaces where 196 parking spaces are required. Among the amenities included with this project are a social club, picnic and BBQ area, outdoor kitchen, business center, and workout areas.

The applicant is also proposing minor changes to the approved Phase 1 site plan; and therefore, the applicant has requested an amended design review as part of this application to have one overall plan for both phases. The minor changes are as follows for Phase 1 of the project (ZC-21-0193):

- The total number of units is decreasing from 258 to 250.
- The original design was for 1 building that was 70 feet tall and configured in a G shape. The redesign now shows 2 buildings. Building 1 is 5 stories and approximately 70 feet in height with a total of 137 units. Building 2 is 4 stories and approximately 59 feet in height with a total of 113 units for a total of 250 units.
- The entrance to the approved site (ZC-21-0193) will remain from the private drive connecting to Bruner Avenue but will be located over both APNs: 191-05-801-014 and 191-05-801-015. The relocation of the private drive will provide access to both parcels.

In addition to the minor changes for Phase 1 of the project, the applicant is seeking a waiver of development standards to increase the building height and a waiver to reduce the throat depth to 129 feet where 150 feet is required for Phase 2.

Landscaping

A 6 foot wide area is located along the north property line of Phase 2 with fingers extending into the parking lot as shown on the plans. Trees are not provided along the western property line due to a 24 inch water line in this specific area. A 6 foot landscape strip is provided along Bruner Avenue with detached sidewalks. Internal to the site, parking lot landscaping consists of landscape fingers with a ratio that is less than 1 for every 6 parking spaces, which necessitates a waiver of development standards per Figure 30.64-14. The waiver for Phase 1 (ZC-21-0193) was approved; however, with the combination of both Phases, a new waiver must be approved for parking lot landscaping per Figure 30.64-14 for the entire project.

The previously approved application for Phase 1 includes a 6 foot wide landscape area that is located along the north property line with fingers extending into the parking lot. In addition, a 10 foot high wall (4 feet of retaining wall with a 6 foot screen wall) is located on the northern property line. Perimeter landscaping on other parts of the site include a 15 foot wide landscape area along the west property line adjacent to I-15, and a 6 foot wide landscape strip with a detached sidewalk and a 5 foot wide landscape strip along Bruner Avenue to the south. A 6 foot landscape strip is provided along Parvin Street; however, the decorative fence is located on the property line, rather than set back 6 feet from the property line, behind the landscaping as required by Code. Since this application is combining both phases, the increased wall height and decorative setback are included in this request.

Elevations

Phase 2 elevations depict a 4 story multiple family residential building with off-set surface planes to reduce the visual mass of the building. Maximum height is approximately 59 feet to the top of several decorative roof elements on portions of the building. Exterior materials include painted stucco, stone veneer, metal railing, glazing, and garage doors.

Phase 1 includes a 5 story multiple family residential building with off-set surface planes to reduce the visual mass of the building. Maximum height is approximately 70 feet to the top of several decorative roof elements on portions of the building; however, most of the building is approximately 61 feet tall to the top of the parapet walls along the roofline. Exterior materials include painted stucco, stone veneer, metal railing, glazing, and garage doors.

Floor Plans

Residential options for Phase 2 include 122 studio and 1 bedroom units, and 74 two bedroom units. Phase 1 includes 146 one bedroom and 104 two bedroom units. Other portions of the building will include leasing office, multiple purpose room, demonstration kitchen, and fitness center.

Signage

Signage is not a part of this request.

Applicant's Justification

Residential portions of the building will include 127, one bedroom units and 131, two bedroom units. Other portions of the building will include leasing office, multiple purpose room, demonstration kitchen, and fitness center. The applicant states that a multiple family residential development is appropriate in the H-1 zone, and the proposed density of 40 dwelling units per acre is less than the 50 dwelling units per acre allowed in the H-1 zone. The applicant states that the proposed multiple family residential development complies with several urban specific policies in the Master Plan for multiple family residential developments regarding massing of buildings, amenities for residents, and drought-tolerant landscaping.

The applicant states that the proposed increase in building height will not have significant impacts to the surrounding area due to the close proximity to I-15, an intense corridor, and H-1 zoning category does support building height up to 100 feet. Per the applicant, the use permit is for an age restricted complex and this use makes the request for the multiple family development less intense than a standard multiple family development with less noise, traffic, and overall number of residents without children.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-21-0193	Reclassified 7.2 acres from H-2 & R-E to H-1 zoning; use permit for multiple family residential use; with waivers for landscaping, decorative fence, increase wall height, alternative driveway geometrics; and design review for multiple family residential & finished grade	Approved by BCC	June 2021
ZC-20-0053	Reclassified the site to R-5 zoning for a multiple family residential development	Withdrawn	May 2020
VS-20-0149	Vacated and abandoned easements and right-of-way	Withdrawn	May 2020
UC-1132-94	Allowed two, 40 foot high, 672 square foot off-premises signs on the site	Approved by PC	September 1995

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	R-4	Undeveloped
South	Entertainment Mixed-Use	H-1	Multiple family residential
East	Open Lands	R-4 & R-E	Undeveloped
West	Major Development Project (Southern Highlands) & Residential High (8 du/ac to 18 du/ac)	H-1 & R-3	Multiple family residential & undeveloped

I-15 is located along the western boundary of the site. The subject site is located in the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
VS-22-0612	A request to vacate patent easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

The conforming zone boundary amendment is consistent with the proposed and existing residential development for this site per the Enterprise Land Use Plan. In addition, the adjacent property to the north is zoned R-4 to allow for multiple family residential use and the abutting property to the south across Bruner Avenue is developing with an approved multiple family development in the H-1 zone. As a result, staff finds that the zone boundary amendment is compatible with the surrounding zoning and developing projects.

Use Permit

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

The site is surrounded by existing and proposed multiple family developments. In addition, Policy 1.1.4: encourages housing options that incorporate universal design and visitability principles to facilitate aging-in place, and accommodation of older residents and others with mobility limitations or disabilities, lifestyle choices, ages, and affordability levels. Therefore, multiple family housing is appropriate for this immediate area, and it is consistent with the Master Plan. However, as noted below, staff does not support waivers of development standards #1 and #2; therefore, staff cannot not support the use permit.

Waivers of Development Standards

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

Waiver of Development Standards #1a & 1b

The applicant is requesting to increase the overall building height to 70 feet where 50 feet is the maximum. Increasing the height to 70 feet will not negatively impact the site nor the adjacent neighborhood since the proposed increase is in conformance with other approved projects with increased height. There are existing facilities in the area with similar height requests that were

previously approved. In addition, the increase in height provides for additional architectural enhancements and a design element for roofline variation. However, staff cannot support this waiver request since staff does not support waiver of development standard #2.

Waiver of Development Standards #2

Parking lot trees provide many benefits including reducing the urban heat island effect, noise and glare, and water run-off. In addition, trees improve the comfort and aesthetics of a site. Although the applicant is reducing the required number of parking lot trees, trees are still provided throughout the parking lot. However, landscape islands are located more than 6 spaces apart in lieu of required parking lot landscaping in Figure 30.64-14 of the Code. The applicant has space and room to provide for such trees internally for every 6 spaces. The applicant has not stated whether these required trees will be planted elsewhere on the property nor provided an alternative landscape plan as provided by Figure 30.64-14 for landscape islands every 12 spaces and 8 foot wide landscape area. In addition, carports are located throughout the parking lot that will provide shading, which is one purpose of parking lot trees. However, staff feels this is a self-imposed hardship and cannot support this request in part because the application shows an excess of required parking where landscape islands can be installed throughout the site to minimize or eliminate the need for this waiver request.

Waiver of Development Standards #4

While it is preferred to have landscaping free of structures along the streetscape, staff can support the request for the decorative fence at the property line. Since the landscaping is still visible through the fence, it should not create the canyon effect sometimes caused by walls close to the street.

Waiver of Development Standards #5

Staff does not have a concern with the request for 1 additional foot to the retaining wall. There is a wash across the site necessitating the increased height for proper drainage flow. The wall should not have a negative impact to the surrounding area. However, since Public Works staff does not support the waiver for throat depth, staff does not support this request.

Design Review

Staff finds the proposed design is consistent with a multiple family residential development with regards to appropriate buffers, setbacks, drought-tolerant landscaping, building height and materials, along with on-site and off-site circulation patterns. The proposed setbacks exceed the minimum requirements, and the proposed on-site circulation is appropriate for the development. This proposed phase, along with the previously approved plan for ZC-21-0193, provides for amenities to residents, including usable open space and BBQ pits, multiple purpose room, demonstration kitchen, and fitness rooms. In addition, this project in part complies with Policy 1.3.1, Neighborhood Identity to encourage the integration of varied housing models, architectural styles, streetscapes, signage, common landscaped areas, and other character defining features that contribute to a distinct neighborhood identity. However, staff does not support the waiver of development standards for parking lot landscaping; therefore, staff cannot support the design review as proposed.

Public Works - Development Review

Waiver of Development Standards #3

Staff has no objection in the reduced throat depth for Bruner Avenue. Bruner Avenue should see minimal traffic as it ends west of the site.

Staff Recommendation

Approval of the zone change and waivers of development standards #3, #4, and #5; denial of the use permit, waivers of development standards #1 and #2, and the design review.

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:

If approved:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Expunge ZC-21-0193.
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waivers of development standards and design review must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet to 60 feet for Parvin Street and associated spandrel.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0136-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: JAN GOYER
CONTACT: JAN GOYER, OVATION CONTRACTING INC, 6021 S FORT APACHE ROAD
#100, LAS VEGAS, NV 89148



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

10A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p><input checked="" type="checkbox"/> CONFORMING (ZC)</p> <p><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input checked="" type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>(ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>ZC-22-0606</u> DATE FILED: <u>10/25/22</u></p> <p>PLANNER ASSIGNED: <u>SUD</u></p> <p>TAB/CAC: <u>Enterprise</u> TAB/CAC DATE: <u>11/30/22</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>12/21/22</u></p> <p>FEE: _____, \$ <u>2,400</u></p>
	PROPERTY OWNER	<p>NAME: <u>B-R Ovation Limited Partnership</u></p> <p>ADDRESS: <u>6021 S. Fort Apache Road #100</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u></p> <p>TELEPHONE: <u>702-990-2325</u> CELL: <u>702-580-9036</u></p> <p>E-MAIL: <u>jang@ovationdev.com</u></p>
	APPLICANT	<p>NAME: <u>Ovation Contracting, Inc. -- Jan Goyer</u></p> <p>ADDRESS: <u>6021 S. Fort Apache Road #100</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u></p> <p>TELEPHONE: <u>702-990-2325</u> CELL: <u>702-580-9036</u></p> <p>E-MAIL: <u>jang@ovationdev.com</u> REF CONTACT ID #: _____</p>
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ASSESSOR'S PARCEL NUMBER(S): 191-05-801-015

PROPERTY ADDRESS and/or CROSS STREETS: W. Bruner Avenue & S. Las Vegas Blvd.

PROJECT DESCRIPTION: +55 Age Restricted Apartment Complex – Conforming Zone Change & Design Review

(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.

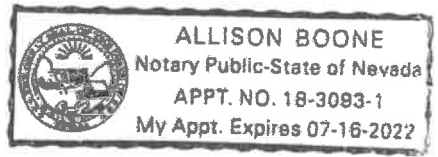
Jan Goyer
Property Owner (Signature)*

Reinier Santana
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON March 17th, 2022 (DATE)
By Reinier Santana

NOTARY PUBLIC: Allison Boone



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

July 6, 2022

VIA EMAIL

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

20-22-0606

**Re: *Ovation Contracting, Inc.
Justification Letter – Conforming Zone Change to H-1; Design Review for Multi-Family Development; Special Use Permits to (1) Allow a Multi-Family Development in an H-1 Zoned District and (2) Allow an Aged Restricted Multi-Family Development in an H-1 Zoned District; and Waiver of Development Standards in Increase Building Height and Reduce Throat Depth
APN: 191-05-801-015***

To Whom It May Concern:

Please be advised our office represents Ovation Contracting, Inc. (the "Applicant") in the above-referenced matter. The proposed project is located on approximately 5 acres located at the northwest corner of Bruner Avenue and Parvin Street in Clark County, Nevada. The property is more particularly described as APN: 191-05-801-015 ("Site"). The Applicant is requesting a conforming zone change to H-1 and the development of an age restricted apartment complex.

Conforming Zone Change Request:

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

- The zone change request to H-1 conforms to the master plan. The Site is master planned Entertainment Mixed-Use (EM). An EM master plan designation contemplates an H-1 zoning district.
- The Site is located between I-15 and Las Vegas Boulevard.
- The properties in the immediate area are zoned R-4 and H-1.
- The Applicant is developing the properties immediately to the west, APNs: 191-05-801-013 & 014 (collectively referred to as the "Companion Property"). The Companion Property is approved for a multi-family development via ZC-21-0193.

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

A multi-family project is an appropriate use in an H-1 zoned district subject to special use permit approval and conformance to R-5 development standards. While an H-1 zoning district permits up to 50 dwelling units per acre, the Applicant is seeking approximately 40 dwelling units per acre on the Site. The proposed density is appropriate as immediately to the west the Applicant is developing the Companion Property at a density of approximately 36 dwelling units per acre. Additionally, the proposed zone change and design review for an aged restricted multi-family development meets the newly adopted Transform Clark County Master Plan Countywide Goals and Policies including specifically the following:

- Policy 1.1.1 encourages a diverse housing type at varied densities and locations. Here, the Applicant is purposing an age restricted community with easy access to a large commercial shopping.
- Policy 1.1.2 encourages a 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 near Las Vegas Boulevard which is a major high-frequency transit corridor.
- Policy 1.1.4 encourages housing options and accommodations of older residents. Here, the Applicant is proposing an age restricted development.

The Site is located at the northwest corner of Bruner Avenue and Parvin Street. The Applicant is proposing a 196-unit age restricted multi-family development. The Applicant is proposing to build a four (4) story building at a height of approximately 59-feet. The proposed height is well within the 100-foot limitations in the H-1 zoned district. Additionally, the proposed height is compatible with the 70-foot tall approval for the Companion Property. The bedroom mix is as follows: 122 studio and one-bedroom units and 74 two-bedroom units. Main access to the Site is from Bruner Avenue via a private drive between the Site and the Companion Property along the former Ensworth Street alignment. The Applicant is proposing a drive aisle that circulates around the Site. The Site complies with parking by providing 235 parking spaces where 196 parking spaces are required. The development will provide at a minimum the following amenities:

- Picnic and BBQ areas
- Pool/Cabana/Recreational Deck area
- Outdoor Kitchen Area
- Business Center
- Demonstration Kitchen

- Social Club
- Collaboration Rooms
- Clubhouse featuring full cardio and strength training facility

Lighting and signage is not part of this request. The Applicant will submit lighting and signage separately.

Waiver of Development Standards to Increase Building Height and Reduce Throat Depth:

Generally, an H-1 zoning district permits a height of up to 100-feet. However, since the Applicant is proposing a multi-family use on the Site, residential uses in an H-1 zoned district are subject to conformance with the R-5 zoning district. The maximum allowed height in an R-5 zoning district is 50-feet. Therefore, the Applicant is requesting to increase the building height up to 70-feet. The increase in height is appropriate for the following reasons:

- H-1 zoning districts permit heights of up to 100-feet
- The Companion Property is approved at a height of up to 70-feet
- The Site is near I-15, an intense corridor

The minimum required throat depth is 150 feet per Uniform Standard Drawing 222.1. A throat depth of 129-feet at the entrance and 126 feet at the exit will be provided.

Special Use Permit:

The Applicant is proposing an age restricted housing project on the Site. Pursuant to Table 30.44-1 of Title 30, a special use permit is required. A special use permit allowing for senior housing at the Site is an appropriate use. While the Applicant is requesting an H-1 zoning designation, age restricted housing use makes the request for the multi-family development less intense than a standard multi-family development with less noise, traffic and overall number of residents without children. Therefore, the age restricted housing development is compatible and appropriate.

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



Sincerely,

KAEMPFER CROWELL

A handwritten signature in cursive script that reads "J Lazovich".

Jennifer Lazovich

JL/ajc

01/18/23 BCC AGENDA SHEET

EASEMENTS
(TITLE 30)

BRUNER AVE/I-15

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-22-0612-B-R OVATION LIMITED PARTNERSHIP:

VACATE AND ABANDON easements of interest to Clark County located between Las Vegas Boulevard South and I-15 and between Jonathan Drive and Bruner Avenue within Enterprise (description on file). MN/sd/syp (For possible action)

RELATED INFORMATION:

APN:
191-05-801-015

LAND USE PLAN:
ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

The site plan depicts the vacation and abandonment of 33 foot wide government patent easements located along the northern and western parcels, and 3 foot wide patent easements along the east parcel along the Parvin Street alignment. According to the applicant, the patent easements are no longer needed for the development of the parcel.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	R-4	Undeveloped
South	Entertainment Mixed-Use	H-1	Multiple family residential
East	Open Lands	R-E & H-2	Undeveloped
West	Major Development Project (Southern Highlands)	H-1	Multiple family residential

I-15 is directly west of this site. This site and the surrounding area are in the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
ZC-22-0606	Zone change from R-E to H-1 zoning for a multiple family development is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Right-of-way dedication to include 30 feet to 60 feet for Parvin 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.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: ✓
APPROVALS:
PROTESTS:

APPLICANT: JAN GOYER

CONTACT: JAN GOYER, OVATION CONTRACTING INC, 6021 S. FORT APACHE ROAD #100, LAS VEGAS, NV 89148

A.



APPLICANT: JAN GOYER
CONTACT: JAN GOYER, OVATION CONTRACTING INC, 6021 S. FORT APACHE
ROAD #100, LAS VEGAS, NV 89148

6.





VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

11A

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input checked="" type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	DEPARTMENT USE	APP. NUMBER: _____ DATE FILED: _____ PLANNER ASSIGNED: _____ TAB/CAC: _____ TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: _____ FEE: _____
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PROPERTY OWNER	NAME: <u>B-R Ovation Limited Partnership</u> ADDRESS: <u>6021 S. Fort Apache Road #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-990-2325</u> CELL: <u>702-580-9036</u> E-MAIL: <u>jang@ovationdev.com</u>
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APPLICANT	NAME: <u>Ovation Contracting, Inc. -- Jan Goyer</u> ADDRESS: <u>6021 S. Fort Apache Road #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-990-2325</u> CELL: <u>702-580-9036</u> E-MAIL: <u>jang@ovationdev.com</u> REF CONTACT ID #: _____
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CORRESPONDENT	NAME: <u>Ovation Contracting, Inc. -- Jan Goyer</u> ADDRESS: <u>6021 S. Fort Apache Road #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>702-990-2325</u> CELL: <u>702-580-9036</u> E-MAIL: <u>jang@ovationdev.com</u> REF CONTACT ID #: _____
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ASSESSOR'S PARCEL NUMBER(S): 191-05-801-015

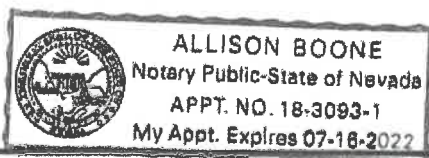
PROPERTY ADDRESS and/or CROSS STREETS: W. Bruner Avenue & S. Las Vegas Blvd.

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.

Jan Goyer
 Property Owner (Signature)*

Reinier Santana
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON March 17th, 2022 (DATE)
 By Reinier Santana
 NOTARY PUBLIC: *Allison Boone*



*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.

March 29, 2022

Clark County Planning
500 South Grand Central Parkway
Las Vegas, NV 89155-1744

**Re: Letter of Justification for Vacation
Bruner/Parvin Apartments
Impulse Reference Number OV-2049**


To Whom It May Concern:

The proposed Bruner/Parvin -015 Apartment project is generally located on the north side of Bruner Avenue and the east side of I-15, in Section 5, of Township 23 South, Range 61 East, M.D.M. Clark County Nevada, APN 191-05-801-015. The purpose of this letter is to provide justification for vacating a portion of the existing patent easements around this parcel.

On APN 191-05-801-015, we are respectfully requesting to vacate 33 feet of the existing patent easement along the north and west sides of the parcel and 3 feet along the east side of the parcel except where Parvin Street will cross the parcel. This patent easement, identified as Serial Patent 1219682 as recorded in Book 322, Instrument Number 260525 that is being vacated is not needed for future roadways.

If you have any questions or comments about this letter, please call me at 702-815-0720.

Sincerely,
Impulse Civil Engineering



Peter J. Laas, P.E.
Principal

Cc: Jan Goyer, Ovation Development

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