



Lone Mountain Citizens Advisory Council
Mountain Crest Neighborhood Services Center
4701 N Durango Drive
Las Vegas, NV 89129
 November 30, 2021
 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
 Bradley Burns

Secretary: Dawn vonMendenhall, 702-289-0196, 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
 William Covington, 702-455-2540, 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
 MARILYN KIRKPATRICK, Chair – JAMES B. GIBSON, Vice-Chair
 JUSTIN C. JONES – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT – TICK SEGERBLOM
 YOLANDA 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 November 9, 2021. (For possible action)
- IV. Approval of the Agenda for November 30, 2021, and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
None
- VI. Planning and Zoning

12/21/21 PC

- 1. **NZC-21-0624-WALKER AMBER RAE & SLENDER MANDY LYNN & LISA IRENE:** **ZONE CHANGE** to reclassify 2.9 acres from an R-E (AE-60) Zone to an R-3 (Multiple Family Residential) (AE-60) Zone. **DESIGN REVIEW** for a multiple family residential development. Generally located on the south side of Coran Lane, 135 feet west Simmons Street within the Lone Mountain Planning Area (description on file). WM/al/jo (For possible action)

12/22/21 BCC

- 2. **UC-21-0630-CHANCELLOR MANOR, LC: USE PERMITS** for the following: **1)** permit a horse riding/rental stable; **2)** reduce minimum area required for a horse riding/rental stable; **3)** allow a boarding stall, corral, and pen area within the front yard where required to be located within the side or rear yard; **4)** allow alternative landscaping along all side and rear property lines; and **5)** increase the maximum number of Agriculture - Livestock, (small) animals. **WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate street landscaping; **2)** eliminate parking lot landscaping; **3)** allow alternative landscaping adjacent to a less intensive use; **4)** reduce setbacks for structures; **5)** reduce setback from the right-of-way for existing structures; **6)** permit an existing non-decorative fence; **7)** increase fence height; **8)** eliminate trash enclosure; **9)** reduce access gate setback; **10)** allow modified street standards; and **11)** waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving). **DESIGN REVIEW** for a proposed horse riding/rental stable and associated structures in conjunction with an existing single family residence on 2.2 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the west side of Miller Lane, 1,000 feet north of Lone Mountain Road within Lone Mountain. RM/bb/ja (For possible action)
- 3. **WS-21-0629-JLT HOLDING COMPANY, LLC: WAIVER OF DEVELOPMENT STANDARDS** to increase the height of a block wall. **DESIGN REVIEW** for finished grade on 2.1 acres in an R-A (Residential Agricultural) (RNP-II) Zone. Generally located on the north side of Jakes Place and the west side of Bonita Vista Street within Lone Mountain. MK/sd/jo (For possible action)

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: December 14, 2021.

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

November 9, 2021

MINUTES

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

Secretary: Dawn vonMendenhall, clarkcountycac@hotmail.com

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

- I. Call to Order, Pledge of Allegiance, Roll Call, County Staff Introductions
The meeting was called to order at 6:31 p.m.
- II. Public Comment
None
- III. Approval of October 12, 2021 Minutes
Moved by: Sharon
Action: Approved subject minutes as submitted
Vote: 4/0 -Unanimous
- IV. Approval of Agenda for November 9, 2021
Moved by: Kim
Action: Approved agenda as submitted, with items 3 and 4 heard together
Vote: 3/0 - Unanimous
- V. Informational Item(s)
 1. Received presentation regarding the NDOT I-11 Planning and Environmental Linkages (PEL) Study (for Discussion Only)

VI. Planning & Zoning

1. **WS-21-0447-GILBERT, DAN & CLAUDIA: WAIVER OF DEVELOPMENT STANDARDS** to increase the proposed retaining wall height. **DESIGN REVIEW** for increase finished grade in conjunction with a proposed single family residence on 2.5 acres in an R-E Zone. Generally located on the southeast corner of Verde Way and Jensen Street within Lone Mountain. RM/jor/jo 10/20/21 BCC

Action: APPROVED as submitted subject to staff conditions

Moved By: Chris

Vote: 4-0 Unanimous

2. **WS-21-0589-ROCKWELL TRUST: WAIVER OF DEVELOPMENT STANDARDS** to not connect to municipal water in conjunction with a single family residential minor subdivision on 4.5 acres in an R-E (RNP-I) Zone. Generally located 230 feet north of Deer Springs Way and 765 feet west of Torrey Pines Drive within Lone Mountain. MK/jt/jo (For possible action) 12/07/21 PC

Action: APPROVED as submitted, subject to staff conditions

Moved By Kim

Vote: 3/1

3. **VS-21-0610-RCAD TRUST & KHOURY MARIZ TRS: VACATE AND ABANDON** easements of interest to Clark County located between Fort Apache Road and Dapple Gray Road and between Stange Avenue and Lone Mountain Road within Lone Mountain (description on file). RM/bb/jo (For possible action) 12/08/21 BCC

Action: APPROVED as submitted, subject to staff conditions and condition that applicant has neighborhood meeting to discuss project plans

Moved By: Chris

Vote: 4/0

4. **WS-21-0609-RCAD TRUST & KHOURY MARIZ TRS: WAIVER OF DEVELOPMENT STANDARDS** to increase retaining wall height. **DESIGN REVIEW** for finished grade on 1.9 acres in an R-E Zone. Generally located on the north side of Stange Avenue and the east side of Fort Apache Road within Lone Mountain. RM/bb/jo (For possible action) 12/08/21 BCC

Action: APPROVED as submitted, subject to staff conditions and condition that applicant has neighborhood meeting to discuss project plans

Moved By: Chris

Vote: 4/0

VII. General Business

None

VIII. Public Comment

None

IX. Next Meeting Date

The next regular meeting will be November 30, 2021.

X. Adjournment

The meeting was adjourned at 8:54 p.m.

12/21/21 PC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT
(TITLE 30)

CORAN LN/SIMMONS ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-21-0624-WALKER AMBER RAE & SLENDER MANDY LYNN & LISA IRENE:

ZONE CHANGE to reclassify 2.9 acres from an R-E (Rural Estates Residential) (AE-60) Zone to an R-3 (Multiple Family Residential) (AE-60) Zone.

DESIGN REVIEW for a multiple family residential development.

Generally located on the south side of Coran Lane, 135 feet west Simmons Street within the Lone Mountain Planning Area (description on file). WM/al/jo (For possible action)

RELATED INFORMATION:

APN:

139-20-301-004

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 3001 Coran lane
- Site Acreage: 2.9
- Number of Units: 52
- Density (du/ac): 17.9
- Project Type: Multiple family residential development
- Number of Stories: 2
- Building Height (feet): 26.5
- Open Space Required/Provided: 10,400/12,870
- Parking Required/Provided: 92/92

Neighborhood Meeting Summary

This request is for a nonconforming zone change to reclassify approximately 2.9 acres from an R-E zone to an R-3 zone for a multiple family residential development. The applicant conducted a virtual neighborhood meeting on March 23, 2021 as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site and 2 neighbors attended the meeting. Concerns raised at the meeting included the number of families within the development and the income levels for renters.

Site Plans

The site is a county island surrounded by parcel in the cities of Las Vegas and North Las Vegas. The plans depict a multiple family residential development consisting of 52 units with a density of 17.9 dwelling units per acre. Access to the development is from Coran Lane by a single driveway located on the northeast corner of the site. The development consists of 6 buildings for the residential units and a building for a recreation area. The plans show that 2 of the residential buildings are located along the southern boundary of the site, set back a minimum of 20 feet from the south, east, and west property lines of the site. The 4 remaining residential buildings are located in the central portion of the site with parking located to the east, west, and south of these buildings. The site has approximately 12,870 square feet of open space that is distributed throughout the development. Most of the open space is landscape areas; however, there is a recreation area on the northern portion of the site to the southwest of the entrance to the development with a pool and barbeque area. A 6 foot high decorative block wall will be provided along the south, west, and east property lines. A 6 foot high decorative fence with gates will be provided along the northern boundary of the site.

Landscaping

The plans show minimum 10 foot wide landscape areas along the north, west, and east property lines and a minimum 20 foot wide landscape area along the south property line. Landscaping in these areas will consist of trees, shrubs, and groundcover. Additional landscape areas are located within the parking areas and adjacent to the buildings.

Elevations

The residential buildings are 2 stories with a maximum height of 26.5 feet. The residential buildings have a flat roof behind parapet walls and the exteriors consist of a combination of stucco finish painted in earth tone colors, horizontal lap siding, and decorative metal railing. The building in the recreation area is 1 story with a maximum height of 16.5 feet. This building also has a flat roof behind a parapet wall and the exterior matches the residential buildings. The plans also show canopies over some of the parking spaces. These canopies are 10 feet in height with a flat metal roof that is supported by metal posts.

Floor Plans

The development has a total area of approximately 101,398 square feet that is divided between 6 residential buildings and a building in a recreation area. The development has 52 units which consists of 20, one bedroom units and 32, two bedroom units. The 1 bedroom units have an area of approximately 746 square feet and the 2 bedroom units have an area of approximately 1,014 square feet. The building in the recreation area has an area of 301 square feet which includes a shower for the pool, pool equipment, storage area, office, and the mailboxes for the residents.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed development is consistent and compatible with existing development in the area. There is high demand for additional housing units in this area which

the approval of this request will help to satisfy the demand. The development will not have an adverse effect on public facilities and services in the area.

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	City of North Las Vegas	M-1	Office/warehouse buildings
South	City of Las Vegas	R-3	Multiple family residential
East	Rural Neighborhood (up to 2 du/ac) & City of Las Vegas	R-E, R-CL, R-3 & R-4	Single family residential, place of worship, multiple family residential, & undeveloped
West	City of Las Vegas	R-E	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

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

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

This site is a county island that is surrounded by the cities of Las Vegas and North Las Vegas. Other parcels in this area that are in the County are either undeveloped or developed with single family residences in an R-E zone. The higher density residential developments and more intense commercial/industrial developments in this area are within the jurisdiction of the cities. One of the reasons why this area is designated Rural Neighborhood in the land use plan is because the County does not have the ability to supply the infrastructure needed to support higher density or more intense development and this fact has not changed. There may have been trends in this area for additional housing units, however, these trends would be in the City and not the County. Therefore, staff finds that there has been no change in law, policies, trends, or facts in this area which makes it appropriate for the County to approve this use at this location.

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

The proposed use is compatible with existing developments on abutting properties in this area. However, these higher density and more intense developments are located within the jurisdictions of the cities of Las Vegas and North Las Vegas. The developments in this area that are within the County are single family residences in R-E zoned districts; therefore, this

development is not compatible with the existing developments that are in the County's jurisdiction in this area.

- 3. There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed by the nonconforming zoning.*

There has been no indication from public services and facility providers that this development would have an adverse effect on public facilities and services in this area. The Clark County School District has indicated that this development would increase student yield by 14 students for the schools that serve this area (7 elementary students, 3 middle school students, and 4 high school students). The School District also indicates that 1 school that would serve this area (Detwiler Elementary School) is over capacity with current enrollment. As a residential development the project would create an increased demand for parks within the area; however, this is off-set by the on-site recreational areas being provided for the residents of the development.

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

This site is a County island surrounded by the cities of Las Vegas and North Las Vegas. When compared to the existing developments within the cities, this project complies with Urban Specific Policy 4 to preserve existing residential neighborhoods by encouraging vacant lots with these areas to develop at similar densities as the existing area. There are multiple family residential developments in the Cities that abut this site. However, there are also existing single family residential developments within other County islands in this area that are developed with single family residences in R-E zoned districts which this project is not compatible with. This project does not comply with Urban Specific Policy 8 which discourages nonconforming zone change applications.

Summary

Zone Change

Staff finds that there has not been a change in law, policies, trends, or facts which make this proposed nonconforming zone boundary amendment appropriate. The proposed development is compatible with other developments located within the Cities that abut this site; however, the proposed development is not compatible with other developments in this area that are within the County. There has been no indication from public services and facilities providers that this development will have adverse effects on public facilities and services in this area. The project does comply with other applicable adopted goals and policies; however there are other policies that it does not comply with. Staff finds that the applicant has not provided a Compelling Justification that satisfies all the criteria listed above to warrant approval of this nonconforming zone boundary amendment and therefore, does not support this request.

Design Review

The design of the proposed multiple family residential development complies with the development requirements for the R-3 zoning district. The project is exceeding required open

space and providing recreational amenities for the residents of the proposed complex. However, staff does not support the zone change needed to allow for the proposed development; therefore, cannot support the design review.

Department of Aviation

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

Staff Recommendation

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on January 19, 2022 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Resolution of Intent to complete in 3 years;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 5 feet for Coran Lane.

Department of Aviation

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that this property is currently serviced by a septic system with regard to sewage disposal; this system falls under the jurisdiction of the Southern Nevada Health District; this property is within 400 feet of City of Las Vegas public sanitary sewer; and for any sanitary sewer needs, applicant is advised to contact the City of Las Vegas.

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

APPLICANT: PETERSEN MANGEMENT LLC

CONTACT: DC PETERSEN PROFESSIONAL CONSULTANTS, LLC, 5052 S. JONES BLVD. SUITE 110, LAS VEGAS, NV 89118



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE



APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <i>\$1700</i> <input checked="" type="checkbox"/> NONCONFORMING (NZC) <i>2.8 gross x 50 = \$14000</i> <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <i>6750</i> <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 #)	STAFF APP. NUMBER: <u>NZC 21-0624</u> DATE FILED: <u>10-25-21</u> PLANNER ASSIGNED: <u>AI</u> TAB/CAC: <u>Lone Mountain</u> TAB/CAC DATE: <u>11-30-21</u> PC MEETING DATE: <u>12-21-21</u> BCC MEETING DATE: <u>1-19-22</u> FEE: <u>\$ 2,715⁰⁰</u>
	PROPERTY OWNER NAME: <u>Amber Rae Walker, Mandy Lynn and Lisa Irene Slender</u> ADDRESS: <u>9447 W. Zuni Dr.</u> CITY: <u>BOISE</u> STATE: <u>ID</u> ZIP: <u>83704</u> TELEPHONE: _____ CELL: <u>208-921-7045</u> E-MAIL: <u>amber@cityoftreemountain.com</u>
	APPLICANT NAME: <u>PETERSEN MANGEMENT LLC</u> ADDRESS: <u>5052 S. JONES BLVD. SUITE 110</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-734-9393</u> CELL: <u>702-236-1802</u> E-MAIL: <u>dpetersen@visiconlv.com</u> REF CONTACT ID #: <u>186247</u>
CORRESPONDENT NAME: <u>RICHARD GALLEGOS - D C PETERSEN CONSULTANTS</u> ADDRESS: <u>5052 S. JONES BLVD. SUITE 110</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-524-0054</u> CELL: <u>702-524-0054</u> E-MAIL: <u>rgallegos@visiconlv.com</u> REF CONTACT ID #: <u>168799</u>	

ASSESSOR'S PARCEL NUMBER(S): 139 20 - 301 - 004

PROPERTY ADDRESS and/or CROSS STREETS: 3001 CORAN LANE

PROJECT DESCRIPTION: Zone Change from R-E to R-3 for 52 units on 2.9 Gross acres in Planned Lane Use

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


Amber Rae Walker, et al,


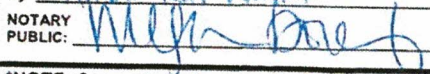
Property Owner (Signature)* Property Owner (Print)

STATE OF Idaho

COUNTY OF Ada

SUBSCRIBED AND SWORN BEFORE ME ON 11 March 2021 (DATE)

By Amber Rae Walker

NOTARY PUBLIC: 

MEGAN DOOLEY
 Notary Public - State of Idaho
 Commission Number 20190328
 My Commission Expires Feb 19, 2025

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

April 15, 2021 *Revised May 20, 2021

Clark County Current Planning
500 S. Grand Central Parkway
Las Vegas, NV 89101

Attn: Al Laird - Principal Planner

**RE: DIAMOND CORAN MULTIFAMILY
APN: 139-20-301-004
COMPELLING JUSTIFICATION LETTER
NON CONFORMING ZONE CHANGE & DESIGN REVIEW**

Dear Al,

We respectfully request favorable consideration for our application on the above referenced project for a Non-Conforming Zone Change and Design Review. The request is to change the existing from an R-E zoning to a R-3 zoning district.

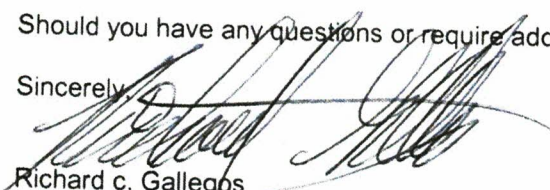
This request is appropriate based on the following findings of facts:

1. There has been a change in law, policies, trends and other facts after the adoption of Land Use Plan that have substantially changed the character and condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate. The proposal is to allow R-3 zoning on 2.9 acres which is currently zoned R-E. The Lone Mountain Land Use plan designation is RN. The proposed development is to allow 52 units with a density of 17.93 units per acre. The demand for housing in the neighborhood is high and there is a shortage of living units. This development will assist in the demand.
The proposal is appropriate based on the location of the site as it relates to the existing industrial/commercial development to the North and existing surrounding developed land. The subject site is approximately 2.9 gross acres (2.8 net) and is located on the south side of Coran Lane approximately 105 feet west of Simmons Street. The site is under the AE60 noise level contour zone. The subject site is long and narrow and is surrounded on the east boundary (northern 250 feet) by an existing church in a R-E zone. The remaining 190 feet of the east boundary is abutting the City of Las Vegas jurisdiction with 2 parcels zoned R-CL and 2 parcels zoned R-3. The southern boundary abuts the City of Las Vegas with an existing multi-family development zoned R-3. The west boundary is also abutting the City of Las Vegas jurisdiction and is zoned R-E generally undeveloped with a residence. To the north across Coran Lane is the City of North Las Vegas jurisdiction with all developed parcels that are zoned M-1 (Industrial).
2. The proposed density and intensity is compatible and consistent with the existing and proposed land uses in the surrounding area. The project is also compatible with the existing surrounding multi-family developments including the R-4 zoned development to the east across Simmons and the M-1 zoning across Coran to the north.
3. There will not be any substantial adverse effects on public facilities and services including roads, access, schools, parks, fire and police facilities, and storm water and drainage facilities as a result of this proposal; and
4. The proposal will meet the goals and policies with respect to the adopted Comprehensive Master Plan for infill development.
5. Clearly the policies in the Lone Mountain Plan did not intend to be applied to our subject parcel.

The Design Review is for a proposed site development containing 52 units with 6- 2 story buildings approximately 25 feet high. Two (2) buildings are comprised of 20 - 1 bedroom/1bath units approximately 746 sq. ft. each and (4) buildings are comprised of 32- 2 bedroom/2 bath units approximately 1,014 sq. ft. each. Parking provided is in conformance with Title 30 requirements as well as all landscaping standards. Intense landscape buffer is proposed to buffer the existing church and single family residences on the east boundary. Open space exceeds Title 30 standards and has passive and active areas including various amenities such as dog run, barbeque areas, shade structures, pool with shower and toilet facilities.

Should you have any questions or require additional information please contact me at 702.524.0054.

Sincerely,



Richard c. Gallegos
Project Director

October 7, 2021

OCT 20 21 AM 11:49

DR-21-0629

To Whom it May Concern:

We would like to apply for a waiver relative to parcel #125-05-703-005:

- As stated in the letter **Drainage Study Comment Letter**: It appears the site design proposes excess fill and does not comply with Title 30.32.040(9). Note that a design review for the proposed fill height (waiver for excess fill) is necessary prior to offsite permit issuance.
- The need for excess fill due to the natural slope of the land also will cause the block wall between Parcel 1 and Parcel 2 as well as the wall on the East side of Parcel 2 to exceed the 9 feet allowed. So we would also like to apply for a waiver for block wall height for the wall between Parcel 1 and Parcel 2 as well as the wall on the Eastern side of newly created Parcel 2 which runs along Bonita Vista. For the wall between Parcel 1 and Parcel 2 we will need a 3.5 foot retaining wall topped with a 6 foot screen wall for a total of 9.5 feet. For the wall on the East side of Parcel 2 we will need a 4.5 foot retaining wall with a 6 foot screening wall for a total wall height of 10.5 feet.
- Per Clark County Regional Flood Control's Hydrologic Criteria and Drainage Design Manual requirements, Finish Floor Elevations of buildings must be at 18 inches above street elevation.
 - Parcel 1 - The centerline grade for Parcel 1 is 2555.50. The finish floor elevation of the future building is set at 2558.00. The graded elevation of the lot is 1 foot below the finish floor elevation after subtracting for 6 inches of concrete slab and 6 inches of aggregate base material. This leaves a graded lot elevation of 2557.00. The lot slopes naturally from West to East from approximately 2557.50 to 2554.00, or a difference of 3.50 feet. The lowest elevation on the lot is in a natural wash running through the lot in the area where the future home will be built which is at 2552.71 feet. Thus the greatest elevation difference is 4.29 feet. In order to create a flat pad, the wash needs to be filled in, which in this case means 4.29 feet of fill in that area. Please note that the highest fill amount is nearly equivalent to the grade differential of the lot's natural state, and the fill is simply used to fill a wash and create a flat pad where a house is normally plotted. The block wall between Parcel 1 and Parcel 2 will require a 3.5 foot retaining wall and then a 6 foot screen wall for privacy for a total wall height of 9.5 feet.
 - Parcel 2 - The centerline grade of proposed Parcel 2 is 2551.50. The finish floor elevation of the future building is set at 2554.5. The graded elevation of the lot is 1 foot below the finish floor elevation after subtracting for 6 inches of concrete slab and 6 inches of aggregate base material. This leaves a graded lot elevation of 2553.5. The lot slopes naturally from West to East from approximate elevation 2554.00 to 2550.50, or a difference of 3.50 feet. The area with the lowest elevation on the lot is in a natural wash running through the lot where the future home will be built which is at 2550.25 feet. Thus the largest vertical difference of fill needed to create a flat pad is 3.25 feet. In order to create a flat pad, the lot needs to be filled to an elevation of 2553.5 which

will require 3.25 feet of maximum fill along the Eastern property line. The block wall for the East wall of Parcel 2 will also require a 4.5' retaining wall and 6' screen wall for a total height of 10.5 feet.

- I am therefore applying for a waiver for excess fill to allow a maximum of 4.5' of fill on Lot 1 and 3.5' of fill on Lot 2 and to allow a block wall with a total height of 9.5 feet between Parcel 1 and Parcel 2 and 10.5 feet on the East side of Parcel 2 running along Bonita Vista.

Thank you for your time and consideration.

Sincerely,



Jeremy Tippetts (JLT Holding Company LLC Co-Manager)

12/22/21 BCC AGENDA SHEET

HORSE RIDING/RENTAL STABLE
(TITLE 30)

MILLER LN/LONE MOUNTAIN RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0630-CHANCELLOR MANOR, LC:

USE PERMITS for the following: **1)** permit a horse riding/rental stable; **2)** reduce minimum area required for a horse riding/rental stable; **3)** allow a boarding stall, corral, and pen area within the front yard where required to be located within the side or rear yard; **4)** allow alternative landscaping along all side and rear property lines; and **5)** increase the maximum number of Agriculture - Livestock, (small) animals.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate street landscaping; **2)** eliminate parking lot landscaping; **3)** allow alternative landscaping adjacent to a less intensive use; **4)** reduce setbacks for structures; **5)** reduce setback from the right-of-way for existing structures; **6)** permit an existing non-decorative fence; **7)** increase fence height; **8)** eliminate trash enclosure; **9)** reduce access gate setback; **10)** allow modified street standards; and **11)** waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).

DESIGN REVIEW for a proposed horse riding/rental stable and associated structures in conjunction with an existing single family residence on 2.2 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the west side of Miller Lane, 1,000 feet north of Lone Mountain Road within Lone Mountain. RM/bb/ja (For possible action)

RELATED INFORMATION:

APN:
125-33-803-002

USE PERMITS:

1. Permit a horse riding/rental stable.
2. Reduce the minimum area required for a horse riding/rental stable to 93,218 square feet where a minimum of 400,000 square feet is required per Table 30.44-1 (a 76.7% reduction).
3. Allow a boarding stall, corral, and pen area within the front yard where required to be located within the side or rear yard per Table 30.44-1.
4. Allow alternative landscaping along all side and rear property lines where 1 tree per 50 linear feet along all side and rear property lines shall be required, except within arenas per Table 30.44-1.
5. Increase the maximum number of Agriculture - Livestock (small) (chickens, roosters, ducks, and rabbits) to 37 animals where a maximum of 20 animals is permitted per Table 30.44-1 (an 85% increase).

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate street landscaping where required per Table 30.64-2 and Figure 30.64-13.
2. Eliminate parking lot landscaping where required per Figure 30.64-14.
3. Allow alternative landscaping (non-decorative metal fence with posts and lattice fence) adjacent to a less intensive use where a decorative wall is required per Figure 30.64-11.
4.
 - a. Reduce the front yard setback for a boarding stall to 25 feet where 40 feet is required per Table 30.40-1 (a 37.5% reduction).
 - b. Reduce the front yard setback for an existing non-decorative fence, corral, and pen area to zero feet where 40 feet is required per Table 30.40-1 (a 100% reduction).
 - c. Reduce the side street (corner) setback for an existing non-decorative fence, corral and pen area to zero feet where 15 feet is required per Table 30.40-1 (a 100% reduction).
5.
 - a. Reduce the setback from the right-of-way (La Madre Way) for existing structures (non-decorative fence, corral, and pen area) to zero feet where 10 feet is required per Section 30.56.040 (a 100% reduction).
 - b. Reduce the setback from the right-of-way (Miller Lane) for existing structures (non-decorative fence, corral, and pen area) to zero feet where 10 feet is required per Section 30.56.040 (a 100% reduction).
6. Permit an existing non-decorative fence (metal post fence with wire) adjacent to Miller Lane and La Madre Way where a decorative fence is required within a setback when located along a street per Section 30.64.020.
7. Allow an existing 5 foot high non-decorative metal post fence with wire along Miller Lane and La Madre Way where a decorative block wall with a maximum height of 3 feet is permitted per Section 30.64.020 (a 66.7% increase).
8. Eliminate trash enclosure where required per Section 30.56.120.
9. Reduce the required setback from a property line for existing access gates located along La Madre Way and Miller Lane to zero feet where a minimum of 18 feet is required if the gates are open during business hours per Section 30.64.020 (a 100% reduction).
10.
 - a. Reduce the approach distance for an existing driveway along La Madre Way to 118 feet where an approach distance of 150 feet to Miller Lane is required per Uniform Standard Drawing 222.1 (a 21.4% reduction).
 - b. Reduce the driveway departure distance from La Madre Way for an existing driveway along Miller Lane to 172 feet where a departure distance of 190 feet is required per Uniform Standard Drawing 222.1 (a 9.5% reduction).
11. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along La Madre Way and Miller Lane where required per Chapter 30.52.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 4975 N. Miller Lane
- Site Acreage: 2.2

- Project Type: Horse riding/rental stable
- Number of Stories: 1 (single family residence, boarding stall (“mare motel”), modular building, barn, and shade structures)
- Building Height (feet): 15 (existing barn)/11 (existing shade structures)/11.5 (existing single family residence)/12 (proposed boarding stall - “mare motel”)/357 (existing modular building)
- Square Feet: 2,876 (existing barn)/174 to 1,700 (existing shade structures)/2,704 (existing single family residence)/6,888 (boarding stall - “mare motel”)/20,558 (existing primary arena)/2,496 (existing secondary arena)/3,176 (existing corral)
- Parking Required/Provided: 7/7

Site Plan

This is a project of Regional Significance as defined by Title 30 as the development proposal is located within 500 feet of a local government’s jurisdiction (City of Las Vegas). Regional Infrastructure and Services Evaluation (RISE) reports have been submitted with the application. Based on the RISE reports, the proposed project will not impact the existing infrastructure within the surrounding jurisdiction.

The plans depict a proposed horse riding/rental stable situated on a developed 2.2 acre lot. The facility will include 20 horses, in addition to a variety of small, medium, and large animals including a llama, alpaca, miniature steer, potbellied pig, miniature donkey, sheep, 10 goats, 20 chickens, 3 roosters, 8 ducks, and 6 rabbits. An existing single family residence, which will be utilized as a caretaker’s residence, measuring 2,704 square feet is centrally located within the project site. The existing primary arena, with an overall area of 20,558 square feet, is located at the southeast corner of the site. An existing 5 foot tall metal fence is currently located along the south property line; however, the fence will be replaced with a 6 foot tall wood look lattice fence (hard plastic) to screen the arena and existing structures from the existing single family residence to the south. The wood look lattice fence will be installed along the southeast property line. An existing secondary arena, measuring 2,496 square feet, and an existing corral, measuring 3,176 square feet, are located at the northwest corner of the property. The existing corral is set back 16 feet from the north property line along La Madre Way and 25 feet from the west (rear) property line. An existing shade structure, with an overall area of 1,700 square feet, is located immediately northwest of the caretaker’s residence. An existing enclosed barn measuring 2,876 square feet, with a rear yard setback of 28 feet, is located on the western portion of the property. A 174 square foot shade structure is attached to the northwest side of the barn. A previously approved modular building via VC-0754-98, consisting of 357 square feet, was located at the southwest corner of the property. The modular building was replaced by a covered horse stall building since the previous approval of this request. The open air stall structure, consisting of 1,485 square feet, was located on the southwest portion of the site between the primary arena and the previously existing modular building. The open air stall was replaced by the covered “mare motel” stall building since the last approval. A previously proposed boarding stall (“mare motel”), with an area measuring 6,888 square feet, was to be constructed at the northeast corner of the subject property. The “mare motel” includes 20 stalls for the horses that will reside at the facility. This “mare motel” was constructed at the southwest corner of the property, replacing the open air stalls and the modular building. An existing 5 foot high, non-decorative metal fence with wire is located along the west, north, and east property lines. Parking for the facility is

located to the north of the caretaker's residence where a total of 7 parking spaces are provided and required for the site. Visitor access to the site is granted via an existing driveway located along La Madre Way. Staff access to the site is granted via an existing driveway located along Miller Lane.

The applicant obtained approval to operate this facility on March 6, 2019, with several conditions added to the approval by the Board of County Commissioners. The applicant met several of the original conditions prior to operating and during the first year. One of the conditions required the applicant to return to the Board for a review at a public hearing within 1 year. The applicant failed to return for a review of the application and update the Commission, and as a result, the application expired.

Landscaping

The plans depict existing, large mature trees centrally located within the project site. Existing trees are also located along the southeast property line of the subject property. The applicant satisfied the condition from the previously approved use permit (UC-19-0012) requiring the planting of 4 small trees along the southeast property line and 6 trees along La Madre Way.

Elevations

The plans and photographs depict a 1 story single family residence with an overall height of 11.5 feet. The residence features an asphalt shingle roof with a stucco and wood exterior painted with neutral, earth tone colors. The modular storage building and rooftop mounted equipment was removed by the applicant. The existing barn measures 15 feet in height with an asphalt shingle roof and a wood exterior painted with neutral, earth tone colors. The existing shade structure, located to the northwest of the caretaker's residence and measuring 11 feet in height, features a combination of stucco and metal columns supporting the metal canopy. A metal fence is located between the supporting columns of the structure and is affixed to a 2 foot high stucco wall. The existing shade structure (open air stall structure) is located along the south property line measuring 11 feet in height, and consists of metal posts and a metal canopy. The boarding stall ("mare motel") measures 11 feet in height and consists of a metal decking roof with aluminum support posts.

Floor Plan

The existing single family residence consists of 2,704 square feet and features 3 bedrooms, 4 bathrooms, laundry room, living room, kitchen, and 2 closets. The existing barn measures 2,876 square feet and consists of 10 horse stalls. The boarding stall ("mare motel") consists of 6,888 square feet and features 20 horse stalls.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that this is a non-profit organization, Horses 4 Heroes, whose mission is to provide horse riding lessons and other similar equestrian activities either at no cost, or at a deeply discounted rate to military veterans, youths, and other individuals who may not otherwise have the means to access the health, wellness, and morale benefits of these activities.

Additionally, the non-profit organization will serve as a home for a range of rescued animals including a llama, alpaca, miniature steer, potbellied pig, miniature donkey, sheep, 10 goats, 20 chickens, 3 roosters, 8 ducks, and 6 rabbits. An additional proposed improvement to the site is the installation of a wood look lattice fence (hard plastic) measuring 6 feet in height that will be constructed along the south property line to screen the riding arena from the adjacent properties. A property caretaker will live in the existing single family residence and provide for care of the property as well as its animals.

The applicant indicates that although the Miller Lane frontage is considered to be the front yard due to the address, the current access into the property, and the only access which visitors will be permitted to use, is from La Madre Way, which will minimize the impact of the visitor traffic to residential neighbors. It should further be noted that visitor traffic will be minimal during typical operations, as typically only 2 to 3 members receive lessons at a time. Additionally, the properties to the south and west are also used for commercial purposes that are similarly compatible with the rural residential area; the neighbors to the west operate a plant nursery; the home to the south is operated as a residential group home. Landscaping on the site is consistent with similar rural residential properties in the area and includes a number of mature trees throughout the site. It is the intent of Horses 4 Heroes to maintain the rural appearance of the property, consistent with the intended use and the character of the neighborhood. A formal neighborhood meeting was held prior to the Citizens Advisory Council meeting in 2019. The applicant misunderstood the requirement to return for a formal application review at a public hearing and missed the 1 year deadline.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0012	Horses 4 Heroes original application - expired	Approved by BCC	March 2019
VC-0754-98	Permit a mobile home to be used as a storage building and darkroom	Approved by PC	June 1998

Surrounding Land Use

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

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 Comprehensive Master Plan. One of several criteria the

applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Use Permits & Design Review

Staff's primary concern with these types of use permit requests is to ensure compatibility with existing and planned surrounding uses. The property is located within an RNP area planned Rural Neighborhood Preservation and also within the RNP-I Zoning Overlay District. Both designations are intended for the preservation of low density, rural residential developments. The zoning district permits livestock with typical domesticated animals, such as horses, being an integral component of these rural neighborhoods, and typically being compatible with the lifestyle afforded by an RNP area. These types of facilities with modifications from Code requirements have been approved in other parts of Clark County, including Lone Mountain, when located within an RNP area without negative effects to the immediate area.

It may appear, based on the number of use permit requests, that this facility may not be compatible with the existing residential neighborhood. However, compatibility refers to characteristics of different land uses that allow the uses to be harmoniously located near or adjacent to each other with minimal impacts. Compatible use considerations may include a range of activities and design features related to existing and proposed development, such as, but not limited to, height, scale, mass, density, landscaping, hours of operation, and environmental impacts.

With appropriate siting, required parking, and appropriate buffering, and assessing the totality of this request, this facility can be consistent and compatible with the rural residential neighborhood in consideration of Title 30 and the Comprehensive Master Plan. The facility is designed to be a specialized horse riding facility and not a traditional rental and riding stable. However, to ensure full compliance with all provisions and statements made by the applicant, staff recommends a review period of 1 year to ensure additional mitigation is not required for the facility.

This request is also a project of Regional Significance since the request meets the definition in the policies for projects of Regional Significance adopted by the Southern Nevada Regional Planning Coalition since the property is adjacent to the City of Las Vegas. The planned land uses within the City of Las Vegas will not be adversely impacted with approval of this request.

The buildings, structures, and layout of the property have existed on the site for over 20 years with the home existing since 1973. Staff finds the existing structures and newly constructed boarding stall ("mare motel") are consistent with other structures in the immediate area and consistent with equine facility structures approved in RNP areas. Therefore, the site design is compatible with adjacent land uses. Staff recommends adding the remaining previously approved conditions from UC-19-0012, to mitigate any impact the facility may have on the properties within the immediate area. A previous condition of UC-19-0012 included removal of non-operative mechanical equipment on a storage structure at the southeast corner of the property. The equipment and storage structure were taken down and a condition is no longer needed.

Waivers of Development Standards

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

Waiver of Development Standards #1

The intent of street landscaping is to enhance the perimeter of the project site, improve the aesthetics of the site along public rights-of-way, and to provide a buffer between parking areas and the adjacent streets. Staff is aware there is minimal street landscaping along Miller Lane and La Madre Way; however, the majority of the properties are developed with single family residences and are not subject to the same street landscaping standards required for non-residential developments. The request to waive the street landscaping requirement is a self-imposed burden; therefore, staff recommends denial with a condition requiring small, 15-gallon trees to be planted 20 feet on center along Miller Lane and La Madre Way. This condition was included in the 2019 approval but does not appear to have been met yet.

Waiver of Development Standards #2

The intent of parking lot landscaping is to provide climate adaptable plant materials that improve the visual appearance of the project site, enhance environmental conditions by providing shade, reducing storm water run-off, and to provide buffer areas between land uses of varying intensity. Staff finds the existing mature landscaping, centrally located within the project site, is an acceptable alternative to the typical design standards for parking lot landscaping. The mature landscaping provides adequate shade, and enhances the overall aesthetics of the facility. Therefore, staff recommends approval of the request.

Waiver of Development Standards #3

Staff does not object to the request to allow the existing non-decorative fence to remain adjacent to the less intensive uses (single family residences). An existing 5 foot tall metal fence is currently located along the south property line; however, the fence will be replaced with a 6 foot tall wood look lattice fence to screen the arena and existing structures from the existing single family residence to the south. The wood look lattice fence will be installed along the southeast property line. Existing trees are also located along the southeast property line of the subject property. Staff recommends approval of this request with a condition for the installation of an opaque, mesh screen on the existing fence along the west and southwest property lines to mitigate any potential impact the facility may have on the abutting residential properties. The previous condition to plant trees on the southeast corner of the property was met by the applicant.

Waivers of Development Standards #4 & #5

Staff finds the requests to reduce the required yard setbacks, and setback from the right-of-way for the existing and proposed structures, should have minimal to no impacts on the surrounding land uses and properties. Therefore, staff recommends approval.

Waivers of Development Standards #6 & #7

The existing non-decorative fence, including the height increase, will have minimal to no impact on the surrounding properties and land uses. Therefore, staff recommends approval with a condition for the installation of an opaque, mesh screen on the existing fence along the north and east property lines to mitigate any potential impact the facility and arenas may have on the abutting residential properties. The existing fence on La Madre Way will remain but not be located in the northeast spandrel.

Waiver of Development Standards #8

The applicant has indicated to staff that curb side pick-up of trash is readily available; therefore, staff recommends approval of this request. The condition to require trash pick-up, no less than 3 times a week should remain a condition of approval.

Public Works - Development Review

Waiver of Development Standards #9

Staff has no objection to the elimination of the setback for access gates that will remain open during business hours because the streets involved are low traffic residential streets. However, because the site is changing from residential to commercial, portions of the gates and fences may need to be moved farther into the property to comply with sight visibility zone standards.

Waiver of Development Standards #10

Staff has no objection to the location and design of the existing driveways provided that the gates remain open during business hours.

Waiver of Development Standards #11

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.

Staff Recommendation

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

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- 1 year to review as a public hearing;
- Visitor access to be on La Madre Way;
- Trash pick-up no less than 3 times a week;

- Parking to be all on-site with the exception for the 2 times a year fund raising activities that will have a traffic management plan, and the total number of on-site parking spaces to be 20;
- Install opaque, mesh screen on the existing fence along the north and east property lines;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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

- Gates to remain open during business hours;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that other than the existing fence on La Madre Way, the landscaping and structures shall not encroach into public right-of-way, easements, or sight-visibility zones.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that this property is currently serviced by a septic system with regard to sewage disposal; this system falls under the jurisdiction of the Southern Nevada Health District; this property is within 400 feet of City of Las Vegas public sanitary sewer; and for any sanitary sewer needs contact the City of Las Vegas.

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

APPLICANT: HORSES 4 HEROES

CONTACT: O'REILLY LAW GROUP, 325 S. MARYLAND PARKWAY, LAS VEGAS, NV 89101



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

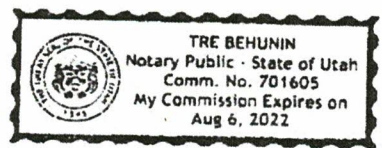
APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>UC/WS/DR-21-0630</u> DATE FILED: <u>10-26-2021</u> PLANNER ASSIGNED: <u>EBB</u> TAB/CAC: <u>Lone Mountain</u> TAB/CAC DATE: <u>11-30-2021</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>12-22-2021</u> 9am. 6:30pm. FEE: <u>1825</u>
	PROPERTY OWNER NAME: <u>Chancellor Manor, L.C. (Contact: Darris Rasmussen)</u> ADDRESS: <u>1360 E. Telegraph St. #108</u> CITY: <u>Washington</u> STATE: <u>UT</u> ZIP: <u>84780</u> TELEPHONE: <u>(435) 229-3350</u> CELL: _____ E-MAIL: <u>darristr@yahoo.com</u>
	APPLICANT NAME: <u>Horses 4 Heroes / Sydney Knott</u> ADDRESS: <u>4975 North Miller Lane</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89149</u> TELEPHONE: <u>(702) 645-8446</u> CELL: _____ E-MAIL: <u>vegasgroup@gmail.com</u> REF CONTACT ID #: _____
	CORRESPONDENT NAME: <u>Timothy R. O'Reilly, Esq. / O'Reilly Law Group, LLC</u> ADDRESS: <u>325 South Maryland Parkway</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>(702) 382-2500</u> CELL: _____ E-MAIL: <u>efile@oreillylawgroup.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 125-338-03-002
 PROPERTY ADDRESS and/or CROSS STREETS: 4975 North Miller Lane, Las Vegas, NV 89149
 PROJECT DESCRIPTION: Non-Farm Horses/Heroes relating to an existing house in an RE zone. Refer to attached justification letter for details of application

I, We (the undersigned swear and say that I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or I am, we are) otherwise qualified to initiate this application under Clark County Code. I/We certify 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.

Darris T Rasmussen Darris T Rasmussen
 Property Owner (Signature) Property Owner (Print)

STATE OF UTAH
 COUNTY OF WASHINGTON
 SUBSCRIBED AND SWORN BEFORE ME ON 8/3/21 (DATE)
 By TRE BEHUNIN



APR-21-10/102


Darris T Rasmussen

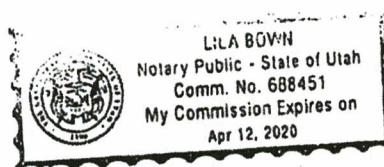
December 13, 2018

To Whom it May Concern:

As the owner of the property known as Miller Ranch, located at 4975 North Miller Lane, Las Vegas, NV 89149, I give my approval for the lessee, Horses4Heroes, to seek any entitlements and agency approvals which they find necessary so that they will be able to utilize the property for their purposes. In seeking said approvals I authorize Sydney Knott of Horses4Heroes to sign on my behalf on any official documents which shall be required. We fully support this non-profit organization and wish them well in their mission to use this property to continue providing equestrian programs for those who serve and have served our community and country.

Sincerely,


Darris T Rasmussen



Witnessed by:

/s/ 

State of Utah
County of Washington
On this 13 day of Dec, 2018. Darris T Rasmussen
Personally appeared before me,
 who is personally known to me.
 who's identity I verified on the basis of ut DL exp. 3/20
 who's identity I verified on the oath/affirmation of
a creditable witness,
to be the signer of the foregoing document, and he/she
acknowledges that he/she signed it.


Notary Public
My Commission Expires April 12, 2020

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UC-21 - 0630

O'REILLY LAW GROUP, LLC

A NEVADA LIMITED LIABILITY COMPANY INCLUDING CORPORATIONS

325 SOUTH MARYLAND PARKWAY

LAS VEGAS, NEVADA 89101-5300

TELEPHONE (702) 382-2500 FACSIMILE (702) 384-6266

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September 10, 2021

Department of Comprehensive Planning
Board of County Commissioners
500 S. Grand Central Pkwy
Box 551741
Las Vegas, Nevada 89155-1741

Re: **Justification Letter in Support of Land Use Application**

Applicant: **Horses 4 Heroes, Inc.**
Project Address: **4975 N. Miller Lane, Las Vegas, NV 89149**
APN: **125-33-803-002**

To Whom It May Concern:

Our office has been engaged by Horses 4 Heroes ("Applicant") to assist with the Land Use Application (the "Application") for the above referenced Project Address. Please allow this correspondence to serve as the required Justification Letter as it relates to the Application. In summary, this Justification Letter sets forth the following: a review and discussion of the approval and expiration of application No. 19-0012¹; a brief discussion of the history and mission of Horses 4 Heroes²; a synopsis of the neighborhood, including the existing and planned surrounding uses³; and, Applicant's request for approval of its proposed uses and waivers of certain development standards.⁴

(A) APPROVAL AND EXPIRATION OF APPLICATION 19-0012

The current Application is a resubmission of the previously approved application, number 19-0012.⁵ Unfortunately, the prior approval expired due to a misunderstanding as it relates to the conditioned subsequent review as a public hearing within one year. Therefore, Applicant now

¹ Section (A).

² Section (B).

³ Section (C).

⁴ Section (D).

⁵ Record Details for Application 19-0012 and Notice of Final Action dated March 14, 2019 are enclosed for reference.

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submits a renewed Application for approval of its use permits, for waivers of certain development standards, and requests an updated design review.

One of the goals of applying for a use permit is to establish 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."⁶ The Clark County Board of County Commissioners approved the previous application; thus, these foundational standards clearly have been met. Moreover, Applicant has complied with or exceeded all conditions imposed by the Commission, with exception of its oversight of the 1-year review hearing.

The previous application requested the following use permits, all of which were approved:

1. Permit a horse riding/rental stable.
2. Reduce the minimum area required for a horse riding/rental stable to 93,218 square feet where a minimum of 400,000 square feet is required per Table 30.44 (a 76.7% reduction).
3. Allow a boarding stall, corral, and pen area within the front yard where required to be located within the side or rear yard per Table 30.44-1.
4. Allow alternative landscaping along all side and rear property lines where 1 tree per 50 linear feet along all side and rear property lines shall be required, except within arenas per Table 30.44-1.
5. Increase the maximum number of Agriculture – Livestock (Small) (chickens, roosters, ducks, and rabbits) to 37 animals where a maximum of 20 animals is permitted per Table 30.44-1 (an 85% increase).

The previous application requested the following waivers of development standards:

1. Eliminate street landscaping where required per Table 30.64-2 and Figure 30.64-13.
2. Eliminate parking lot landscaping where required per Figure 30.64-14.
3. Allow alternative landscaping (non-decorative metal fence with posts and lattice fence) adjacent to a less intensive use where a decorative wall is required per Figure 30.64-11.

⁶ Page 29.7 of the enclosed March 6, 2019 BCC Agenda Sheet.

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4.
 - a. Reduce the front yard setback for a boarding stall to 25 feet where 40 feet is required per Table 30.40-1 (a 37.5% reduction).
 - b. Reduce the front yard setback for an existing non-decorative fence, corral, and pen area to zero feet where 40 feet is required per Table 30.40-1 (a 100% reduction).
 - c. Reduce the side street (corner) setback for an existing non-decorative fence, corral and pen area to zero feet where 15 feet is required per Table 30.40-1 (a 100% reduction).
5.
 - a. Reduce the setback from the right-of-way (La Madre Way) for existing structures (non-decorative fence, corral, and pen area) to zero feet where 10 feet is required per Section 30.56.040 (a 100% reduction).
 - b. Reduce the setback from the right-of-way (Miller Lane) for existing structures (non-decorative fence, corral, and pen area) to zero feet where 10 feet is required per Section 30.56.040 (a 100% reduction).
6. Permit an existing non-decorative fence (metal post fence with wire) adjacent to Miller Lane and La Madre Way where a decorative fence is required within a setback when located along a street per Section 30.64.020.
7. Allow an existing 5 foot high non-decorative metal post fence with wire along Miller Lane and La Madre Way where a decorative block wall with a maximum height of 3 feet is permitted per Section 30.64.020 (a 66.7% increase).
8. Eliminate trash enclosure where required per Section 30.56.120.
9. Reduce the required setback from a property line for existing access gates located along La Madre Way and Miller Lane to zero feet where a minimum of 18 feet is required if the gates are open during business hours per Section 30.64.020 (a 100% reduction).
10.
 - a. Reduce the approach distance for an existing driveway along La Madre Way to 118 feet where an approach distance of 150 feet to Miller Lane is required per Uniform Standard Drawing 222.1 (a 21.4% reduction).
 - b. Reduce the driveway departure distance from La Madre Way for an existing driveway along Miller Lane to 172 feet where a departure distance of 190 feet is required per Uniform Standard Drawing 222.1 (a 9.5% reduction).
11. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along La Madre Way and Miller Lane where required per Chapter 30.52.

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Notice of Final Action was filed on March 14, 2019, which expressed approval of the application based upon the following conditions:

- 1 year to review as a public hearing;
- Trash pick-up no less than 3 times a week;
- Remove non-operative mechanical equipment from the roof of the existing storage structure located at the southwest corner of the property;
- Visitor access to be on La Madre Way;
- Parking to be all on-site with the exception for the 2 times a year fund raising activities that will have a traffic management plan, and the total number of on-site parking spaces to be 20;
- A total of 4 small 15 gallon trees to be planted between the gaps of the existing trees along the southeast property line;
- Mesh screening along La Madre Way and Miller Lane;
- Existing fence on La Madre Way to remain with the exception of the northeast spandrel;
- Applicant is required to comply with the rules and regulations of the Clark County Building Department, Southern Nevada Health District, Clark County Air Quality, and the State of Nevada Water Resources for all uses on the property;
- Timing to start operation, may commence operation while working with all other agencies to come into full compliance, but no preparing, storing, selling, or serving food without direction and approval from the Southern Nevada Health District;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit, license or approval; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works – Development Review

- Gates to remain open during business hours;
- Right-of-way dedication to include the spandrel on the northeast corner of the site and fence to be relocated out of the spandrel;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that other than the existing fence on La Madre Way, the landscaping and structures shall not encroach into public right-of-way, easements, or sight-visibility zones.

Southern Nevada Health District (SNHD) – Septic

- Applicant is advised to schedule an appointment with the SNHD Environmental Health Division at (702) 759-0660 to obtain written approval for Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

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 sewer requests, 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.

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As noted on the enclosed Conditions and Completion Timeline, Applicant met all conditions in a timely manner. Also enclosed are various photographs of the completed conditions.

(B) HISTORY AND MISSION OF HORSES 4 HEROES

Horses 4 Heroes is a non-profit organization, and its mission is to provide low- to no-cost equestrian services and experiences to military veterans, youths, and other individuals who may not have the means to access the health, wellness, and morale benefits of these activities. Since 2006, this organization has helped thousands of Las Vegas residents, including veterans and first responders with PTSD, victims of domestic abuse and violence, and youth in early childhood development by offering horse riding programs and other recreational and instructional activities.

(C) RURAL NEIGHBORHOOD PRESERVATION AREA

The Project Address is ideal for such services because it is located within a Rural Neighborhood Preservation intended for the preservation of low density, rural residential developments, with horses and livestock being an integral component of such areas.

This Project has operated in harmony with the rural residential neighborhood with minimal to no negative impacts to the adjacent properties. There has been one code enforcement case initiated as it related to a recreational vehicle (RV) parked at the location. The RV was temporarily parked on site as a courtesy to a local military veteran but has now been removed.

As the Commission previously noted, "this facility can be consistent and compatible with the rural residential neighborhood in consideration of Title 30 and the Comprehensive Master Plan."⁷ Therefore, we submit this letter on behalf of the Applicant in support of the requests outlined below.

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⁷ Page 29.8 of the enclosed March 6, 2019 BCC Agenda Sheet.

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(D) REQUEST FOR APPROVAL OF NEW APPLICATION

The Applicant has complied with all previous conditions, as noted herein. But for the expiration of the previous approval, Horses 4 Heroes would be operating under the previously approved special use permits without issue. Applicant respectfully requests approval of the following use permits:

1. Permit a horse riding/rental stable.
2. Reduce the minimum area required for a horse riding/rental stable to 93,218 square feet where a minimum of 400,000 square feet is required per Table 30.44 (a 76.7% reduction).
3. Allow a boarding stall, corral, and pen area within the front yard where required to be located within the side or rear yard per Table 30.44-1.
4. Allow alternative landscaping along all side and rear property lines where 1 tree per 50 linear feet along all side and rear property lines shall be required, except within arenas per Table 30.44-1.
5. Increase the maximum number of Agriculture (small livestock) to 34 where a maximum of 20 animals is permitted per Table 30.44-1.

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In addition, Applicant requests approval of the following waivers of development standards, all of which were previously approved or approved upon certain conditions:

1. Eliminate parking lot landscaping where required per Figure 30.64-14.
2. Allow alternative landscaping (non-decorative metal fence with opaque mesh screening installed) adjacent to a less intensive use where a decorative wall is required per Figure 30.64-11.
3.
 - a. Reduce the front yard setback for a boarding stall to 25 feet where 40 feet is required per Table 30.40-1 (a 37.5% reduction).
 - b. Reduce the front yard setback for an existing non-decorative fence, corral, and pen area to zero feet where 40 feet is required per Table 30.40-1 (a 100% reduction).
 - c. Reduce the side street (corner) setback for an existing non-decorative fence, corral and pen area to zero feet where 15 feet is required per Table 30.40-1 (a 100% reduction).

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4. a. Reduce the setback from the right-of-way (La Madre Way) for existing structures (non-decorative fence, corral, and pen area) to zero feet where 10 feet is required per Section 30.56.040 (a 100% reduction).
- b. Reduce the setback from the right-of-way (Miller Lane) for existing structures (non-decorative fence, corral, and pen area) to zero feet where 10 feet is required per Section 30.56.040 (a 100% reduction).
5. Permit an existing non-decorative fence (metal post fence with wire and opaque mesh screening installed) adjacent to Miller Lane and La Madre Way where a decorative fence is required within a setback when located along a street per Section 30.64.020.
6. Allow an existing 5 foot high non-decorative metal post fence with wire and opaque mesh screening along Miller Lane and La Madre Way where a decorative block wall with a maximum height of 3 feet is permitted per Section 30.64.020 (a 66.7% increase).
7. Eliminate trash enclosure where required per Section 30.56.120.
8. Reduce the required setback from a property line for existing access gates located along La Madre Way and Miller Lane to zero feet where a minimum of 18 feet is required if the gates are open during business hours per Section 30.64.020 (a 100% reduction).
9. a. Reduce the approach distance for an existing driveway along La Madre Way to 118 feet where an approach distance of 150 feet to Miller Lane is required per Uniform Standard Drawing 222.1 (a 21.4% reduction).
- b. Reduce the driveway departure distance from La Madre Way for an existing driveway along Miller Lane to 172 feet where a departure distance of 190 feet is required per Uniform Standard Drawing 222.1 (a 9.5% reduction).
10. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along La Madre Way and Miller Lane where required per Chapter 30.52.

Applicant previously requested a waiver of street landscaping where required per Table 30.64-2 and Figure 30.64-13, which was subsequently denied. Nonetheless, Applicant has complied with the condition requiring trees be planted along Miller Lane and La Madre Way.

Since March 2019, Applicant has reduced the number of its livestock by eliminating all its chickens and ducks. In August 2021, four horses are being relocated to Spokane, Washington. As of August 2021, the planned amount of livestock includes the following: 16 horses, 3 mini horses, 4 mini pot-bellied pigs, 12 domestic rabbits, 1 alpaca, 1 llama, 1 mini donkey, 1 mini steer, 12 goats, and 2 roosters.

Additionally, opaque mesh screening has been installed on all required sides; a total of ten 15-gallon trees have been planted on La Madre Way and the south side of the Property; the storage

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structure located at the southwest corner of the property has been completely removed; the right of way dedication and spandrel at the northeast corner was completed in August 2019; Southern Nevada Health District septic tank work has been completed; and the Applicant has purchased a one-acre foot commercial water right.

We look forward to working you on this Application. If you require any additional information or have questions about the Application or the property, please contact our office.

Very truly yours,

O'REILLY LAW GROUP, LLC

/s/ Timothy R. O'Reilly

Timothy R. O'Reilly, Esq.

TOR:tmj

Enclosures:

1. Record Details for Application 19-0012
2. Notice of Final Action dated March 14, 2019
3. March 6, 2019 BCC Agenda Sheet
4. Conditions and Completion Timeline
5. Property Photographs

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UC-21-0630

12/22/21 BCC AGENDA SHEET

WALL HEIGHT
(TITLE 30)

JAKES PLACE/BONITA VISTA ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-21-0629-JLT HOLDING COMPANY, LLC:

WAIVER OF DEVELOPMENT STANDARDS to increase the height of a block wall.
DESIGN REVIEW for finished grade on 2.1 acres in an R-A (Residential Agricultural) (RNP-II) Zone.

Generally located on the north side of Jakes Place and the west side of Bonita Vista Street within Lone Mountain. MK/sd/jo (For possible action)

RELATED INFORMATION:

APN:
125-05-703-005

WAIVER OF DEVELOPMENT STANDARDS:

Increase the block wall height to 10 feet and 6 inches (4 feet 6 inches retaining wall with 6 foot screen wall) where a maximum height of 9 feet (3 foot retaining wall and 6 foot screen wall) is allowed per Table 30.64-1 (a 17% increase).

DESIGN REVIEW:

Increase finished grade to 54 inches where a maximum of 18 inches is allowed per Section 30.32.040 (a 200% increase).

LAND USE PLAN:

LONE MOUNTAIN - RESIDENTIAL AGRICULTURE (UP TO 1 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.1
- Project Type: Wall height & increase grade

Site Plan

The plan depicts a proposed minor subdivision (MSM-21-600022) with 2 lots fronting Jakes Place. Proposed Lot 1 (west side) and Lot 2 (east side) will each be approximately 1 acre in area. The applicant is proposing to increase the finished grade to allow for construction of single family residences. Along with the increase in grade is a request to allow for an increase in block

wall height between Parcel 1 and Parcel 2 as well as the wall on the eastern side of Lot 2. The maximum height of the increase in wall height is 4.5 feet of retaining wall with a 6 foot block wall on top for a total waiver request of 10.5 feet.

Landscaping

Landscaping is not a part of this request.

Applicant's Justification

The need for excess fill is due to the natural slope of the land which will also block the wall between Lot 1 and Lot 2 as well as the wall on the east side of Lot 2 to exceed the 9 feet allowed. For the wall between Lot 1 and Lot 2 a 3.5 foot retaining wall topped with a 6 foot screen wall for a total of 9.5 feet is needed. For the wall on the east side of Parcel 2, a 4.5 foot retaining wall with a 6 foot screening wall for a total wall height of 10.5 feet is needed.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0989-01	Right-of-way vacations to correct for road locations	Approved by PC	September 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Residential Agricultural (up to 1 du/ac)	R-A (RNP-II)	Single family residential
East	Residential Agricultural (up to 1 du/ac)	R-A (RNP-II)	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waiver of Development Standards

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

The applicant's request to increase the retaining wall height is due to the increase in the site's finished grade. Staff finds that due to the significant amount of grade difference and the need to increase the finished grade to properly elevate the pad site for the proposed residence and will not create an undue burden on, any public improvements, facilities or services. Staff can support the increase in retaining wall height.

Public Works - Development Review

Design Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; for any sanitary sewer needs; and 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: JLT HOLDING COMPANY, LLC

CONTACT: JEREMY TIPPETTS, 8348 JEREMIAHS LODGE AVE, LAS VEGAS, NV
89131

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>DR-21-0629</u> DATE FILED: <u>10/26/21</u></p> <p>PLANNER ASSIGNED: <u>SWD</u></p> <p>TAB/CAC: <u>Lone Mountain</u> TAB/CAC DATE: <u>11/30/21</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>12/22/21</u></p> <p>FEE: <u>\$675</u></p>
	PROPERTY OWNER	<p>NAME: <u>JLT Holding Company LLC (Jeremy Tippetts as Co-Manager)</u></p> <p>ADDRESS: <u>8348 Jeremiahs Lodge Ave</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89131</u></p> <p>TELEPHONE: <u>(702) 824-7137</u> CELL: <u>(702) 824-7137</u></p> <p>E-MAIL: <u>tippettsjeremy@gmail.com</u></p>
	APPLICANT	<p>NAME: <u>Same as Property Owner</u></p> <p>ADDRESS: _____</p> <p>CITY: _____ STATE: _____ ZIP: _____</p> <p>TELEPHONE: _____ CELL: _____</p> <p>E-MAIL: _____ REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>Same as Property Owner</u></p> <p>ADDRESS: _____</p> <p>CITY: _____ STATE: _____ ZIP: _____</p> <p>TELEPHONE: _____ CELL: _____</p> <p>E-MAIL: _____ REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 125-05-703-005

PROPERTY ADDRESS and/or CROSS STREETS: N Bonita Vista & Jakes Place

PROJECT DESCRIPTION: Subdivision of Lot at Northwest Corner of N Bonita Vista St & Jakes Place / Increase Grade

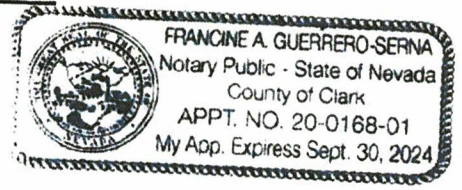
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

[Signature]
 Property Owner (Signature)*

JLT Holding Company LLC (Jeremy Tippetts as Co-Manager)
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON August 18, 2021 (DATE)
 By Jeremy Mack Tippetts
 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.

October 7, 2021

OCT 20 21 AM 11:49

DR-21-0629

To Whom it May Concern:

We would like to apply for a waiver relative to parcel #125-05-703-005:

- As stated in the letter **Drainage Study Comment Letter**: It appears the site design proposes excess fill and does not comply with Title 30.32.040(9). Note that a design review for the proposed fill height (waiver for excess fill) is necessary prior to offsite permit issuance.
- The need for excess fill due to the natural slope of the land also will cause the block wall between Parcel 1 and Parcel 2 as well as the wall on the East side of Parcel 2 to exceed the 9 feet allowed. So we would also like to apply for a waiver for block wall height for the wall between Parcel 1 and Parcel 2 as well as the wall on the Eastern side of newly created Parcel 2 which runs along Bonita Vista. For the wall between Parcel 1 and Parcel 2 we will need a 3.5 foot retaining wall topped with a 6 foot screen wall for a total of 9.5 feet. For the wall on the East side of Parcel 2 we will need a 4.5 foot retaining wall with a 6 foot screening wall for a total wall height of 10.5 feet.
- Per Clark County Regional Flood Control's Hydrologic Criteria and Drainage Design Manual requirements, Finish Floor Elevations of buildings must be at 18 inches above street elevation.
 - Parcel 1 - The centerline grade for Parcel 1 is 2555.50. The finish floor elevation of the future building is set at 2558.00. The graded elevation of the lot is 1 foot below the finish floor elevation after subtracting for 6 inches of concrete slab and 6 inches of aggregate base material. This leaves a graded lot elevation of 2557.00. The lot slopes naturally from West to East from approximately 2557.50 to 2554.00, or a difference of 3.50 feet. The lowest elevation on the lot is in a natural wash running through the lot in the area where the future home will be built which is at 2552.71 feet. Thus the greatest elevation difference is 4.29 feet. In order to create a flat pad, the wash needs to be filled in, which in this case means 4.29 feet of fill in that area. Please note that the highest fill amount is nearly equivalent to the grade differential of the lot's natural state, and the fill is simply used to fill a wash and create a flat pad where a house is normally plotted. The block wall between Parcel 1 and Parcel 2 will require a 3.5 foot retaining wall and then a 6 foot screen wall for privacy for a total wall height of 9.5 feet.
 - Parcel 2 - The centerline grade of proposed Parcel 2 is 2551.50. The finish floor elevation of the future building is set at 2554.5. The graded elevation of the lot is 1 foot below the finish floor elevation after subtracting for 6 inches of concrete slab and 6 inches of aggregate base material. This leaves a graded lot elevation of 2553.5. The lot slopes naturally from West to East from approximate elevation 2554.00 to 2550.50, or a difference of 3.50 feet. The area with the lowest elevation on the lot is in a natural wash running through the lot where the future home will be built which is at 2550.25 feet. Thus the largest vertical difference of fill needed to create a flat pad is 3.25 feet. In order to create a flat pad, the lot needs to be filled to an elevation of 2553.5 which

will require 3.25 feet of maximum fill along the Eastern property line. The block wall for the East wall of Parcel 2 will also require a 4.5' retaining wall and 6' screen wall for a total height of 10.5 feet.

- I am therefore applying for a waiver for excess fill to allow a maximum of 4.5' of fill on Lot 1 and 3.5' of fill on Lot 2 and to allow a block wall with a total height of 9.5 feet between Parcel 1 and Parcel 2 and 10.5 feet on the East side of Parcel 2 running along Bonita Vista.

Thank you for your time and consideration.

Sincerely,



Jeremy Tippetts (JLT Holding Company LLC Co-Manager)