



## Lone Mountain Citizens Advisory Council

Mountain Crest Neighborhood Services Center

4701 N Durango Drive

Las Vegas, NV 89129

March 29, 2022

6:30pm

### 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 Dawn vonMendenhall at 702-289-0196.
  - Supporting material is/will also be 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/LoneMountainCAC>

Board/Council Members: Chris Darling, Chairperson  
Dr. Sharon Stover, Vice Chairperson  
Kimberly Burton  
Carol Peck

Secretary: Dawn vonMendenhall, 702-289-0196, [clarkcountycac@hotmail.com](mailto:clarkcountycac@hotmail.com)  
Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Jennifer Damico, 702-219-0374, [Jennifer.Damico@clarkcountynv.gov](mailto:Jennifer.Damico@clarkcountynv.gov)  
William Covington, 702-455-2540, [William.Covington@clarkcountynv.gov](mailto:William.Covington@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, Roll Call, and County Staff Introductions

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

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

your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

- III. Approval of Minutes for March 8, 2022. (For possible action)
- IV. Approval of the Agenda for March 29, 2022, and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
  - 1. Updates from Commissioner Miller's & Commissioner Kirkpatrick's office – County Liaisons will provide information on recent citizen concerns, zoning applications, annexation and inter-local updates with the City of Las Vegas and other issues impacting residents in the Lone Mountain area (for discussion only)
- VI. Planning and Zoning

**04/06/22 BCC**

- 1. **UC-22-0081-GREENGALE PROPERTIES, LLC: USE PERMITS** for the following: **1)** recreational facility; **2)** sale of produce/crops not grown on-site; **3)** allow customers on-site; **4)** farmer's market; **5)** allow live entertainment; **6)** campground; **7)** food processing; **8)** retail sales and services; **9)** guest ranch; **10)** retreat; **11)** major training facility; and **12)** allow temporary outdoor commercial events without a timeframe limit and extended hours.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** allow a proposed guest ranch within Community District 3; **2)** reduce the acreage for a proposed guest ranch; **3)** allow a proposed retreat within Community District 3; **4)** reduce the separation of proposed live entertainment from a residential use; **5)** alternative landscaping along all property lines; **6)** allow existing landscaping adjacent to Elkhorn Road; **7)** allow alternative landscaping adjacent to a less intense use; **8)** eliminate landscape finger islands; **9)** waive on-site loading requirements; **10)** reduced parking; **11)** allow alternative paving; and **12)** waive off-site improvements (curbs, gutters, sidewalks, streetlights, and partial paving). **DESIGN REVIEWS** for the following: **1)** recreational facility; and **2)** finished grade in conjunction with a proposed recreational facility on 25.0 acres in an R-A (Residential Agricultural) Zone. Generally located on the south side of Elkhorn Road and the west side of Rainbow Boulevard within Lone Mountain. MK/jor/jo (For possible action)  
**04/06/22 BCC**

**04/19/22 PC**

- 2. **VS-22-0083-PETERSON BRIAN C: VACATE AND ABANDON** easements of interest to Clark County located between Fisher Avenue and Washburn Road, and between Kevin Way and Campbell Road within Lone Mountain. RM/jt/jo (For possible action) **04/19/22 PC**



04/20/22 BCC

3. **ZC-22-0119-CENTURY COMMUNITIES NEVADA, LLC: ZONE CHANGE** to reclassify 1.9 acres from an R-E (RNP-I) Zone to an R-E (Rural Estates Residential) Zone. **USE PERMITS** for the following: **1)** a residential planned unit development (PUD); and **2)** reduce the building setback from project perimeters. **WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce the area of a PUD; **2)** increase wall height; and **3)** off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving). **DESIGN REVIEWS** for the following: **1)** a detached single family residential planned unit development; and **2)** finished grade. Generally located on the east side of Fort Apache Road and the south side of Hammer Lane within Lone Mountain. RM/md/jo (For possible action) **04/20/22 BCC**

VII. General Business  
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: April 12, 2022.

X. Adjournment.

**POSTING LOCATIONS:** This meeting was legally noticed and posted at the following locations:  
Mountain Crest Neighborhood Services Center, 4701 N Durango Drive, Las Vegas, NV 89129.  
<https://notice.nv.gov>



# Lone Mountain Citizens Advisory Council

March 8, 2022

## MINUTES

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Board Members: Chris Darling – Chair – **EXCUSED**  
Dr. Sharon Stover – Vice Chair – **PRESENT**  
Kimberly Burton – **PRESENT**  
Carol Peck - **PRESENT**

Secretary: Dawn vonMendenhall, clarkcountycac@hotmail.com

Town Liaison: Jennifer Damico, Jennifer.Damico@clarkcountynv.gov  
William Covington, William.Covington@clarkcountynv.gov

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- I. Call to Order, Pledge of Allegiance, Roll Call, County Staff Introductions  
The meeting was called to order at 6:30 p.m.
- II. Public Comment  
None
- III. Approval of February 22, 2022 Minutes  
**Moved by: Carol**  
**Action: Approved subject minutes as submitted**  
**Vote: 4/0 -Unanimous**
- IV. Approval of Agenda for March 8, 2022  
**Moved by: Chris**  
**Action: Approved agenda as submitted**  
**Vote: 4/0 - Unanimous**
- V. Informational Item(s)  
None



VI. Planning & Zoning

1. **WS-21-0724-CENTURY COMMUNITIES NEVADA, LLC:HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) establish alternative yards for residential lots; 2) reduce net lot area for residential lots; and 3) increase wall height. **DESIGN REVIEWS** for the following: 1) building orientation of single family residences; and 2) finished grade in conjunction with a single family residential subdivision on 2.0 acres in an R-E (RNP-I) Zone. Generally located on the south side of Hammer Lane and the east side of Dapple Gray Road within Lone Mountain. RM/rk/jo 03/16/22 BCC

**Action: Motion to APPROVE, subject to staff conditions and condition that landscape be controlled by HOA**

**Moved By: CHRIS**

**Vote: 2/2, Motion Failed**

2. **WC-22-400019 (UC-21-0316)-COMSTOCK KENNETH K & AMBER:WAIVER OF CONDITION** for a use permit requiring a drainage study and compliance in conjunction with an approved accessory structure on 1.1 acres in an R-E (RNP-I) Zone. Generally located on the south side of Helena Avenue and the east side of Kevin Way within Lone Mountain. RM/sd/jo 04/05/22 PC

**Action: APPROVED as submitted, subject to all staff conditions**

**Moved By: KIM**

**Vote: 4/0 Unanimous**

3. **WS-22-0078-DESTINY HOMES, LLC:WAIVER OF DEVELOPMENT STANDARDS** to allow an alternative security gate geometrics different than required by Uniform Standard Drawing 222.1 in conjunction with a single family subdivision on 2.5 acres in an R-E (RNP-I) Zone. Generally located on the southeast corner of Craig Road and Bonita Vista Street within Lone Mountain. RM/jvm/jo 04/05/22 PC

**Action: APPROVED as submitted, subject to all staff conditions & condition that gate is 50feet from Bonita Vista and will open inward to cul-de-sac**

**Moved By: CAROL**

**Vote: 4/0 Unanimous**

4. **DR-22-0048-ALVAREZ-RUIZ, SAUL & SANCHEZ-REYES, TANIA:DESIGN REVIEW** for finished grade in conjunction with a proposed single family residential lot on 2.2 acres in an R-E Zone. Generally located on the south side of Horse Drive, 300 feet west of Torrey Pines Drive within Lone Mountain. MK/rk/jo 04/06/22 BCC

**Action: APPROVED as submitted, subject to all staff conditions**

**Moved By: CHRIS**

**Vote: 4/0 Unanimous**

5. **UC-22-0081-GREENGALE PROPERTIES, LLC: USE PERMITS** for the following: 1) recreational facility; 2) sale of produce/crops not grown on-site; 3) allow customers on-site; 4) farmer's market; 5) allow live entertainment; 6) campground; 7) food processing; 8) retail sales and services; 9) guest ranch; 10) retreat; 11) major training facility; and 12) allow temporary outdoor commercial events without a timeframe limit and extended hours. **WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow a proposed guest ranch within Community District 3; 2) reduce the acreage for a proposed guest ranch; 3) allow a proposed retreat within Community District 3; 4) reduce the separation of proposed live entertainment from a residential use; 5) alternative landscaping along all property lines; 6) allow existing landscaping adjacent to Elkhorn Road; 7) allow alternative landscaping adjacent to a less intense use; 8) eliminate landscape finger islands; 9) waive on-site loading requirements; 10) reduced parking; 11) allow alternative paving; and 12) waive off-site improvements (curbs, gutters, sidewalks, streetlights, and partial paving). **DESIGN REVIEWS** for the following: 1) recreational facility; and 2) finished grade in conjunction with a proposed recreational facility on 25.0 acres in an R-A (Residential Agricultural) Zone. Generally located on the south side of Elkhorn Road and the west side of Rainbow Boulevard within Lone Mountain. MK/jor/jo 04/06/22 BCC

**Action: HELD to 3-29-22 CAC meeting so applicant can work with neighbors regarding bathrooms, hours for live entertainment, maximum number of people allowed on property for events and securing surrounding neighbors**

6. **WS-22-0076-HUERTA, JORGE: WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow proposed single family residential lots to have access to an arterial street (Rainbow Boulevard) where not permitted; 2) increase wall height; and 3) waive full off-site improvements. **DESIGN REVIEWS** for the following: 1) proposed single family residential development; and 2) finished grade on 1.5 acres in an R-E Zone. Generally located on the east side of Rainbow Boulevard and the south side of Azure Drive within Lone Mountain. MK/rk/jo 04/06/22 BCC

**Action: APPROVED as submitted, subject to all staff conditions**

**Moved By: CHRIS**

**Vote: 4/0 Unanimous**

VII. General Business

None

VIII. Public Comment

None

IX. Next Meeting Date

The next regular meeting will be March 29, 2022.

X. Adjournment

The meeting was adjourned at 8:50 p.m.



RECREATIONAL FACILITY  
(TITLE 30)

ELKHORN RD/RAINBOW BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-22-0081-GREENGALE PROPERTIES, LLC:**

**USE PERMITS** for the following: 1) recreational facility; 2) sale of produce/crops not grown on-site; 3) allow customers on-site; 4) farmer's market; 5) allow live entertainment; 6) campground; 7) food processing; 8) retail sales and services; 9) guest ranch; 10) retreat; 11) major training facility; and 12) allow temporary outdoor commercial events without a timeframe limit and extended hours.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow a proposed guest ranch within Community District 3; 2) reduce the acreage for a proposed guest ranch; 3) allow a proposed retreat within Community District 3; 4) reduce the separation of proposed live entertainment from a residential use; 5) alternative landscaping along all property lines; 6) allow existing landscaping adjacent to Elkhorn Road; 7) allow alternative landscaping adjacent to a less intense use; 8) eliminate landscape finger islands; 9) waive on-site loading requirements; 10) reduced parking; 11) allow alternative paving, and 12) waive off-site improvements (curbs, gutters, sidewalks, streetlights, and partial paving).

**DESIGN REVIEWS** for the following: 1) recreational facility; and 2) finished grade in conjunction with a proposed recreational facility on 25.0 acres in an R-A (Residential Agricultural) Zone.

Generally located on the south side of Elkhorn Road and the west side of Rainbow Boulevard (alignment) within Lone Mountain. MK/jor/jo (For possible action)

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RELATED INFORMATION:

APN:  
125-22-502-013

**USE PERMITS:**

1. Allow a recreational facility (indoor/outdoor) with ancillary uses such as but not limited to a community garden, private convention/reception space, retail sales, café/restaurant, alcohol sales, wedding events, on-site photography/filming and production, and interactive entertainment.
2. Allow sales of produce/crops not grown on-site.
3. Allow customers on-site in conjunction with the existing farm, the proposed recreational facility, and for agricultural gardening/greenhouse uses.
4. Allow a farmer's market to include retail sales of arts and crafts.
5. Allow live entertainment (indoor/outdoor).



6. Allow a campground to include tents, future cabin structures, and the site to double as a proposed retreat area.
7. Allow food processing to include cooking/baking for bakery items, fruit jams, and other food/product items for sale in conjunction with the proposed café/restaurant that is a part of the proposed recreational facility.
8. Allow retail sales and services related to all proposed uses with the existing farm and proposed recreational facility, and all related incidental and accessory uses.
9. Allow a guest ranch as a part of the proposed recreational facility.
10. Allow a retreat as a part of the proposed recreational facility.
11. Allow a major training facility.
12. Allow temporary outdoor commercial events removing the total number of events per year, number of days per event (including set-up and take-down timeframes), with extended hours of operation on Friday, Saturday, and Sunday (6:00 a.m. to 12:00 a.m.) for charity events, seasonal events (i.e., pumpkin patches, fall festivals, Halloween festivals, and Easter egg hunts), holiday-like events, and similar scheduled events.

#### **WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow a proposed guest ranch within Community District 3 where a proposed guest ranch should be located in Community District 5 per Table 30.44-1.
2. Reduce the acreage for a proposed guest ranch to 25 acres where 40 acres is the minimum required per Table 30.44-1.
3. Allow a proposed retreat within the Urban Area (Community District 3) where proposed retreats should be located outside of the Urban Area per Table 30.44-1.
4. Reduce the separation of proposed live entertainment from a residential use to 262 feet where a 500 foot minimum separation is required per Table 30.44-1 (a 48% decrease).
5. Allow alternative landscaping along all property lines (north, south, east, and west), by allowing the existing landscaping and vegetation related to the farm to remain and include a reduction in shrubs which are required to cover more than the 50% of the landscaped area per Chapter 30.64.
6. Allow existing landscaping to remain behind an existing screen wall adjacent to Elkhorn Road (north property line).
7. Allow alternative landscaping adjacent to a less intense use where Figure 30.64-11 is required per Table 30.64-2.
8. Eliminate landscape finger islands within all proposed parking lots on-site where Figure 30.64-14 is required.
9. Waive all on-site loading requirements per Section 30.60.070.
10. Reduce the required parking spaces to 249 parking spaces where 620 parking spaces are required per Chapter 30.60 (a 60% reduction).
11. Allow alternative paving within all proposed on-site parking areas, drive aisles, and walking path areas.
12. Waive off-site improvements (curbs, gutters, sidewalks, streetlights, and partial paving) where required per Chapter 30.52.

## DESIGN REVIEWS:

1. A recreational facility.
2. Increase finished grade to 47 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 31% increase).

## LAND USE PLAN:

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

## BACKGROUND:

### Project Description

#### General Summary

- Site Address: N/A
- Site Acreage: 25
- Project Type: Recreational facility in conjunction with an existing farm
- Number of Stories: 1 (for all new proposed buildings on-site)
- Building Height (feet): 12 (proposed office)/25 (proposed greenhouses - 2 total)/14 (existing shed)/20 (proposed farm store and café)/17 (proposed restroom building)/10 (proposed temporary event tent)/14 (proposed gazebos - 2 total)/22 (proposed equipment shed)
- Square Feet: 800 (proposed office)/4,000 (proposed greenhouses - 2 total)/1,165 (existing shed)/2,000 (proposed farm store and café)/300 (proposed restroom building)/10,000 (proposed temporary event tent)/625 (proposed gazebos - 2 total)/4,800 (proposed equipment shed)
- Parking Required/Provided: 620/249

#### Site Plan

The site plan depicts an existing 25 acre farm on the south side of Elkhorn Road, west of Rainbow Boulevard (alignment). The farm includes the following existing areas: a palm grove, native habitat area, an olive grove, orchards, an apiary, and a meadow area. The applicant is proposing a recreational facility on the subject parcel and the existing farm will remain and continue to operate. The site plan depicts the following areas:

#### Northwest Quadrant -

The northwest quadrant of the site includes the main entrance with a 48 foot wide driveway along Elkhorn Road (north property line). Vehicles will head south on a vehicular loop (drive aisle) which leads to the main parking area on the northwest corner of the subject parcel. One hundred twenty-six parking spaces are provided in this area. The vehicular loop branches east and heads easterly along the north property line. South of the parking lot includes a network of landscaping which features many walking paths and connects visitors and employees to the proposed 2 green houses, an office building, farm store/café, cultivated garden areas, an existing shed, restrooms, picnic areas, a portion of the existing palm grove, an existing meadow which provides a flex space for events, and a nexus hardscape design which is a decorative focal point of this area. The applicant is requesting to increase the finished grade to 47 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 31% increase). This request is located underneath the proposed greenhouse (west of the proposed office).



#### Northeast Quadrant -

The existing palm grove along the north property line extends into the northeast quadrant and includes a 24 foot wide drive aisle which also leads vehicles to a secondary parking area with tandem parking spaces. One hundred thirteen parking spaces are provided in this area. In addition, an equipment shed will be constructed south of the parking lot.

#### Southeast Quadrant -

This quadrant includes a native habitat area centrally located on the site. South of the native habitat area includes a central event location where a temporary event tent can be set-up. To the west includes an irrigation pond which includes a gazebo and a future tea pavilion area where the future accessory structure in this area will be designed/constructed at a later date. Immediately to the west is the proposed guest ranch, eco-campground, and retreat area. The site plan shows that parking spaces are also included in this area. Walking paths and gravel paths continue into this quadrant to ensure that the entire parcel is accessible via pedestrian and vehicular methods. This area includes an existing material and equipment area utilized by the farm, and portion of a proposed vineyard attached to the "east promenade", proposed gazebo, and proposed vineyard event space. Walking paths are also located throughout this area.

#### Southwest Quadrant -

This quadrant includes the cultivated gardens, an existing olive grove which also serves as an event area, an existing orchard which features an area called the "west promenade" and an orchard which also functions as an event area. This quadrant includes an existing equipment storage area, solar panels, and a bike rack.

In addition to the proposed recreational facility, there are several accessory uses allowed on the subject property per Title 30 in the R-A zoning district.

1. Agricultural-Gardening/Greenhouse for the cultivation of crops and utilizing the vineyard. Per Table 30.44-1, this is a principal use in the R-A zoning district.
2. Accessory Agricultural Buildings and Structures per Table 30.44-1.
3. Employee Housing as it relates to a proposed guest ranch per Table 30.44-1. This is for future development and design.
4. Massage as it relates to a proposed retreat per Table 30.44-1.
5. Reflexology as it relates to a proposed retreat per Table 30.44-1.
6. Weddings will be conducted on-site in conjunction with the recreational facility. Event locations are located throughout, including the meadow area. Weddings may be conducted indoors within temporary tents, or outdoors throughout the subject site.

The applicant is also requesting to waive all on-site loading requirements per Section 30.60.070. Furthermore, the entire parcel will provide 249 parking spaces where 620 parking spaces are required per Chapter 30.60; thus, the applicant is requesting a parking reduction. The applicant will provide alternative paving as approved by the Department of Environment and Sustainability for areas throughout the site. Therefore, the applicant is requesting a waiver for alternative paving.



### Landscaping

The provided landscape plan shows that there are mature trees along the south, west, and east property lines. These landscaped areas are over 40 feet wide with over 60 mature trees in total. Along the central northern portion of the site is an existing palm grove that is over 3 acres in overall area. South of this palm grove is an existing native habitat area which features native creosote and bursage shrubs, and cottonwood trees. Immediately to the south, is an existing meadow which leads to an existing olive grove (southwest corner), a proposed orchard and vineyard (south central), and additional agricultural related areas on the southeast corner of the site. The applicant will add 2 green houses north of a cultivated garden area which will be over 1 acre in size. Furthermore, the applicant will add lush landscaping at the main entrance, throughout the picnic areas, and within the nexus area east of the farm store/café. Lastly, the applicant will plan an additional 16, large trees (24 inch box) along the majority of the east property line to provide an additional buffer to the existing residence to the east. Since the existing and proposed landscaping does not conform to the standard Title 30 requirements the applicant is requesting waivers of development standards for parking lot landscaping finger islands, landscaping adjacent to a less intense use, landscaping along Elkhorn Road, and alternative landscaping for shrubs within existing and proposed landscape areas.

### Elevations

The elevation plans show a variety of structures throughout the site. The proposed office has an overall height of 12 feet and will be a new manufactured building with vertical wood panels. The 2 proposed green houses have an overall height of 25 feet and will include steel framing and heavy duty greenhouse related covers. The existing shed has an overall height of 14 foot and is constructed of CMU block and features a desert themed mural on 1 elevation. The proposed farm store/café has an overall height of 20 feet, and will feature large windows and doors, a painted cement plaster finish, and a tiled roof. The proposed restroom building has an overall height of 17 feet and features decorative columns, railings, with wood detail and faux stone finishes. The applicant will also provide a temporary event tent which has an overall height of 10 feet. In addition, there are 2 proposed gazebos both of which have an overall height of 14 feet. The gazebos feature decorative wood and faux stone exterior materials. Lastly, the proposed equipment shed on the northwest corner of the site has an overall height of 22 feet, which includes vertical metal paneling and roll-up doors.

### Floor Plan

The proposed office has an overall area of 800 square feet and will be used by employees of the facility. The 2 proposed greenhouses have an overall area of 4,000 square feet each. There is an existing shed south of the greenhouses and has an overall area of 1,165 square feet. The proposed farm store and café has an overall area of 2,000 square feet. The proposed restroom building has an overall area of 300 square feet. Furthermore, the applicant will provide a 10,000 square foot temporary event tent. The site also includes 2 proposed gazebos each have 625 square feet of overall area. Lastly, the proposed equipment shed has an overall area of 4,800 square feet.

### Signage

Signage is not a part of this request.



**Applicant's Justification**

The subject parcel is currently an existing farm, and the applicant operates similar farms on adjacent and other parcels in the area. The proposed land use applications include a myriad of uses in conjunction with the existing farm and will result in a unique community facility that will provide recreational, reception, commercial and related uses, a farmers market, farm to table dining, educational opportunities, and special/seasonal events that cater to all ages and create unforgettable memories of rural/farm life/living and a quiet respite facility in close proximity to the developed and developing urban areas of the Las Vegas Valley. The special use permit requests are needed in order to allow the subject parcel to function as a recreational facility while maintaining a rural appeal and operate a facility that fits into the neighborhood by minimizing and mitigating uses that has a limited impact to the area. Two neighborhood meetings were held May 21, 2021 (in person) and July 14, 2021 (via Zoom) in order to discuss the proposed uses and hours of operation. Waivers of development standards requests are related to uses that are allowed in the R-A zoning district, but certain conditions do not apply to the site due to acreage and location (not within Community District 5). A parking reduction is requested since the applicant would like to maintain the essence of the farm and preserve the rural characteristic of the site. The applicant also owns the residential parcel to the south which includes an existing home. The applicant is requesting a waiver to reduce the separation between the proposed live entertainment and a residential use to 262 feet where 500 feet is required since proposed live entertainment within the temporary event tent is set back 262 feet from the residential parcel to the south. Lastly, the applicant is requesting to waive required on-site loading requirements, allow alternative paving, and eliminate off-site improvements to maintain the rural charm of the parcel and blend in with immediate RNP-I lots to the south and east.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VC-1377-99	Allowed an 8 foot high block wall (accessory structure) prior to a principal structure and increased the wall height to 8 feet - maximum 6 foot high block wall on property line (BD00-2883-F2 & BD01-22474-F2)	Approved by PC	October 1999
VS-1561-94	Vacated and abandoned patent easements and public rights-of-way being a portion of Rainbow Boulevard - recorded	Approved by BCC	December 1994

**Surrounding Land Use**

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



## **STANDARDS FOR APPROVAL:**

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

### **Analysis**

#### **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.

##### Use Permits #1 through #11

Staff finds that the proposed uses are not out of character for rural zoned parcels, even though the subject property is within the immediate Urban Area (Community District 3). The proposed uses offer the Las Vegas Valley the opportunity to partake in a variety of seasonal, educational, as well as private receptions that currently operate in neighboring recreational facilities in such as Gilcrease Orchard (1 mile north of the subject property) and The Farm Las Vegas (1.5 miles to the northwest). Staff does not object to the 11 use permit requests; and therefore, recommends approval.

##### Use Permit #12

Staff does not object to allowing temporary outdoor commercial events, removing the total number of events per year, number of days per event (including set-up and take-down timeframes), for charity events, seasonal events (i.e., pumpkin patches, fall festivals, Halloween festivals, and Easter egg hunts), holiday-like events, and similar scheduled events. The applicant stated in their justification letter that hours of operation will be Monday through Thursday 6:00 a.m. to 10:00 p.m. and Friday through Sundays will be 6:00 a.m. to 12:00 a.m. with live entertainment.

However, staff does not support the request for extended hours of operation on Friday, Saturday, and Sunday (6:00 a.m. to 12:00 a.m.). There is a significant number of residences surrounding the subject parcel and exceeding the daytime hours per Title 30 (6:00 a.m. to 10:00 p.m.) timeframe can bring a negative impact and unforeseen nuisances to the surrounding neighborhoods. Staff can support this use permit with the condition that hours of operation will only be 6:00 a.m. to 10:00 p.m., 7 days a week.

##### Waivers of Development Standards

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



#### Waivers of Development Standards #1 through #3

Waivers #1, #2, and #3 are required since they are conditions per Title 30 that the subject parcel cannot physically meet. Staff finds that the subject parcel is large enough to accommodate both a proposed guest ranch and a retreat. Since staff recommends approval of all of the use permit requests, staff also supports these particular waivers.

#### Waiver of Development Standards #4

Per the submitted plans, the applicant is proposing to reduce the separation of proposed live entertainment within a temporary event tent centrally located on the parcel from a residential use to the south. The proposed separation is 262 feet where a 500 foot minimum separation is required per Table 30.44-1 (a 48% decrease). Staff does not object to this request since the property owner of the subject parcel is also the same owner of the residential parcel to the south. Furthermore, the site includes over 60 mature trees and 40 foot wide landscape buffers along the south, east, and west property lines. Staff supports this request.

#### Waivers of Development Standards #5 through #8

The existing mature trees, foliage, native plants, palm grove along the north property line, and 40 foot wide landscape (with over 60 mature trees) areas along the south, east, and west property lines provide an adequate amount of landscaping, screening, and physical buffer for the site adjacent to the residential uses. Furthermore, the existing and proposed vegetation sufficiently mitigates the requirement to plant shrubs within landscaped areas. Staff finds that existing palm grove along the north property line, and the proposed landscaping at the main entrance of the site is appropriate and should be allowed to remain behind the existing screen wall along Elkhorn Road. Lastly, staff finds that eliminating the landscape finger islands within the 2 proposed parking lots can be supported since the entire site is an existing farm with an enormous amount of vegetation and with the addition of new agricultural areas such as the orchard, vineyard, 16 new trees, landscaping at the main entrance, picnic areas, the landscaped nexus design, the request is sufficiently moderated. Staff supports these requests.

#### Waiver of Development Standards #9

The applicant is requesting to waive all on-site loading requirements per Section 30.60.070. The site is approximately 25 acres with a copious amount of open space which includes a network of drive aisles. Staff finds that due to the nature of the site and the existing farm, loading and unloading can occur throughout the site without there being a designated loading space which is typical of sites which currently function as a farm. The site plan depicts that even with the proposed structures and new designated areas, the site can still accommodate the necessary loading and unloading through the site; therefore, staff can support this request.

#### Waiver of Development Standards #10

Staff is concerned that reducing the required parking spaces by 60 percent can have a significant impact to the site and the neighboring residential parcels. The overall design of the subject parcel is themed to preserve the rural charm of the subject property. However, per Title 30 standards (Chapter 30.60) the site requires 620 parking spaces where 249 parking spaces are provided per provided the site plan. Staff is concerned that with the proposed public and private events that occur throughout the year, visitors/customers may have to find alternative locations to parking off-site, and patrons may be inclined to park along arterial streets which include Elkhorn



Road, Rainbow Boulevard, and Tenaya Way or a local street such as Rebecca Road to the east. This will become a source of concern in terms of public safety. There are 2 similar facilities approved 1 mile to the north (Gilcrease Orchard and The Farm Las Vegas), and parking has been an on-going challenge for these facilities and staff finds that the parking reduction will impact the surrounding neighborhoods negatively, therefore; staff does not support this request.

#### Waiver of Development Standards #11

Staff does not object to the applicant's request to allow alternative paving within all proposed on-site parking areas, parking areas, drive aisles, and walking path areas. The applicant has shown that they are in cooperation with the Department of Environment and Sustainability and have been approved for alternative paving on-site. Staff supports this request.

#### Design Review #1

Overall, the proposed aesthetic design is appropriate for the site and is in-line with the proposed uses. In addition, the submitted plans show that the proposed structures are architecturally compatible to the overall theme for the site. However, since staff is not supporting the request for reduced parking, and in order to provide the required parking on-site, a redesign of the entire property may be required, therefore, staff cannot support the design review as presented.

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

##### Waiver of Development Standards #12

Staff cannot support the request to not install full off-site on Elkhorn Road when there are existing full improvements west of the site on both sides of the street and north of the site. Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. Therefore, staff cannot support the Waiver of Development Standards for full off-site improvements.

#### Design Review #2

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

#### **Staff Recommendation**

Approval of the use permits, waivers of development standards #1 through #9, and #11, and design review #2; denial of waiver of development standards #10 and #12, and design review #1.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Current Planning**

If approved:

- Design review as a public hearing for any significant changes to the plans;
- Hours of operation to be 6:00 a.m. to 10:00 p.m., 7 days a week;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Coordinate with Public Works - Design Division for the Elkhorn Road improvement project;
- Dedicate any right-of-way and easements necessary for the Elkhorn Road improvement project;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any the Elkhorn Road improvement project;
- 90 days to record required right-of-way dedications and any corresponding easements for the Elkhorn Road improvement project.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

### **Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.



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

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated County; and to inquire with the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** HARRISON GALE

**CONTACT:** CASSANDRA WORRELL, 520 S. FOURTH STREET, LAS VEGAS, NV 89101

**DRAFT**



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <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"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>UC-22-0081</u> DATE FILED: <u>2/8/22</u> PLANNER ASSIGNED: <u>JKR</u> TAB/CAC: <u>Lone MT</u> TAB/CAC DATE: <u>3/8/22</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>4/6/22</u> FEE: <u>\$1,375 (PRS)</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Greengale Properties L.L.C.</u> ADDRESS: <u>6722 N. Rainbow Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89106</u> TELEPHONE: <u>702-862-0707</u> CELL: <u>N/A</u> E-MAIL: <u>harrison@greengale.net</u>
	<b>APPLICANT</b>  NAME: <u>Harrison Gale</u> ADDRESS: <u>6722 N. Rainbow Blvd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89106</u> TELEPHONE: <u>702-862-0707</u> CELL: <u>N/A</u> E-MAIL: <u>harrison@greengale.net</u> REF CONTACT ID #: <u>N/A</u>
	<b>CORRESPONDENT</b>  NAME: <u>Jay Brown/Lebene Ohene</u> ADDRESS: <u>520 South Fourth Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u> E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>

ASSESSOR'S PARCEL NUMBER(S): 125-22-502-013

PROPERTY ADDRESS and/or CROSS STREETS: Special Use Permit for a recreational facility, farmer's market and other associated uses.

PROJECT DESCRIPTION: Outdoor Recreational Facility

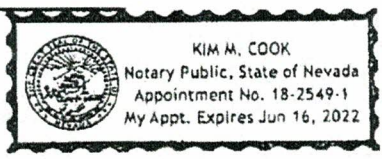
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

STATE OF NEVADA  
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON 9/21/21 (DATE)  
 By Harrison L. Gale

NOTARY PUBLIC: [Signature]



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



LAW OFFICE

*Brown, Brown & Premsrirut*

JAY H. BROWN  
DAVID T. BROWN  
PUOY K. PREMSRIRUT

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS  
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January 26, 2022

Clark County Comprehensive Planning  
Current Planning Division  
500 Grand Central Parkway  
Las Vegas Nevada 89155

UC-22-0081

**RE: Greengale Farms: Elkhorn Road & Rio Vista Street (alignment)**

**Justification Letter: (Revision 2):**

**Special Use Permits (See list below and attached), Design Reviews & Waivers of Development Standards for a Recreational Facility and related uses in conjunction with an existing Farm**

**Assessors' Parcel Number: - 125-22-502-013**

**To Whom It May Concern:**

**Overview and Scope:**

On behalf of our client, Greengale Properties, LLC., we respectfully submit this application package for special use permits (list attached) for a myriad of uses in conjunction with an existing farm in an R-A zone. The proposed project is located on the southeast corner of Elkhorn Road and the Rio Vista Street (alignment). The parcel is zoned R-A (RNP-1 overlay) and consists of 24.72 acres. The subject parcel is currently a Farm, and the applicant operates similar farms on adjacent and other parcels in the area. Propose land use application include a myriad of uses in conjunction with the existing farm will result in a unique community facility that will provide recreational, reception, commercial and related uses facility, farmers market, farm to table dining, educational opportunities and special/seasonal events that cater to all ages and create unforgettable memories of rural/farm life/living and a quiet respite facility in close proximity to the developed and developing urban areas of the Las Vegas Valley.

The intent of the owners is to create a facility that maintains the rural character of the area and operate a facility that fits into the area by minimizing and mitigating uses and operations to ensure that the facility has limited to no impact to the area. The site is adjacent to properties is in the City of Las Vegas to the north across Elkhorn Road and east across the Rio Vista Street alignment. Immediately south and east are parcels located in Clark County including other Farm parcels under the control of the same ownership that are not included in this application. The request is considered a Project of Regional Significance since the application includes special use permits and is located within 500 feet of a local jurisdiction being the City of Las Vegas to the north and west.

Two neighborhood meeting were held to present and discuss the project with neighbors prior to submittal of the application. The first neighborhood meeting was an evening picnic style event held on May 21, 2021, on the project site (Greengale Farm). The second neighborhood meeting

was a virtual meeting (Zoom) held on July 14, 2021, with adjacent neighbors who requested the meeting and expressed interest for further discussions and present their opinions/options. Both neighborhood meetings went well with the neighbors and all issues and concerns presented were addressed and resolved with the neighbors. Discussions will continue with neighbors during the public hearing process. Please see the attached neighbors meeting notes for the items and issues/concerns presented and addressed at the meeting.

The proposed hours of operation are Day light hours as defined by Code (6:00 a.m. to 10 p.m.) for uses from Monday to Thursday and up 12:00. a.m. from Friday to Sunday including live entertainment. The campground/retreat/guest ranch are proposed to have transient guests of up to forty-eight (48 hours) e.g., bridal parties, campers, and training programs. Notification in the form of a quarterly events calendar will be provided to the neighbors and will be updated accordingly. Due to the acreage and type of events proposed the total number of occupants will be based on allowable occupancy by the Building Department for the buildings and structures and the open areas. Contact was made with the Fire Prevention Division of the Building Department to discuss the allowable occupy. The site will comply with Building and Fire Prevention requirements. An existing private roadway and utility easement that traverses the site will be relinquished per Public Works Staff comments and requirement.

**Project Description:**

The proposed facility on 24.72 acres is comprised of both temporary structures and permanent buildings in conjunction with the existing Farm. More than 23.0 acres of the site are existing farm areas and uses including the following: orchards, an apiary an aviary, olive and palm groves, open outdoor areas and spaces including the existing "Meadow". The facility will include a vineyard, cultivated gardens and the use of existing open outdoor areas and spaces including the area depicted as the "Meadow" for events and uses. The temporary structures are outlined as follows: 121,513 square foot of assembly spaces located on the south central portion of the site. The permanent buildings depicted on the plans are mostly located on the northwestern portion of the site, including two proposed greenhouses with a total of 8,000 square feet, a proposed 2,000 square foot Farm Store, an existing 1,163 square foot shed, a 300 square foot restroom and a proposed 800 square foot office structure and a trash enclosure. On the northeastern portion of the site is a proposed 4,800 square foot equipment shed.

The Campground, \Retreat, and Guest Ranch (Eco Camping/Retreat and Guest Ranch) area shows tents and future cabins located on the eastern center portion of the site. Various shade structures (gazebos) are distributed throughout the site. The Assembly spaces on the site include two existing Palm Groves on the northern portion of the site which will be used for Farm to Table dining experiences and similar events. A decorative 9,300 square foot hardscape area known as the "Nexus" is designed as a focal point and connection to the various event areas. The "Meadow" outdoor space is the primary event area as depicted on the plans. A variety of pathways, promenades and bridges used to connect the different areas of the site. The existing and proposed buildings and structures all comply with setback requirements. Two parking areas are provided



located on the northwestern and northeastern portions of the site along the northern portion of the site adjacent to Elkhorn Road. A total of 249 parking spaces including 41 Tandem and 16 motorcycle spaces are provided where 620 parking spaces are required. Up to the allowed 30% tandem parking spaces per Title 30.60.050(C)(6) will be used during some events. The tandem/valet parking area is located on the northeastern portion of the site in close proximity to the equipment shed.

Primary vehicular access to the site is from Elkhorn Drive on the north property line. Two, existing gates on Rio Vista Street are primarily for pedestrian access. The design and future construction of the off-site improvements along Elkhorn Road (north property line) from Tenaya Way to Jones Boulevard per the Design Division of the Public Works Department are in process and will be constructed in a couple years. The Engineer associated with the project coordinated the vehicular access to the site and roadway design elements adjacent to the site with the County Engineers. Any unimproved areas along the north property line will remain as is since the area is not a formal trail per the Clark County Comprehensive Planning Trail Plan (confirmed with Planning Staff). The entrance to the site is designed as a two-way divided driveway with a proposed gate that is set back more than 98 feet from the north property line. The throat depth is set back more than 98 feet, and the two driveway extends into the site as one way that curve into the site and provides a one-way circular drive within the site to egress the site. Therefore, allowing for more than adequate stacking of vehicles into the site. This entry design allows for the ultimate ingress and egress design into the site and allows for stacking and loading within the site. Another 24 foot wide gravel road is depicted on the east side of the entry along the north and east property lines to access the parking area equipment shed, campground, guest ranch and retreat area to service uses on the northern and eastern portions of the site.

Signage is not a part of this application.

Water features are not a part of this application. (Swales and pond areas exist on the site, therefore, shown on the plans). If required, the appropriate application per Code will be submitted.

**Landscaping:**

Along the south, east, and west property lines are a minimum of 24 foot to 42 foot wide buffer areas with trees and fences (farm/ranch style post and rail fences) that will remain to provide a buffer/screening for the neighboring residential uses. These large trees are located within the property and behind the existing block wall and fences. Along the north property line are existing groves of palm trees within large areas of the parcel that are visible from Elkhorn Road. Landscaping is depicted on both sides of the entrance driveway to the site from Elkhorn Road.

**Elevation:**

The existing, proposed buildings and temporary structures are of varying heights and are up to 32 feet and include the following buildings and structures: existing shed and proposed Farm Store, two (2) greenhouses, equipment shed, agriculture office, restrooms, four (4) Shade Structures.

These buildings and structures consist of the following building materials: glass, steel, wood, CMU block, and tents with temporary fabrics.

**Special Use Permits Required in an R-A Zone:**

1. Recreational Facility (both indoors and outdoors) (community garden center)/Private Convention and Reception facility including incidental and ancillary retail sales, café/restaurant, alcohol sales, wedding events, photography, filming, and productions and interactive entertainment.
2. Permit the sale of produce/crops not grown on site
3. Permit customers on the site for agriculture for the agriculture-gardening/greenhouse uses and facility for the Farm.
4. Farmer's Market including allowed retail sales art and craft sales and incidental and ancillary uses as defined by Code
5. Live Entertainment (Indoors/Outdoors) including incidental, and ancillary uses as defined by Code (complies with separation/dimension on plans)
6. Campground including tents, future cabins and doubles as Retreat area.
7. Food Processing including cooking and bakery (including processing items such as different fruits for jams, pies, bakery items and other food/products items for sales) in conjunction with the café/restaurant requested as part of the recreational facility.
8. Retail Sales and Services including all related incidental uses as defined by Code such as the sale of artwork and craft.
9. Guest Ranch including all related and incidental uses and is a part of the recreational facility and located within in the campground/retreat area and is outdoors (See Waiver section below to allow in use in Community District 3 (CD 3) and reduce minimum acreage)
10. Retreat including all related incidental uses as defined by Code and is a part of the recreational facility and is located within the campground/guest ranch area (Retreat area proposed at Campground/quest ranch area and is outdoors (Waiver section below to allow within the urban area)
11. Training Facility (Major) including all related incidental uses as defined by Code.
12. Temporary Outdoor commercial events including special use permits to waive requirements including total number events per month, year and number, number of days and set-up and take down times) and extended hours of operation on Friday, Saturday, and Sunday. e.g., Charity Events, New Year Events and similar

The Wedding Chapel/wedding events in conjunction with the private Convention and reception/Recreational Facility.

**Justifications:**



The uses requested are all in conjunction with an existing and operating Farm and the underlying agricultural zoning of the site to fund and create a profitable operation for the subject Farm and the adjacent parcels that are under the control of the same owner. The uses requested will not impact the area but will rather be a vital resource in the area as well as provide income to aid with the operation of the existing farm. The proposed uses and design will beautify and enhance the site while maintaining the rural character of the site and area. The design of the site complies with required zoning district setback requirements and the various uses are placed in areas to ensure no adverse impacts on adjacent residential uses. This facility will not result on an adverse impact on adjacent properties. The site which has its own water rights and is also served by other existing public services and infrastructure.

**Accessory Uses allowed per Code for a Farm in an R-A Zone:**

1. Agriculture, Gardening/cultivation of crops/Vineyard: As a principal use **(existing)** including all related and incidental uses as defined by Code
2. Agricultural Buildings, Sheds: including all related and incidental uses as defined by Code
3. Agriculture/Greenhouses: including all related and incidental uses as defined by Code
4. Employee Housing: (Future) this is conjunction with the existing agriculture uses on the site uses as defined by Code. (See Waiver section for reduction in the acreage for the requested Guest Ranch)
5. Massage including all related and incidental uses as defined by Code
6. Reflexology including all related and incidental uses as defined by Code
7. The weddings will be in the "Meadow" and event locations depicted on the plans and may be outdoors or within the tents set-up in various event locations.

**Justifications**

The proposed uses special use permitted requested are all in conjunction with the existing farm uses and are planned to minimize or have no impact of the adjacent residential used is an appropriate and compatible use for the area. The use is located on the corner of an arterial street (Elkhorn Road Drive with no vehicle access to the adjacent local street alignment (Rio Vista Street) which is vacated and is a trial in this area. Although, uses requiring a special use permit is not specifically allowed based on the interlocal Agreement between the City and Clark County this as outlined in Title 30 is a special use as requested will provide valuable uses to the immediate residents a destination for visitors to the area within a rural setting and allow the continued operation of a farm by providing employment and education. The farm and the proposed facilities will sustain an existing farm and the design and is intended to maintain and complement the rural character of this portion of The Lone Mountain Planning area and the adjacent areas within the Clark County and the adjacent City of Las Vegas which consists primarily of large lot residential area.

**Waiver of Development Standards:**

1. a) Allow alternative landscaping requirements by allowing a reduction in the 50% coverage for shrubs within the landscaping areas along the east, west and south property lines and within the Palm Grove area along the north property line in the site.  
b) Eliminate landscaping along the Elkhorn Road Street frontage and allow existing landscaping behind the wall which is visible from the street.

**Justification:**

The waivers are intended to modify the required landscape standards and does not totally waive the landscaping. The existing width of the buffer/screening area and the number of trees more than exceed Code requirements, however, the spacing between the trees do not exactly meet the requirements. No shrubs or ground cover consisting of rocks are provided but the existing ground consists of organic materials (fallen leaves and tree barks). The alternative standards requested is to relax standards for existing conditions. The trees are mature, the number is more that required by Code. The tree canopies provide more than the required screening and buffering as prescribed by Code.

2. Allow alternative landscape design adjacent to a less intense uses.

**Justification:**

The waivers are intended to modify the required landscape standards and does not totally waive the landscaping. The existing width of the buffer/screening area and the number of trees more than exceed Code requirements, however, the spacing between the trees do not exactly meet the requirements. No shrubs or ground cover consisting of rocks are provided but the existing ground consists of organic materials (fallen leaves and tree barks). The alternative standards requested is to relax standards for existing conditions. The trees are mature, the number is more that required by Code. The tree canopies provide more than the required screening and buffering as prescribed by Code.

3. Reduce on-site parking to 249 spaces where 620 spaces are required.

**Justification:**

The intent of this request is to minimize the number of parking areas and the areas paved for parking since the intent is to keep the facility in as rural and organic state as possible to minimize impacts to the rural nature of the site and the area. Since this is a facility which will attract families and groups many will arrive in vehicles with a higher occupancy, therefore, the parking provided will suffice for a facility that operates for group settings. Additionally, large groups attending events at the site will be encouraged to arrive in vehicles such as vans and higher occupancy vehicles to limit the number of vehicles arriving on the site. Where possible and if necessary, events involving large groups will be directed to park in underutilized large parking lots the in the area (farther away from the site and small vans will be used to transport the groups to the site. Additionally, 16 motorcycle spaces area provided to augment and increase the number of parking spaces



provided for the site. Some guests and customers will also use rideshare transportation options to access the site which in effect reduce the number of parking spaces used for most events. Therefore, the parking provided is optimum for the facility and its operations.

4. Waive the loading area requirements.

**Justification:**

The proposed curved one-way drive lane within the site designed for ingress and egress and the gravel road (along Elkhorn Road) provides circulation within the site and designed to allow for loading and off-loading within the site adjacent to all the operational areas. Therefore, sufficient loading areas are provided within the site.

5. Allow alternative paving materials within the parking area.

**Justification:**

Alternative paving material as approved by The Department of Environmental and Air Quality Management (DEQAM) will be used in the two parking areas. Since this is an existing farm which is part of the Gilcrest Water Cooperative there are existing wells and catch basins on the site which makes it imperative that oil and petroleum based materials used for paving are minimized on the site to prevent contamination of the ground water. Additionally, since this a farm and the intent is to keep the area as natural and organic as possible, therefore, alternative paving materials are more appropriate for the site. The Applicant has been working with Staff at DEQAM on the options and process that to allow alternative materials for the parking area and driveways for the site. A meeting was recently held at the site with David Dean the process of reviewing the plans. An email is attached from David Dean on his communications with the Applicant to allow the alternative paving material for the facility and farm.

6. Waive landscape island fingers within the parking areas.

**Justification:**

This request is to minimize the more commercial aspects of the facility and maintain the rural/organic/natural character of the site by waiving the design elements that will require a larger area used for the parking lot. Since this is a farm, trees, gardens, and native plants already exist on the site that mitigate the waiver to deviate from standards. These existing plantings more than meet the basic requirements and compensate for the waiver requested. Additionally, the trees and scrubs provided adjacent to the parking area mitigate the waiver requested.

as an unofficial trail or sidewalk along Elkhorn Road which is appropriate considering the rural nature of the existing area.

7. a) Allow a Guest Ranch within Community District (CD) 3 where allowed within Community District 5.

- b) Reduce the allowable acreage for a Guest Ranch to 24.72 acres where a minimum of 40 acres is the standard.

**Justification:**

This request is necessary because the site is 24.72 acres. The subject site is portion of an existing Farm which includes other parcels that are not included in this application. The Guest Ranch as proposed is in conjunction with the proposed recreational facility and the existing Farm is an incidental use as related to the overall site and the uses requested for the site. Therefore, this request is appropriate and compatible with area as related site and requested uses and will not impact the area.

- 8. Allow a Retreat within the Urban Area/CD 3 where required to be located outside the Urban area.

**Justification:**

This request is necessary because the site although in CD 3 is within the urban area which has seen tremendous development for the past 30 years but is within an enclave that has remained rural in character. The subject site is portion of an existing Farm which includes other parcels that are not included in this application. The Retreat as proposed is in conjunction with a proposed recreational facility and the existing Farm and is an incidental use as related to the overall site and the uses requested for the site. Therefore, this request is appropriate and compatible with area as related site and requested uses and will not impact the area.

- 9) Reduce the separation to a residential use for an outdoor live entertainment use (south property line only) to 262 feet where a 500 foot separation is required.

**Justification:**

This is request is necessary because the event areas are 262 feet 9 inches feet from the south property line. The parcel to the south is owned by the same entity (Greengale Properties LLC) and Applicant as the subject application, therefore, the reduction in the separation will not impact any other parcel. The parcel to the south will screen and buffer the other parcels to the south to mitigate and or minimize any impacts.

- 10) Waive off-site improvement requirements (curbs, gutters, sidewalks, streetlights, and partial paving) along the street front (Elkhorn Road).

**Justification:**

The request is to maintain and be consistent with the rural street standards and character of the area adjacent at this time. This request for the most part is until the design and construction of Clark County's Roadway Improvement Plan for this segment of Elkhorn Road between Tenaya Way and Jones Boulevard is completed. The Engineer for the project coordinated the access



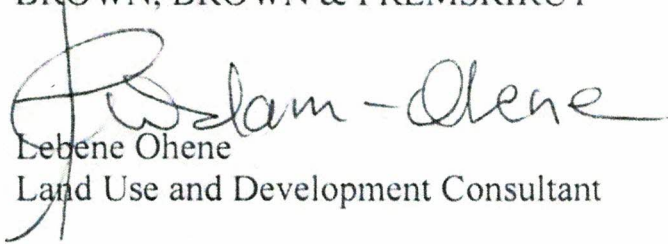
LAW OFFICE

*Brown, Brown & Premsrirut*

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

Sincerely,

BROWN, BROWN & PREMSRIRUT

A handwritten signature in black ink, appearing to read "Lebene Ohene". The signature is written in a cursive style with a large initial "L".

Lebene Ohene  
Land Use and Development Consultant

to the site with the County's Project Engineer to ensure that there are no conflicts when the off-sites are constructed by the County. Per the design of the roadway project this application is intended to cover any portion/s of the off-sites adjacent to the site are not part of the Roadway project. The Roadway Improvements Plans provide are uploaded in the system.

**Design Reviews:**

1. For all buildings and structures (principal and accessory) in conjunction with the facilities requested in conjunction with the existing farm.

**Justification:**

The buildings and structures proposed comply with design and architectural elements outlined in the Code. Additionally, the design of the site and permanent buildings (green houses, office, farm store and equipment building) policies outlined in the recently adopted Master Plan that are related and appropriate for the proposed land use and design, especially for projects adjacent to existing residential developments. The proposed buildings and location of uses comply with and or exceed all required setbacks. The existing walls, fences and landscape areas provided along the property line provide the required buffering and screening and help mitigate any perceived impacts.

2. Increase the finished floor elevation up to 47 inches (3 foot, 11 inches) where 36 inches (3 feet) is the standard.

**Justification:**

The final elevations are expected to result in changes in grade from existing up to approximately 47 inches above existing grade - where 36 inches is the maximum allowed. The increased grades/finished floor elevation is due to variations in the existing topography. The proposed finished grade is to ensure drainage is directed away from the new structures and properly conveyed on graded, unpaved surfaces to existing swales and ditches. All attempts will be made to reduce the fill with the 47 inches requested being the worst case condition and only if ultimately required and is subject to the County's review and approval of the future Drainage Study.

The use and site comply with the goals and policies outlined in the recently adopted Master Plan such as Goal 1.4 and Policy 5.13 to invest and care for a community. This facility will ensure that this enclave of the Las Vegas Valley can be maintained in its rural state and complies LM-1.2 and LM-3.1 to maintain neighborhood integrity and preserve natural features and area and related goals and policies and appropriate for the proposed use and design, especially for projects adjacent to existing residential developments. The proposed project is appropriate for the area and is designed to minimize any adverse impacts perceived and is, therefore, compatible with the existing uses in the area.

We appreciate your consideration in the review and positive recommendation for the project. Please contact me at 702-598-1429, if you have any questions or need additional information.



**EASEMENTS  
(TITLE 30)**

FISHER AVE/KEVIN WY

**PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
VS-22-0083-PETERSON BRIAN C:**

**VACATE AND ABANDON** easements of interest to Clark County located between Fisher Avenue and Washburn Road, and between Kevin Way and Campbell Road within Lone Mountain (description on file). RM/jt/jo (For possible action)

**RELATED INFORMATION:**

**APN:**  
125-32-204-012

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

**BACKGROUND:**

**Project Description**

The site plan depicts the vacation and abandonment of government patent easements around the perimeter of the site. The patent easements to be vacated are 33 feet wide along the south and west property lines, and 3 feet wide along the east and north property lines.

According to the applicant, this same request was previously approved; however, due to delays with the minor parcel map, the application expired. These patent easements are not needed for any additional road or utility purposes.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-18-0145	Vacated government patent easements - expired	Approved by PC	April 2018
ZC-0296-01	Established the R-E (RNP-I) zoning designation for the area	Approved by BCC	September 2001

**Surrounding Land Use**

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

**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 30 feet for Kevin Way, 30 feet for Fisher Avenue, 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.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** E M SZYMANSKI

**CONTACT:** E SZYMANSKI, EMS ENGINEERING, 3315 E. RUSSELL RD., SUITE A-4 #241, LAS VEGAS, NV 89120





# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-22-0083</u>	DATE FILED: <u>02/10/2022</u>
		PLANNER ASSIGNED: <u>JCT</u>	TAB/CAC DATE: <u>03/29/2022</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs)		TAB/CAC: <u>Lone Mountain</u>	
<input checked="" type="checkbox"/> EASEMENT(S)		PC MEETING DATE: <u>04/19/2022</u>	
<input type="checkbox"/> RIGHT(S)-OF-WAY		BCC MEETING DATE: _____	
<input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		FEE: <u>\$875<sup>00</sup></u>	

<b>PROPERTY OWNER</b>	NAME: <u>BRIAN C. PETERSON</u>
	ADDRESS: <u>5135 TEE PEE LANE</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89149</u>
	TELEPHONE: <u>702-378-1221</u> CELL: <u>702-378-1221</u>
	E-MAIL: <u>BRIAN1221@COX.NET</u>

<b>APPLICANT</b>	NAME: <u>SAME</u>
	ADDRESS: _____
	CITY: _____ STATE: _____ ZIP: _____
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____ REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>MIKE SZYMANSKI / EMS ENGINEERING</u>
	ADDRESS: <u>3315 E. RUSSELL RD. STE A-4 #241</u>
	CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89120</u>
	TELEPHONE: <u>702-739-7211</u> CELL: <u>702-379-1432</u>
	E-MAIL: <u>EMSENGLV@GMAIL.COM</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 125-32-204-012

PROPERTY ADDRESS and/or CROSS STREETS: KEVIN / FISHER

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.

Brian Peterson  
 Property Owner (Signature)\*

BRIAN C. PETERSON  
 Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 02/10/2022 (DATE)  
 By Brian Craig Peterson

NOTARY PUBLIC: [Signature]

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

**EMS ENGINEERING**  
3315 E. Russell Rd. Ste a-4 #241  
Las Vegas, Nevada 89120

January 30, 2022

VS-22-0083

Subject: Justification Letter for Patent Easement Vacation.

This vacation is for government patent easements along the side and rear of the property. These easements were previously vacated by the Clark County Commission on April 3, 2018 (VS-18-0145).

It was processed through all the County departments and utilities and approved by them, but because the parcel map was delayed it was never recorded and the vacation expired in April of 2020. These easements are not needed for any additional road or utility purposes. Their vacation was recommended by staff when the parcel map application was originally filed.



E.M. Szymanski, PE



PLANNED UNIT DEVELOPMENT  
(TITLE 30)

FORT APACHE RD/HAMMER LN

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-22-0119-CENTURY COMMUNITIES NEVADA, LLC:**

**ZONE CHANGE** to reclassify 1.9 acres from an R-E (Rural Estates Residential) (RNP-1) Zone to an R-E (Rural Estates Residential) Zone.

**USE PERMITS** for the following: 1) a residential planned unit development (PUD); and 2) reduce the building setback from project perimeters.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce the area of a PUD; 2) increase wall height; and 3) off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).

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

Generally located on the east side of Fort Apache Road and the south side of Hammer Lane within Lone Mountain (description on file), RM/md/jo (For possible action)

---

**RELATED INFORMATION:**

**APN:**

125-32-201-001

**USE PERMITS:**

1. A detached single family residential planned unit development.
2. Reduce the building setback from project perimeters to 5 feet where a minimum of 10 feet is required per Section 30.24.060 (a 50% reduction).

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the area of a PUD to 1.9 acres where a minimum of 5 acres are required per Section 30.32.020 (a 62% reduction).
2. Increase the height of a combination screen wall/retaining wall to 12 feet (6 foot screen wall with a 6 foot retaining wall) where a maximum height of 9 feet (6 foot screen wall with a 3 foot retaining wall) is permitted per Section 30.64.050 (a 33.3% increase).
3. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Hammer Lane where required per Chapter 30.52.

**DESIGN REVIEWS:**

1. Detached single family residential planned unit development.
2. Increase finished grade to 114 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 216.7% increase).

## LAND USE PLAN:

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

## BACKGROUND:

### Project Description

#### General Summary

- Site Address: N/A
- Site Acreage: 1.9
- Number of Lots: 4
- Density (du/ac): 2.12
- Minimum/Maximum Lot Size (square feet): 20,000/20,883 (gross), 14,872/17,524 (net)
- Project Type: Detached (single family residential) planned unit development
- Number of Stories: 1
- Building Height (feet): Up to 23.5 (single family residences)/up to 17 (accessory structures or accessory apartment)
- Square Feet: 3,001 to 3,704 (single family residences)/599 square feet to 604 square feet (accessory structures or accessory apartment)

#### Site Plans

The plans depict a detached single family residential development situated on a 1.89 acre site consisting of 4 residential lots with a density of 2.12 dwelling units per acre. The planned unit development (PUD) is less than 5 acres, necessitating the waiver of development standards to the minimum area required for the development of the site. The minimum and maximum gross lot sizes are 20,000 square feet and 20,883 square feet, respectively. The minimum and maximum net lot sizes are 14,872 square feet and 17,524 square feet, respectively. Open space is not required for this PUD as the site is located within a rural residential zoning district, is less than 10 lots, and less than 6 dwelling units per acre. Parking will consist of garage parking for residents and surface parking consisting of driveways for residents and visitors. The minimum setbacks for the detached single family residences are as follows:

	Front Setback	Rear Setback	Side Setback	Side Street (Corner) Setback
Single family residence*	31 feet	30 feet	10 feet	15 feet
Patio cover	-	12 feet	7 feet	10 feet
Accessory structure (accessory apartment or pool house)	31 feet	5 feet	5 feet	10 feet

\* The PUD establishes alternative front, side, side street (corner) and rear setbacks. The front setback is set at 31 feet as measured from the centerline of the private street to allow for the addition of the casita option.

The side and rear setbacks requested for the patio cover and accessory structures require an additional use permit to reduce the building setback from the perimeter of the PUD. Access to the project site is granted via a 40 foot wide private street, terminating in a cul-de-sac bulb, connecting to Hammer Lane. A 5 foot wide sidewalk is provided along the west half of the



private street, in accordance with the PUD requirements. A waiver of development standards is requested to eliminate the required off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Hammer Lane. Furthermore, a waiver of development standards is also requested to increase the height of the combined screen wall/retaining wall up to a maximum of 12 feet along the north, south, east, and west boundaries of the project site. Due to the topography of the site, a design review is also requested to increase finished grade up to a maximum of 114 inches within the interior of the site. The maximum grade increase is located on Lots 2 and 3, along the east portion of the project site.

### Landscaping

A 6 foot wide landscape area, consisting of 24 inch box trees planted 20 feet on center, is located adjacent to Fort Apache Road and Hammer Lane. Shrubs and groundcover will also be planted within the street landscape areas. An existing 5 foot wide detached sidewalk is located along Fort Apache Road.

### Elevations

The plans depict single story model homes with 9 different elevations with a maximum height of 23.5 feet. The proposed models consist of a pitched, concrete tile roof featuring stucco and stone veneer. Architectural enhancements are featured on the building elevations including window fenestration, faux shutters, and stucco pop-outs.

### Floor Plans

The plans depict single story homes with floor plans ranging between 3,001 square feet to 3,704 square feet. The floor plans feature multiple bedrooms, living room, dining room, kitchen, bathrooms, closets, laundry room, and a great room. The homes feature 2 to 3 car garages. The floor plans for the accessory structures (detached garage and pool house) and accessory apartment (casita) range between 599 square feet to 604 square feet.

### Applicant's Justification

The applicant states the use permit will allow the developer to develop a planned unit development (PUD) on the subject property at a density of 2.12 dwelling units per acre. The project site is surrounded by a mix of undeveloped and rural properties. The proposed PUD will provide consistency and a development that is compatible and harmonious with existing and future planned developments.

This conforming zone change is requested to alleviate the site from the restrictions of Title 30.48.190(a), which requires properties within an RNP overlay to maintain an overall density of 2 dwelling units per acre. Because the project site proposes 2.12 units/gross acre, the conforming zone change is needed.

Because the Lone Mountain area generally has steeper grade in comparison to other parts of the valley and has larger lot sizes (at least 20,000 square feet), greater fill is needed to make-up for the grade difference and achieve a flat pad for the finished floor. Additionally, the current drainage pattern conveys flow to the low point of the site at the southeast corner. To limit the project's drainage impact on adjacent parcels, this development will instead discharge into the



Hammer Lane right-of-way and; therefore, needs an extra retaining wall at the southeast corner to provide positive drainage to the roadway.

The applicant requests a waiver of development standards to allow for the installation of rural roadway improvements that the site would be entitled to provide with its current RNP-I Overlay. However, with the conforming zone change removing this overlay, the site would be responsible for installing full off-site improvements per Title 30.52.040. The applicant is requesting a waiver from installing full off-site improvements to keep the surrounding area rural and match the surrounding right-of-ways along Hammer Lane. The waiver request is compatible with the area because the developments adjacent to the project site do not have full off-site improvements along Hammer Lane.

The applicant requests an increase in finished grade up to a maximum of 114 inches. The maximum fill will be primarily localized to Lots 2 and 3 along the eastern perimeter of the site. This request for fill heights will exceed the currently allowed retaining wall height maximum outlined in Title 30. This request is necessary to direct storm run-off around habitable structures and provide adequate flood protection. Additionally, the larger fill height is necessary to provide the standardized vertical cover for the proposed sewer. The use is compatible with adjacent uses in terms of scale, site design, and operating characteristics.

**Surrounding Land Use**

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

**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 intent of the Residential Neighborhood Preservation Overlay District is to maintain low density residential development, not to exceed an overall density of 2 dwelling units per acre. Staff finds the applicant has not provided sufficient justification to warrant a recommendation of approval for the zone change. The project site is surrounded by multiple properties within the RNP-I Overlay District and the zone change, if approved, will create a single isolated development located outside of the Overlay District. Approval of the zone change will allow the proposed development, which exceeds 2 dwelling units per acre, to intrude into an existing R-E (RNP-I) area. Therefore, staff recommends denial of the zone change.



### 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.

### 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.

### Use Permits, Waiver of Development Standards #1, & Design Review #1

A planned unit development (PUD) is intended to maximize flexibility and innovation in residential development by utilizing area sensitive site planning and design to achieve a desirable mixture of compatible land use patterns that include efficient pedestrian and vehicular traffic systems, streetscapes, and enhance residential amenities. The applicant has requested the PUD to obtain the benefit of increased density without providing the enhanced design and additional amenities. The Development Code requires a PUD be established on a minimum of 5 acres under common ownership or unified control to ensure cohesive and unified development. Staff finds the project site is too small to allow for the proper development of a PUD including the enhanced design and additional amenities commonly featured with this type of project. Although the design of the subdivision is consistent with other 4 lot cul-de-sac developments within the surrounding area, staff is concerned the proposed project is not compatible with the density of the existing and planned land uses in the surrounding area. Therefore, staff recommends denial of these requests.

### Waiver of Development Standards #2

The increased wall height to a maximum of 12 feet could potentially impact the surrounding land uses and properties, due to the proposed height. Therefore, staff cannot support this request.

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

#### Waiver of Development Standards #3

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. Therefore, staff cannot support the Waiver of Development Standards for full off-site improvements.

### Design Review #2

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

Clark County Code, Title 30, or previous land use approval. However, since Planning is recommending denial of the application, staff cannot support this waiver.

**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:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- 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 use permits, waivers of development standards, and design reviews must commence within 2 years of approval date or they will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Right-of-way dedication to include spandrel in the northwest corner of the site;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.



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

**APPLICANT:** STRIVE ENGINEERING  
**CONTACT:** STRIVE ENGINEERING, 8912 SPANISH RIDGE AVE., STE 200, LAS VEGAS, NV 89148

DRAFT



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

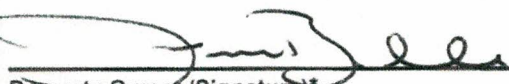
<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  _____ (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  _____ (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  _____ (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>ZC-22-0119</u> DATE FILED: <u>2/22/22</u> PLANNER ASSIGNED: <u>MNO</u> TAB/CAC: <u>LOVE MOUNTAIN</u> TAB/CAC DATE: <u>3/29/22 @ 6:30</u> PC MEETING DATE: <u>—</u> BCC MEETING DATE: <u>4/20/22 @ 9:00 A.M.</u> FEE: <u>\$2,875</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Century Communities/Joe Genovese</u> ADDRESS: <u>6345 S Jones Boulevard, Suite 400</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>(702) 330-4694</u> CELL: _____ E-MAIL: <u>joe.genovese@centurycommunities.com</u>
	<b>APPLICANT</b>  NAME: <u>Century Communities/Joe Genovese</u> ADDRESS: <u>6345 S Jones Boulevard, Suite 400</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>(702) 330-4694</u> CELL: _____ E-MAIL: <u>joe.genovese@centurycommunities.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Jason Shon, EI / Strive Engineering</u> ADDRESS: <u>8912 Spanish Ridge Avenue, Suite 200</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89148</u> TELEPHONE: <u>(808) 220-3488</u> CELL: _____ E-MAIL: <u>jason.shon@strivenv.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 125-32-201-001

PROPERTY ADDRESS and/or CROSS STREETS: Hammer Fort Apache

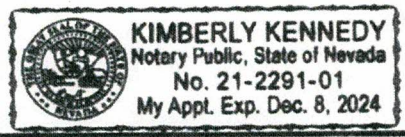
PROJECT DESCRIPTION: Single Family Residential

(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.

  
 Property Owner (Signature)\*      Robert Beville  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 10-25-2021 (DATE)  
 By Robert M. Beville  
 NOTARY PUBLIC: Kimberly Kennedy



\*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.



February 17, 2022

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

**PLANNER  
COPY**

**Subject: Justification Letter for Design Review, Special Use Permit, Waiver of Development Standards, & Conforming Zone Change Application for Hammer Fort Apache (APN: 125-32-201-001)**

To Whom It May Concern,

On behalf of our client, Century Communities of Nevada, we are pleased to offer this Justification Letter for a Design Review, Special Use Permit, Waiver of Development Standards, and Conforming Zone Change for a proposed +/- 1.89 -acre residential subdivision located at southeast corner of Fort Apache Road and Hammer Lane within Clark County jurisdiction. The client is requesting a Special Use Permit (SUP) to establish a Planned Unit Development (PUD) for this project.

**Project Description:**

The site consists of one parcel; APN: 125-32-201-001 (+/- 1.89 acres). The proposed single family, single-story residential development consists of four (4) lots on a +/- 1.89 acres, with a gross density of 2.12 DU/Gross Acre. The parcel is currently classified under Rural Estates Residential Development (R-E) zoning with Rural Neighborhood Preservation-I (RNP-I) overlay and falls under the Ranch Estate Neighborhood (RN) Land Use Plan. By adding the PUD overlay, it will allow the developer to develop up to a density of 2.5 du/gross acre per Table 30.24-1. The project site is surrounded by a mix of undeveloped and rural properties. The subdivision will feature a mix of single-story rural estate lots that face public right-of-way, which is consistent with the Clark County development guidelines in this area.

**Design Review:**

The proposed development requires a design review to increase the finished grade above 36 inches as required by Title 30.32.040(9)(b) to a maximum of +/- 114 inches. It is acknowledged that the current onsite fill shows up to 109 inches of vertical fill, but 114 inches is requested to allow room for grading changes should constraints change in the drainage or utility design phase of the project. The maximum fill will be primarily localized to Lots 2 and 3 along the eastern perimeter of the site. This request for fill heights will exceed the currently allowed retaining wall height maximum outlined in Title 30. This request is necessary to direct storm runoff around habitable structures and provide adequate flood protection. Additionally, the larger fill height is necessary to provide the standardized vertical cover for the proposed sewer. The design review is also requested to establish a PUD.

**Special Use Permit:**

The client is requesting a Special Use Permit to establish a PUD overlay for this development. By adding the PUD overlay, it will allow the developer to develop up to a density of 2.5 du/gross acre per Table 30.24-1. The project site is surrounded by a mix of undeveloped and rural properties.



Per the Lone Mountain Interlocal Agreement Section 2.C, modifications to the planning area may occur when an agreement is reached between the City of Las Vegas, Clark County, and the existing property owners. In compliance with this section of the code, documentation from Clark County Commissioner Ross Miller and City of Las Vegas Councilman Stravros Anthony in support of the special use permit is also provided with this application.

The project site follows the Planned Unit Development provisions as required by Title 30.24 unless otherwise noted in the Waiver of Development Standards section this justification letter. A 5-ft wide sidewalk is located along one side of the street. Additionally, adequate residential and guest parking is provided. Every proposed floor plan offers a three-car garage as the base option that exceeds the required two (2) spaces per residence. All models also provide a minimum 20-ft long driveway that are assumed to accommodate up to two (2) guest parking spaces.

The parking calculations are as follows:

REQUIRED PARKING PER TITLE 30.24.080(e)	
PARKING TYPE	# OF SPACES
2 RESIDENTIAL SP/UNIT * 4 UNITS =	8
1 GUEST SP/5 UNITS * 4 UNITS =	1
1 GUEST SP/5 ENCLOSE SP * REQUIRED 2 ENCLOSE SP/UNIT * 4 UNITS =	2
TOTAL SPACES =	11

PROVIDED PARKING	
PARKING TYPE	# OF SPACES
ALL 4 UNITS HAVE A BASE 3-CAR RESIDENTIAL GARAGE =	12
2 GUEST SP/DRIVEWAY * 4 DRIVEWAYS =	8
TOTAL SPACES =	20

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1. Minimum Proposed Gross Area: 20,000 SF
2. Minimum Proposed Net Area: 14,872 SF
3. Proposed Principal Structure Setbacks Table:

Front	31 FT
Rear	30 FT
Side	10 FT
Side Corner	15 FT

4. Proposed Patio Setbacks Table:

Rear	12 FT (allowed with removal of RNP-I overlay)
Side	7 FT
Side Corner	10 FT



5. Proposed Accessory Structure Setbacks Table:

Front	31 FT
Rear	5 FT
Side	5 FT
Side Corner	10 FT

**Note:** The proposed PUD establishes alternative front, side, side corner, and rear setbacks. The front setback is set at 31 feet measured from the centerline of the private street to allow for the addition of a casita option. In other words, the front setback line is measured 5 feet from the back of curb along the private street entry into the site.

6. Project goals per Section 30.24.010 (b)

**a. Minimize adverse impacts on surrounding property.**

Development of the project site has no adverse impacts on the surrounding properties. The development of the parcel as a residential subdivision is in conformance with the use outlined in the Enterprise Land Use Plan.

Additionally, the developer-proposed residential elevations will conform with the adjacent properties in density, color scheme, and architectural aspects.

**b. Provide for the revitalization and/or redevelopment of areas where decline of any type has occurred.**

The developer will improve the roadway, utilities, thus repairing any aging or deficient infrastructure adjacent to or within the project site.

**c. Encourage infill development that is compatible and harmonious with adjacent uses, both existing and planned.**

Development of the subject site fulfills this provision to its definition, proposing a residential product on a vacant property. The cul-de-sac matches the adjacent properties which makes the proposed subdivision is "compatible and harmonious" in terms of land use and the aesthetic of adjacent properties.

**d. Provide development that is compatible with the County's goals and objectives and contributes to the general prosperity, health, safety, and welfare of the community.**

The PUD establishment protects and promotes the health, safety, morals, and general welfare of the public. It will also improve the infrastructure to provide greater safety by installing adjacent utilities.

**e. Provide consistency with the Plan, this Title, and other applicable plans, policies, standards, and regulations.**

All proposed improvements and residential products for the PUD are in conformance with the RNP Land Use, Title 30 Development Code, and other applicable standards unless otherwise noted in the Waiver of Development Standards section of this justification letter.

7. Open Space Requirement: Per Section 32.24.070.c.(1), open space is not required since the development does not propose ten (10) or more units.

**Waivers:**

**1. Waiver of Title 30.24.020(1) – PUD candidate site must consist of a minimum gross area of five (5) acres.**

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The developer is requesting this waiver to be applicable to the 1.89-acre site. The establishment of the PUD is requested to increase density to 2.12 du/gross acre and to match surrounding 4-lot subdivisions in the area. This will provide consistency and a development that is compatible and harmonious with existing and future planned developments.

**2. Waiver of Title 30.64.050-4.A, to allow for a 6 feet maximum perimeter retaining wall where a maximum of 3 feet is allowed.**

We are requesting a waiver of development standard to increase our retaining wall height to a maximum of 6 feet on the south and east perimeters of the site. Because the Lone Mountain area generally has steeper grade in comparison to other parts of the valley and has larger lot sizes (at least 20,000 SF), greater fill is needed to make up for the grade difference and achieve a flat pad for the finished floor. Additionally, the current drainage pattern conveys flow to the low point of the site at the southeast corner. To limit the project's drainage impact on adjacent parcels, this development will instead discharge into the Hammer Lane right-of-way and therefore needs extra retaining wall at the southeast corner to provide positive drainage to the roadway.

**Conforming Zone Change:**

The applicant requests a conforming zone change from the existing R-E zoning with RNP-I overlay to R-E zoning without an overlay. This conforming zone change is requested to alleviate the site from the restrictions of Title 30.48.190(a), which requires properties within an RNP overlay to maintain an overall density of 2 dwelling units per acre. Because the project site proposes 2.12 units/gross acre, the conforming zone change is needed.

**Conclusion:**

The proposed single family residential development will generate short-term temporary traffic, noise, and odor impacts during construction and will reduce to minimal levels as the developed properties become populated by homeowners. No significant adverse impacts to the existing natural environment are anticipated.

The project parcel is located within an R-E (Rural Estates Residential) zone with RNP-I (Rural Neighborhood Preservation-I) overlay and the proposed development generally complies with all applicable provisions of the Clark County Development Code, Title 30 standards, and the goals of the Land Use Plan. The use is compatible with adjacent uses in terms of scale, site design, and operating characteristics.

We appreciate your consideration in reviewing and approving this application, so we can provide a development that is consistent with the County's vision. If you have any further questions, please do not hesitate to contact me at [jason.shon@strivenv.com](mailto:jason.shon@strivenv.com) or (808) 220-3488.

Sincerely,



Jason Shon, EI

Assistant Project Manager